

Filed with:

Office of Planning & Research
1400 10th Street
Sacramento, CA 95814
Via Fax (916) 323-3018

Stanislaus County Clerk
1021 I Street
Modesto, CA 95354

When Filed Mail To:

City of Turlock
Planning Division
156 S. Broadway, Suite 120
Turlock, CA 95380-5456
Phone: (209) 668-5640

FILED

2019 JUL 11 AM 8:30

STANISLAUS CO. CLERK-RECORDER

Phaiyann Prum

SPACE ABOVE THIS LINE FOR CLERK'S USE ONLY

**CITY OF TURLOCK
NOTICE OF DETERMINATION**

Mitigated Negative Declaration

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

STATE CLEARINGHOUSE NUMBER (if applicable): 2019029143

**PROJECT TITLE: GENERAL PLAN AMENDMENT 2019-01
REZONE 2019-01
PLANNED DEVELOPMENT 277 (PD277)
(3131 COLORADO AVE)**

SCH #: 2019029143

**PROJECT APPLICANT: Dr. Robert McCulla
Turlock Dental Care
990 Delbon Ave
Turlock CA 95382**

PROJECT LOCATION: The proposed project is located at 3131 Colorado Avenue, Turlock, CA (Stanislaus County APN 072-012-056)

PROJECT DESCRIPTION: The applicant is requesting a General Plan Amendment and Rezone of the property from Medium Density Residential, Planned Development 256 to Commercial Office (CO) to allow for the construction of a 7,112 square foot dental office and a 3,727 square foot medical and/or professional office building. On the approximately 1.4 acre parcel located at 3131 Colorado Avenue, Stanislaus County APN 072-012-056. A Planned Development application is also included in this request to further limit the allowable uses on the site to medical or professional office uses. Approximately eighty parking spaces are proposed to accommodate the development. On-site improvements such as paving, landscaping and parking lot striping will also be installed.

FINDINGS:

Pursuant to Public Resources Code Section 21080(c)(2) and CEQA Guidelines Section 15168(c)(1), the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make

the following findings:

1. Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR.
2. All feasible mitigation measures developed in the General Plan EIR have been incorporated into the project.
3. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR are adequate for this subsequent project.
4. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR (City Council Resolution 2012-156). As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations, are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
5. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:
 - a. No substantial changes have occurred with respect to the circumstances under which the General Plan EIR was certified, and
 - b. That there is no new available information which was not and could not have been known at the time the General Plan EIR was certified.
6. Pursuant to CEQA Guidelines Section 15162, having reviewed the General Plan EIR, the City of Turlock finds and determines that, based on substantial evidence in the light of the whole record, that new information of substantial importance shows that significant environmental effects have been identified, but that feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.
7. The City has further determined, pursuant to CEQA Guidelines Section 15070(b) that:
 - a. Revisions to the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review, would avoid the effects or mitigate the effect to a point where clearly no significant effects would occur; and
 - b. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

PROJECT APPROVAL DATE: July 9, 2019
APPROVAL: General Plan Amendment 2019-01, Rezone 2019-01,
Planned Development 277

DETERMINATION: This is to advise that the City of Turlock has approved and has made the following determinations regarding the project as described above.

1. The project **will not** have a significant effect on the environment.
2. An Environmental Impact Report **was not** prepared for this project pursuant to the provisions of CEQA.
3. A Mitigated Negative Declaration **was**, prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures **were** made a condition of the approval of the project.
5. A mitigation monitoring plan/program **was** adopted for this project.
6. A statement of Overriding Considerations **was not** adopted for this project.
7. Findings were made pursuant to the provisions of CEQA.

This is to certify that documentation for the **Mitigated Negative Declaration** Final Environmental Impact Report with comments and responses and record of project approval is available to the general

public at: _____

City of Turlock - Planning Division
City Hall, 156 S. Broadway, Suite 120
Turlock, CA 95380-5456
TELEPHONE: (209) 668-5640

This documentation can also be found on our website at
<http://ci.turlock.ca.us/buildinginturlock/planninglandusepermitting/planningprojects/activeprojects.asp>

BY: 
KATIE QUINTERO
Principal Planner/Interim Planning Manager
Environmental Review

Date Received for filing at OPR: _____