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Planning Division
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**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): 2019029142

**PROJECT TITLE: GENERAL PLAN AMENDMENT 2019-02
REZONE 2019-02
PLANNED DEVELOPMENT 276 (PD276)
(WARRIOR CROSSINGS)
SCH #: 2019029142**

**PROJECT APPLICANT: TURLOCK RETAIL, LP
940 EMMETT AVENUE, SUITE 200
BELMONT, CA 94002**

PROJECT LOCATION: The proposed project is located at 1201 W. Monte Vista Avenue, Turlock, CA (Stanislaus County APN 071-004-012)

PROJECT DESCRIPTION: The applicant is requesting a General Plan Amendment and Rezone of a 1.4-acre property from High Density Residential (RH) to Community Commercial (CC) to allow for the construction of an 832 square foot drive-through coffee kiosk and an approximately 6,776 square foot multi-tenant commercial/retail building. Access to the commercial center is provided from Crowell Road and a right-in, right-out only driveway accessed from Monte Vista Avenue. A Planned Development application is also included in the request to establish the uses permitted in the retail center. On- and off-site improvements including paving, parking lot striping, landscaping, and frontage improvements along Crowell and Monte Vista Avenue are also proposed.

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 2019-02, Rezone 2019-02,
Planned Development 276

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: _____