

Posting Requested By:

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ASHIKA NARAYAN

January 29, 2019

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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): 2018082062

PROJECT TITLE: REZONE 2018-02, MDP 2018-08 (PRIME SHINE CAR WASH)

PROJECT APPLICANT: L Street Architects

PROJECT LOCATION: The proposed project is located at 1400 & 1398 Geer Road, Turlock, CA (Stanislaus County APNs 042-012-024 & 042-012-023)

PROJECT DESCRIPTION: The proposed project is the request to Rezone two properties from Planned Development 137 (PD 137) to Community Commercial (CC). Approved in 1987, PD137 restricted the use of the properties for a car wash (the former Reflections Car Wash) and auto lube and oil business. Requesting the rezoning of the two properties from PD137 to Community Commercial (CC) affords the properties the opportunity to develop using the wider range of commercial uses and development standards in the Community Commercial zoning district.

In conjunction with the rezone request, the applicant has applied for Minor Discretionary Permit 2018-08 (MDP 2018-08) to allow the construction of a new 7,400 square foot car wash, associated vacuum stalls, on-site parking, and landscaping at 1400 Geer Road. The approval of MDP 2018-08 is contingent upon the approval and rezoning of the property. No changes including demolition or construction are proposed for the auto lube and oil business at 1398 Geer Road.

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

Date removed from posting 3/6/2019

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: January 22, 2019
APPROVAL: Rezone 2018-02, MDP 2018-08
(City Council Resolution Nos. 2019-16, 1251-CS)

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: _____