

Posting Requested By:

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

When Posted Mail To:
Same as above

FILED

21 MAR 26 PM 1:36

STANISLAUS CO. CLERK-RECORDER

Jocelyn Rodriguez

BY

SPACE ABOVE THIS LINE FOR CLERK'S USE ONLY

March 22, 2021

**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): 2021020045

PROJECT TITLE: MINOR DISCRETIONARY PERMIT 2020-26

**PROJECT APPLICANT: TARJINDER SHERGILL, 209-648-5602
2521 CARNIVAL DRIVE TURLOCK CA 95380**

PROJECT LOCATION: The proposed project is located at 1037 S. Kilroy Road, Turlock, CA (Stanislaus County APN 044-010-011)

PROJECT DESCRIPTION: The development of a 10-acre parcel at 1037 S. Kilroy Road (Stanislaus County APN 044-010-011) for a truck yard for semi-trucks and trailers. The project will be constructed in two phases. Phase 1 will develop approximately 4.5-acres for 72 truck/trailer parking spaces and 8 personal automobile parking spaces. Full frontage improvements, including curb, gutter, and sidewalk will be constructed along Kilroy Road as part of Phase 1. The existing house will remain and used as a residence. On-site paving, landscaping, security lighting, and perimeter fencing will also be constructed as part of Phase I. Phase 2 will develop the remaining approximately 6-acres with an additional 86 truck/trailer parking spaces. The owner/developer is anticipating beginning Phase 2 24-36 months after the completion of Phase 1; however, construction of Phase 2 is also contingent upon the demand and vacancy and is at the discretion of the owner/developer.

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 WISP MEIR, Mitigated Negative Declaration and Addendum to the Mitigated Negative Declaration.
2. All feasible mitigation measures developed in the General Plan EIR and WISP EIR, Mitigated Negative Declaration 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, Mitigated Negative Declaration 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 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, Mitigated Negative Declaration 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 (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.
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. Whereas, on November 28, 2017, the City of Turlock adopted minor changes, deletions, and additions to the project described in the Final Master Environmental Impact Report for the Westside Industrial Specific Plan and certified a Mitigated Negative Declaration 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: March 19, 2021
APPROVAL: Minor Discretionary Permit 2020-26

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: _____