

**PLANNING COMMISSION
RESOLUTION NO. 2025-07**

**A RESOLUTION RECOMMENDING TO CITY COUNCIL AN AMENDMENT
TO SECTION 13-3-8 OF THE ZONING MAP TO REZONE 5.3-ACRES FROM
PLANNED DEVELOPMENT ZONE P-D (179) TO MIXED USE HIGHWAY (MU-
H) ZONE, PROPERTY LOCATED AT 2800 SISK ROAD. (FERNANDEZ)**

WHEREAS, a verified application for an amendment to Section 13-3-8 of the Zoning Map was filed by Jonathan Fernandez on November 7th, 2024, to rezone a 5.3-acre property from Planned Development Zone P-D (179) to Mixed Use Highway (MU-H) Zone, property located south of W. Rumble Road and east of Sisk Road and California State Highway 99, described as follows:

P-D (179) to MU-H

Parcel 1

The land referred to herein below is situated in the City of Modesto, County of Stanislaus, state of California and described as follows:

All of Parcel '1' as shown on that Parcel Map recorded on March 28, 1978, in Volume 26 of Parcel Maps, page 103, Stanislaus County Records, being a portion of the Northwest ¼ of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California.

Including also the Easterly one-half of the Sisk Road right-of-way immediately adjacent to the above description.

Totaling 5.3 acres, more or less.

APN 005-037-025

WHEREAS, P-D (179) only allows A hardware, farm supply, and home improvement center and an off-street parking area; and

WHEREAS, a public hearing was held by the Planning Commission on February 24, 2025, 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 (IS)/Negative Declaration (ND), EA No. C&ED 2025-36, for the project which analyzed the potential environmental effects of the project, and on the basis of this analysis, finds that the project will not have a significant effect on the environment.

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

1. The proposed change will not be detrimental to the public health, safety, or welfare because the rezone will allow for the redevelopment of the site into commercial or

multi-family residential uses compatible with surrounding existing commercial and multi-family residential uses to the north, east, and south of the project site.

2. The proposed change will result in an orderly planned use of land because the rezone will allow for redevelopment of the site for uses as permitted by the Mixed-Use Highway (MU-H) zone, including Highway Commercial (C-3) Zone uses and multi-family development at densities consistent with the Medium-High Density Residential (R-3) Zone.
3. The proposed change is in accordance with the community’s objectives as set forth in the General Plan and any applicable specific plan(s) because the site is designated as Commercial (C) in the Land Use Element of the City’s General Plan which provides for commercial development, and Policy III.E.3 of the General Plan encourages residential infill development along major transportation corridors, in support of the City’s Housing Element.
4. An Initial Study (IS), EA No. C&ED 2025-36, was prepared by the City of Modesto that analyzed the potential environmental effects of the proposed rezone of the project site. On the basis of this analysis, the City finds that the project will not have a significant effect on the environment and a Negative Declaration (ND) has been prepared.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the City Council that the application by Jonathan Fernandez to amend Section 13-3-8 of the Zoning Map to rezone 5.3 acres located at 2800 Sisk Road, south W. Rumble Road and east of Sisk Road and California State Highway 99, from Planned Development Zone P-D (179) to Mixed Use Highway (MU-H), be approved.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on the 24th day of February 2025, by Commissioner Arroyo , who moved its adoption, which motion was seconded by Commissioner Russell and carried by the following vote:

Ayes:	Arroyo, Goriel, Grewal, Hauslemann, Russell, Shanks
Noes:	None
Absent:	Black
Recused:	None

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

Original, signed copy on file in CEDD

Tristan Osborn, AICP, Secretary