

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development  
Urgent \_\_\_\_\_ Routine X  
CEO Concurs with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

BOARD AGENDA # 6:45 P.M.  
AGENDA DATE: December 16, 2003  
4/5 Vote Required YES \_\_\_\_\_ NO X

**SUBJECT:** PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, AND REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE). A REQUEST TO REZONE AND AMEND THE GENERAL PLAN DESIGNATION OF 18.65 ACRES FROM AGRICULTURE TO PLANNED DEVELOPMENT (PD) TO ALLOW UPGRADING AND EXPANSION OF THE EXISTING LEGAL NON-CONFORMING CROWS LANDING FLEA MARKET. PROJECT SITE LOCATION IS 3113 CROWS LANDING ROAD, NORTH OF HACKETT ROAD, CERES AREA.

**PLANNING COMMISSION RECOMMENDATION:**

AT A PUBLIC HEARING HELD ON DECEMBER 4, 2003, THE PLANNING COMMISSION, ON A 4-2 VOTE (WHITE, A. SOUZA), RECOMMENDED THE BOARD APPROVE THE PROJECT AS FOLLOWS:

1. FIND THE PROJECT TO BE "DE MINIMIS" FOR THE PURPOSES OF COLLECTION OF FISH AND GAME FEES PURSUANT TO CALIFORNIA CODE OF REGULATIONS, SECTION 753.5, BY ADOPTING THE FINDINGS OF FACT CONTAINED IN THE ATTACHED CERTIFICATE OF FEE EXEMPTION, THOSE FINDINGS BEING BASED ON THE ANALYSES PRESENTED IN THE INITIAL STUDY, AND ORDER THE FILING OF THE CERTIFICATE OF FEE EXEMPTION WITH THE STANISLAUS COUNTY CLERK-RECORDER'S OFFICE.

(Continued on Page 2)

**FISCAL IMPACT:**

Additional property taxes and public facilities fees will be paid as building permits are issued.

**BOARD ACTION AS FOLLOWS:**

No. 2003-1221

On motion of Supervisor Caruso, Seconded by Supervisor Paul  
and approved by the following vote,  
Ayes: Supervisors: Paul, Mayfield, Caruso, and Chairman Simon  
Noes: Supervisors: Grover  
Excused or Absent: Supervisors: None  
Abstaining: Supervisor: None

- 1) \_\_\_\_\_ Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) X Approved as amended
- 4) \_\_\_\_\_ Other:

**MOTION:** AMENDED THE CONDITIONS OF APPROVAL TO: ADD THAT THERE SHALL BE NO SELLING OF VEHICLES ON PROPERTY, THAT GATE AREAS SHALL BE CONSTRUCTED OF FENCING OR IRON OR METAL GATES, NOT CABLE, AND THAT THE APPLICANT ACKNOWLEDGES THE COUNTY'S RIGHT TO FARM ORDINANCE AND SHALL COOPERATE WITH ADJACENT FARMERS TO ACCOMMODATE AGRICULTURAL PRACTICES INCLUDING SPRAYING; AND, INTRODUCED, WAIVED THE READING, AND ADOPTED ORDINANCE C.S. 867 FOR THE APPROVED REZONE APPLICATION #2001-16

ATTEST: Elizabeth A. King  
ELIZABETH A. KING, Assistant Clerk

SUBJECT: PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE)

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**PLANNING  
COMMISSION  
RECOM-  
MENDATION  
CONTINUED:**

2. ADOPT THE MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA GUIDELINES SECTION 15074(b), BY FINDING THAT ON THE BASIS OF THE WHOLE RECORD, INCLUDING THE INITIAL STUDY AND ANY COMMENTS RECEIVED, THAT THERE IS NO SUBSTANTIAL EVIDENCE THE PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND THAT THE MITIGATED NEGATIVE DECLARATION REFLECTS STANISLAUS COUNTY'S INDEPENDENT JUDGEMENT AND ANALYSIS.
3. ADOPT THE MITIGATION MONITORING PLAN PURSUANT TO CEQA GUIDELINES SECTION 15074(d).
4. ORDER THE FILING OF A NOTICE OF DETERMINATION WITH THE STANISLAUS COUNTY CLERK-RECORDER'S OFFICE PURSUANT TO PUBLIC RESOURCES CODE SECTION 21152 AND CEQA GUIDELINES SECTION 15075.
5. FIND THAT:
  - A. THE GENERAL PLAN AMENDMENT WILL MAINTAIN A LOGICAL LAND USE PATTERN WITHOUT DETRIMENT TO EXISTING AND PLANNED LAND USES,
  - B. THE COUNTY AND OTHER AFFECTED GOVERNMENTAL AGENCIES WILL BE ABLE TO MAINTAIN LEVELS OF SERVICE CONSISTENT WITH THE ABILITY OF THE GOVERNMENTAL AGENCIES TO PROVIDE A REASONABLE LEVEL OF SERVICE,
  - C. THE AMENDMENT IS CONSISTENT WITH THE GENERAL PLAN GOALS AND POLICIES,
  - D. THE PROPOSED PLANNED DEVELOPMENT ZONING IS CONSISTENT WITH THE PLANNED DEVELOPMENT GENERAL PLAN DESIGNATION, AND
  - E. THE PROJECT WILL INCREASE ACTIVITIES IN AND AROUND THE PROJECT AREA, AND INCREASE DEMANDS FOR ROADS AND SERVICES, THEREBY REQUIRING DEDICATION AND IMPROVEMENTS.

**SUBJECT:** PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE)

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**PLANNING  
COMMISSION  
RECOM-  
MENDATION  
CONTINUED:**

6. APPROVE GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET (AKA) EL REMATITO MARKETPLACE), SUBJECT TO THE ATTACHED DEVELOPMENT STANDARDS AND MITIGATION MONITORING PLAN.

**DISCUSSION:**

This project is a request to amend the General Plan and Zoning designations from Agriculture/ General Agriculture (A-2-40) to a Planned Development (PD) allowing for the development of a open air market on 18.65 acres, in the Ceres Sphere of Influence area.

This is a request to allow the applicant to expand on the neighboring property to the south and to allow upgrading of the existing legal, non-conforming Crows Landing Flea Market. The applicant proposes to operate the facility between the hours of 5:30 a.m. to 6:00 p.m., Friday, Saturday, and Sunday.

The applicant proposes to incorporate the 9.57 acre parcel between the existing market and Hackett Road, located at the northwest corner of Hackett and Crows Landing Roads, into the project site. This new addition would contain most of the new parking lot. Currently, most of the customers park at the County Center across the street and cross Crows Landing Road to access the site. Others park on the roads surrounding the flea market, creating circulation problems for adjacent property owners. The project will connect to the City of Ceres water but will still remain on septic system and be upgraded to a "Measure X" system.

The site will expand the sales area to approximately 128,883 square feet, an increase of 43,863 square feet. The applicant will install a 10 foot landscaping strip along the road frontages with a wrought iron fence with a two (2) foot high masonry base and pillars spaced every 20 feet around the sales area. The inside market area will include storage units, new restrooms, concessions, a play area and a plaza.

The other major change is the elimination of direct access from Crows Landing Road, utilizing the signal lights at the Hackett Road intersection, and using Hackett Road as the main entryway.

A Storm Drainage Retention Basin is proposed that could also be used for open space and recreation use (youth soccer field). This area would only be open to the public when the area is sufficiently dry for safe use.

Benefits of the project as proposed include general clean up of the property, establishment of specific operating parameters, modernization of appearance, establishment of landscaping to City of Ceres standards, and provision of significant improvements to parking, traffic circulation and customer access to the site.

**SUBJECT:** PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE)

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**DISCUSSION:  
CONTINUED:**

The applicant has had some meetings with neighboring property owners on Hackett Road. Most of the neighbors stated during the meetings and in their letters, that they would rather have an agricultural use adjacent to them and they still have concerns with the traffic circulation on Crows Landing and Hackett Roads, parking, security issues of trespassing, parking in their fields, the storm basin, conditions of the vendors tarps, and noise. The applicant's representatives addressed most of these items by confirming that the new plan, if approved, would solve most circulation, parking, trash, and noise issues.

A detailed discussion of the request can be found in the attached Planning Commission Staff Report.

On March 20, 2003, the Planning Commission considered this application at a properly advertised public hearing. Ed Vargas and Pete Verdegaal spoke in opposition of the project citing concerns with traffic, lack of parking, trash and a difficulty to farm their neighboring properties. Ron West and Armando Flores, spoke in favor of the project.

As a result of the comments heard at the hearing, the Planning Commission added several conditions. Conditions that were added were: not to allow for any paid parking without going back to the Planning Commission, Hackett Road to meet the City of Ceres Industrial Standards (The part width road would not need additional land to be purchased), include the amend conditions from the Public Works Department and also include two conditions from the Regional Water Control Board. On a motion by Commissioner Griffin and seconded by Commissioner Cusenza, the Commission recommended approval on a 4-2 (White, A Souza) vote.

**POLICY**

**ISSUES:** None.

**STAFFING**

**IMPACT:** None.

**ATTACHMENTS:** Exhibit 1: Planning Commission Staff Report, December 4, 2003  
Exhibit 2: Planning Commission Minutes, December 4, 2003  
Exhibit 3: Public Works memos dated November 26, 2003 and December 9, 2003  
Exhibit 4: California Regional Water Quality Control Board Letter dated November 26, 2003

# STANISLAUS COUNTY PLANNING COMMISSION

December 4, 2003

## STAFF REPORT

GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09  
REZONE APPLICATION NO. 2001-16  
CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE)

**REQUEST:** REQUEST TO REZONE AND AMEND THE GENERAL PLAN DESIGNATION OF AN 18.65 ACRE PROPERTY FROM AGRICULTURE (A-2-40 ZONING) TO PLANNED DEVELOPMENT (PD ZONING) TO ALLOW UPGRADING AND EXPANSION OF THE EXISTING LEGAL NON-CONFORMING CROWS LANDING FLEA MARKET (EL REMATITO MARKETPLACE).

### APPLICATION INFORMATION

Owner:	Pedro & Candida Marquez / Quetzal Corp.
Applicant:	Benchmark Engineering, Inc.
Location:	3113 Crows Landing Road, in the Ceres area
Section, Township, Range	17-4-9
Supervisorial District:	Five (Supervisor Caruso)
Assessor's Parcel:	056-055-004
Referrals:	See Exhibit "D"
Area of Parcel:	18.65 Acres
Water Supply:	Private well and the City of Ceres
Sewage Disposal:	Private system meeting Measure "X" Standards
Existing Zoning:	General Agriculture A-2-40
General Plan Designation:	Agriculture
Community Plan Designation:	Not applicable
Environmental Review:	Mitigated Negative Declaration recommended (see Exhibit "F")
Present Land Use:	Existing outdoor market (legal non-conforming)
Surrounding Land Use:	A combination of open land, farmland and ranchettes, with adjoining parcel sizes ranging from 4.5 up to 34 acres. To the east, across Hackett Road are Stanislaus County facilities including the Public Safety Center, the Community Services building and to the southeast a bit, the Agricultural Center. The area is located within the LAFCO approved Sphere of Influence of the City of Ceres.

GPA 2001-09, REZ 2001-16 - Crows Landing Flea Market  
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### **PROJECT DESCRIPTION**

This is a request to rezone and amend the General Plan of a 18.65-acre parcel from "Agriculture" to Planned Development (PD) to allow the applicant to expand on the neighboring property to the south and to allow upgrading of the existing legal, non-conforming Crows Landing Flea Market. The applicant proposes to operate the facility between the hours of 5:30 a.m. to 6:00 p.m., Friday, Saturday, and Sunday.

A Storm Drainage Retention Basin is proposed that could also be used for open space and recreation use (youth soccer field). This area would only be open to the public when the area is sufficiently dry for safe use. The hours for use of the field are proposed between the hours of 8:00 a.m. to 8:30 p.m. in the summer and 8:00 a.m. to 6:00 p.m. in the winter during days of business. Monday through Thursday the soccer field may be rented but will still use the same hours of operation. The basin/recreation area will be completely fenced. It will have an eight (8') foot high block wall on the west property line. There will be three gates into this area and the gates will be unlocked during the hours of operation.

The applicant proposes to provide a total of 644 parking stalls including 19 handicap stalls (see Exhibit "A"). The market will have 5 employees and there will be an estimated 230 vendors.

### **SITE DESCRIPTION**

The site is located on two parcels totaling 18.6-acres at 3113 Crows Landing Road at the northwest corner of Crows Landing and Hackett Roads (see Exhibit "A"). The surrounding area consists of a combination of open land, farmland and ranchettes, with adjoining parcel sizes ranging from 4.5 up to 34 acres. To the east, across Hackett Road are Stanislaus County facilities including the Public Safety Center, the Community Services building and to the southeast the Agricultural Center. The area is located within the LAFCO approved Sphere of Influence of the City of Ceres.

### **HISTORY OF DEVELOPMENT IN THE AREA**

A flea market has been operating at this site for a very long time. The earliest county records were those of the Assessor's office assessing a building in 1964. In 1977, the Planning Commission approved a use permit to continue the non-conforming flea market and relocate the two mobile home units. Since that time, the County has approved some building permits to redo the electrical system, and has worked with the owner to resolve ongoing issues. The applicant held neighborhood meetings in November 2002 and November 2003. The original application has been substantially redesigned to incorporate the neighbor's concerns, to relocate and redesign the basin/soccer field, to focus the entrance on Hackett Road and to complete a traffic study.

### **DISCUSSION**

Benefits of the project as proposed include general clean up of the property, establishment of specific operating parameters, modernization of appearance, establishment of landscaping to City of Ceres standards, and provision of significant improvements to parking, traffic circulation and customer access to the site.

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The applicant proposes to incorporate the 9.57 acre parcel between the existing market and Hackett Road into the project site. This new addition would contain most of the new parking lot. Currently, most of the customers park at the County Center across the street and cross Crows Landing Road to access the site. Others park on the roads surrounding the flea market, creating circulation problems for adjacent property owners.

The other major change is the elimination of direct access from Crows Landing Road, utilizing the signal lights at the Hackett Road intersection, and using Hackett Road as the main entryway.

The site will expand the sales area to approximately 128,883 square feet with approximately 32,000 square feet in the new property. The existing sales area is 85,020 square feet and will increase by 43,863 square feet (128,883 square foot total). The applicant will install a 10 foot landscaping strip along the road frontages with a wrought iron fence with a two (2) foot high masonry base and pillars spaced every 20 feet around the sales area. The inside market area will include 8 storage units, new restrooms, concessions, a play area and a plaza. The applicant will be adding trash enclosures to meet the City of Ceres standards.

Presently, there are two mobile homes on the property. One of the units will be removed. The other unit will stay in the northwest corner of the property. The project will connect to the City of Ceres water but will still remain on septic system and be upgraded to a "Measure X" system.

The applicant provided staff with a traffic study prepared by KD Anderson on May 12, 2002. According to the study, the existing Level of Service (LOS) at the Crows Landing/Hackett Road intersection during peak hours is LOS A or B (well within the county requirement for LOS C). With expansion, the traffic study indicates that with redirecting access to Hackett Road, and without additional mitigation, the intersection could experience LOS E at peak hours. In order to maintain LOS B or C at the Crows Landing/Hackett Road intersection, the traffic consultant has recommended a mitigation measure as follows: "Southbound Crows Landing Road shall be widened to provide a separate right turn lane into the site access along Hackett Road. This lane shall be at least 300 feet long to provide room for deceleration at the designated speed on Crows Landing Road. At a time to be determined by the Department of Public Works an eastbound left turn lane approaching the Crows Landing / Hackett intersection shall be installed, and westbound Hackett shall be made wide enough to ensure that vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway."

Additional road improvements will be made on Hackett and Crows Landing Roads. The standard conditions for road improvement and mitigation measures for road widening are included as conditions of approval, with a notable change for a turn-around near the end of the market site. The main issue is that most of Hackett Road is not dedicated even though it has been used by the general public for years. The applicant is required to dedicate their portion of Hackett Road to the County (northern one-half of the required right-of-way (ROW)). However, the south side of Hackett Road must also be constructed. The obligation will be for the applicant to obtain that off-site ROW. If they are unable, after appropriate effort, the county may have to proceed with condemnation or other independent acquisition.

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The applicant held a second meeting with the neighboring property owners on Hackett Road on November 19, 2003. Most of the neighbors stated that they would rather have an agricultural use adjacent to them and still have concerns with the traffic circulation on Crows Landing and Hackett Roads, parking, security issues of trespassing, parking in their fields, the storm basin, conditions of the vendors tarps, and noise. The applicant's representatives addressed most of these items by confirming that the new plan, if approved, would solve most circulation, parking, trash, and noise issues. They have also offered additional "no parking" signs, private security, and to police the appearance of the tarps/canopies.

### **GENERAL PLAN**

General Plan Amendments affect the entire County and any evaluation must give primary concern to the County as a whole; therefore, a fundamental question must be asked in each case: "Will this amendment, if adopted, generally improve the economic, physical and social well-being of the County in general?" Additionally, the County in reviewing General Plan Amendments, shall consider the additional costs to the County that might be anticipated (economic, environmental, social) and how levels of public and private service might be affected. In each case, in order to take affirmative action regarding the General Plan Amendment application, it must be found that:

1. The General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses.
2. The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

In the case of a proposed amendment to the diagram of the Land Use Element, an additional finding must be established.

3. The amendment is consistent with the General Plan goals and policies.

Staff considers this project to be consistent with the General Plan goals and policies for reasons discussed above. The project site is located within the Ceres Sphere of Influence boundary and has a commercial General Plan designation. Any impacts to County services will be mitigated through the payment of public facilities fees. The City of Ceres has recognized the site as suitable for commercial development through the 1997 adoption of their General Plan. There is a note on the site plan about "Future Commercial" on the corner of Crows Landing and Hackett Roads. The City of Ceres in a letter dated November 1, 2001, approves of this proposal subject to the city's development standards which are incorporated in the conditions of approval (Exhibit C). Any Future Commercial would be a modification to the Planned Development and must come back to the Planning Commission and Board of Supervisors

A General Plan Amendment and Rezone to Planned Development and approval of the proposed facility will maintain a logical land use pattern without detriment to existing and planned land uses. There is no indication that such an approval would affect the ability of the County and other affected governmental agencies to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

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The Planned Development designation is intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property. The Planned Development zoning designation may be applied through application and submission of specific development plans, provided they are consistent with the General Plan.

### **REZONE**

To approve a rezone request, the Planning Commission must find that it is consistent with the General Plan. In this case, approval of a Planned Development allowing an outdoor market (flea market) would be consistent with the Planned Development designation. However, the General Plan Amendment to Planned Development must be approved for the zoning to be consistent.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA) the proposed project was circulated to various agencies (see Exhibit "D"). Mitigation measures have been incorporated into this project as both mitigation measures and conditions of approval. The City of Ceres found the project consistent with the General Plan designation.

### **RECOMMENDATION**

Based on the foregoing discussion, staff recommends approval of a General Plan Designation and zoning to Planned Development for the uses proposed and discussed in this staff report. Should the Commission wish to approve the project, it should recommend that the Board of Supervisors:

1. Based on the Initial Study and Mitigation Monitoring Plan, order the filing of a Mitigated Negative Declaration and find the project to be "De Minimis" for purposes of Fish and Game Codes.
2. Find that the proposed General Plan Amendment is consistent with the overall goals and policies of the Land Use Element of the County General Plan, the Agricultural Element, and with the overall General Plan.
3. Approve General Plan Amendment No. 2001-09.
4. Find that the proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
5. Find that the project will increase activity in the area, thereby necessitating dedications and easements.
6. Approve Rezone Application No. 2001-16 subject to the attached Mitigation Monitoring Plan, Development Standards and Development Schedule

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Report written by: Bill Carlson, Associate Planner, November 19, 2003

Attachments:

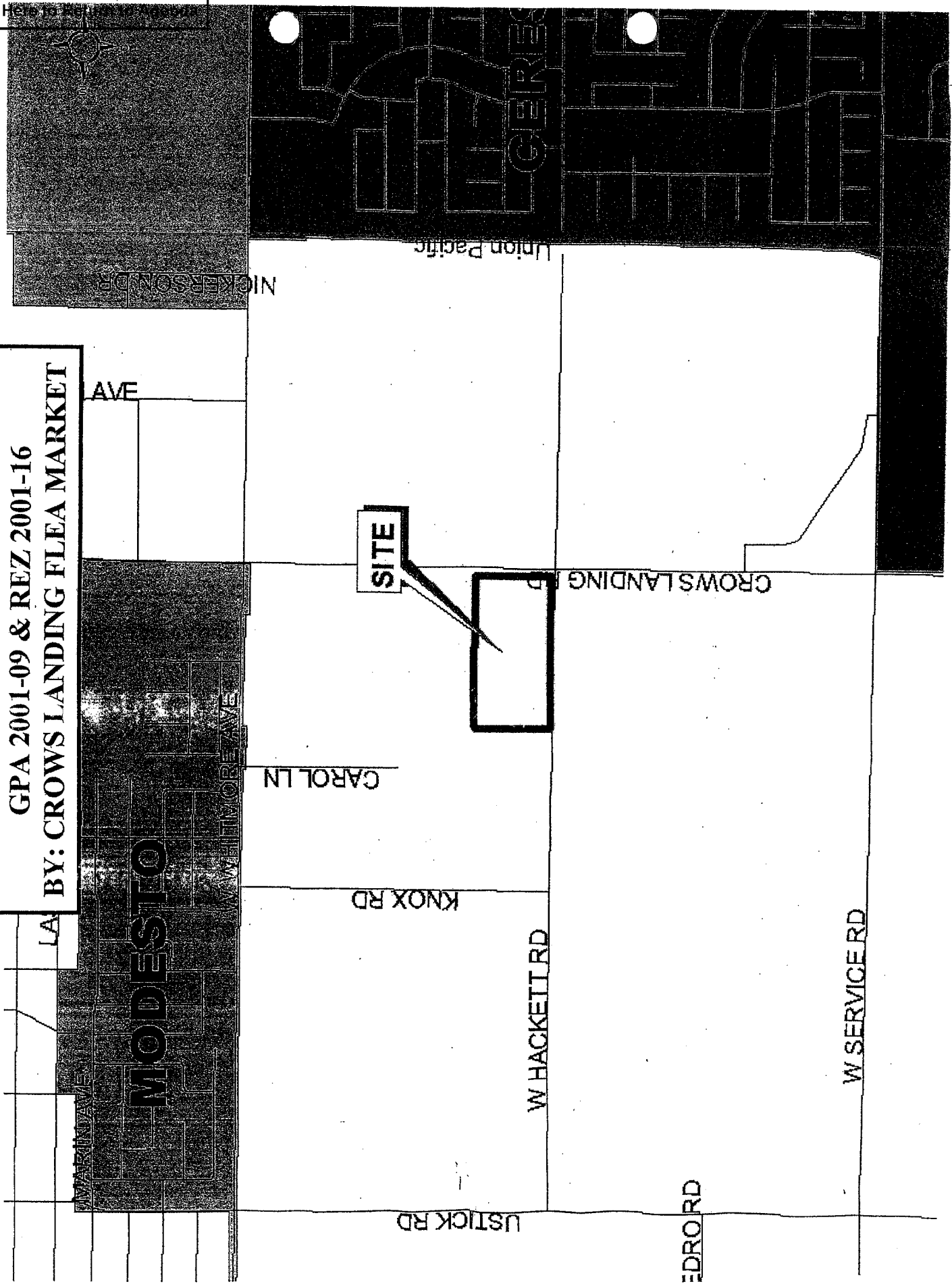
- Exhibit A - Maps and Project Plans
- Exhibit B - Applicant's Project Description & Findings Statements
- Exhibit C - Conditions of Approval, Development Standards, and Mitigation Measures
- Exhibit D - Environmental Review Referrals
- Exhibit E - Initial Study
- Exhibit F - Mitigated Negative Declaration
- Exhibit G - Mitigation Monitoring Plan
- Exhibit H - Certificate of Fee Exemption
- Exhibit I - Traffic Impact Analysis
- Exhibit J - Neighbors Letters

Reviewed by:



Kirk Ford, Deputy Director

GPA 2001-09 & REZ 2001-16  
BY: CROWS LANDING FLEA MARKET



**GPA 2001-09 & REZ 2001-16  
BY: CROWS LANDING FLEA MARKET  
GENERAL PLAN DESIGNATIONS**

33.77

8.95

**AG**

15.99

CROWS LANDING RD

**SITE**

**18.65 AC.**

4.52

0.40

W HACKETT RD

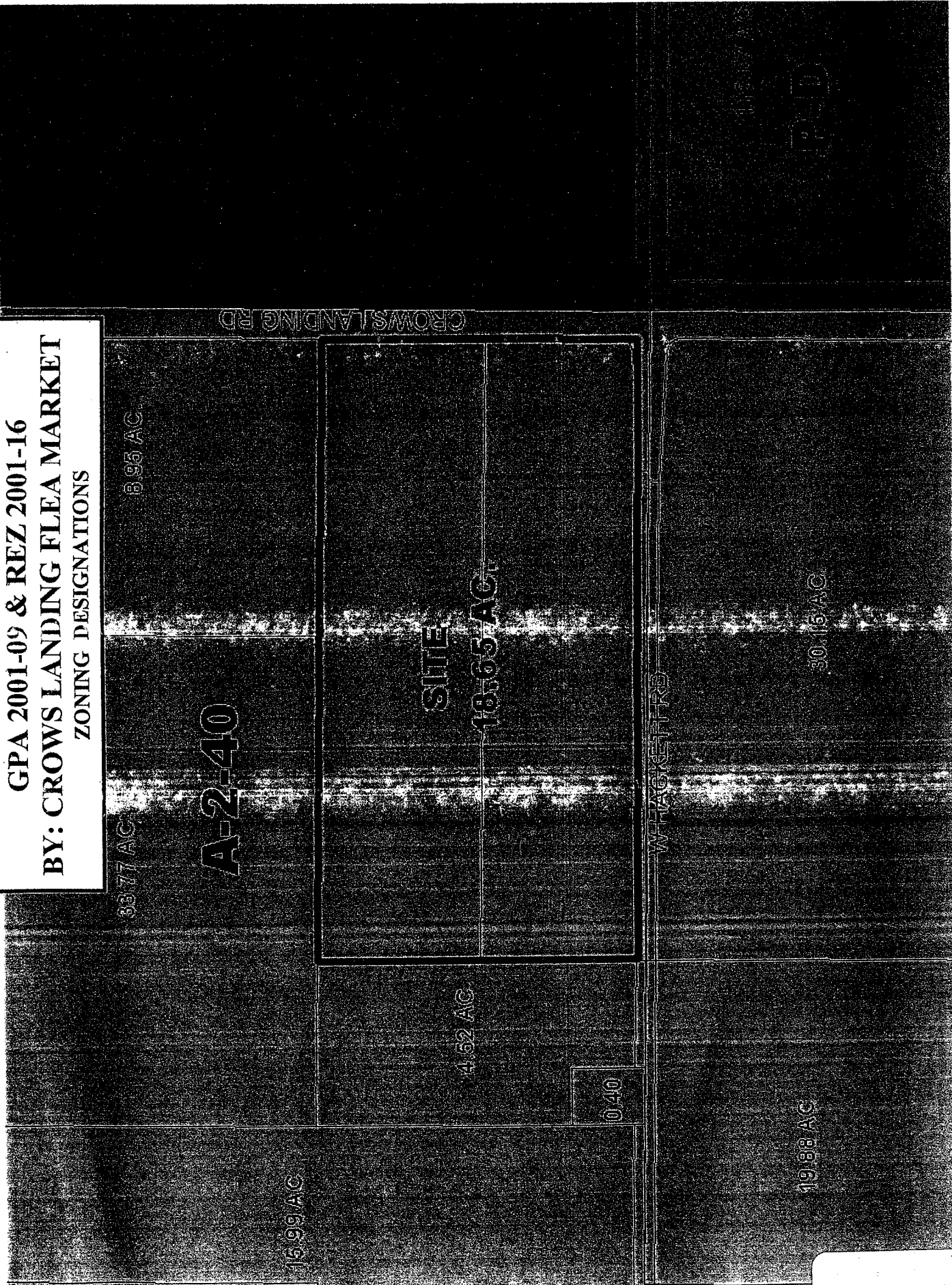
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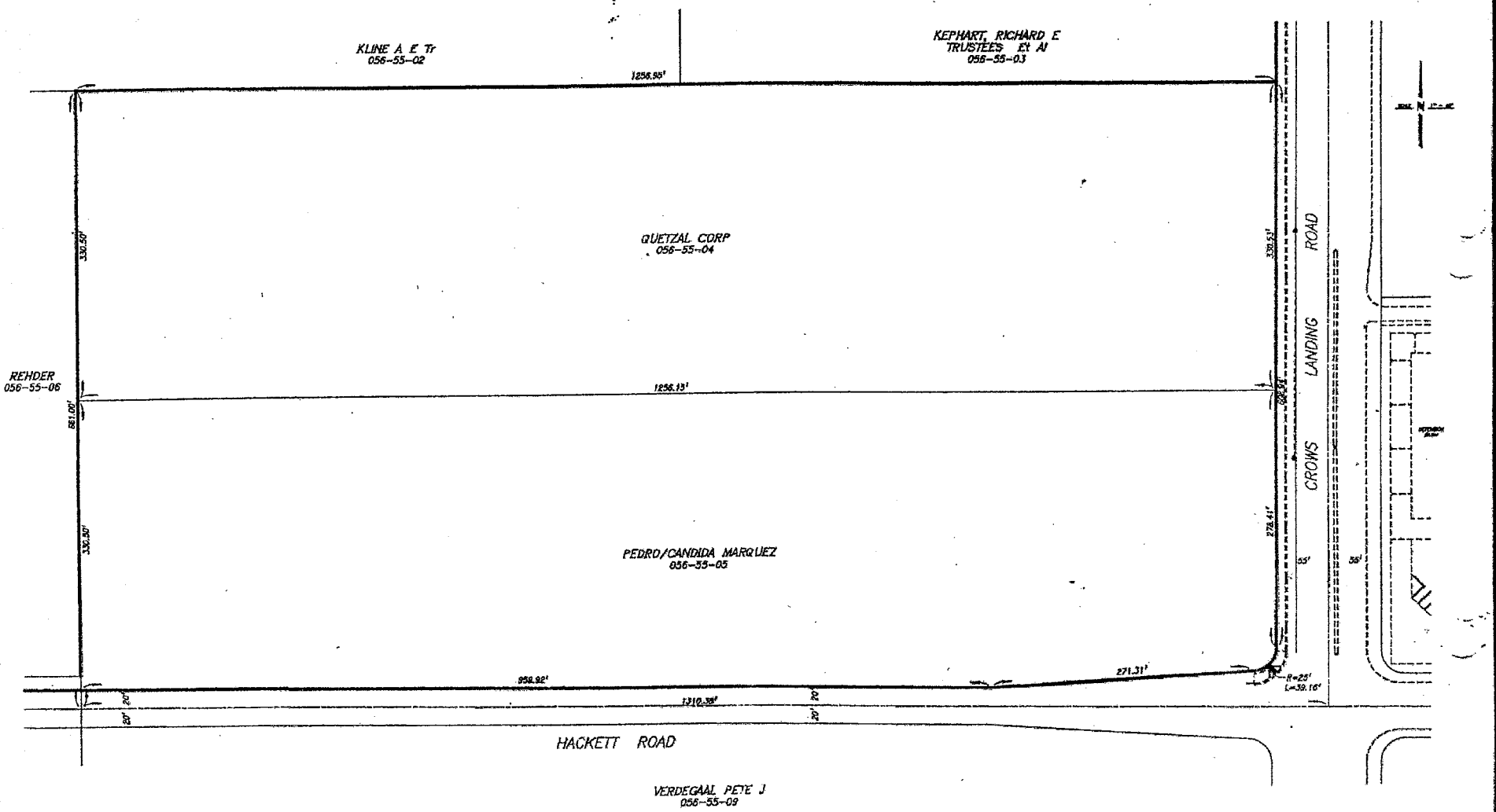
8

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**GPA 2001-09 & REZ 2001-16**  
**BY: CROWS LANDING FLEA MARKET**  
**ZONING DESIGNATIONS**



**GPA 2001-09 & REZ 2001-16  
BY: CROWS LANDING FLEA MARKET**



**BENCHMARK ENGINEERING, INC.**  
**CIVIL ENGINEERING & LAND SURVEYING**  
 1121 OAKDALE ROAD, SUITE 5 • MODESTO, CALIFORNIA • 95355  
 (209) 576-2721 FAX: (209) 576-2758

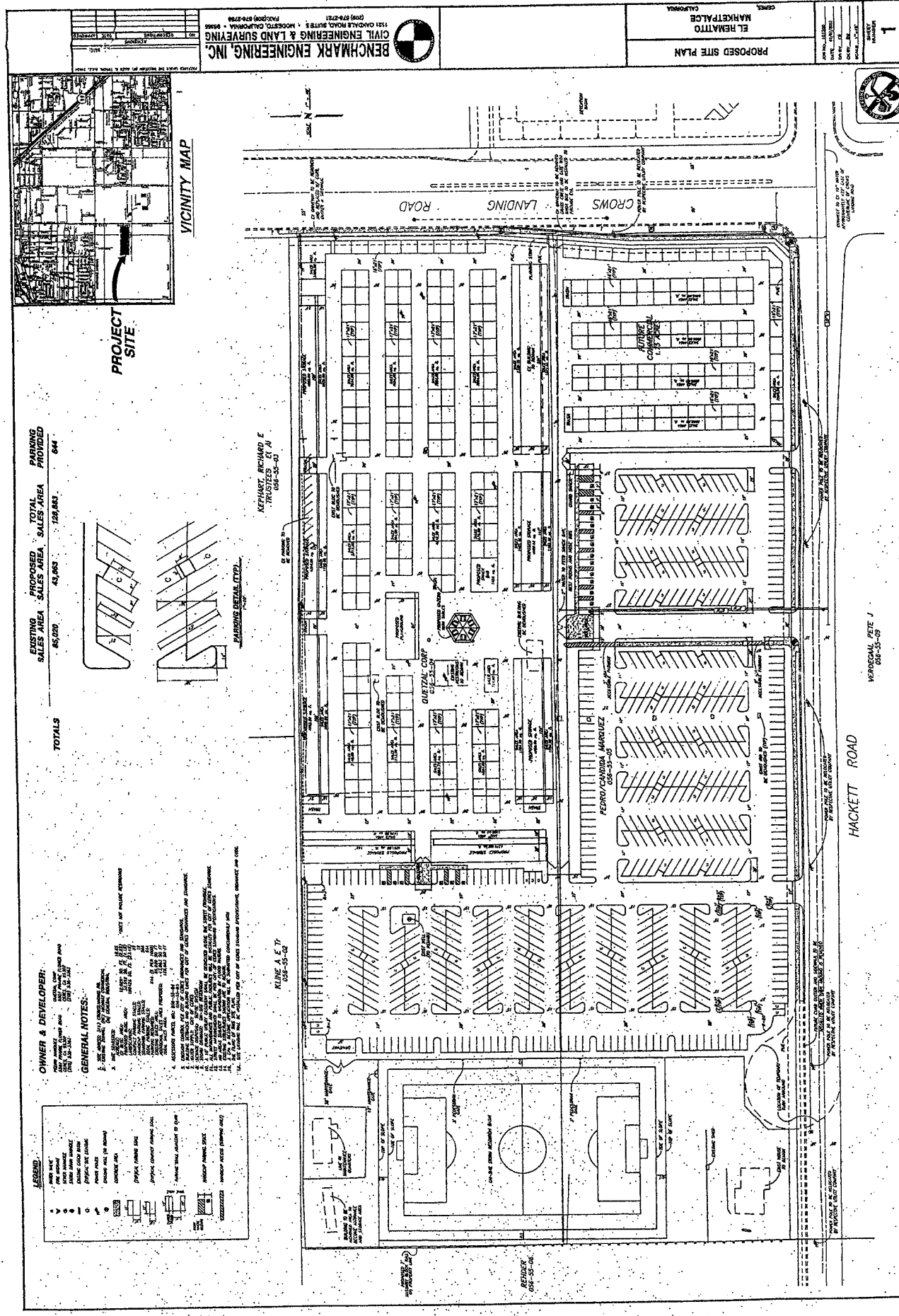
**CROWS LANDING FLEA MARKET**  
**BOUNDARY PLAN**  
 CERES, CALIFORNIA

DRAWN BY: TM  
 DATE: 07/18/2001 10:21  
 SHEET: 1 OF 1  
 FILE:K:\107500\dwg\8.5x11TOP0.dwg

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Exhibit A-3

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CROWS LANDING ROAD



KEPHART, RICHARD E.  
PROJECT # 08-25-03

FEDRO/CANINDA MARQUEZ  
08-25-05

QUETZAL CORP  
08-25-04

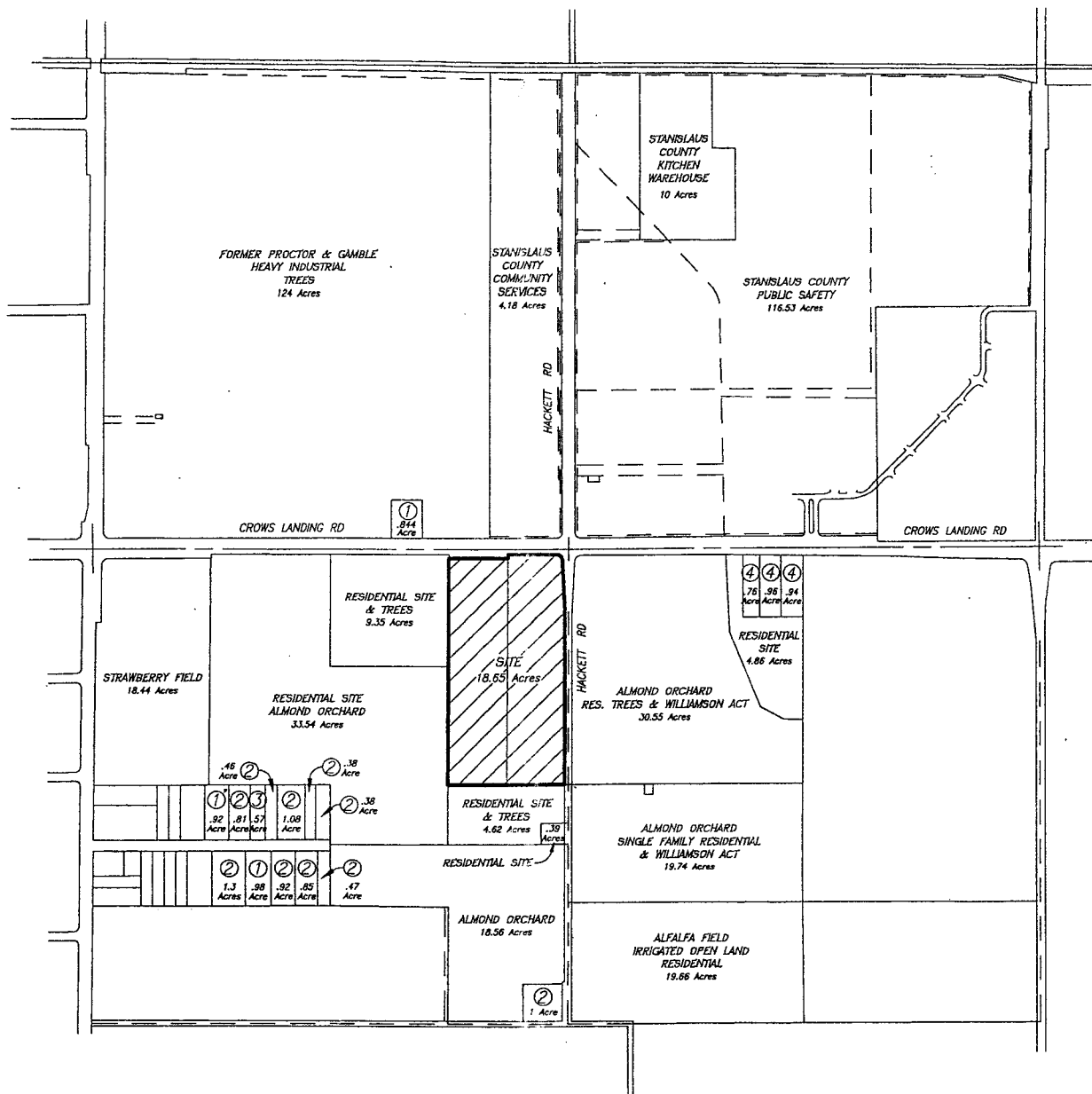
KLINE, A. E. JR.  
08-25-02

HACKETT ROAD

**LEGEND**

EXISTING	PROPOSED
WATER MAIN	WATER MAIN
SEWER MAIN	SEWER MAIN
STANDARD MANHOLE	STANDARD MANHOLE
PROVISION	PROVISION
TOP SOIL	TOP SOIL
TYPICAL SHALLOWS	TYPICAL SHALLOWS
STREET LIGHT	STREET LIGHT
STANDARD SIGNPOST	STANDARD SIGNPOST
TOP OF CURB CLEARANCE	TOP OF CURB CLEARANCE
ORIGINAL GRADE	ORIGINAL GRADE
CONCRETE FENCE	CONCRETE FENCE
TYPICAL TREE	TYPICAL TREE
TYPICAL MAIL BOX	TYPICAL MAIL BOX
TYPICAL SIGN BOX	TYPICAL SIGN BOX
CURB, DITCH AND	CURB, DITCH AND
TYPICAL SIGN	TYPICAL SIGN
TYPICAL SIGN	TYPICAL SIGN

RENDER  
08-25-06



- ① SINGLE FAMILY RESIDENCE W/ MISC. IMPROVEMENTS
- ② SINGLE FAMILY RESIDENCE
- ③ MIXED INCOME UNITS
- ④ RESIDENTIAL SITE

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 1121 OAKDALE ROAD, SUITE 5 • MODESTO, CALIFORNIA • 95355  
 (209) 576-2721 FAX:(209) 576-2756

**CROWS LANDING FLEA MARKET**  
**LAND USE MAP**  
 CERES, CALIFORNIA

DRAWN BY: TM  
 DATE: 06/26/2001 08:46  
 SHEET: 1 OF 1  
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## EL REMATITO FENCES - DRAFT

Ron West & Associates, November 21, 2003

#	TYPE/HEIGHT	LOCATION	APPROX. FOOTAGE	GATES
A1	7' Masonry & Wrought Iron (W.I.) *24' Masonry + *60' W.I.	Crowslanding Rd. (CLR) frontage & Corner	620' +/-	1 EVA, Gate @ 12' Wide Including Knox Box
A2	7' Masonry & Wrought Iron (W.I.) *24' Masonry + *60' W.I.	Hackett frontage (Sales area only)	240' +/-	None
A3	7' Masonry & Wrought Iron (W.I.) *24' Masonry + *60' W.I.	West boundary of Corner Sales area (between drive/park) Sales area	280' +/-	20' driveway access to home/office
A4	7' Masonry & Wrought Iron (W.I.) *24' Masonry + *60' W.I.	Hackett frontage @ S/W corner in front of the house	140' +/-	One vehicle & one mangate? (access to house/office)
B1	7' Chain Link	Entire North Property line	110' +/-	None
B2	7' Chain Link	So. Side of Sales Area; Between Parking & Sales Area (Running East & West)	550' +/-	2- 20', 30' wide
B3	Chain Link	West (Center) area of Sales area between Storage Buildings & parkway.	20' +/-	One @ 20'
B3	Chain Link	So. West Corner of Sales area between Storage Buildings & parkway.	24' +/-	One @ 24'
B4	7' Chain Link	East Side of Basin + North Side of 'cul de sac'	575' +/-	-2 Man gates @ 3' -1 Vehicle gate @ 20' +/- @ cul de sac
C1	7' Chain Link with Slats	So. Side of Maintance quarters North of Basin	320	24' - 36' +/- vehicle gate
C2	4' W.I. with Cables	Center Frontage of Hackett Rd.	760' +/-	Vehicle Cables at Entery
D1	Proposed Storage	—	—	—
E1	8' Masonry Wall with Pilaster	Entire West Property line	630' +/-	None

# El Rematito

## Cal-Lok Masonry Wall with Ornamental Iron

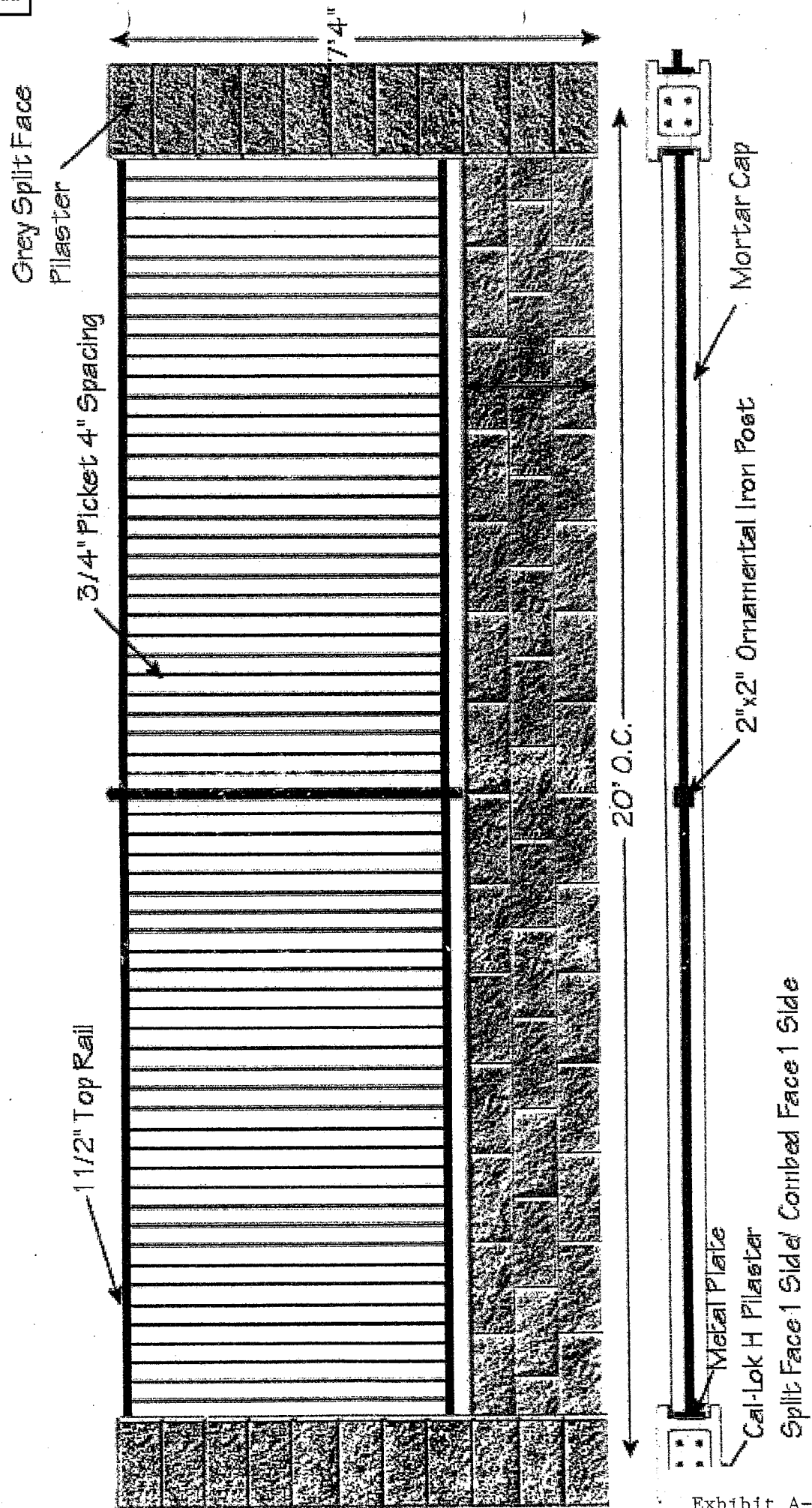


Exhibit A-9

**Ron West & Associates**  
Land Use Planning & Entitlements

514 15th St. Suite C  
Modesto, CA 95354

Ph: (209) 524-9324  
Fax: (209) 567-0284

August 27, 2003

Ron Freitas, Director  
Stanislaus County Planning Dept.  
1010 Tenth Street  
Modesto, Ca. 95354

RE: EL REMATITO FLEA MARKET (GPA APPLICATION 2001-09 & REZONE APPLICATION 2001-06): POSSIBLE ADDITIONAL PERMITTED USE

Dear Ron,

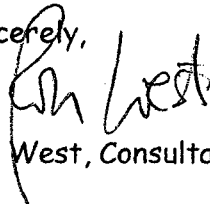
Our thanks to you and your staff for helping us re-activate these applications. Since our updated master plans were re-submitted July 11, an additional use has been discussed, and we would like to request that it be considered as an additional permitted use, if possible.

We would like to request your consideration of adding limited used vehicle sales during the same days and hours as the other Flea Market operations. We propose that up to four (4) regular sales stalls be allowed for vehicle display and sales. The total number of vehicles displayed at any time would be limited to ten (10). Vendors would be responsible for all required DMV or other licenses and approvals otherwise required of that business.

The proposed four sales stalls would be less than 1% of our total sales area, and are obviously a minor part of our primary goal of having our GPA and Rezone considered this year. Therefore, if this request will delay or prevent that important deadline, we would respectfully withdraw the additional use request.

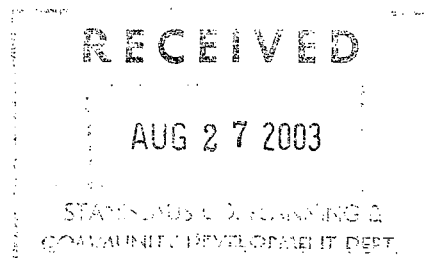
Thank you for your time. Please call me with any input or questions.

Sincerely,



Ron West, Consultant

CC: Clients  
Armando Flores  
Ceres Planning Dept



**Ron West & Associates**  
Land Use Planning & Entitlements

514 15th St. Suite C  
Modesto, CA 95354

Ph: (209) 524-9324  
Fax: (209) 567-0284

July 11, 2003

Bob Katchel, Senior Planner  
Stanislaus County Planning Department  
1010 Tenth Street  
Modesto, Calif. 95354

RE: EL REMATITO FLEA MARKET (CROWS LANDING ROAD):  
REACTIVATING GPA APPLICATION 2001-09 & REZONE APP. 2001-06

Dear Bob,

We would like to reactivate our application for a General Plan Amendment and Rezoning previously submitted for this property. Our thanks to you, and the other County people who responded to that original application, and have been working with us to address the various issues and details.

Enclosed is our revised master site plan and landscape plans. Also, for your reference, is our master site electrical plan for a new 600 Amp underground electrical service for the existing and future sites. The electrical plan has been submitted to the Building Department and a permit is being issued. As you know, you, Dennis Wister, Ron Cherrier and others have been working closely with us, to develop this current proposal. We have also been communicating with Supervisor Caruso, the City of Ceres, utility companies, neighbors, and others, to finalize a master plan to improve and expand this existing business for the entire community to be proud of and enjoy.


This current master plan is similar to the one previously submitted, but much improved. It was updated to address the traffic study and other circulation comments. We have also added a central plaza, moved the drainage basin per neighbor input, and revised the parking and landscape plans. We reviewed your comments of October 8, 2001, issues raised by other County departments, and City of Ceres comments. We also overlaid the proposed master electrical service plan to address ongoing and future electrical needs. Hopefully, we have included all important issues, and this application can be reactivated with the support of all those involved in the effort.

Ron West & Associates: 7/18/03  
El Rematito Flea Market GPA & Rezone

We believe that this new master plan will satisfy the various agency comments, as well as allow for this important community-serving business to be expanded into a well planned facility. If you or others have additional comments or questions, please call me at any time.

I have reviewed this new master plan with Supervisor Caruso and the Ceres Planning Staff for their early input. They had no additional comments at this time, and will review it further when you - circulate it. Again, thank you for your time and assistance. We look forward to presenting these revised plans to the Planning Commission and Board later this year.

Sincerely,



Ron West, Consultant

CC: Dennis Wister, P.W.  
Pedro & Candice Marquez  
Rick Mummert, Benchmark Engineering  
Armando Flores, Atty.  
Ron Cherrier, P.W.  
Supervisor Paul Caruso  
Tom Westbrook, City of Ceres

## EL REMATITO MARKETPLACE BASIN/OPENSOURCE USE & CONTROL POLICIES

As of November 10, 2003

In conjunction with Stanislaus County GPA App.#2001-09 & PD Rezone App.#2001-06

*The EL REMATITO GPA & Rezone Site Plan includes a combination storm drain basin and openspace and play area. This "soccer field" sized lawn area will be available -weather permitting -for the patrons of the Marketplace (flea market). The following Use & Control Policies are proposed, as part of the Planned Development Rezoning conditions..*

### FENCING

(1) The basin - recreation area will be completely fenced. It will be enclosed on the west, an 8' high block wall as approved in the PD Zone. On the north, east and south, a 6' high metal fence will enclose the entire basin-field area.

(2) A total of 3 gates will be provided. Two 3 foot wide pedestrian gates will be spaced on the east (parking lot) side to provide controlled access. A third 8 foot wide gate will be included in the south ("cul-de-sac") area for equipment and emergency access. All gates will be lockable, and open to customers and visitors based on the hours and other policies below.

### HOURS

(3) As this is first a storm drainage retention basin, it will be closed for openspace and recreation use during and after rain storms until the area is sufficiently dry for safe and damage-free use. A sign will notify Marketplace customers of this, and gates will be locked when not available for recreational use.

(4) The El Rematito Marketplace flea market is open Friday, Saturday and Sunday from 5:30 A.M. to 6:00 P.M. Hours for customer use of the recreation area will be limited to 8:00 A.M. to 6:00 P.M. in the winter and 8:00 A.M. to 8:30 P.M. in the summer on the days the Marketplace is open. The entire facility, including the recreation area, will typically be closed other days of the week. Hours and days for special uses are discussed below.



*El Rematito Marketplace: 11/10/03  
Basin - Recreation Area Policies*

PERMITTED USES & USERS

(5) *Informal recreational uses in this openspace will be limited to customers and clients of the Marketplace and subject to the hours specified.*

(6) *Property owners will be allowed personal use of this area, subject to whatever hours, etc. will not result in an unreasonable nuisance to adjoining properties.*

(7) *Special uses by informal or formal youth soccer groups may be allowed by specific and limited agreement with owners. Practice and/or games could be allowed, subject to the hours noted above. However, these uses may also be allowed on days which the Marketplace facility is not open to the public.*

LIGHTING

(8) *NO special lighting will be provided to light this area. Standard site and parking lot lighting systems will be designed to provide sufficient light for safety and use.*

SECURITY & CONTROL

(9) *Security for this area will be provided as part of the overall site and facility security. Employees (or additional security services if the owners so choose) will patrol and control the entire facility, as needed.*

SPECIAL USES

(10) *As noted above, special uses by youth soccer groups may be allowed, as permitted by owners, and subject to the hours and other policies outlined above.*

MAINTAINANCE

(11) *This area will be subject to the same maintenance programs as the entire facility. Regular maintenance will be provided by employees or contractors, as owners choose. Any special maintenance required for the storm basin and its proper operation will be subject to County Public Works standards and policies.*

**GENERAL PLAN AMENDMENT APPLICATION  
CROWS LANDING FLEA MARKET**

**QUESTION 6:**

THE PROPOSED MODIFICATION IS NECESSARY TO UPGRADE THE PROPERTY FROM A LEGAL NON-CONFORMING AG DESIGNATION TO A PLANNED DEVELOPMENT TO EXPAND THE EXISTING CROWS LANDING FLEA MARKET. THE PLANNED DEVELOPMENT REQUEST WOULD ALLOW THE FLEA MARKET TO COMPLY WITH COUNTY CODE ENFORCEMENT AND ALLOW FOR PROPER PLANNING FOR FUTURE COMMERCIAL / INDUSTRIAL DEVELOPMENT WITHIN THE CITY OF CERES PRIMARY SPHERE OF INFLUENCE.

**QUESTION 7:**

WITH THE CLOSURE OF TWO DRIVEWAYS ON CROWS LANDING ROAD AND THE DEVELOPMENT OF HACKETT ROAD AND THE PROPOSED PARKING AREA, THE ADJACENT PROPERTY OWNERS WILL BENEFIT BY DECREASE TRAFFIC CONGESTION, IMPROVED PARKING FACILITIES, AND AESTHETICALLY PLEASING LANDSCAPING.

**GENERAL PLAN AMENDMENT APPLICATION REQUIREMENT #10**

THIS APPLICATION IS BASED ON INFORMATION GIVEN IN THE SPHERE OF INFLUENCE AMENDMENT 2000-01 CITY OF CERES.

## REZONE APPLICATION

### CROWS LANDING FLEA MARKET

#### QUESTION 6:

THE PROPOSED MODIFICATION IS NECESSARY TO UPGRADE THE PROPERTY FROM A LEGAL NON-CONFORMING AG DESIGNATION TO A PLANNED DEVELOPMENT TO EXPAND THE EXISTING CROWS LANDING FLEA MARKET. THE PLANNED DEVELOPMENT REQUEST WOULD ALLOW THE FLEA MARKET TO COMPLY WITH COUNTY CODE ENFORCEMENT AND ALLOW FOR PROPER PLANNING FOR FUTURE COMMERCIAL / INDUSTRIAL DEVELOPMENT WITHIN THE CITY OF CERES PRIMARY SPHERE OF INFLUENCE.

#### QUESTION 7:

WITH THE CLOSURE OF TWO DRIVEWAYS ON CROWS LANDING ROAD AND THE DEVELOPMENT OF HACKETT ROAD AND THE PROPOSED PARKING AREA, THE ADJACENT PROPERTY OWNERS WILL BENEFIT BY DECREASE TRAFFIC CONGESTION, IMPROVED PARKING FACILITIES, AND AESTHETICALLY PLEASING LANDSCAPING.

**AS AMENDED BY THE PLANNING COMMISSION**  
**DECEMBER 4, 2003**

**CONDITIONS OF APPROVAL,**  
**DEVELOPMENT STANDARDS, AND**  
**MITIGATION MEASURES**

**GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09**  
**REZONE APPLICATION NO. 2001-16**  
**CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE)**  
**CONDITIONS OF APPROVAL**

**Department of Planning and Community Development**

1. This use shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Hours of operation for the open air market shall be limited to 5:30 a.m. to 6:00 p.m., Friday through Sunday. The hours of operation for the soccer field will be 8:00 a.m. to 8:30 p.m. during the summer and 8:00 a.m. to 6:00 p.m. during the winter months.
3. A Certificate of Occupancy shall be obtained from the Building Inspection Division prior to occupancy, if required. (UBC Section 307).
4. The applicant shall extend the wrought iron fencing on the northern property line for Crows Landing Road to the first storage building.
5. Fences and landscaping adjacent to roadways shall be in compliance with City of Ceres policies regarding setbacks, and visibility and obstructions along roadways. A landscaping plan shall be submitted to and approved by the City of Ceres and the Stanislaus County Planning Director prior to issuance of a building permit.
6. The applicant, and subsequent operators, shall obtain and maintain a valid business license. Application may be made in the Planning Department. (Section 6.04 of the Stanislaus County Ordinance Code)
7. The applicant is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
8. The developer shall pay all Public Facilities Impact Fees and Fire Protection Development Impact Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of the building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
9. Prior to the issuance of the Notice of Determination, the applicant shall pay within five days, a filing fee of \$50.00 to "**Stanislaus County Clerk/Recorder**" care of the Planning Department. Should the "De Minimis" finding be found invalid for any reason, the applicant/developer shall be responsible for payment of Department of Fish and Game Fees.

GPA 2001-09, REZ 2001-16 - Crows Landing Flea Market  
Conditions of Approval, Development Standards, and Mitigation Measures  
December 4, 2003  
Page 2

10. Prior to construction: The developer shall be responsible for contacting the U.S. Army Corps of Engineers to determine if any "wetlands", "waters of the United States", or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
11. Prior to construction: The developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate streambed alteration agreements permits or authorizations, if necessary.
12. Prior to construction: The developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan. Once complete, and prior to construction, a copy of the Storm Water Pollution Prevention Plan shall be submitted to the Stanislaus County Department of Planning and Community Development.
13. The eight foot high block wall shall have landscaping along the wall as approved by the Stanislaus County Planning Director.
14. Hours of operation of the recreation area shall be from 8:00 a.m. to 8:30 p.m. in the summer and 8:00 a.m. to 6:00 p.m. during the winter during days of business. Monday through Thursday the soccer field may be rented but will still use the same hours of operation.

#### **Caltrans**

15. Impact fees should be collected toward future improvements at SR99 and Whitmore Road, SR99, and Crows Landings Road.

#### **Development Services**

16. All future structures require proper building permits and grading permitted for the storm drainage retention basin.

#### **Environmental Resources**

17. The sewage disposal system shall be an approved aerobic treatment system so as to comply with the Primary and Secondary Sewage Treatment Initiative (Measure X).
18. The applicant must submit 3 sets of food facility construction plans to the Department of Environment Resources for review and approval for compliance with the California Uniform Retail Food Facilities Law (Section 27550).

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19. Water supply for the project is defined by the State regulations as a public water system. The water system owner must submit plans for the water system construction or addition and obtain approval from this Department prior to construction. Prior to final approval of the project, the owner must obtain a Water Supply permit from this Department. Water Supply Permit issuance is contingent upon the water system meeting construction standards and providing water which is of acceptable quantity and quality.

#### **Stanislaus Consolidated Fire**

20. Fire department access and water for fire protection shall be provided and maintained in accordance with all applicable codes and ordinances. This shall include fire sprinklers, if applicable. No development shall be approved prior to complying with this condition.
21. Fire protection development/impact fees shall be paid prior to construction.
22. Fire access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface which will provide all-weather driving capabilities. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

#### **Ceres Unified School District**

23. The applicant shall pay the applicable school impact fees required on any new construction.

#### **San Joaquin Valley Air Pollution Control District**

24. This project is subject to the District Regulation VIII (Fugitive Dust Prohibitions) and must comply with their requirements during construction.
25. For demolition of any buildings, the applicant shall comply with the National Emission Standards for Hazardous Air pollutants (NESHAPS). Specifically, the primary air pollutant is asbestos.

#### **Turlock Irrigation District**

26. The subject parcels are members of two improvement districts: ID 1430, Kofoed and ID 570, Kofoed Carol Land Br. An Irrigation pipeline runs north and south through the middle of both parcels. This irrigation line must be removed and the pipe plugged at the north property line of APN 056-055-004.
27. Properties that will no longer irrigate or have direct access to irrigation facilities must request an abandonment from the improvement districts.
28. Development property adjoining irrigated ground must be graded so that the finished grading elevations are at least 6 inches higher than the irrigated ground.

GPA 2001-09, REZ 2001-16 - Crows Landing Flea Market  
Conditions of Approval, Development Standards, and Mitigation Measures  
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29. The district shall review and approve all maps and plans of this project. Any improvements to this property shall be subject to District's approval and meet all District' standards and specifications.
30. Electric utility maps show existing overhead facilities along the north and south ends of this proposed project. Owner/developer must apply for a facility change for any pole or facility relocation. Facility changes are performed at developer's expense.
31. A 10-foot public utility easement shall be granted and recorded along all existing and proposed street frontages.

**City of Ceres**

32. The applicant shall provide a minimum of a 5 foot landscaping strip along Crows Landing and Hackett Roads that include 1 tree and 10 shrubs every 35 linear feet of street frontage, excluding ingress and egress points. At the minimum, 5% of the parking lot area shall be landscaped.
33. The applicant shall provide three 12' x 12' trash enclosures on site, with one residing near the snack bar.
34. The applicant shall provide customer parking spaces at the rate of 1 space per 200 square foot of food vending, net vending, leaseable area and seven spaces for the storage areas. Phase 1 & 2 shall be required to provide parking at the same rate consistent with the expansion of the flea market. No "catch-up" of parking will be allowed. In addition, the applicant must provide at least 2% of total parking spaces as handicapped stalls.
35. Fencing shall not exceed 8 feet in height.
36. Security lights shall not shine onto adjacent properties
37. The Property owner must submit and sign a "Landscape & Property Maintenance Agreement Form" prior to occupancy of the facility. The form is not required in order to obtain building permits and may be turned in toward the completion of construction. It is an agreement that the property owner will maintain the landscaping.
38. All signs shall be submitted under a separate package for approval by the Planning and Building Departments.
39. The development shall meet the latest adopted codes of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, the National Electric Codes and American Disability Act Standards as approved by the building Department.
40. Permits are required for any new building, site lighting, and all fences above 6 feet tall.
41. Minimum 20 foot width between aisles, entrances and exits to all leaseable floor space.

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Conditions of Approval, Development Standards, and Mitigation Measures  
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42. Shall maintain a 13'6" height clearance to accommodate Emergency Service vehicles.
43. Fire extinguishing system provided in the snack bar area where grease laden vapors are produced.
44. Fire hydrants shall be provided and spaced every 300 feet along street frontage. On the site, fire hydrants shall be placed near the snack bar. Fire extinguishers shall be placed on existing and proposed storage buildings.
45. Minimum 20 foot wide perimeter roadway.
46. Shall provide Knox locks on all access gates.
47. Shall contact Ceres Emergency Services prior to any expansion, to provide for a review of the public safety issues regarding expansion.
48. The parking area shall be paved and striped.
49. All drainage shall remain on-site and shall be designed as per the Stanislaus County Storm Drain Manual.
50. Shall construct the portion of Hackett Road to standards set by the Ceres Public Works Department.
51. The applicant shall pay the City Public Facility Fees, if annexed to the City prior to development.

#### **Turlock Mosquito Abatement District**

52. The weed growth in the basin shall be maintained so plant growth does not exceed 12" in height and that the access be provided for the District personnel to conduct routine inspections and control as necessary.

#### **Department of Public Works**

- To be attached under separate cover.
53. All recommended mitigation measures stated in the "Traffic Impact Analysis for the Romatito Marketplace" shall be implemented prior to final and/or occupancy of the proposed expansion. These mitigation measures shall include both situations of "Existing Plus Project Conditions" and "Year 2025 plus Project Conditions", as stated on Page 22 of the analysis. These mitigation measures include the following:
  - A. Southbound Crows Landing Road shall be widened to provide a right turn pocket with a minimum of 300 feet **in length including for de-acceleration of storage** at the Crows Landing / Hackett intersection. This will require the relocation of existing facilities including: curb and gutter to provide a minimum of eight (8) feet of additional pavement, traffic signal pole(s), and traffic loops.

- B. Eastbound Hackett Road shall be widened to provide a left turn pocket at the Crows Landing / Hackett intersection. The left turn pocket shall have with a minimum of 200 feet of storage per this Department's calculations.
  - C. Westbound Hackett Road shall be widened to ensure "vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. In order to meet this mitigation measure, Hackett Road shall be reconstructed to provide a "Collector" standard half width road section (20 feet from centerline to flow line per County standards).
- 54. Prior to occupancy of the property with the approved use, street improvements shall be installed along both road frontages. A sidewalk shall be installed along the entire frontage of Crows Landing Road after portions of the curb and gutter are relocated to accommodate the required right turn pocket. The improvements on Hackett Road shall include, but not be limited to, curb, gutter, sidewalk, drainage facilities, signs, pavement markings and pavement. Hackett Road shall be reconstructed and widened to provide a minimum pavement width of **12 feet and non-paved shoulder of 4 feet in width** 16 feet south of the centerline and 20 feet north of the centerline to the flow line of the new curb and gutter along the property's entire frontage. No parking signs shall be installed by the developer along both sides of Hackett Road adjacent to and across from the project site. The curb on Hackett Road along the property's entire frontage shall be painted red as a no parking zone at owner's expense. The developer shall pay for and provide sufficient R-value tests to establish the appropriate road section for the Hackett Road reconstruction.
  - 55. Prior to the issuance of any building permits, off-site improvement plans for the construction of the road improvements shall be approved by the Department of Public Works.
  - 56. A financial guarantee in a form acceptable to the Department of Public Works to ensure the construction of all off-site improvements shall be deposited with the Department prior to the issuance of any building permit.
  - 57. An encroachment permit shall be obtained from the Department of Public Works prior to the start of any work within the county road right-of-ways.
  - 58. A six (6) foot high access control fence shall be installed along the entire Crows Landing Road frontage in order to prohibit vehicular and pedestrian access. One gated vehicular emergency access shall be permitted on Crows Landing Road.
  - 59. A Grading and Drainage Plan for the entire development shall be designed to meet County standards. Engineering calculations and percolation test results must be provided to substantiate the design. The plan must be approved by the Department of Public Works prior to the issuance of any building permits. The storm drainage system shall be installed prior to final and/or occupancy of any buildings.
  - 60. Driveway locations and widths shall be approved by the Department of Public Works.
  - 61. A 10-foot wide public utility easement along both street frontages shall be provided behind the new right-of-way lines.

GPA 2001-09, REZ 2001-16 - Crows Landing Flea Market  
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62. Prior to the issuance of any building permit, sufficient road right-of-way shall be dedicated to Stanislaus County to provide for the following:
  - A. Right-of-way on Hackett Road north of centerline as per the County standard for a "Typical Intersection of a Major/Collector";
  - B. 30 feet of right-of-way north of the centerline of Hackett Road along the remaining frontage not affected by A above; and,
  - C. 10 feet behind the existing and relocated flow lines of Crows Landing Road along the project's entire frontage.

The Road Deed for this right-of-way dedication shall be prepared by the developer's engineer.

63. Prior to the approval of the Grading and Drainage Plan and prior to the issuance of the building permit, the developer shall file a Notice of Intention with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.
64. A Grading Permit shall be obtained from the Department of Public Works prior to the start of importing, exporting or otherwise moving any dirt.
65. **Hackett Road shall be designed to the City of Ceres "Minor Industrial" road standards.**

#### **California Regional Water Quality Control Board**

66. The applicant shall submit a complete Report of Waste Discharge (RWD) at least 120 days prior to initiating discharge to the new onsite disposal system, The RWD must include, at a minimum a complete Form and filing fee. The RWD must demonstrate that the onsite septic tank disposal system is fully compliant with Regional Board guidelines and County codes.
67. The project will need to obtain coverage under the NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity.

### **DEVELOPMENT STANDARDS**

1. Incorporate, by reference, all applicable Mitigation Measures and Development Standards, approved by the Board of Supervisors on December 16, 2003, for General Plan Amendment 2001-09 and Rezone Application No. 2001-16 (Crows Landing Flea Market).
2. **PUBLIC SHALL NOT BE CHARGED FOR PARKING.**

GPA 2001-09, REZ 2001-16 - Crows Landing Flea Market  
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## **MITIGATION MEASURES**

**(Pursuant to California Public Resources Codes 15074.1:**

**Prior to deleting and substituting for a mitigation measures, the lead agency shall do both of the following:**

- 1) Hold a public hearing to consider the project; and**
  - 2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.**
1. Southbound Crows Landing Road shall be widened to provide a separate right turn lane into the site access along Hackett Road. This lane shall be at least 300 feet long to provide room for deceleration at the designated speed on Crows Landing Road. At a time to be determined by the Department of Public Works an eastbound left turn lane approaching the Crows Landing / Hackett intersection shall be installed, and westbound Hackett shall be made wide enough to ensure that vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. Applicants shall be responsible for the costs of these mitigation measures.

\*\*\*\*\*

BC  
(I:\Staffrpt\Gpa-2001.sr\GPA 2001-09&Rez2001-16.CrowsLandingfFeaMkt.sr.wpd)

**SUMMARY RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, REZONE APPLICATION NO. 2001-16 - CROWSLANDING FLEA MARKET**

REFERRED TO:	PUBLIC HEARING NOTICE	RESPONDED		RESPONSE			MITIGATION MEASURES		Conditions	
		YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	No
DATE: October 28, 2003										
AGRICULTURE COMMISSIONER	X									
AIRPORT LAND USE COMMISSION										
CA DEPT OF FORESTRY										
CALTRANS	X	X								X
CENTRAL CALIF INFO CENTER - CSUS										
CITY OF CERES	X	X	X							X
COMMUNITY SERVICES/SANITARY										
CORPS OF ENGINEERS										
COUNTY COUNSEL	X									
DENAIR POSTMASTER										
DEPARTMENT OF CONSERVATION										
DEVELOPMENT SERVICES	X		X							X
ENVIRONMENTAL RESOURCES	X		X				X			X
FIRE PROTECTION DISTRICT: WESTPORT	X	X								
CONSOLIDATED FIRE PROTECTION	X									
FISH & GAME	X									
HOSPITAL DISTRICT										
IRRIGATION DISTRICT: TURLOCK	X	X	X				X			X
LAFCO	X		X				X			
MOSQUITO DISTRICT: TURLOCK	X	X	X				X	X		X
MOUNTAIN VALLEY EMERGENCY MEDICAL	X	X								
MUNICIPAL ADVISORY COUNCIL										
PARKS & FACILITIES	X									
P.G. & E.	X	X								
PUBLIC WORKS	X		X							X
PUBLIC WORKS - TRANSIT										
REDEVELOPMENT	X									
REGIONAL WATER QUALITY	X		X							
RISK MANAGEMENT (COUNTY PROJECTS)	X		X		X					
StanCOG	X									
SCHOOL DISTRICT: MODESTO ELEM.	X	X	X				X			
SCHOOL DISTRICT 2: MODESTO HIGH	X	X								
SHERIFF	X	X	X				X			
STANISLAUS COUNTY FARM BUREAU	X									
STANISLAUS ERC	X		X				X			X
STATE CLEARINGHOUSE	X									
STATE LANDS BOARD										
SUPERVISORIAL DISTRICT 5: CARUSO	X									
TELEPHONE COMPANY: SBC	X	X								
TUOLUMNE RIVER PRESERVATION TRUST		X								
US FISH & WILDLIFE	X									
VALLEY AIR DISTRICT	X		X							X
WATER DISTRICT										
DEPT. OF WATER RESOURCES										

City of Ceres, CA  
City of Hughson, CA  
City of Newman, CA  
City of Patterson, CA  
City of Turlock, CA  
County of Stanislaus, CA

MANAGER  
JERRY M. DAVIS

*Turlock*  
*Mosquito Abatement District*

TELEPHONE (209) 634-1234  
4412 NORTH WASHINGTON ROAD  
TURLOCK, CALIFORNIA 95380

October 27, 2003

Attn.: Bob Kachel  
Senior Planner  
Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

RE: General Plan Amendment Application No. 2001-09, Rezone  
Application No. 2001-16 Crows Landing Flea Market (SCH#2001092003)

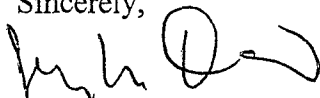
Dear Mr. Kachel,

The District provides mosquito control for the proposed project and surrounding area. Over the past several years the District has encountered mosquito control problems associated with weed growth in Storm basins that provide habitat for mosquito development and access to the basins. As you may know, under the California Health and Safety code the owner of the property is responsible for abating a public nuisance that results from mosquito breeding.

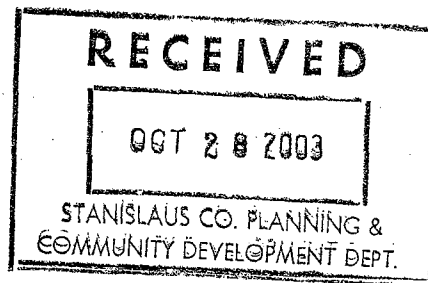
In an attempt to be pro-active the District is recommending as a mitigation measure that the developer insure that weed growth in the basin is maintained so plant growth does not exceed 12" in height and that access be provided for the District personnel to conduct routine inspections and control as necessary.

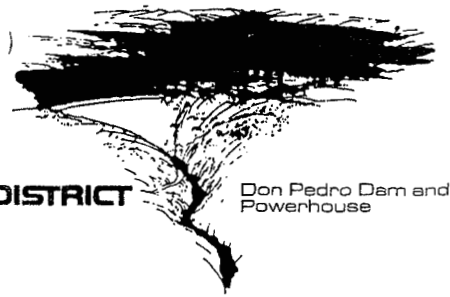
Should you or the developer have questions about the districts recommendations, I can be contacted by calling (209) 634-8331.

Sincerely,



Jerry M. Davis,  
Manager





**TURLOCK IRRIGATION DISTRICT**  
333 EAST CANAL DRIVE  
POST OFFICE BOX 949  
TURLOCK, CALIFORNIA 95381  
(209) 883-8300

Don Pedro Dam and  
Powerhouse

October 27, 2003

Stanislaus County  
Department of Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

RE: GPA 2001-09 and Rezone 2001-16; Crows Landing Flea Market

Dear Sir or Madam:

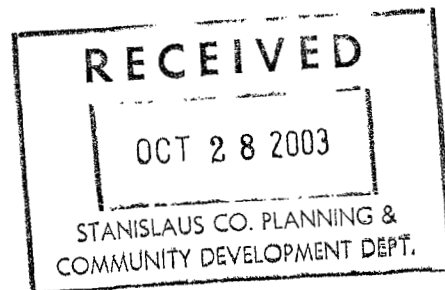
The Engineering Department of the Turlock Irrigation District (District) appreciates the opportunity to review and comment on the referenced project. District standards require development that occurs within the District's boundary, that impacts irrigation and electric facilities, to meet the District's requirements.

The District has previously commented on this project in a letter dated September 6, 2001, and the same comments and conditions apply.

If you have any questions concerning irrigation system requirements or electric utility requirements, please contact me at (209) 883-8384 or Paul Rodriguez at (209) 883-8438 respectively.

Sincerely,

Arie W. Vander Pol  
Engineering Technician, Civil  
CF: 2001129



# STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

FROM: LAFCO

PROJECT: GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09, REZONE  
APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET (SCH#  
2001092003)

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts:

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

<u>Fran Sutton-Berardi</u>	<u>Executive Officer</u>	<u>Oct 24, 2003</u>
Name	Title	Date





*1316*

3800 Cornucopia Way, Suite C, Modesto, CA 95358-9492  
Phone: 209.525.6700 Fax: 209.525.6774

TO: STANISLAUS COUNTY PLANNING & COMMUNITY DEV.  
FROM: DEPARTMENT OF ENVIRONMENTAL RESOURCES  
RE: ENVIRONMENTAL REVIEW COMMENTS

PROJECT TITLE: ENVIRONMENTAL REFERRAL-GENERAL PLAN AMENDMENT  
APPLICATION NO. 2001-09, REZONE APPLICATION NO. 2001-16-CROWS  
LANDING FLEA MARKET (SCH#2001093003)

Based on this agency's particular field(s) of expertise, it is our position the project described above:

  X   See comments below.

The sewage disposal system shall be an approved aerobic treatment system so as to comply with the Primary and Secondary Sewage Treatment Initiative (Measure X).

Applicant must submit 3 sets of food facility construction plans to the Department of Environmental Resources for review and approval for compliance with the California Uniform Retail Food Facilities Law (Section 27550).

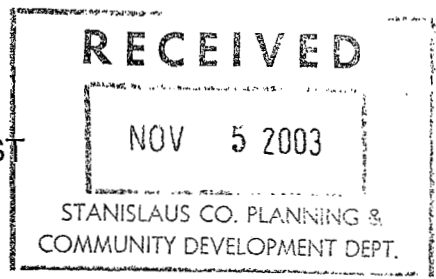
Water supply for the project is defined by State regulations as a public water system. Water system owner must submit plans for the water system construction or addition; and obtain approval from this Department, prior to construction. Prior to final approval of the project, the owner must obtain a Water Supply Permit from this Department. Water Supply Permit issuance is contingent upon water system meeting construction standards, and providing water which is of acceptable quantity and quality.

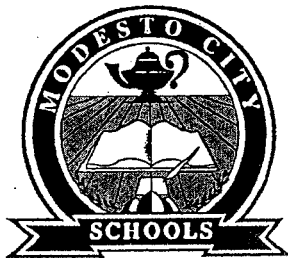
Site plans of proposed project must be submitted.

Response prepared by:

*Bella Badal*

BELLA BADAL, SR. R.E.H.S.  
REGISTERED ENVIRONMENTAL HEALTH SPECIALIST  
Department of Environmental Resources  
Cc: CEO'S OFFICE- Raul Mendez





## MODESTO CITY SCHOOLS

Planning and Research  
(209) 576-4032/Fax 576-4879

426 Locust Street, Modesto, CA 95351  
Email: meredith.b@monet.k12.ca.us

October 29, 2003

Stanislaus County Department of Planning  
And Community Development  
1010 Tenth St., Suite 3400  
Modesto, CA 95354

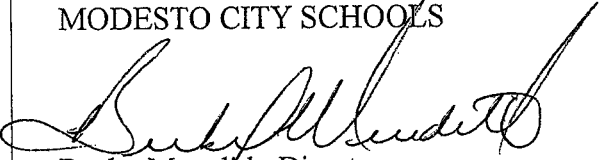
**RE: GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09 AND REZONE  
APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET**

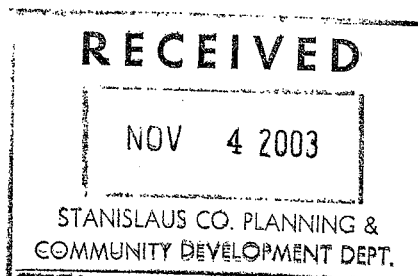
TO WHOM IT MAY CONCERN:

As stated in our previous response, September 5, 2001, the above referenced General Plan Amendment Application and Rezone Application has been referred to us for comment. However, according to our maps, this is in the Ceres Unified School District and should be referred to them for their response

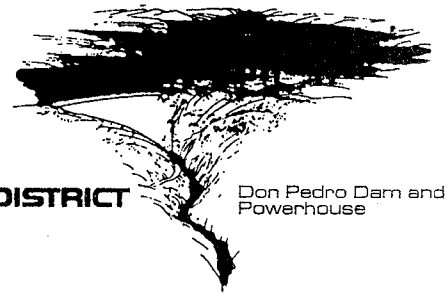
Sincerely,

MODESTO CITY SCHOOLS

  
Becky Meredith, Director  
Planning and Research



E:\Planning\CNissen\CEQA\County of Stanislaus\2003\GPARZNCrowsLndgFleaMkt2.wpd



**TURLOCK IRRIGATION DISTRICT**  
333 EAST CANAL DRIVE  
POST OFFICE BOX 949  
TURLOCK, CALIFORNIA 95381  
(209) 883-8300

Don Pedro Dam and  
Powerhouse

September 6, 2001

Stanislaus County  
Department of Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354



Dear Sir or Madam:

Re: General Plan Amendment App. No. 2001-09 and Rezone App. No. 2001-16 Crows  
Landing Flea Market

The Engineering Department of the Turlock Irrigation District (District) appreciates the opportunity to review and comment on the referenced project. District standards require development that occurs within the District's boundary, that impacts irrigation and electric facilities, to meet the District's requirements.

The subject parcels are members of two improvement districts; ID 1430, the Kofoed and ID 570, Kofoed Carol Lane Br. An irrigation pipeline runs north and south through the middle of both parcels. This irrigation line must be removed and the pipe plugged at the north property line of APN 056-55-04.

Properties that will no longer irrigate or have direct access to irrigation facilities must request an abandonment from the improvement districts.

Developed property adjoining irrigated ground must be graded so that the finished grading elevations are at least 6-inches higher than the irrigated ground.

The district shall review and approve all maps and plans of this project. Any improvements to this property shall be subject to District's approval and meet all District's standards and specifications.

A ten foot Public Utility Easement must be dedicated along all street frontages.



Electric utility maps show existing overhead facilities along the north and south ends of this proposed project. Owner/developer must apply for a facility change for any pole or facility relocation. Facility changes are performed at developer's expense.

If you have any questions concerning irrigation system requirements or electric utility requirements, please contact me at (209) 883-8384 or Paul Rodriguez at (209) 883-8438 respectively.

Sincerely,

*Andrea Nicastro*

Andrea Nicastro  
Engineering Technician  
CF: Crows Landing Flea Market 2001129

### STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

FROM: DEWIS WISTER P.W./D.S.

PROJECT: GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09 AND REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET

Based on this agencies particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts:

- 1.
- 2.
- 3.
- 4.

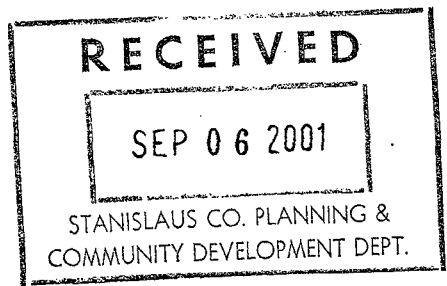
In addition, our agency has the following comments (attach additional sheets if necessary).

ALL PROPOSED FUTURE STRUCTURES REQUIRE PROPER TRULCANK PERMITS  
& GRADING PERMIT FOR RETENTION POND

Response prepared by:

[Signature]                      DEPUTY TRULCANK OFFICER                      9-5-01  
 Name    Title    Date

I:\Eva\Referrals\2001\CEQA-2 week referral - Crows Landing Flea Market - GPA 2001-09 and Rezone 2001-16.wpd





# California Regional Water Quality Control Board

## Central Valley Region

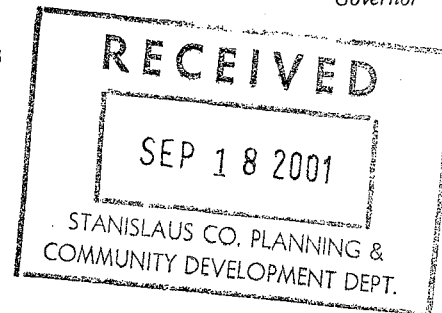
Robert Schneider, Chair



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

Sacramento Main Office  
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>  
3443 Routier Road, Suite A, Sacramento, California 95827-3003  
Phone (916) 255-3000 • FAX (916) 255-3015



17 September 2001

Carol Maben  
Stanislaus County Planning Department  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

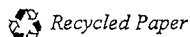
**RESPONSE TO REQUEST FOR EARLY CONSULTATION, GENERAL PLAN AMENDMENT APPLICATION NO. 2001-19 AND REZONE APPLICATION NO. 2001-06 (SCH# 2001092003), CROWS LANDING FLEA MARKET, STANISLAUS COUNTY**

Pursuant to your agency's request dated 4 September 2001, we have reviewed the project description and CEQA Initial Study Checklist for the subject project. We understand that the proposed project consists of rezoning of approximately 19 acres to accommodate expansion of an existing flea market. The project area is not currently served by the City of Ceres' sewer system and the facility's wastewater needs are served by an on-site septic system. Based on our 14 September 2001 telephone conversation, the expansion may involve construction of additional public restroom facilities and associated improvements to the on-site sewage system.

Based on this information, it appears that a Negative Declaration or Mitigated Negative Declaration may be appropriate for the proposed project. However, please be advised that the Initial Study Checklist is inadequate and should be revised to address the following comments:

1. The project description does not describe the proposed site improvements, and the drawings provided give no indication of what exists versus what is proposed. In particular, the nature of existing and planned facilities that will generate wastewater (e.g., restrooms, equipment washing areas, and food preparation facilities) must be disclosed in detail. Given the nature of this facility, it is likely that the wastewater treatment and disposal system will be subject to Waste Discharge Requirements (WDRs) adopted by the Board. The process to obtain WDRs begins with submittal of an application (Report of Waste Discharge) with a copy of the certified CEQA document for the project.
2. Therefore, the Regional Water Quality Control Board should be listed as a responsible agency.
3. Section IV of the Initial Study Checklist fails to describe the nature of the site improvements that would lead to changes in the rate and amount of surface water runoff. Such a description is essential to support the required analysis of impacts, which may or may not lead to the conclusion that impacts would be less than significant.
4. Likewise, the conclusion that there would be no impact to groundwater quality must be supported with a discussion of existing and proposed wastewater treatment systems, current and projected.

**California Environmental Protection Agency**



Ms. Carol Maben  
Stanislaus County Planning Department

- 2 -

17 September 2001

future discharge rates, and an analysis of the potential for the effluent disposal system to degrade groundwater quality beneath the site.

5. Comments 3 and 4 above also apply to Sections XII d) and e).

Because construction associated with the proposed project will be part of a common plan of development that encompasses five or more acres, the property owner needs to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated With Construction Activity. If there are any questions about this process or the storm water program, you may call Dani Berchtold at (916) 255-3383.

Thank you for allowing us the opportunity to comment on this proposed project. By copy of this letter, we are advising the owners that they must submit a Report of Waste Discharge, and we would be pleased to meet with the owners or their representatives to discuss the permitting process. If you have any questions regarding wastewater management issues, please call me at (916) 255-3140.



ANNE L. OLSON, P.E.  
Associate Water Resources Control Engineer

cc: Keith Munroe, Stanislaus County Environmental Resources Department, Modesto  
Brian Grattidge, State Clearinghouse, Sacramento  
Pedro and Candida Marquez, Ceres  
Benchmark Engineering, Inc., Modesto

**DEPARTMENT OF TRANSPORTATION**

P. O. BOX 2048 (1976 E. CHARTER WAY)  
STOCKTON, CA 95201  
TDD (209) 948-7981  
PHONE (209) 941-1921  
FAX (209) 948-7194



September 18, 2001

**STA-99-PM R11.39  
P. & C. Marquez, Quetzal Co.  
CEQA Early Consultation  
General Plan Amendment #2001-09  
Rezone Application #2001-16  
SCH #2001092003**

Carol Maben  
Stanislaus County  
Department of Planning and  
Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Dear Ms. Maben,

Thank you for the opportunity to review the above-referenced document, the request to amend the general plan designation from agricultural to planned development (PD) and rezone form A-2-40 (general agriculture) to a planned development (PD) for the expansion of the Crows Landing Fiea Market. This project is located at 3113 Crows Landing in Ceres.

Transportation Planning has circulated these documents through our normal interdepartmental review process and we have the following comment on this project.

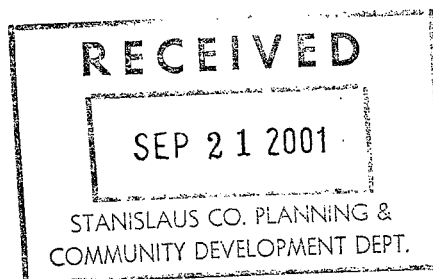
Traffic Operations/Safety

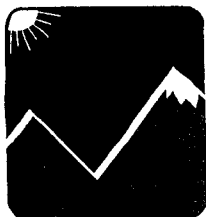
- Impact fees should be collected towards future improvements at SR 99 and Whitmore Road SR 99 and Crows Landing Road.

If you have any questions or concerns regarding this project, please contact John E. Williamson of my staff at (209) 948-7936 or ([email john\\_e\\_williamson@dot.ca.gov](mailto:john_e_williamson@dot.ca.gov)).

Sincerely,

**TOM DUMAS, Chief  
Office of Intergovernmental Review  
and Intermodal Planning**

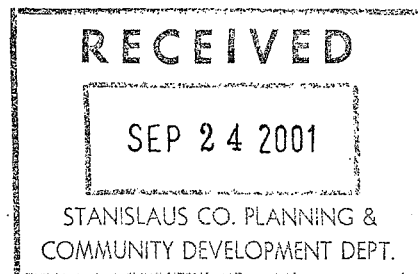




## San Joaquin Valley Air Pollution Control District

September 19, 2001

Carole Maben  
Stanislaus County  
Planning and Community Development  
1010 10<sup>th</sup> Street Suite 3400  
Modesto, CA 95354



SUBJECT: GENERAL PLAN AMENDMENT # 2001-09 CROWS LANDING FLEA MARKET

Dear Ms Maben:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the above referenced project and offers the following comments:

The San Joaquin Valley's air quality has been designated nonattainment by the EPA and by the Air Resources Board (ARB) for O<sub>3</sub> (ozone) and PM-10 (fine particulate matter, dust). The Federal Clean Air Act (CAA) and the California Clean Air Act require areas that are designated nonattainment to reduce emissions until standards are met.

Based on the information provided, it appears that the proposed project will have a less-than-significant impact on the ambient air quality. However, the construction phase of this project can generate emissions from the movement of soil, use of heavy equipment, bulk materials handling, asphalt paving and other related activities. Additionally, the parking areas. As a result, **this project is subject to District Regulation VIII (Fugitive Dust Prohibitions)**. The purpose of Regulation VIII is to reduce the amount of fine particulate matter (PM-10) entrained into the ambient air from man-made sources. The attached Synopsis highlights many of the requirements contained within Regulation VIII. The Synopsis is not meant to be all-inclusive, but it can be a useful compliance aid in the field and office alike.

Additionally, if the project site contains any buildings needing demolition the applicant will need to be in compliance with the National Emission Standards for Hazardous Air pollutants (NESHAPS). Specifically, the primary air pollutant of concern is asbestos. To ascertain whether this project is subject to NESHAPS, the project applicant is advised to review the enclosed Asbestos – Compliance Assistance Bulletin, dated December 1994. Leaf Sexton is the Northern Region's District contact for the program and is available should you need further assistance.

David L. Crow  
Executive Director/Air Pollution Control Officer

Northern Region Office  
4230 Kiernan Avenue, Suite 130  
Modesto, CA 95356-9322  
(209) 557-6400 • FAX (209) 557-6475

Central Region Office  
1990 East Gettysburg Avenue  
Fresno, CA 93726-0244  
(559) 230-6000 • FAX (559) 230-6061  
[www.valleyair.org](http://www.valleyair.org)

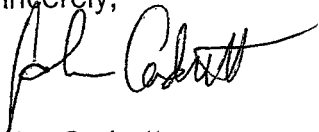
Southern Region Office  
2700 M Street, Suite 275  
Bakersfield, CA 93301-2373  
(661) 326-6900 • FAX (661) 326-6985

Stanislaus County  
2001-09

September 19, 2001  
Page 2

Thank you for the opportunity to comment. If you have any questions, please feel free to contact me at (209) 557-6400.

Sincerely,

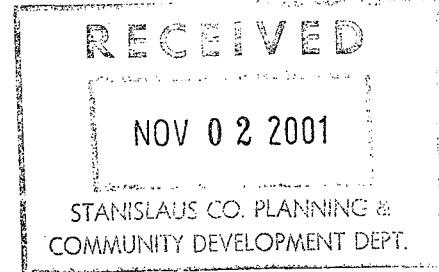


John Cadrett  
Air Quality Planner  
Northern Region

APCD REF # 20010149



PLANNING AND  
COMMUNITY DEVELOPMENT  
2220 MAGNOLIA STREET  
CERES, CA 95307  
(209) 538-5774  
FAX (209) 538-5780



November 1, 2001

Bob Kachel  
Department of Planning and Community Development  
1010 10<sup>th</sup> Street, Ste. 3400  
Modesto, CA 95354

RE: GPA Application No. 2001-09 and Rezone Application No. 2001-16  
Crows Land Flea Market.

Dear Mr. Kachel:

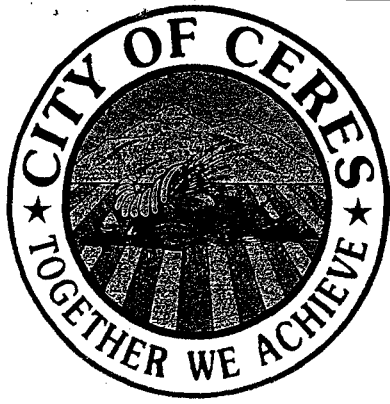
The City of Ceres was formally introduced to the proposed project through a predevelopment meeting requested by the applicant. The purpose of predevelopment is for the City to comment on any proposed development to ensure it meets City development standards. The applicant for the Crows Landing Flea Market had a meeting with City personnel on March 28, 2001. The comment letter generated from that meeting is attached for your reference.

However, the City would like the opportunity to comment formally on the site plan that was submitted with Application Numbers 2001-09 and 2001-16 Crows Landing Flea Market. This would assure that all City of Ceres standards are incorporated into these development applications.

If you have any questions or would like to discuss this further, please contact me at 538-5775.

Sincerely,

Tom Westbrook,  
Associate Planner



PLANNING AND  
COMMUNITY DEVELOPMENT  
2220 MAGNOLIA STREET  
CERES, CA 95307  
(209) 538-5774  
FAX (209) 538-5780

April 13, 2001

Benchmark Engineering, Inc.  
ATTN: Rick Mummert  
1121 Oakdale Road Ste. 5  
Modesto, CA 95355

SUBJECT: Predevelopment Proposal 01-02; Proposal to expand the Crows Landing Flea Market in three phases. The proposed project site is located at 3113 Crows Landing Road.

Dear Mr. Mummert:

Please find below the comments made during the predevelopment meeting of March 28, 2001. The following represents the issues and requirements identified during the meeting and have been listed for your reference.

The purpose of the predevelopment meeting is to provide you with comments and identify the important issues early in the review process to allow time for adjustments before a formal application submittal. While we try our best to identify all the important issues, there may be some new issues raised during the formal review process. All of our comments are made as if your site was within the City limits and fully subject to City rules and regulations. The property, as you know, is not within the City but is within the Primary Sphere of Influence. Per the City/County Agreement you must process your request through the County but be subject to development standards of the City. Our comments are as follows:

**Planning and Community Development Department**

- 1) Shall provide a 5 foot landscaping strip along Crows Landing & Hackett that includes 1 tree and 10 shrubs per every 35 linear feet of street frontage excluding ingress and egress points. At minimum, 5% of parking lot area shall be landscaped.
- 2) Shall provide three 12'X12' trash enclosures on site, with one residing near the snack bar.
- 3) Shall provide customer parking spaces at the rate of 1/200 square feet of food vending, net vending/leaseable area and space 7 spaces for the storage areas. Phase 1 & 2 shall be required to provide parking at the same 1/200 rate consistent with the expansion of the flea market. No

“catch-up of parking will be allowed. In addition, must provide at least 2% of total parking spaces as handicapped stalls.

- 4) Fencing shall not exceed 8 feet in height.
- 5) Security light shall not shine onto adjacent parcels.
- 6) Property owner must submit and sign a “Landscape & Property Maintenance Agreement Form” prior to occupancy of the facility. The form is not required in order to obtain building permits and may be turned in toward the completion of construction. It is an agreement that the property owner will maintain the landscaping.
- 7) All freestanding signs shall be submitted under a separate package for approval by the Planning and Building departments.

#### **Building Department**

- 8) The development shall meet the latest adopted codes of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, the National Electrical Code, and American Disability Act Standards as approved by the Building Division.
- 9) Permits are required for any new buildings, site lighting, and all fences above 6 feet tall.

#### **Emergency Services**

- 10) Minimum 20 foot width between isles, entrances and exits to all leaseable floor space.
- 11) Shall maintain a 13'6" height clearance to accommodate Emergency Service vehicles.
- 12) Fire extinguishing system provided in the snack bar area if grease laden vapors are produced.
- 13) Fire hydrants shall be provided and spaced every 300 feet along street frontage. On site fire hydrants shall be placed near the snack bar. Fire extinguishers shall be placed on existing and proposed storage buildings.
- 14) Minimum 20 foot wide perimeter roadway.
- 15) Shall provide knox locks on all access gates.
- 16) Shall contact Emergency Services prior to any expansion, to provide for a review of the public safety issues regarding expansion.

#### **Public Works**

- 17) Shall pave and stripe parking lot area.

April 13, 2001

PDP 01-02

Page Three

- 18) All drainage shall remain on-site and shall be designed as per the Stanislaus County Storm Drain Manual.
- 19) Shall construct the portion of Hackett Road to standards set by the City of Ceres Public Works Department.

**Other Comments**

- 20) The applicant shall pay the City public facility fees if annexed to the City prior to development, County public facility fees, and the Ceres Unified School District fees. Please contact the Public Works and Building Departments for estimates.

Thank you for sharing your predevelopment ideas with us. Please feel free to contact the Planning Department for any additional information.

Sincerely,



Tom Westbrook  
Associate Planner



# Stanislaus County Planning and Community Development

1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

Phone: (209) 525-6330  
Fax: (209) 525-5911

## CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, October 26, 1998

1. **Project title:** General Plan Amendment Application No. 2001-09 and Rezone Application No. 2001-16 -Crows Landing Flea Market SCH# 2001092003
2. **Lead agency name and address:** Stanislaus County  
1010 10th Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Bob Kachel, Senior Planner  
(209) 525-6330
4. **Project location:** 3113 Crows Landing Road, north of Hackett Road, in the Modesto / Ceres area (APN: 056-055-004)
5. **Project sponsor's name and address:** Quetzal Corporation  
5507 Prairie Flower Road  
Ceres, California 95307
6. **General plan designation:** Agriculture
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:** Request to rezone and amend the General Plan designation of an 18.65 acre property from Agriculture to Planned Development (PD) zoning to allow upgrading and expansion of the existing legal non-conforming Crows Landing Flea Market.
9. **Surrounding land uses and setting:**  
The site is bordered on three sides by a combination of open land, farmland and ranchettes, with adjoining parcel sizes ranging from 4.5 up to 34 acres. To the east, across Hackett Road are Stanislaus County facilities including the Public Safety Center, the Community Services building and to the southeast a bit, the Agricultural Center. The area is located within the LAFCO approved Sphere of influence of the City of Ceres.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Environmental Resources and Public Works Departments  
Stanislaus Consolidated Fire
11. **Attachments:** Exhibit "A" Responses to Early Consultation

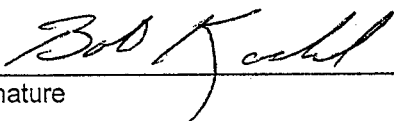
**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology /Soils
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

**DETERMINATION: (To be completed by the Lead Agency)**  
On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

October 17, 2003  
\_\_\_\_\_  
Date

Bob Kachel, Senior Planner  
\_\_\_\_\_  
Printed name

\_\_\_\_\_  
For

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
  - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) **Mitigation Measures.** For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
  - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
  - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
  - 9) The explanation of each issue should identify:
    - a) the significant criteria or threshold, if any, used to evaluate each question; and
    - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

**ISSUES**

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

**Discussion:** The site itself is not considered to be a scenic resource or a unique scenic vista. The immediate area is generally flat and surrounded by open land, residential uses and the County complex east of Crows Landing Road. The proposed project will remodel and expand the existing flea market which has been on this site for decades. A key component of that work is the fact the facility's appearance will be substantially upgraded. Landscaping and new screen fencing, consistent with the standards of the City of Ceres will be installed. The facility will not be open after dark, so lighting will not be an issue.

**Mitigation:** None.

**References:** Application information; site review, Stanislaus County General Plan (adopted October 1994); Stanislaus County Zoning Ordinance; County policies; and staff experience.



II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

**Discussion:** The undeveloped portion of the property is designated "Prime Farmland" by the State Department of Conservation's Farmland Mapping and Monitoring Program, but other portion of the site has been developed for years, and is classified as "Urban and Built Up Land". The entire site is committed to urban uses as a result of it being added to the Sphere of Influence of Ceres which has been designated for industrial/commercial type uses for several years. Impacts associated with that designation were addressed in CEQA documents adopted by the City of Ceres, and reviewed and used by LAFCO when the sphere was amended.

**Mitigation:** None.

**References:** Application information; site review, Stanislaus County General Plan (adopted October 1994); Stanislaus County Zoning Ordinance; and the California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland, August 2002.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

**Discussion:** The project site is within the San Joaquin Valley Air Basin, which has been classified as "nonattainment" by the Environmental Protection Agency and the California Air Resources Board for Ozone and respirable particular matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permitting authority over stationary sources of pollutants. Any pollutants generated by this project would be classified as "mobile" sources due to vehicular travel. This is an existing use being upgraded, as opposed to being an entirely new proposal with similarly new impacts. The SJVAPCD responded during the Early Consultation indicating that the project would have a less-than-significant impact on the ambient air quality.

**Mitigation:** None.

**References:** San Joaquin Valley Air Pollution Control District referral response (dated September 19, 2001); and the Stanislaus County General Plan (adopted October 1994).

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

**Discussion:** Based on past farming practices and the existing commercial use, there is no evidence to suggest this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There are no known sensitive or protected species or natural communities located on the site and/or in the surrounding area.

**Mitigation:** None.

**References:** Application information; site review, California Natural Diversity Database (dated October 2002); Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987).

**V. CULTURAL RESOURCES -- Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

**Discussion:** Cultural resources are not known to exist on the project site. The site has previously been disturbed by previous farming operations as well as the existing flea market operation. However, the lack of surface evidence does not preclude their existence. To address this issue, a standardized condition will be included in the project to eliminate any impact of discovery during the construction phase.

**Mitigation:** None.

**References:** Site review, staff experience, Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987).

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
<p><b>Discussion:</b> As contained on page 288 of the General Plan Support Documentation (adopted June 1987), the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5. This project is not located within the earthquake fault zones currently identified by the California Department of Conservation. The proposed project is located on a combination soils types classified by the Department of Agriculture as Hanford Sandy Loam. These Class I soils have no limitations on building or any other negative characteristics. A drainage and street improvement plan has been developed for the site as required by the Department of Public Works. Street runoff is to be directed into a storm drainage retention basin located on at the west end of the property.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> Application information; Stanislaus County General Plan (adopted October 1994); Stanislaus County General Plan Support Documentation (adopted June 1987); California Department of Conservation, Division of Mines and Geology, Official Alquist-Priolo Earthquake Fault Zones for the Central Coastal Region (dated 2001); the 1997 Uniform Building Code; and the United States Department of Agriculture, Soil Survey for the Eastern Stanislaus Area (issued September 1964).</p>				
VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

**Discussion:** The County Department of Environmental Resources is responsible for overseeing hazardous materials and has not indicated any particular concerns in this area. Pesticide exposure is a risk in areas located in the vicinity of agricultural activities. Possible sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The project site is not located within an airport land use plan or a wildlands area. The groundwater is not known to be contaminated in this area.

**Mitigation:** None.

**References:** County Policies; referral responses, Stanislaus County General Plan (adopted October 1994); and Stanislaus County General Plan Support Documentation (adopted June 1987).

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

**Discussion:** The project site is not located in an area subject to flooding as identified in accordance with the Federal Emergency Management Act. The proposed structures and improvements may generate increased run-off which is to be directed into the existing storm drainage retention basin located on private property and maintained by the applicant. The Department of Public Works Department is responsible for verifying that all runoff will not produce flooding on adjacent properties. Groundwater will be used for domestic use and landscaping irrigation.

**Mitigation:** None.

**References:** FEMA Flood Zone maps; application information; Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987).



IX. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

**Discussion:** The site is designated Agriculture by the County General Plan and zoned A-2-40. The project would amend the General Plan to re-designate the parcel Planned Development to allow the refurbishing and expansion of this legal non-conforming use. Obviously that would change should the project be approved. Because this is within the Sphere of Influence of Ceres, under provisions of the General Plan, the City is consulted as to their recommendation as to the appropriateness of the use. In this case Ceres has indicated support for the project as it is consistent with City plans.

**Mitigation:** None.

**References:** Application information; responses to referral; Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987).

**X. MINERAL RESOURCES -- Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Discussion:** The location of all commercially viable mineral resources in Stanislaus County have been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources in or around the project area.

**Mitigation:** None.

**References:** Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987); and the State Division of Mines and Geology Special Report 173.

**XI. NOISE -- Would the project result in:**

	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
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**Discussion:** The Stanislaus County General Plan identifies noise levels up to 75 dB L<sub>dn</sub> (or CNEL) as the normally acceptable level of noise for agricultural, industrial, manufacturing, and other similar land uses. The project is expected to attract children and adults into the commercial use, including a soccer field to be located in conjunction with the drainage basin on the west end of the property. Noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. Hours of operation of the flea market itself would be 7:00 A.M. to 5:00 P.M. Friday through Sunday. The construction phase of this project will temporarily increase ambient noise levels; therefore, a standard condition of approval restricting the hours of construction to 7:00 A.M. to 6:00 P.M., Monday through Friday, has been added by the Planning Department to reduce potential construction-related noise impacts.

**Mitigation:** None.

**References:** Application information, Stanislaus County General Plan (adopted October 1994); Stanislaus County General Plan Support Documentation (adopted June 1987); and staff experience.



XII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Discussion:** The proposed use of the site will not create significant service extensions or new infrastructure that could be considered growth inducing. No housing or persons will be displaced by the project. Simply put, there are no housing related issues associated with this application.

**Mitigation:** None.

**References:** Application information; Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987).



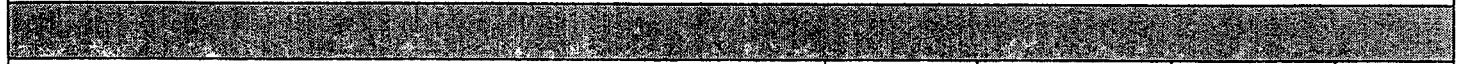
XIII. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	

Schools?			X	
Parks?			X	
Other public facilities?			X	

**Discussion:** The County has adopted a standardized mitigation measure requiring payment of all applicable Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. A condition of approval has also been added to ensure that both the existing and proposed structures comply with all applicable fire department standards with respect to access and water for fire protection.

**Mitigation:** None.

**References:** Referral responses; application information, staff experience, Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987).



<b>XIV. RECREATION:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

**Discussion:** The proposed project will provide a private recreational opportunity for some members of the community in the form of the soccer field and, as such, is not anticipated to significantly increase demand on other recreational facilities.

**Mitigation:** None.

**References:** Application information; Stanislaus County General Plan (adopted October 1994); and the Stanislaus County General Plan Support Documentation (adopted June 1987). Stanislaus County Parks Master Plan;(August, 1999).



<b>XV. TRANSPORTATION/TRAFFIC -- Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

**Discussion:** A Traffic Impact Analysis was prepared on behalf of the applicants by kdAnderson in May, 2002 as a result of questions raised during the Early Consultation process. The Traffic Impact Analysis concluded that Level of Service "D" (acceptable within the Sphere of Influence of Ceres) conditions would result for the Crows Landing Road / Hackett Road intersection provided the following mitigations are implemented.

**Mitigation:**

1. *Southbound Crows Landing Road shall be widened to provide a separate right turn lane into the site access along Hackett Road. This lane shall be at least 300 feet long to provide room for deceleration at the designated speed on Crows Landing Road. At a time to be determined by the Department of Public Works an eastbound left turn lane approaching the Crows Landing / Hackett intersection shall be installed, and westbound Hackett shall be made wide enough to ensure that vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. Applicants shall be responsible for the costs of these mitigations.*

**References:** Application information; referral responses, Traffic Impact Analysis prepared by kdAnderson Transportation Engineers, May 13, 2002. (Available for review at the Stanislaus County Planning Department, 1010 10<sup>th</sup> St, Suite 3400, Modesto); Stanislaus County General Plan (adopted October 1994); and Stanislaus County General Plan Support Documentation (adopted June 1987).



<b>XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

**Discussion:** The site will continue to be served by private well and septic system. The proposed improvements may generate increased run-off. The Department of Public Works Department is responsible for verifying that all runoff will not produce flooding on adjacent properties. An on- and off-site drainage and street improvement plan has been developed for the site as required by the Department of Public Works. Groundwater will be used for domestic use and landscaping. Conditions of approval will be included to ensure all service needs are appropriately addressed.

**Mitigation:** None.

**References:** Application information, responses to referrals, Stanislaus Department of Environmental Resources referral response (dated August 12, 2003); Stanislaus County General Plan (adopted October 1994); and Stanislaus County General Plan Support Documentation (adopted June 1987).



<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

**Discussion:** Review of this project has not indicated any feature(s) which might significantly impact the environmental quality of the site and/or adjacent areas. All identified project-significant impacts are less than significant to begin with or have been mitigated to a level of less than significant.

## MITIGATED NEGATIVE DECLARATION

**NAME OF PROJECT:** General Plan Amendment Application No. 2001-09 and Rezone Application No. 2001-16  
-Crows Landing Flea Market.  
SCH# 2001092003

**LOCATION OF PROJECT:** Northwest corner Crows Landing Road and Hackett Road, in the Modesto/Ceres area  
(APN: 056-055-004,005)

**PROJECT DEVELOPER:** Pedro & Candida Marquez / Quetzal Corp.  
5507 Prairie Flower Road  
Ceres, California 95307

**DESCRIPTION OF PROJECT:** Request to rezone and amend the General Plan designation of an 18.65 acre property from Agriculture to Planned Development (PD) zoning to allow upgrading and expansion of the existing legal non-conforming Crows Landing Flea Market.

Based upon the Initial Study, dated **October 17, 2003** the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. Southbound Crows Landing Road shall be widened to provide a separate right turn lane into the site access along Hackett Road. This lane shall be at least 300 feet long to provide room for deceleration at the designated speed on Crows Landing Road. At a time to be determined by the Department of Public Works an eastbound left turn lane approaching the Crows Landing / Hackett intersection shall be installed, and westbound Hackett shall be made wide enough to ensure that vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. Applicants shall be responsible for the costs of these mitigations.

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10<sup>th</sup> Street, Suite 3400, Modesto, California.

Initial Study prepared by: Bob Kachel, Senior Planner

Submit comments to: Stanislaus County  
Planning and Community Development Department  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

Click Here to Return to Agenda

# Stanislaus County

## Planning and Community Development

1010 10th Street, Suite 3400  
Modesto, CA 95354

Phone: (209) 525-6330  
Fax: 525-6911

### Mitigation Monitoring Plan

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

**October 17, 2003**

- |  |  |
|--|--|
| <b>1. Project title and location:</b>  | General Plan Amendment Application No. 2001-09 and Rezone Application No. 2001-16 -Crows Landing Flea Market SCH# 2001092003 |
| <b>2. Project Applicant name and address:</b>  | Pedro & Candida Marquez / Quetzal Corp.<br>5507 Prairie Flower Road<br>Ceres, California 95307                               |
| <b>3. Person Responsible for Implementing Mitigation Program (Applicant Representative):</b> | Pedro & Candida Marquez  |
| <b>4. Contact person at County:</b>  | Bob Kachel, Senior Planner<br>(209) 525-6330   |

### MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

#### XII. TRANSPORTATION / TRAFFIC

No. 1 Mitigation Measure:

Southbound Crows Landing Road shall be widened to provide a separate right turn lane into the site access along Hackett Road. This lane shall be at least 300 feet long to provide room for deceleration at the designated speed on Crows Landing Road. At a time to be determined by the Department of Public Works an eastbound left turn lane approaching the Crows Landing / Hackett intersection shall be installed, and westbound Hackett shall be made wide enough to ensure that vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. Applicants shall be responsible for the costs of these mitigations.

Who Implements the Measure:	Applicant.
When should the measure be implemented:	To be determined by Public Works Director
When should it be completed:	To be determined by Public Works Director
Who verifies compliance:	Public Works / Development Services
Other Responsible Agencies:	None.

[Click Here to Return to Agenda](#)

**Stanislaus County Mitig. Monitoring Plan**  
**GPA 2001-09, REZ 2001-16 - Crows Landing Flea Market**

**October 17, 2003**  
**Page 2**

I the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

*Candice Mayes*  
Persons Responsible for Implementing  
Mitigation Program

11-21-03  
Date

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location/Owner Name and address (include county):

General Plan Amendment Application No. 2001-09 and Rezone 2001-16 - Crows Landing Flea Market. Modesto / Ceres area Stanislaus County. SCH# 2001092003 (APN: 056-055-004, 056-055-005)

Project Description:

Request to rezone and amend the General Plan designation of an 18.65 acre property from Agriculture to Planned Development (PD) zoning to allow upgrading and expansion of the existing legal non-conforming Crows Landing Flea Market.

Findings of Fact:

The Stanislaus County Planning Commission makes a finding of "De Minimis" on this project for the following reasons:

An initial study has been conducted by the lead agency so as to evaluate the potential for adverse environmental impact; and when considering the record as a whole there is no evidence before the agency that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends. Further, the lead agency has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in the California Code of Regulations at Title 14 Section 753.5(d). As follows:

Based on the Initial Study, the project will not result in changes to the resources listed below:

- (A) Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction;
- (B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- (C) Rare and unique plant life and ecological communities dependent on plant life; and
- (D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- (E) All species of plant or animals as listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, the Water Code or regulations adopted thereunder.
- (F) All marine and terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- (G) All air and water resources the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

\_\_\_\_\_  
(Chief Planning Official)

Title: Planning Director  
Lead Agency: Stanislaus County  
Date: \_\_\_\_\_

(I:\Staff\p\Gpa-2001.sr\GPA 2001-09&Rez2001-16.CrowsLandingFleaMkt.is.wpd)

**EXHIBIT "I"**

**TRAFFIC IMPACT ANALYSIS**

**AVAILABLE UPON REQUEST**

**AT THE**

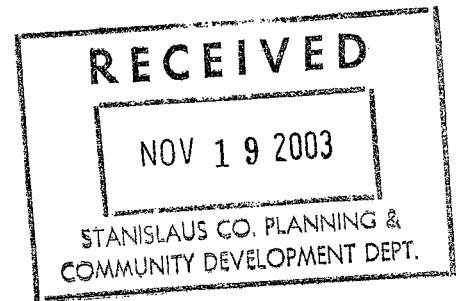
**STANISLAUS COUNTY**

**DEPARTMENT OF PLANNING &**

**COMMUNITY DEVELOPMENT**

November 12, 2003

Stanislaus County Planning Commission  
1010 10<sup>th</sup> St. Suite 3400  
Modesto, CA. 95354



To Whom It May Concern:

This is in regards to concerns that we have of changing the Agriculture zoning to Commercial zoning on the said property on the North-West corner of Crowslanding and Hackett Road.

At present we are unable to farm on weekends, there is no peace in our neighborhood anymore. This means that three days out of the seven day week we are being held hostage by the flea market. This harvest season, cars and trucks were turning and parking on the Almonds and Walnuts that were on the ground. This harvest goes from August through October 15<sup>th</sup>, During the spray season; dormant, Spring and Summer, we have only four days in which to spray, and because of weather conditions; rain, fog, wind, cold and heat puts us in the state of stress to get the work done.

The Flea Market should not be permitted to enlarge on Agriculture only zoned land. If this is allowed to happen we will be put under further shortcomings and stress, not to mention the devaluation of our farm land and the right to do business.

If you, the planning commission, permit the flea market to enlarge by increasing their parking lot, we as neighbors should have a say on its construction. Last fall; November 2002, the flea market owners, their lawyers, others and neighbors where invited to a meeting to discuss their plans of enlargement. The road; Hackett Rd. should be widened to the property with a turn around at that point with a sign – Not a Thru Road: There should be a brick fence of décor eight feet high around the said property to contain debris and noise. Speaker system should be pointed toward Crowslanding Rd. with a curfew of 8 AM - 4PM which includes business and entertainment. The drainage basin, soccer field, should be put on the north-west of the flea market where the two Mobile Homes are. This drainage pit is an invitation to polluting our underground water system with oil, chemicals, antifreeze, etc. this is not environmentally safe.

The parking lot according to said owners will be landscaped with trees, plants etc, and new concession building: The original flea market should be built to County permit standards to improve the present eye sore of makeshift tents of plastic which degrades the area.

Sincerely

Edwin J. Vargas

*Edwin J. Vargas*

Louise M. Vargas

*Louise M. Vargas*

Cheryl A. Vargas

*Cheryl A. Vargas*

Kathleen E. Barrett

*Kathleen E. Barrett*

Kimberly M. Barrett

*Kimberly M. Barrett*

512 W. Hackett Rd.

Modesto, CA. 95358

(209) 537-3487

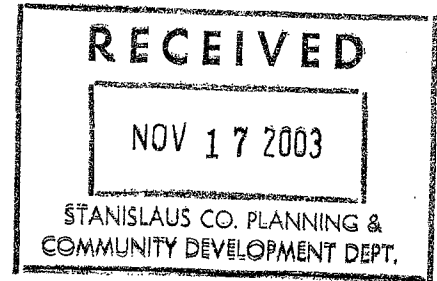
Cc: Paul Caruso – Stanislaus County Supervisor

FVB  
Nov 11/17/03

David L. Rehder  
22472 Queen Street  
Castro Valley, CA 94546  
Tel. (510) 537-3754  
Fax. (510) 537-5946

November 14, 2003

Stanislaus County Planning Commission  
1010 10th Street, Suite 3400  
Modesto, CA 95354



To Whom It May Concern:

I am writing in regards to the proposed expansion of the El Romatito - Flea Market APN 056-055-004

A meeting was held in October or November of 2002 in which the owners of the Flea Market and their representatives presented a preliminary plan for the proposed expansion of the Flea Market to other property owners from the near by area (Neighbors). Comments and concerns from the Neighbors were ask for and discussed. The preliminary plan submitted to the Neighbors at that meeting left many concerns and the proposed development of the Flea Market property creates several situations that will be detrimental to the area.

Automobiles deposit chemical pollutants from Gasoline, Oil, Grease, Brake Fluid, Transmission Fluid, Radiator Coolant, Windshield Washer Fluid, Rubber from Tires, Exhaust Emissions, etc. With approximately 16 acres of blacktop pavement for the Flea Market and parking for 706 cars these pollutants will be significant. Additional pollutants will be leached out of the paving material by chemicals deposited by the automobiles, and additional pollutants will be added to the mass from accidentally or purposefully spilled compounds by the vendors and customers of the Flea Market.

Where will all this pollution end up? It will be flushed into the proposed catch

basin where it will then percolate into the ground. This will, undoubtedly, contaminate the ground water that is the sole source of drinking water for my home and all the surrounding homes in the area. This is not acceptable.

If the proposed expansion plan is to be accepted then all the surrounding homes should be supplied with a safe public water supply. This, obviously, should be at the expense of the Flea Market.

While the trench is being dug for the water system it would be the ideal time to run natural gas service to the neighboring homes as well. The Flea Market should cover this expense also. It is my understanding that Public Gas and Water are available at Crows Landing Road.

As planned in 2002, the proposed Catch Basin/Soccer Field will be located at the South-West corner of the Flea Market property and approximately fifty feet from Hackett Road. This is directly adjacent to my property and is approximately 200 feet from my house and water well. The significant noise that will arise from players, coaches, parents and fans whenever the Soccer Field is in use will disturb the peace and quiet of my country home. This is not acceptable.

If approved, the Catch Basin should be placed at a location where it will have the least amount of disturbance on the surrounding homes. I suggest that it could be located at a at the North-West corner of parcel APN 056-55-04 and situated in an east-west direction. The two mobile homes now existing in that location can easily be moved to the South-West corner which is now the proposed location of the Catch Basin. This will keep all the residential sites of the properties in one area and will move the potential noise and pollution source of the Catch Basin to a location where it will have the least effect on surrounding homes.

In order to prevent Flea Market customers, vendors, trash, noise, pollution, etc. from encroaching on neighboring properties, an eight foot high concrete block fence should be constructed around the property line of parcels 056-55-04 and 056-55-05 The wall should be constructed with a decorative appearance so there is not a negative effect on adjacent property values. Since the Neighbors are the people that will have to look at the wall every day, they should be the ones to have final approval for its outward appearance.

At the present time, whenever the Flea Market is operating, there are a significant number of cars that travel down Hackett Road by mistake, I presume, looking for Flea Market parking. They turn around in the driveway at one of the homes or at the end of the road, and then drive back up Hackett at a high rate of speed, many at around 60 MPH. This is a small dead end country road and this traffic creates a nuisance as well as a dangerous situation. The additional traffic that will be created by the expansion of the Flea Market, plus having the entrances to the Flea Market on Hackett Road, will only increase this problem.

Adequate signs should be installed to inform drivers that Hackett Road is a Dead End Road. An obvious place for drivers to turn around should be provided and well signed on parcel #056-55-05 so these drivers don't need to come any further down Hackett Road than necessary. A speed limit of 25 MPH should be posted and enforced on Hackett. All signage should be obvious but not obtrusive.

At the present time noise from the Flea Market P.A. system can be clearly heard for a significant distance. This disturbs the peace and quiet of my country home and other Neighbors as well. This is not acceptable.

Perhaps smaller, quieter, more numerous speakers would provide adequate coverage without the excessive noise to the surrounding community. A curfew should be in place that stops all music at 4:00 P.M. and all P.A. use at 5:00 P.M. All P.A. use should cease at 4:00 P.M. on Sundays.

For as long as the Flea Market has been in operation, (20 -30 years), there has been a continuous problem with trash infiltrating the surrounding properties. My property is adjacent to the west end of the Flea Market property. I can attest to the fact there has been a constant supply of papers, plastic bags, empty drink cups, bottles and cans, broken glass and other miscellaneous garbage entering my property from the Flea Market and from Flea Market customers walking along my north property line. A means to control this trash needs to be implemented immediately.

Trash migrating around the neighborhood from the Flea Market should be the responsibility of the Flea Market. Adequate trash containers should be placed in locations where necessary. A person should be hired by the Flea Market to make daily

rounds to pick up any and all trash from areas immediately surrounding the Flea Market property.

From the time the Flea Market started, until just recently, there has been a significant amount of junk and trash dumped and stored along the fence at the west end of that property, adjacent to mine. This has been an eyesore for many years and a place that harbored numerous rats. I had an infestation of rats on my property when I took over the farming operations in 1999. I suspect the rats came from the Flea Market junk piles because rats had never been a problem during the preceding eighty years when my Grandfather and Father were farming our property. It has taken a concerted effort to get rid of the vermin and to keep them from returning.

I am happy to see the trash and junk finally being cleaned up after all these years. I hope it is more than just "putting forth a good face" to get approval of the expansion.

The Flea market has been a disturbance to the area, in many ways, for many years. If the expansion is approved, myself and the other Neighbors in the area around the Flea Market will be losing even more of the peace, quiet and serenity of our country homes. This loss must be kept to a minimum. Installation of public gas and water to our homes would be small compensation for some of this loss.

Thank you for considering my comments.

Sincerely,



David L. Rehder

Property Address:

419 West Hackett Road

APN 056-55-06

APN 056-55-07

cc: Mr. Paul Caruso, Supervisor, Stanislaus County

Shari Craig

5261 Esmar Rd.  
Ceres, California, 95307

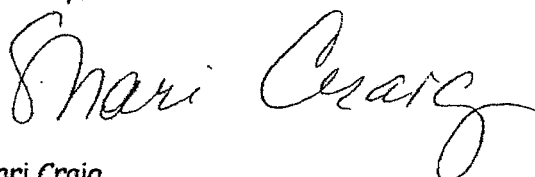
Home Phone (209) 537-0521

November 17, 2003

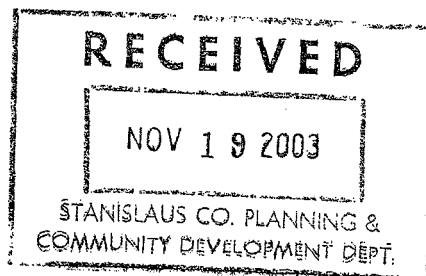
To Whom It May Concern,

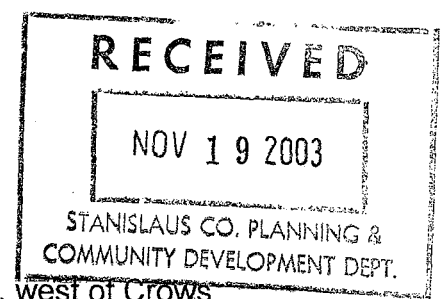
I frequently drive along W. Hackett Road off of Crows Landing Road and I am alarmed at the inconsiderate drivers fighting for parking along the shoulder of the road by the flea market. The road has become so congested on Fridays and weekends that it takes forever to get a couple of hundred feet. Drivers make U-turns without regard for traffic and actually park in the orchards. Last Spring a police car pulled over a driver and forced him to lay in the middle of the road completely blocking traffic both ways for 20 minutes. If there was an actual emergency how could anyone get in or out? I don't live on W. Hackett but it troubles me that this mess is allowed to continue weekend after weekend. By Sunday night there is trash littering the road and surrounding properties. What can be done about this problem? Can No Parking signs be posted? Perhaps in English and Spanish? There is parking available on the flea market property and on the opposite side of Crows Landing in the parking lot (which is never full). If I didn't have to go pick up my children from a house on W. Hackett I would NEVER drive over by the flea market EVER. Too bad such a nice little street has been turned into a safety hazard.

Sincerely,



Shari Craig





To whom it may concern,

This is re: the traffic/parking problems on West Hackett Road, west of Crows Landing Road.

As long as the El Rematito flea market has been in existence, there has been the problem it's patrons' disregard for the properties of those who live/farm on West Hackett Rd. But ever since the Kephart family sold their vineyard on the northwest corner of Crowslanding and West Hackett Roads, things have gotten much worse.

Vehicles have parked on the shoulders of the properties of Pete Verdegaal, Dave Rehder, and my father, Ed Vargas - breaking sprinklers, leaving trash, trespassing, stealing nuts etc. This translates into both a nuisance and an increase in work that has to be done, as I farm the property at 512 West Hackett with my father, and as any farmer can attest, there is no shortage of work to be done. On occasions we have witnessed women and children coming through a fence on the north end of the Kline property (bordered by Crows Landing Rd. and Carol Lane) and walking through the Kline orchard (which is farmed by Pete Verdegaal) and the Rehder orchard (farmed by my father and myself) on their way to the flea market.

Dispite a sign posted saying it is *not* a through road, vehicles drive too fast down West Hackett Rd. Pairs of individuals in vehicles have drag raced down W. Hackett. I drop my son off at my parents' house at 512 W. Hackett to be cared for while I work, and this is an obvious dangerous situation. And ~~that is on the weekdays. On the Friday - Sunday weekend when El Rematito is in~~ operation, traffic is hideous at best. People turning around in the street blocking traffic, which should not be there to begin with.

There have been other incidents, such as the Sunday when a young Hispanic individual was being arrested, face-down in the middle of the very narrow W. Hackett Rd., with Modesto Police Department squad cars effectively blocked the street when I needed to get from the Hackett Ranch to another doing sprinkler maintenance on Sunday, Spring of 2003.

The parking, vandalism, etc. cannot be tolerated, and this rampant disrespect by the patrons of El Rematito must not be allowed to continue. No parking on the West Hackett shoulders should be allowed, and traffic on that part of the street should be discouraged. "No Parking" signs need to be posted, violator's vehicles should be cited and towed away. The farmers on West Hackett Rd were there long before El Rematito, who has been a nuisance from day one.

It's a no-brainer that if the owners of El Rematito are permitted to construct a parking facility, things will only get worse. The parcel of land in question is zoned A -10 Agricultural, as is the site on which El Rematito sits.

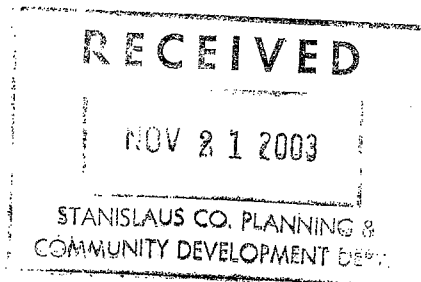
My question to Stanislaus County officials is this: Why was this business permitted to exist on *agriculturally* - zoned land, when there was always plenty of *commercially* - zoned land north on Crowslanding Road, instead of extending the ghetto that is South Modesto into our farmland?

Regards,  
Ed Vargas, Jr.  
Farmer  
Modesto



November 18, 2003

Esther Corda  
Ernest Corda  
731 W. Hackett Rd.  
Modesto, CA. 95358



In regards to: El Rematito - Planned Development

Stanislaus County Planning Commission  
1010 10<sup>th</sup> St. Suite 3400  
Modesto, CA. 95354

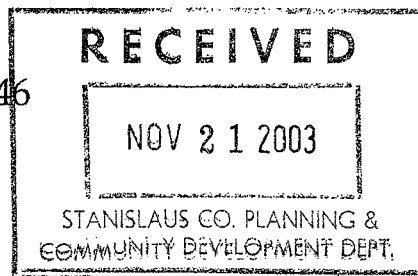
Dear Stanislaus County Planning Commission:

I'm writing in regards to changing the zoning of the Flea Market from Agriculture to Planned Development. I'm against the rezoning because myself and others here feel that the Flea Market is bringing the wrong kind of people out here. It is interfering with the people that are farming out here. As of right now I feel that it will lower the value of my property. When I moved here with my family in 1942 this neighborhood was quiet and a pleasant place to live. I've lived on the right on Hackett Rd, where the road dead ends. Now there is a lot of traffic and trash. They are either turning around or going down the dirt road on the west side of my property, at excessive speed creating clouds of dust. A 25 MPH sign should be posted. Cars park in the Olive trees and behind the shrubs in the vacant lot across the street from where I live, leaving cans, bottles, plastic bags of trash and furniture. Many times there are Sheriff Cars parked across the street. There have been a couple arrests of people coming from the Flea Market. It's getting dangerous going back and forth on Hackett Rd. to Crowslanding Rd. because of the traffic with all the cars parked on Hackett Rd. This will only get worse with the expansion of the Flea Market.

Sincerely,

*Esther Corda*  
*Ernest Corda*

David L. Rehder  
22472 Queen Street  
Castro Valley, CA 94546  
Tel. (510) 537-3754  
Fax. (510) 537-5946



November 21, 2003

Stanislaus County Planning Commission  
1010 10th Street, Suite 3400  
Modesto, CA 95354

*I APOLOGIZE FOR THE  
RED TEXT. MY PRINTER  
IS ACTING UP. DLR*

To Whom It May Concern:

This is a follow up to the letter I sent on November 14, 2003 with regards to the El Rematito - Flea Market (APN 056-055-004) proposed expansion.

On November 19, 2003 a second meeting was held in which the owners of the Flea Market and their representatives presented the new proposed expansion plan that will be presented to the County on December 4, 2003. Property owners from the nearby area (Neighbors) were invited to hear the proposal and express their concerns.

Let me first tell you that most of the Neighbors around the Flea Market are opposed to its existence in the first place and are further opposed to any expansion of that operation. The existence of the Flea Market has created situations that have disrupted the area from its very beginning. It has made living at the neighboring properties far less desirable and has lowered our property values.

The new plan has addressed some of the concerns I wrote about in my November 14, 2003 letter to you, however, there are still issues that need to be resolved.

**Parking and Traffic:**

The new plan will supposedly solve the problem of cars parked illegally along Hackett Road and people walking in the Hackett roadway. It is also supposed to curtail cars from driving farther down Hackett than the Flea Market parking area. That remains to be seen.

What has not been solved is the traffic jamb at the end of Hackett from cars trying

to get onto Crows Landing Road. With parking for over 800 cars in the proposed lot, the traffic on Hackett Road will be increased to a thousand or more cars on Flea Market days. Traffic coming and going from the Flea Market will create a significant traffic jamb.

"Smart" computerized sensors need to be installed for the traffic lights at the intersection that can "see" when the green light duration for Hackett needs to be extended to let the additional cars get out.

Two eastbound traffic lanes should be provided at the end of Hackett. The left of these two lanes, for left turn only. The right of these two lanes, for left, straight or right turns. The extra space needed for these traffic lanes should come from the Flea Market property.

The Neighbors will be forced to put up with the tremendous traffic on Hackett, even if most of it doesn't come past the Flea Market parking lot. Without a doubt, there will be significantly more cars that do come past the lot. All this will be a tremendous nuisance and an interference with our normal farming operations.

#### Water:

I am not convinced by the Flea Market's explanation that the catch basin will filter out all pollutants. I have been informed by the Dept. of Water Resources (DWR) that catch basins do filter out normal petroleum products from urban runoff. However, the possible pollutants from the Flea Market will be far more varied than normal urban runoff. In addition, there is a lot of talk these days about ground water contamination by MTBE. The DWR official I contacted said that he suspected MTBE may differ from petroleum products and likely merits some consideration.

According to the new proposed plan, public water will be brought part way down Hackett Road and into the Flea Market. The north half of Hackett road will be dug up and replaced with a much wider roadway for the approximately 1300 foot length of the Flea Market property.

The new water line should be extended to the end of that new roadway, at a minimum. Otherwise, if or when commercial development happens farther down Hackett (per LAFCO decision) the roadway will need to be dug up again. At the meeting, the Flea Market stated that they viewed this expansion as temporary and they expected that at some time in the future, more extensive commercial development would be taking place.

When the Flea Market puts in their water line, that is obviously the most logical time to install the water line to the end of Hackett and to the homes there as well. The disruption during construction to the neighbors will be caused by the Flea Market

and it should be their responsibility to provide the other property owners on Hackett Road with safe public water.

As I stated in my earlier letter, this would also be the ideal, most logical and least costly, time to bring natural gas down Hackett and to the homes as well.

Wall:

The new plan calls for a concrete block wall along the west side of the Flea Market, along my property line. I would like to be assured that I will have final approval for the appearance of the wall on my side. This wall will have a direct effect on my property value.

Noise:

The subject of loud noise from the Flea Market P.A. system was brought up at the meeting but the Flea Market people did not have a plan to remedy the situation. They said that they would look into the problem.

If the expansion plan is approved, the traffic on Hackett Road will be increased to a thousand or more cars on Flea Market days.

General:

If the expansion is approved, the Flea Market will be adding significantly to its property value and income potential. This should not be at the expense of the neighboring properties.

Thank you for considering my additional comments.

Sincerely,



David L. Rehder

Property Address:

419 West Hackett Road

APN 056-55-06

APN 056-55-07

cc: Mr. Paul Caruso, Supervisor, Stanislaus County

RECEIVED

NOV 24 2003

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.

Stanislaus County Planning Commission  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

November 21, 2003

Sirs:

I am writing in regards to the proposed expansion of the El Rematito Marketplace on parcel numbers 056-55-04 and 056-55-05. The partners of Scheuber Farm have studied the proposal and mutually agree to the following concerns and recommendations:

**Concerns:**

1. El Rematito Marketplace was allowed to begin and continues to operate its current business activities on a parcel zoned A10.
2. Trash from the operation of the El Rematito Marketplace continues to collect on fences and blows across Crows landing and Hackett Roads and surrounding areas.
3. Traffic due to the operation of the El Rematito Marketplace has significantly increased on Hackett Road.
4. People doing business at El Rematito Marketplace park their cars in and along our almond and walnut orchards. This has been and continues to be a very critical problem during harvest season.
5. There is continuous noise generated from loud speakers at the El Rematito Marketplace.
6. There will be contamination of underground aquifers with chemical pollutants from the more than 700 cars that would be parking on the proposed lot. All of us have domestic water supplies that we use for our homes and livestock.
7. We will lose our peaceful country living. Most of our families have owned neighboring property for over 60 years.
8. Speeding has become a problem on Hackett Road. Cars are constantly observed exceeding the posted speed limit.
9. The property currently does not conform to other businesses in the area.

**Recommendations:**

1. We seriously question the expansion of said business that currently occupies land that is zoned A10. This new plan would take even more land area out of this zoning. Our recommendation is to not rezone any additional small parcels until such time that all properties of the concerned neighbors are rezoned in the same category.
2. Should any change in zoning take place on this parcel, the neighboring landowners must have input and final approval on any and all new development activities that may be either detrimental or beneficial to the neighborhood as spelled out in the above stated concerns.

Thank you for the opportunity to express my views and concerns regarding the El Rematito Marketplace proposal. Should you have any questions please call me at (209) 529-9178.

Sincerely,



Leo A. Scheuber  
Partner, Scheuber Farm

November 21, 2003

NOV 21 2003  
STANISLAUS COUNTY  
Stanislaus County Planning Commission  
1010-10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

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Thank you for the opportunity to express my views and concerns regarding the El Rematito Marketplace proposal. Should you have any questions please call me at (209) 537-3456.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest P. Scheuber". The signature is fluid and cursive, with a large initial "E" and "S".

Ernest P. Scheuber  
Partner, Scheuber Farm

RECEIVED

NOV 24 2003

November 21, 2003

STANISLAUS CO. PLANNING &  
Stanislaus County Planning Commission  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

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Thank you for the opportunity to express my views and concerns regarding the El Rematito Marketplace proposal. Should you have any questions please call me at (209) 537-1925.

Sincerely,



Anita Duarte  
Partner, Scheuber Farm

RECEIVED

NOV 24 2003

November 21, 2003

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.  
Stanislaus County Planning Commission  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

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Thank you for the opportunity to express my views and concerns regarding the El Rematito Marketplace proposal. Should you have any questions please call me at (209) 545-5100, Ext. 2034.

Sincerely,



John R. Scheuber  
Partner, Scheuber Farm

RECEIVED

NOV 24 2003

November 21, 2003

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.

Stanislaus County Planning Commission  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

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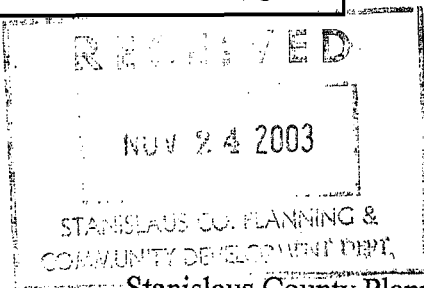
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Thank you for the opportunity to express my views and concerns regarding the El Rematito Marketplace proposal. Should you have any questions please call me at (209) 524-1089.

Sincerely,



Pius J. Scheuber  
Partner, Scheuber Farm



November 21, 2003

Stanislaus County Planning Commission  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Sirs:

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**Concerns:**

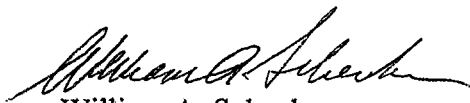
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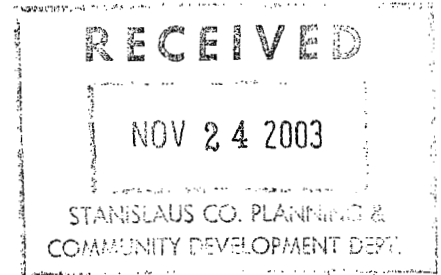
Thank you for the opportunity to express my views and concerns regarding the El Rematito Marketplace proposal. Should you have any questions please call me at (209) 523-6511.

Sincerely,



William A. Scheuber  
Partner, Scheuber Farm

PETE VERDEGAAL  
2716 SURREY AVE.  
MODESTO, CA. 95355



11-20-03.  
STANISLAUS COUNTY PLANNING COMM.  
1010 10<sup>TH</sup> STREET SUITE 3400  
MODESTO, CA. 95354

TO WHOM IT MAY CONCERN.  
THIS IS IN REGARDS TO THE PROPOSED EXPANSION OF THE  
FLEA MARKET ON CROWSLANDING RD AND HACKETT ROAD

WE TRY TO FARM ON THE CORNER OF HACKETT AN CROWSLANDING  
ROAD BUT WITH ALL THAT TRAFFIC OF THE FLEA MARKET  
ON HACKETT ROAD IT IS NOT POSSIBLE TO GET IN TO  
MY PROPERTY, LET ALONE FARM WE GOT A CABLE  
ALONG OUR PROPERTY AT THIS TIME, BUT THAT IS VERY  
DANGEROUS, AND WE CAN'T FARM THREE DAYS PER WEEK  
THAT ONLY LEAVE FOUR DAYS TO FARM.

WE OPPOSE ENTER/EXIT ON HACKETT RD  
HACKETT ROAD IS A DEAD END ROAD.  
THERE ARE 5 HOUSES ON HACKETT AND 7 PARCELS.  
NOBODY WANT THIS TRAFFIC ON THIS ROAD.  
THERE SHOULD BE A 8 FOOT BRICK WALL ALONG HACKETT  
NO OPENINGS AND LEAVE ENTER/EXIT ON CROWSLANDING  
OR PULL THE PLUG ON THE FLEA MARKET, OR WE MIGHT  
WIND UP WITH ANOTHER TALLOW WORKS TO DEAL  
WITH LATER. THIS FLEA MARKET HAS BEEN IN  
VIOLATION TIME AND TIME AGAIN, AND HAS TURNED  
INTO A BIG NUISANCE FOR NEIGHBORS, AND WHAT  
THE FUTURE HOLDS FOR OUR INVESTMENTS.

IF THE PLANNING COMM. IS TO PERMIT THE FLEA -  
MARKET TO ENLARGE AND USE HACKETT ROAD TO ENTER  
THAN MY FARMING OPERATION IS DOMMED, AND NEED  
A ZONING CHANGE FROM AG TO COMMERCIAL AND  
WIDEN HACKETT ROAD ON BOTH SIDES

THANK YOU.

SINCERELY,

PETE VERDEGAAL  
PROPERTY ADDRESS  
3313 CROWS LANDING RD  
MORFESTO, CA.



November 23, 2003

Louise Vargas  
512 W. Hackett Rd.  
Modesto, CA. 95358

To Whom It May Concern:

This is regarding to El Rematito Flea Market. Approving the rezoning of the property on the Northwest corner of Hackett Rd. and Crowslanding Rd, will not improve the way of life for the residents of West Hackett Rd. The traffic entering and exiting on Crowslanding Rd. will then add to the traffic mess we now have every weekend on West Hackett Rd. The garbage, especially plastic bags and styofroam cups, etc., and debris coming into our field. Also thrown over the fence of the property of Mr. Dave Rehder, which my husband farms. The noise from their PA system is annoying. The barricades we put up on weekends to prevent the turning around and driving over our crops, are being removed by someone. The video by my husband was not on a typical weekend of traffic. It is usely much worse especially in the summer and certain holiday weekend. We have lived here for 43 years and it was so peaceful until the grapes were pulled on this property. Now we are unable to farm on weekends. With all the traffic, people, garbage and noise it is no longer peaceful out here in the country.

Thank you,

Sincerely

  
Louise Vargas

Stanislaus County Planning Commission  
Minutes  
December 4, 2003  
Page 4

- H. **GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09 AND REZONE APPLICATION NO. 2001-16 - CROWS LANDING FLEA MARKET** - Request to rezone and amend the General Plan designation of 18.65 acres from Agriculture to Planned Development (PD) to allow upgrading and expansion of the existing legal non-conforming Crows Landing Flea Market. Project site location is 3113 Crows Landing Road, north of Hackett Road, in the Modesto / Ceres area. A Mitigated Negative Declaration will be considered. APN: 056-55-04

**Commissioner Byrd noted that he has a client who owns property close to this project, however the client has indicated no concern over this project, and this will have no impact on Commissioner Byrd's decision on this project.**

Staff Report: Bill Carlson Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** Ed Vargas, 512 W. Hackett Road, Modesto; Pete Verdegaal, 3313 Crows Landing Road, Modesto

**FAVOR:** Ron West, 514 15<sup>th</sup> Street, Suite C, Modesto; Armando Flores, 429 13<sup>th</sup> Street, Modesto (handed out newspaper articles)

Public hearing closed.

**MOTION TO ADD DEVELOPMENT STANDARD NO. 2 TO READ AS:**

**2. PUBLIC SHALL NOT BE CHARGED FOR PARKING.**

Griffin/A. Souza, 5-1 (Byrd) **APPROVED**.

**MOTION TO ADD AND APPROVE CONDITIONS NO. 53 THRU 64 FROM PUBLIC WORKS, AS AMENDED BY PUBLIC WORKS:**

53. All recommended mitigation measures stated in the "Traffic Impact Analysis for the Romatito Marketplace" shall be implemented prior to final and/or occupancy of the proposed expansion. These mitigation measures shall include both situations of "Existing Plus Project Conditions" and "Year 2025 plus Project Conditions", as stated on Page 22 of the analysis. These mitigation measures include the following:

- A. Southbound Crows Landing Road shall be widened to provide a right turn pocket with a minimum of 300 feet **in length including for deceleration of storage** at the Crows Landing / Hackett intersection. This will require the relocation of existing facilities including: curb and gutter to provide a minimum of eight (8) feet of additional pavement, traffic signal pole(s), and traffic loops.
- B. Eastbound Hackett Road shall be widened to provide a left turn pocket at the Crows Landing / Hackett intersection. The left turn pocket shall have with a minimum of 200 feet of storage per this Department's calculations.
- C. Westbound Hackett Road shall be widened to ensure "vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. In order to meet this mitigation measure, Hackett Road shall be reconstructed to provide a "Collector" standard half width road section (20 feet from centerline to flow line per County standards).

54. Prior to occupancy of the property with the approved use, street improvements shall be installed along both road frontages. A sidewalk shall be installed along the entire frontage of Crows Landing Road after portions of the curb and gutter are relocated to accommodate the required right turn pocket. The improvements on Hackett Road shall include, but not be limited to, curb, gutter, sidewalk, drainage facilities, signs, pavement markings and pavement. Hackett Road shall be reconstructed and widened to provide a minimum pavement width of **12 feet and non-paved shoulder of 4 feet in width 16 feet** south of the centerline and 20 feet north of the centerline to the flow line of the new curb and gutter along the property's entire frontage. No parking signs shall be installed by the developer along both sides of Hackett Road adjacent to and across from the project site. The curb on Hackett Road along the property's entire frontage shall be painted red as a no parking zone at owner's expense. The developer shall pay for and provide sufficient R-value tests to establish the appropriate road section for the Hackett Road reconstruction.
55. Prior to the issuance of any building permits, off-site improvement plans for the construction of the road improvements shall be approved by the Department of Public Works.
56. A financial guarantee in a form acceptable to the Department of Public Works to ensure the construction of all off-site improvements shall be deposited with the Department prior to the issuance of any building permit.
57. An encroachment permit shall be obtained from the Department of Public Works prior to the start of any work within the county road right-of-ways.
58. A six (6) foot high access control fence shall be installed along the entire Crows Landing Road frontage in order to prohibit vehicular and pedestrian access. One gated vehicular emergency access shall be permitted on Crows Landing Road.
59. A Grading and Drainage Plan for the entire development shall be designed to meet County standards. Engineering calculations and percolation test results must be provided to substantiate the design. The plan must be approved by the Department of Public Works prior to the issuance of any building permits. The storm drainage system shall be installed prior to final and/or occupancy of any buildings.
60. Driveway locations and widths shall be approved by the Department of Public Works.
61. A 10-foot wide public utility easement along both street frontages shall be provided behind the new right-of-way lines.
62. Prior to the issuance of any building permit, sufficient road right-of-way shall be dedicated to Stanislaus County to provide for the following:
  - A. Right-of-way on Hackett Road north of centerline as per the County standard for a "Typical Intersection of a Major/Collector";
  - B. 30 feet of right-of-way north of the centerline of Hackett Road along the remaining frontage not affected by A above; and,
  - C. 10 feet behind the existing and relocated flow lines of Crows Landing Road along the project's entire frontage.

The Road Deed for this right-of-way dedication shall be prepared by the developer's engineer.

- 63. Prior to the approval of the Grading and Drainage Plan and prior to the issuance of the building permit, the developer shall file a Notice of Intention with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.
- 64. A Grading Permit shall be obtained from the Department of Public Works prior to the start of importing, exporting or otherwise moving any dirt.

Griffin/Cusenza, Unanimous (6-0) **APPROVED.**

**MOTION TO INCLUDE AND APPROVE CONDITION NO. 65:**

- 65. Hackett Road shall be designed to the City of Ceres "Minor Industrial" road standards

A. Souza/Griffin, Unanimous (6-0) **APPROVED.**


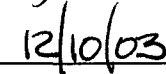
**MOTION TO INCLUDE AND APPROVE CONDITIONS NO. 66 AND 67 AS SUBMITTED BY CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD:**

- 66. The applicant shall submit a complete Report of Waste Discharge (RWD) at least 120 days prior to initiating discharge to the new onsite disposal system, The RWD must include, at a minimum a complete Form and filing fee. The RWD must demonstrate that the onsite septic tank disposal system is fully compliant with Regional Board guidelines and County codes.
- 67. The project will need to obtain coverage under the NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity.

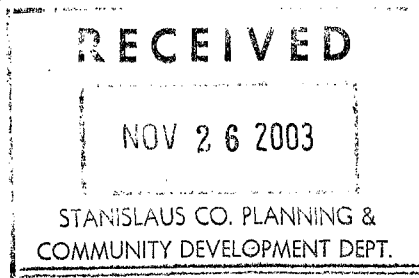
Griffin/Cusenza, Unanimous (6-0) **APPROVED.**

**MOTION TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS AS DESCRIBED IN THE STAFF REPORT AND WITH ADDED AND AMENDED CONDITIONS.**

Griffin/Cusenza, 4-2 (White, A. Souza) **RECOMMEND APPROVAL.**

<p><b>EXCERPT</b></p> <p><b>PLANNING COMMISSION</b></p> <p><b>MINUTES</b></p> <p></p> <p>_____ Secretary, Planning Commission</p> <p></p> <p>_____ Date</p>
---

[Click Here to Return to Agenda](#)



November 26, 2003

MEMO TO: Planning and Community Development Department

FROM: *Ron Cherrier*  
Ron Cherrier, Senior Land Development Coordinator

SUBJECT: Rezone Application No. 2001-16 - Crows Landing Road Flea Market

The Traffic Section of this Department has reviewed the "Traffic Impact Analysis for the El Romatito Marketplace", dated May 13, 2002 by kdAnderson Transportation Engineers and accepts the document. The traffic generated by the proposed expansion of the existing flea market will have a significant impact. Based on the traffic analysis, and in order to mitigate traffic impacts and to be consistent with County development standards, we recommend the following conditions:

1. All recommended mitigation measures stated in the "Traffic Impact Analysis for the Romatito Marketplace" shall be implemented prior to final and/or occupancy of the proposed expansion. These mitigation measures shall include both situations of "Existing Plus Project Conditions" and "Year 2025 plus Project Conditions", as stated on Page 22 of the analysis. These mitigation measures include the following:
  - A. Southbound Crows Landing Road shall be widened to provide a right turn pocket with a minimum of 300 feet of storage at the Crows Landing / Hackett intersection. This will require the relocation of existing facilities including: curb and gutter to provide a minimum of eight (8) feet of additional pavement, traffic signal pole(s), and traffic loops.
  - B. Eastbound Hackett Road shall be widened to provide a left turn pocket at the Crows Landing / Hackett intersection. The left turn pocket shall have with a minimum of 200 feet of storage per this Department's calculations.
  - C. Westbound Hackett Road shall be widened to ensure "vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. In order to meet this mitigation measure, Hackett Road shall be reconstructed to provide a "Collector" standard half width road section (20 feet from centerline to flow line per County standards).
2. Prior to occupancy of the property with the approved use, street improvements shall be installed along both road frontages. A sidewalk shall be installed along the entire frontage of Crows Landing Road after portions of the curb and gutter are relocated to accommodate the required right turn pocket. The improvements on Hackett Road shall include, but not be limited to, curb, gutter, sidewalk,

SUBJECT: Rezone Application No. 2001-16 - Crows Landing Road Flea Market  
November 26, 2003  
Page 2

drainage facilities, signs, pavement markings and pavement. Hackett Road shall be reconstructed and widened to provide a minimum pavement width of 16 feet south of the centerline and 20 feet north of the centerline to the flow line of the new curb and gutter along the property's entire frontage. No parking signs shall be installed by the developer along both sides of Hackett Road adjacent to and across from the project site. The curb on Hackett Road along the property's entire frontage shall be painted red as a no parking zone at owner's expense. The developer shall pay for and provide sufficient R-value tests to establish the appropriate road section for the Hackett Road reconstruction.

3. Prior to the issuance of any building permits, off-site improvement plans for the construction of the road improvements shall be approved by the Department of Public Works.
4. A financial guarantee in a form acceptable to the Department of Public Works to ensure the construction of all off-site improvements shall be deposited with the Department prior to the issuance of any building permit.
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8. Driveway locations and widths shall be approved by the Department of Public Works.
9. A 10-foot wide public utility easement along both street frontages shall be provided behind the new right-of-way lines.

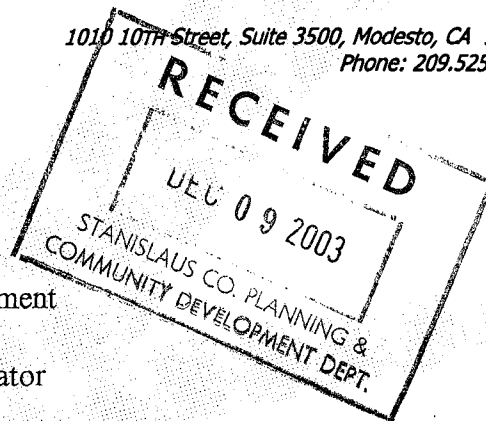
SUBJECT: Rezone Application No. 2001-16 - Crows Landing Road Flea Market  
November 26, 2003  
Page 3

10. Prior to the issuance of any building permit, sufficient road right-of-way shall be dedicated to Stanislaus County to provide for the following:
  - A. Right-of-way on Hackett Road north of centerline as per the County standard for a "Typical Intersection of a Major/Collector";
  - B. 30 feet of right-of-way north of the centerline of Hackett Road along the remaining frontage not affected by A above; and,
  - C. 10 feet behind the existing and relocated flow lines of Crows Landing Road along the project's entire frontage.

The Road Deed for this right-of-way dedication shall be prepared by the developer's engineer.

11. Prior to the approval of the Grading and Drainage Plan and prior to the issuance of the building permit, the developer shall file a Notice of Intention with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.
12. A Grading Permit shall be obtained from the Department of Public Works prior to the start of importing, exporting or otherwise moving any dirt.

Please let me know if you have any questions regarding the above recommended conditions.  
(H:\services\rez2001-16.Revised Conditions.rc)



December 9, 2003

MEMO TO: Department of Planning and Community Development

FROM: *Ron Cherrier*  
Ron Cherrier, Senior Land Development Coordinator

SUBJECT: Rezone Application No. 2001-16 - Crows Landing Road Flea Market

Based on the Planning Commission's recent recommendation to the Board to approve the above project, the following recommended conditions of approval are revised as follows:

1.A. Southbound Crows Landing Road shall be widened to provide a right turn pocket with a minimum of 300 feet **in length including for deceleration** at the Crows Landing/Hackett intersection. This will require the relocation of existing facilities including curb and gutter to provide a minimum of eight (8) feet of additional pavement, traffic signal pole (s), and traffic loops.

1.B. and 1.C. remain unchanged.

2. Prior to occupancy of the property with the approved use, street improvements shall be installed along both road frontages. A sidewalk shall be installed along the entire frontage of Crows Landing Road after portions of the curb and gutter are relocated to accommodate the required right turn pocket. The improvements on Hackett Road shall include, but not be limited to, curb, gutter, sidewalk, drainage facilities, signs, pavement markings and pavement. Hackett Road shall be reconstructed and widened to provide a minimum pavement width of **12 feet and non paved shoulder of 4 feet in width** south of the centerline and 20 feet north of the centerline to the flow line of the new curb and gutter along the property's entire frontage. No parking signs shall be installed by the developer along both sides of Hackett Road adjacent to and across from the project site. The curb on Hackett Road along the property's entire frontage shall be painted red as a no parking zone at owner's expense. The developer shall pay for and provide sufficient R-value tests to establish the appropriate road section for the Hackett Road reconstruction.

If you have any questions, please contact me as soon as possible.

(H:\Services\rez2001-16.Revised Conditions2.rc)

# California Regional Water Quality Control Board

Terry Tamminen  
Secretary for  
Environmental  
Protection

Central Valley Region  
Robert Schneider, Chair

Fresno Branch Office  
1685 E Street, Fresno, California 93706-2020  
(559) 445-5116 • Fax (559) 445-5910  
<http://www.swrcb.ca.gov/rwqcb5>

DEC - 1 2003

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.



Arnold Schwarzenegger  
Governor

Bill Carlson  
Stanislaus County Planning Department  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

26 November 2003

## PROPOSED MND, CROWS LANDING FLEA MARKET (SCH#2001092003), STANISLAUS COUNTY

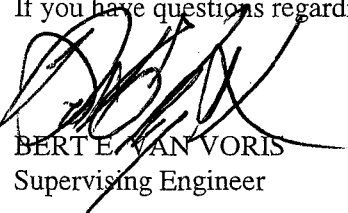
We reviewed the proposed mitigated negative declaration, dated 27 October 2003, in support of a proposed project to rezone and amend the County's General Plan designation of an 18-acre property from agriculture to a planned development zone. This will allow the upgrade and expansion of the existing Crows Landing Flea Market (Market or project). Staff transmitted comments dated 17 September 2001 (which were included in the above County document) regarding the proposed project. In general, staff comments pertained to the lack of an adequate project description regarding the handling and disposal of wastewater that is and will be generated as a result of the Market. The letter also indicated that the proposed project may be subject to Waste Discharge Requirements adopted by the Regional Board.

On 26 September 2003, Ms. Alexis Phillips-Dowell of this office spoke with you regarding the lack of response to the previously submitted comments. You indicated that it did not appear that staff's 17 September 2001 letter was in the file and that you were new to the project. Additionally, you indicated that the project has an existing onsite septic tank system but that the County will require an upgrade to an aerobic septic tank system as a condition of approval and that the Market would eventually be connected to the City of Ceres wastewater treatment facility. You were also unsure of the Market's existing and anticipated wastewater flows.

We recommend the County require the project proponent to submit to this office [pursuant to California Water Code §13264], a complete Report of Waste Discharge (RWD) at least 120 days prior to initiating discharge to the new onsite disposal system. The RWD must include, at a minimum, a complete Form 200 and a filing fee. The RWD must demonstrate that the onsite septic tank disposal system is fully compliant with Regional Board guidelines and County codes, whichever are more stringent.

Because the development encompasses five or more acres, the project proponent will need to obtain coverage under the NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity. Please contact Dani Berchtold at (196) 255-3383 regarding this process.

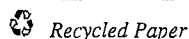
If you have questions regarding other matters above, please contact Alexis R. Phillips-Dowell at (559) 445-5500.

  
BERT E. VAN VORIS  
Supervising Engineer

Enclosure: 17 September 2001 Regional Board comment letter

cc: State Clearing House  
Keith Munroe, Stanislaus County Environmental Resources Department, Modesto

California Environmental Protection Agency



ORDINANCE NO. C.S. - 867

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.951 FOR THE PURPOSE OF REZONING 18.65 ACRES FROM AGRICULTURE TO PLANNED DEVELOPMENT (PD) TO ALLOW UPGRADING AND EXPANSION OF EXISTING LEGAL NON-CONFORMING CROWS LANDING FLEA MARKET. THE PROPERTY IS LOCATED AT 3113 CROWS LANDING ROAD, NORTH OF HACKETT ROAD, IN THE MODESTO/CERES AREA. APN: 056-055-004.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110.951 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Insert Map Here)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor Caruso, seconded by Supervisor Paul, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 16th day of December, 2003, by the following called vote:

AYES: Supervisors: Paul, Mayfield, Caruso and Chairman Simon

NOES: Supervisors: Grover

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None

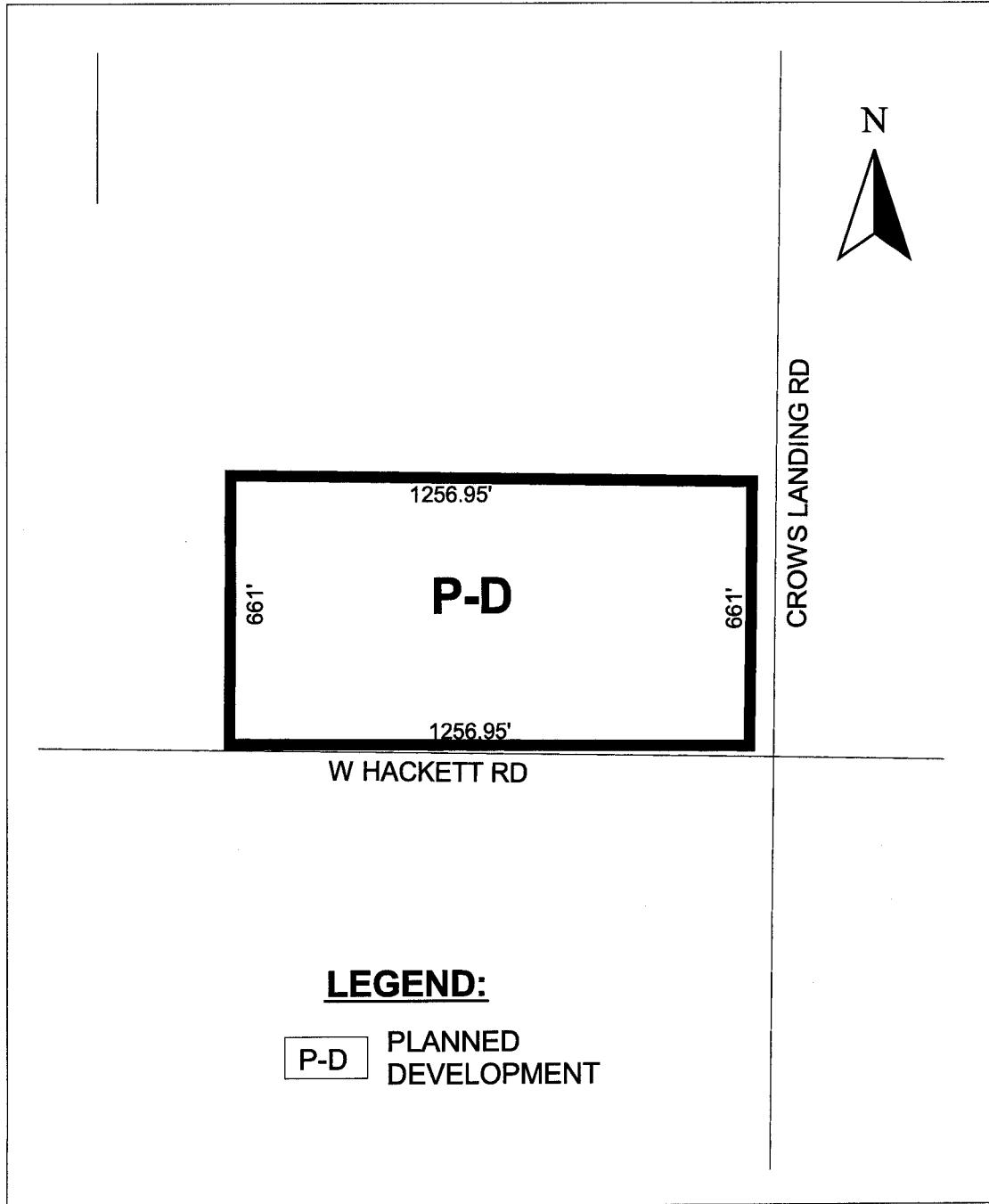
CHAIRMAN OF THE BOARD OF SUPERVISORS  
of the County of Stanislaus,  
State of California

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of  
the Board of Supervisors of  
the County of Stanislaus,  
State of California

BY:

Elizabeth A. King, Assistant Clerk of the Board

# SECTIONAL DISTRICT MAP NO.9-110.951



**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am the printer And Principal clerk of the publisher of **THE MODESTO BEE**, printed and Published in the **City of MODESTO**, County Of **STANISLAUS**, State of California, daily, For which said newspaper has been adjudged a Newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, under the date of **February 25, 1951**, **Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue thereof on the following dates, to wit:

**DECEMBER 26, 2003**

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO**, California on

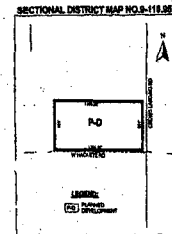
**DECEMBER 26, 2003**

*Esther M. King*  
**(Signature)**

2003-1222  
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Upon motion of Supervisor Caruso, seconded by Supervisor Paul, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 16th day of December, 2003, by the following called vote:

- AYES: Supervisors: Paul, Mayfield, Caruso and Chairman Simon
- NOES: Supervisors: Grover
- ABSENT: Supervisors: None
- ABSTAINING: Supervisors: None

/S/ RAY SIMON  
CHAIRMAN OF THE BOARD OF SUPERVISORS  
of the County of Stanislaus, State of California  
ATTEST: CHRISTINE FERRARO TALLMAN,  
Clerk of the Board of  
Supervisors of the County of  
Stanislaus, State of  
California

BY: /S/ ELIZABETH KING  
Elizabeth A. King, Assistant Clerk of the Board