

Posting Requested By:

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

FILED

2018 NOV 14 AM 11:18

STANISLAUS CO. CLERK-RECORDER

Kalpna Surti

When Posted Mail To:

Same as above

SPACE ABOVE THIS LINE FOR CLERK'S USE ONLY

November 14, 2018

**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): 2018102033

**PROJECT TITLE: MINOR DISCRETIONARY PERMIT 2018-12 (MDP 2018-12)
(US COLD STORAGE)**

PROJECT APPLICANT: William Langley

PROJECT LOCATION: The proposed project is located at 537 Fransil Lane, Turlock, CA (Stanislaus County APNs 089-010-004-000)

PROJECT DESCRIPTION: To construct a 456,850 square foot cold storage warehouse/distribution center with associated office area and equipment room on the remaining vacant portion of the partially developed parcel at 537 Fransil Lane, (Stanislaus County APN 089-010-004). The parcel is zoned Industrial and is located in the Westside Industrial Specific Plan and is partially developed with a cold storage warehouse/distribution center. The project will be constructed in two phases.

Phase one will consist of the construction of a 244,350 square foot building consisting of an approximately 74,000 square foot two story office with the balance of the building used for storage. Related on- and off-site improvements include the construction of approximately 48 parking spaces, landscaping, and a truck dock. A total of 36 additional employees will be added to the site with phase one and will operate in two shifts. Seventy additional daily truck trips are anticipated with phase one. A second drive-way is also proposed along Fransil Lane.

Phase two will consist of the addition of approximately 212,500 square feet of additional cold storage/warehouse and distribution space. Twenty-seven additional parking spaces will be constructed with phase two as well as additional on-site landscaping. Phase two will commence within two years of completion of phase one. Twenty-five additional employees are anticipated with phase two and 50 additional truck trips are expected.

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 and the Westside Industrial Specific Plan EIR and Addendum.
2. All feasible mitigation measures developed in the General Plan EIR and Westside Industrial Specific Plan EIR and Addendum have been incorporated into the project.
3. Pursuant to Public Resources Code Sections 21080(c)(2) and 21157.5, the initial study prepared for the proposed project has identified potential new or significant effects that were not adequately analyzed in the General Plan EIR or WISP EIR and Addendum, but 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.
4. There is no substantial evidence before the lead agency that that the subsequent project, as revised, may have a significant effect on the environment.
5. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR and WISP EIR and Addendum are adequate for this subsequent project.
6. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR by Turlock City Council Resolution 93-042. As identified in the Turlock General Plan MEA/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 (contained in Turlock City Council Resolution No. 93-042), are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
7. 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.
8. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the WISP EIR by Turlock City Council Resolution 2006-259. As identified in the WISP EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of biological resources, public facilities and services, 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 WISP EIR. Therefore, mitigation measures identified in the WISP EIR, and its respective Statements of Overriding Considerations (contained in Turlock City Council Resolution No. 2006-259), are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
9. Whereas, on June 12, 2007, the City of Turlock adopted minor changes, deletions, and additions to the project described in the Final Environmental Impact Report for the Westside Industrial Specific Plan and certified an Addendum to the Final EIR demonstrating that the preparation of a Subsequent Environmental Impact Report (EIR) was not required, pursuant to Section 15162 of the California Environmental Quality Act, because none of the following findings could be made:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

PROJECT APPROVAL DATE: November 14, 2018

APPROVAL: MINOR DISCRETIONARY PERMIT 2018-12 (MDP 2018-12) (US COLD STORAGE)

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
Environmental Review

Date Received for filing at OPR: _____