



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

I. ROLL CALL

Public Comment will only be in-person. Members of the public who wish to address the Commission, by providing public comment, during the meeting must do so in-person in the Council Chambers. As an alternative, members of the public may also provide written public comment submitted via email as indicated in the Submitting Comments by Email instructions on this agenda. Zoom will still be available for viewing.

Members of the public will be allowed to provide public comment through Zoom if a Commissioner is participating remotely pursuant to the provisions of California Government Code section 54953.8.3.

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 Senate Bill 707, California Government Code section 54953.8.3. Alternative viewing options are listed below, and the meeting is physically open to the public.

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=f6VK7ZrbNT3sQ1SNJ5nbzborYtPZ.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 March 16, 2026 and the Special Joint City Council Planning Commission minutes of March 18, 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

None.

VI. PUBLIC HEARING

Published in the Modesto Bee March 15, 2026.

- Item A Hearing to consider approval of a Vesting Tentative Subdivision Map to split 5.93 acres into 21 single-family residential lots at the property located at 0 Esta Avenue Westwood Professional Services
This item is being continued to a date uncertain
Contact Info: Vanessa Castro, 577-5267, vcastro@modestogov.com

Published in the Modesto Bee March 15, 2026.

- Item B Hearing to consider a resolution approving a Tentative Condominium Map to divide an existing 5-suite medical office building into five (5) commercial condominium units. Surveyors Group, INC
Contact Info: Edwin Borquez, 577-5267, eborquez@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 APRIL 6, 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 Hearing to consider approval of a Vesting Tentative Subdivision Map to split 5.93 acres into 21 single-family residential lots at the property located at 0 Esta Avenue

This item is being continued to a date uncertain.

ITEM B Hearing to consider a resolution approving a Tentative Condominium Map to divide an existing 5-suite medical office building into five (5) commercial condominium units.

<u>Relationship</u>	<u>Name/Address</u>
Owner / Applicant	John Sulak, 3609+ Coffee Road, Suite 2, Modesto, CA 95355
Representative	Surveyor Group Inc, Timothy Blair, 9001 Foothills Blvd. Suite 170, Roseville, CA 95747

City of Modesto Planning Commission

Minutes

March 16, 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, Hauselmann, Russell, and Shanks, present

II. APPROVAL OF MINUTES

It was moved by Commissioner Russell, seconded by Commissioner Goriel, and carried unanimously (7-0) that the minutes of the regular meeting of February 23, 2026, be approved, with administrative corrections.

III. PUBLIC COMMENT PERIOD

A member of the public spoke on the future and us of artificial intelligence.

IV. CONFLICT OF INTEREST DECLARATION

None.

V. CONSENT

None.

VI. PUBLIC HEARINGS

Item A Hearing to consider approving a Tentative Parcel Map to subdivide two existing parcels totaling approximately 1.44 acres into four parcels. The project site is located at 1235 and 1239 McHenry Avenue in the Mixed-Use Pedestrian (MU-P) zone. (Rod Hawkins)
Contact Info: Michael Schubert, 577-5267, mschubert@modestogov.com

Motion/Action (Approved)

It was moved by Commissioner Black, seconded by Commissioner Goriel, and carried unanimously (7-0) (Arroyo, Black, Goriel, Grewal, Hauselmann, Russell, Shanks, ayes; None, noes; None, absent; None, recused) that the Planning Commission adopt **Resolution No. 2026-18 A RESOLUTION APPROVING A TENTATIVE PARCEL MAP TO SUBDIVIDE TWO EXISTING PARCELS LOCATED AT 1235 AND 1239 MCHENRY AVENUE**

VII. OTHER BUSINESS

Recording Sectary reminded the Commission of the upcoming Special Joint Workshop.

VIII. MATTERS TOO LATE FOR THE AGENDA

None.

XI. ADJOURNMENT

The meeting was adjourned at 6:22 pm.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary



MODESTO CITY COUNCIL

www.modestogov.com

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, March 18, 2026 at 1:00 PM

Special City Council Meeting 1:00 p.m.

Roll Call: Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Special Planning Commission Meeting 1:00 p.m.

Roll Call: Present: Commissioners Arroyo, Black, Goriel, Grewal, Russell, Chair Shanks
Absent: Hauselmann (excused)

PUBLIC COMMENT PERIOD

- Milt Trierweiler called for reflection on the qualities of good and honest politicians and public employees. He stated that such individuals were defined by integrity, transparency, accountability, and a commitment to public welfare over personal gain. He described key traits including moral courage, selfless service, authenticity, empathy, consistency, and a willingness to listen and adapt based on accurate information. He also emphasized the importance of ethical, evidence-based decision-making and surrounding oneself with knowledgeable advisors. He concluded by urging them to strive toward these standards.
- Written General Public Comments Received.
CITY CLERK; City Clerk, 209-577-5396, cityclerk@modestogov.com

NEW BUSINESS

- 1 Presentation regarding the General Plan Update and review of three potential Land Use Alternatives (Funding Source: Not Applicable)
 - Receive presentation regarding the General Plan Update and three potential Land Use Alternatives, open the item for public comment, and provide input.
CED; Jessica Hill, 209-577-5321, jhill@modestgov.com

ACTION: Council and Planning Commission received presentation regarding the General Plan update, received public comments, and provided input. No formal action was taken.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:47 P.M.

Attest: copy on file
Dana Sanchez, Assistant City Clerk



City of Modesto
Community and Economic
Development Department/Planning Division
1010 Tenth Street, Third Floor
Modesto, CA 95354


Memorandum

TO: Planning Commission

DATE: April 6, 2026

SUBJECT: Millbrook Manor – Item A continuation

Per applicant's request, this item has been continued to a date uncertain.

 <p style="text-align: center;">CITY OF MODESTO COMMITTEE AGENDA REPORT</p>	<p style="text-align: center;">DATE OF MEETING: April 6, 2026</p>
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Date: February 23, 2026

TO: Chairperson Shanks and Members of the Planning Commission

THROUGH: Jessica Hill, Community and Economic Development Director

FROM: Michael Hren, AICP, Principal Planner

SUBJECT: Tentative Condominium Map at 3609 Coffee Road

CONTACT: Edwin Borquez, Associate Planner,
Eborquez@modestogov.com, 209-571-5516

CEQA: This project is categorically exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15301 "Existing Facilities."

APPLICANT: Surveyors Group, INC

DESCRIPTION:

Hearing to consider a resolution approving a Tentative Condominium Map to divide an existing 5-suite medical office building into five (5) commercial condominium units. (Funding source: Application Fee)

STRATEGIC PLAN ELEMENT:

This item supports the City of Modesto's 2025-2026 Strategic Plan, Goal E: Drive the success of a vibrant and economically sustainable business climate.

BACKGROUND:

The subject property is a 33,552 square-foot lot located at 3609 Coffee Road, situated east of Coffee Road and north of Sylvan Meadows Drive.

- The site is currently zoned Professional Office (P-O) with a General Plan designation of Mixed-Use (MU).

- The property is fully developed with a 9,323-square-foot professional office building containing five (5) existing suites currently utilized for medical and professional services.

The properties to the north and east are zoned R-2 (Medium-Density); the property to the south is P-O (Professional Office); and properties to the west are Planned Development (P-D) allowing for R-1 (Single-Family). All surrounding properties are developed in accordance with their respective designations. See Figure-1 below.



Figure-1

DISCUSSION:

The applicant (Surveyors Group, INC.) proposes a Tentative Condominium Map to facilitate the airspace division of the five existing suites into individual ownership units.

This is a "paper subdivision" only. The building footprint, exterior site plan, and intensity of use will remain unchanged. The conversion allows for individual ownership of the existing suites while ensuring shared maintenance of common areas, parking, and landscaping through recorded Covenants, Conditions, and Restrictions (CC&Rs).

The proposed map has been reviewed by the City Engineer and internal departments for compliance with the Subdivision Map Act and Title 4 of the Modesto Municipal Code.

- Code Compliance: The existing building conforms to all current setbacks, heights, and land-use regulations. No physical expansion is proposed.
- Utility Services: The site is already connected to City sewer and water facilities. The division will not result in a violation of Regional Water Quality Control Board requirements.
- Public Welfare: Because the project involves no changes to traffic, noise, or light, it will not be materially detrimental to the public welfare or injurious to the neighboring residential zones.

FISCAL IMPACT:

City expenditures related to the review of the project are funded by application fees provided by the applicant.

CEQA REQUIREMENTS:

Pursuant to Section 15301 (Existing Facilities), the proposed Tentative Condominium Map is exempt from CEQA because the project consists of dividing existing corporate or commercial units within an existing structure, with no expansion of use, and it is consistent with the General Plan. Staff has prepared a CEQA Notice of Exemption EA 2026-03.

RECOMMENDED PLANNING COMMISSION ACTION:

Staff Recommendations:

Motion to certify and adopt the CEQA Notice of Exemption EA 2026-03; and

Motion to adopt a Resolution approving a Tentative Condominium Map to divide an existing 5-suite medical office building into five (5) commercial condominium units (Surveyors Group, INC).

Attachments:

1. Planning Commission Resolution 2026-xx
2. Tentative Condominium Map
3. CEQA Notice of Exemption EA 2026-03
4. Financial Interest Disclosure Form
5. Levine Act Form

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

**A RESOLUTION APPROVING THE TENTATIVE CONDOMINIUM MAP
OF PROPERTY LOCATED AT 3609 COFFEE ROAD (SURVEYORS
GROUP, INC)**

WHEREAS, Surveyors Group, INC has filed an application for a Tentative Condominium Map to divide an existing 5-suite medical office building into five (5) commercial condominium units; and

WHEREAS, said Tentative Condominium Map was received in the office of the Secretary of the Planning Commission on December 3, 2025, and was accepted for filing and deemed complete on January 3, 2026, in accordance with the provisions of Section 4-4.502 of the Modesto Municipal Code; and

WHEREAS, copies of said Tentative Condominium Map have been sent to internal departments and local external agencies for review and comment; and

WHEREAS, City services, including sewer and water facilities, are available; and

WHEREAS, a public hearing was held by the Planning Commission on April 6, 2026, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, this Tentative Condominium Map is exempt from CEQA, pursuant to Section 15301 of the CEQA Guidelines, as the project consists of the division of existing professional office or commercial units within an existing structure involving no expansion of use.

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

1. The proposed division into five (5) medical condominium units is consistent with the General Plan of the City of Modesto, because the units are consistent with the Mixed Use (MU) designation of the Modesto Urban General Plan and the site is currently developed as a medical office building.
2. The proposed Tentative Condominium Map will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity or zone in which the property is located and will not nullify the intent and purpose of the General Plan or regulations within the City of Modesto Municipal Code, because the project involves no physical expansion of the existing building footprint or changes to the exterior site plan that would impact traffic, noise, or light.
3. The discharge of waste as a result of the proposed Tentative Condominium 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, as the building is already constructed and connected to City services.
4. The proposed Tentative Condominium Map is exempt from CEQA, pursuant to Section 15301 (Existing Facilities), as the project consists of the division of existing professional office or commercial units within an existing structure involving no expansion of use, which is consistent with the General Plan. The project is a “paper subdivision” of an existing, permitted medical office building that is currently served by all required public utilities and is located in an area where the conversion will not result in significant environmental impacts.
5. The proposed Tentative Condominium Map complies with all applicable requirements of the Subdivision Map Act and of Title 4 of the Modesto Municipal Code regarding the subdivision of land. The map has been reviewed by the City Engineer and found to technically conform to the requirements for a tentative map. The subdivision provides for the necessary legal descriptions and private easements (via recorded CC&Rs) to ensure that the separate ownership of units is orderly, manageable, and legally distinct, while ensuring the property remains a single cohesive development.

BE IT FURTHER RESOLVED by the Planning Commission that the Tentative Condominium Map of property located at 3609 Coffee Road, accepted for filing in the office of the Secretary of the Planning Commission on January 3, 2026, be and is hereby approved as submitted and as shown in red on the face of the map and subject to the following conditions:

1. At the time of development, all existing underground and aboveground utilities, irrigation, and electrical lines shall be protected, relocated, or removed as required by the City Engineer or designee. Easements for utilities, irrigation, and electrical lines to remain shall be reserved as required.
2. Prior to and after Final Map, the lot shall be maintained and the premises shall be kept free of weeds, trash, and other debris.
3. The property owner and applicant 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.
4. Prior to the recordation of the Final Map, the Applicant shall submit for the review and approval of the City Attorney and the Community Development Director a set of Covenants, Conditions, and Restrictions (CC&Rs), or a similar legally binding maintenance agreement, which shall establish a commercial owners' association or binding private agreement between all unit owners to ensure the perpetual maintenance of all common areas, shared parking, landscaping, and the building exterior; such documents shall be in a form satisfactory to the City Attorney and shall include provisions identifying the City as a third-party beneficiary with the right, but not the obligation, to enforce said maintenance standards.

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 ninety (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 April 6, 2026, and that if a protest is not filed within this ninety (90)-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on April 6, 2026, by _____, who moved its adoption, which motion was seconded by _____, and carried by the following vote:

Ayes:
Noes:
Absent:
Recused:

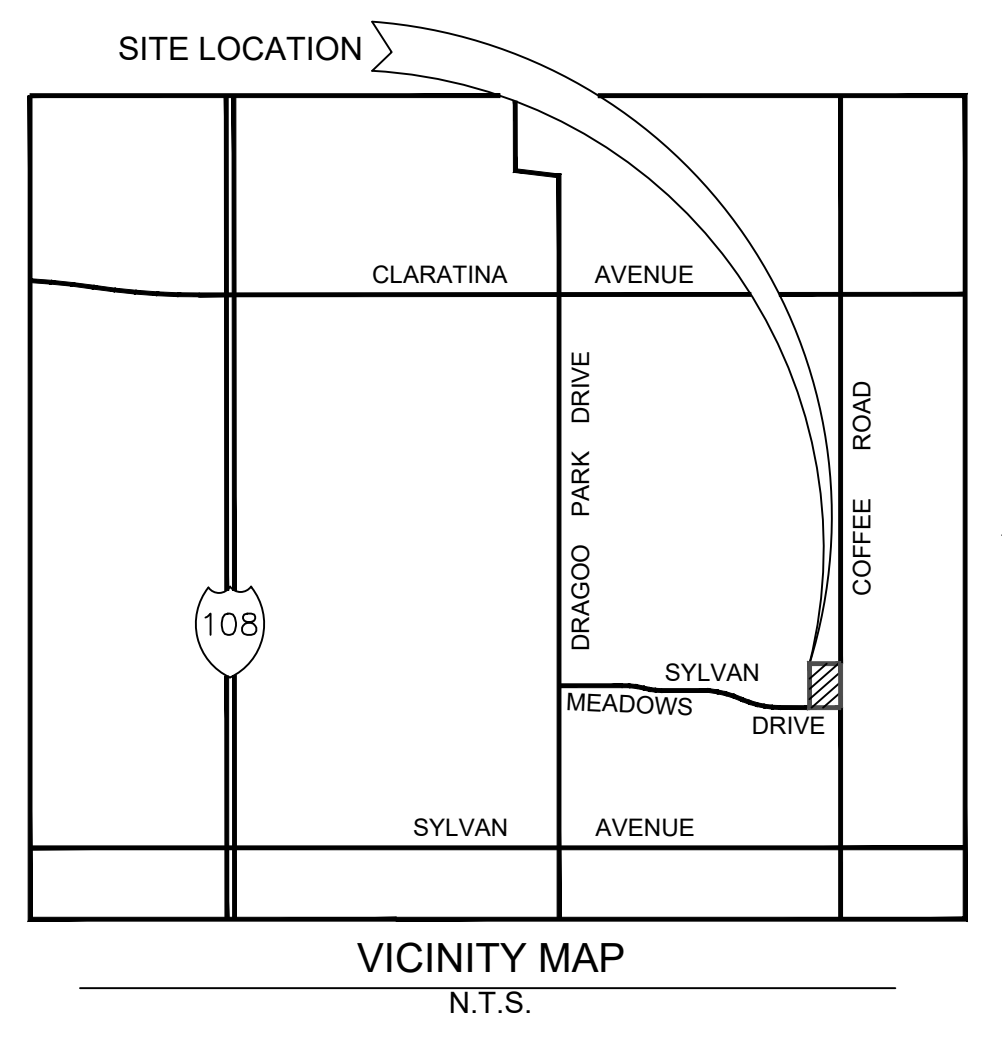
BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in
CEDD

Michael Hren, AICP Secretary

3609 COFFEE ROAD TENTATIVE COMDOMINIUM MAP

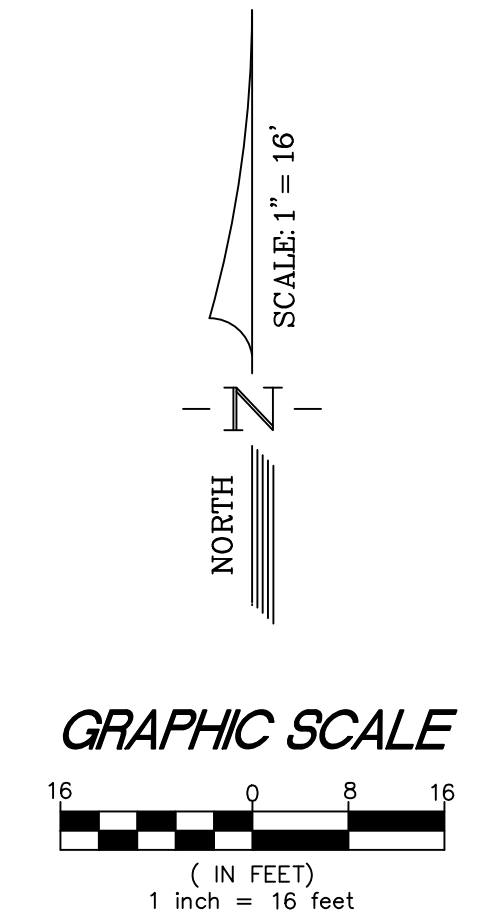
A.P.N.: 052-032-008, PARCEL A OF 35 PM 49
3609 COFFEE ROAD
CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA



OWNER: JOHN SULAK, MARK PADEN, MARY TOURLOTTE,
LARRY S. LEWIS & MATTHEW ELLIOT
3609 COFFEE ROAD
MODESTO, CA 95355
(209) 524-4000

ENGINEER: SURVEYORS GROUP INC.
9001 FOOTHILLS BLVD., SUITE 170
ROSEVILLE, CA 95747
(916) 789-0822

- ELECTRICITY: MODESTO IRRIGATION DISTRICT
- FIRE PROTECTION: MODESTO CITY FIRE DEPARTMENT
- SEWER: CITY OF MODESTO UTILITIES DISTRICT
- SCHOOL DISTRICT: SYLVAN UNION SCHOOL DISTRICT, MODESTO UNION HIGH SCHOOL
- WATER: CITY OF MODESTO UTILITIES DISTRICT
- TELEPHONE: AT&T, XFINITY & VERIZON
- LAND USE DESIGNATION / ZONING: P-0 - PROFESSIONAL OFFICE
- ASSESSOR PARCEL NUMBER(S): 052-032-008
- PROPERTY ADDRESS: 3609 COFFEE ROAD
- LAND AREA: PARCEL B = 0.770 ACRES±
- CONDOMINIUM PLAN:
- CERTIFICATE OF COMPLIANCE: 5 OFFICE UNITS



SURVEYED BY	R. O'CONNOR
DRAWN BY	T. BLAIR
CHECKED BY	T. BLAIR
DATE	11-03-25
SCALE	1" = 20'

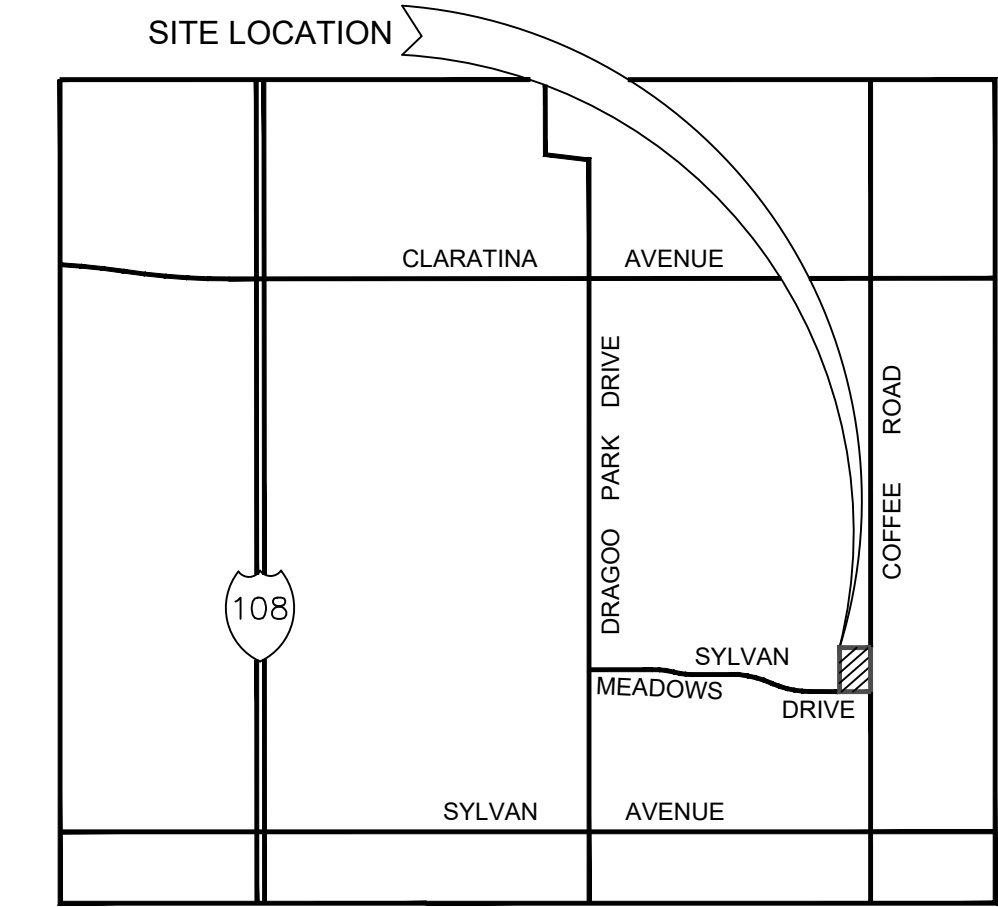
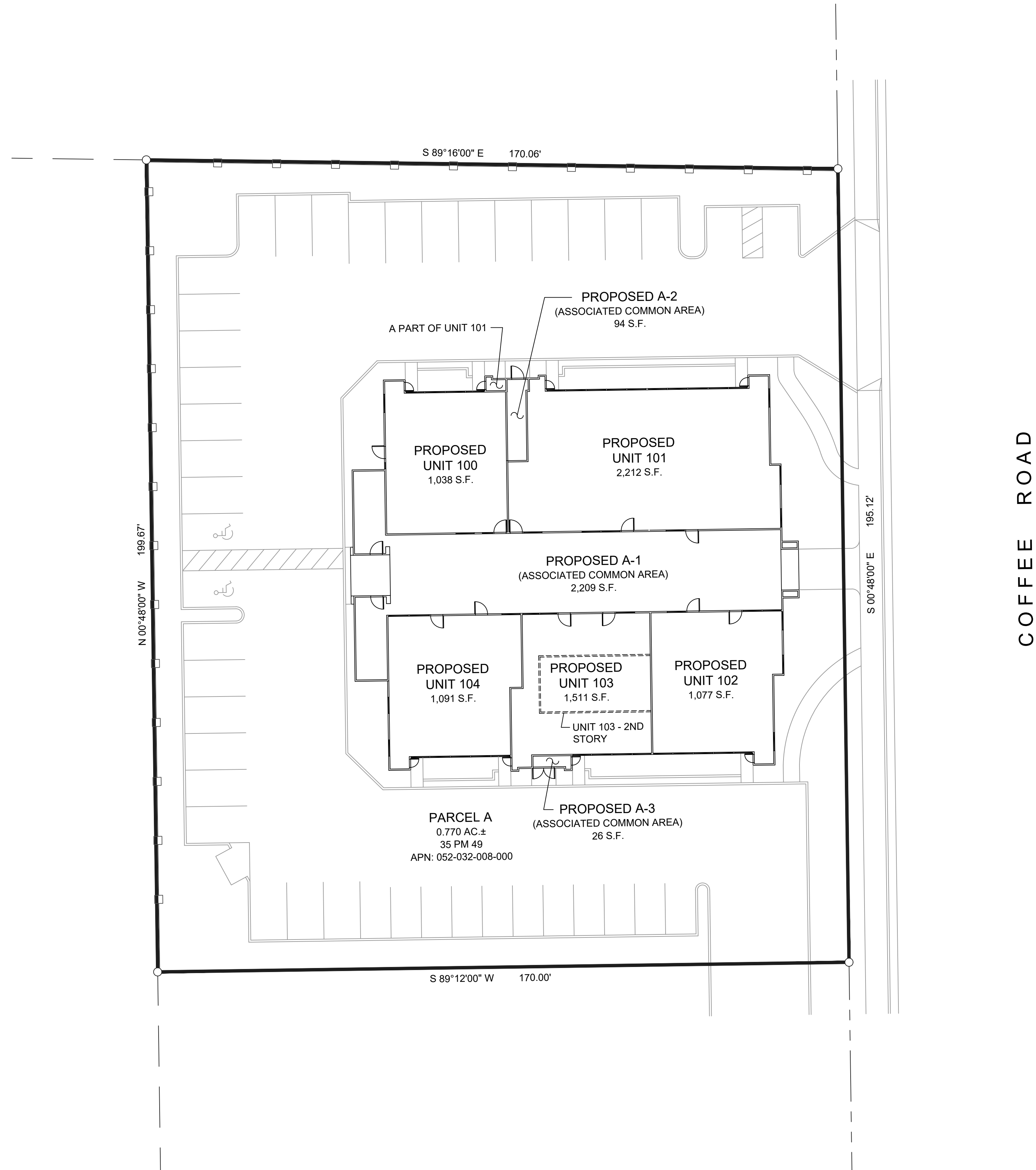
TITLE

TENTATIVE CONDOMINIUM MAP
A.P.N.: 052-032-008, PARCEL A OF 35 PM 49
3609 COFFEE ROAD
CITY OF MODESTO, STANISLAUS COUNTY,
CALIFORNIA

SGI COMPANIES
SGI CIVIL • SGI 3D • SURVEYORS GROUP, INC.
9001 Foothills Blvd., Suite 170
Roseville, CA 95747
(916) 789-0822 (Tel) (916) 789-0824 (Fax)
www.sgicompanies.com

3609 COFFEE ROAD SITE PLAN - COMDOMINIUM MAP

A.P.N.: 052-032-008, PARCEL A OF 35 PM 49
3609 COFFEE ROAD
CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

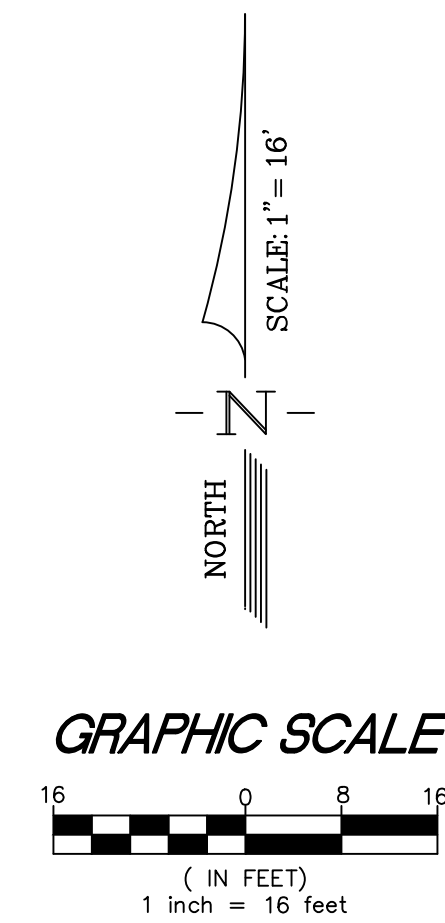


VICINITY MAP
N.T.S.

OWNER: JOHN SULAK, MARK PADEN, MARY TOURLOTTE,
LARRY S. LEWIS & MATTHEW ELLIOT
3609 COFFEE ROAD
MODESTO, CA 95355
(209) 524-4000

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- CERTIFICATE OF COMPLIANCE: 5 OFFICE UNITS



SURVEYED BY	R. O'CONNOR
DRAWN BY	T. BLAIR
CHECKED BY	T. BLAIR
DATE	11-03-25
SCALE	1" = 20'

TITLE
TENTATIVE CONDOMINIUM MAP
A.P.N.: 052-032-008, PARCEL A OF 35 PM 49
3609 COFFEE ROAD
CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

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(916) 789-0822 (Tel) (916) 789-0824 (Fax)
www.sgicompanies.com

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: _____

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: 3609 Coffee Road Tentative Subdivision Condominium Map


APPLICANT SIGNATURE

John Sulak
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)

John Sulak, 17.52% interest
Mark Paden, 16.48% interest
Mary Tourtlotte, 33.52% interest
Larry S. Lewis, 16.60% interest
Matthew Elliot, 15.88% interest

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

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

Surveyors Group, Inc./Timothy G. Blair, PLS

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)

Contractor(s)

Other – (Investors, Trustees, etc.)



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.

11/3/25
Date


Signature of authorized individual

John Sulak
Company/Applicant Name