



Referral Early Consultation

Date: May 28, 2025

To: Distribution List (See Attachment A)

From: Emily DeAnda, Associate Planner
Planning and Community Development

Subject: STAFF APPROVAL APPLICATION NO. PLN2024-0121 – RANDY THOMAS

Respond By: June 12, 2025

******PLEASE REVIEW REFERRAL PROCESS POLICY******

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing the conditions for a Staff Approval. Therefore, please list any conditions that you wish to have included as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: Randall P. Thomas

Project Location: 5801 McHenry Avenue, between the Modesto Irrigation District Main Canal and St. Francis Avenue, in the Modesto area

APN: 004-070-010

Williamson Act Contract: N/A

General Plan: Planned Development (P-D)

Current Zoning: Planned Development (P-D) (330)

Project Description: Request to operate a used car sales lot on a portion of a .65± acre area of a 1.5± acre parcel in the Planned Development (P-D) (330) zoning district. As part of this request, the applicant proposes to construct a 900 square-foot building for use as an office and interior detail shop for the cars to be sold on-site. The applicant proposes to stripe a total of 38 spaces for the display of used cars and eight parking spots for employees and customers. The operation will be primarily online sales with customers coming on-site to pick-up purchased vehicles. The use of the interior detail shop will be for interior detailing of the used cars to be sold on-site only; the detail shop will not be open to the public. Hours of operation will consist of one shift from 8:00 a.m. to 5:00 p.m. seven days a week with a total of two employees on-site per-day. The parcel is currently developed with a restaurant which is anticipated to remain in operation under this request. Landscaping consistent with existing shrubs and trees planted along the restaurant's street frontage will be extended along the frontage of the used car sales lot. Lighting consisting of eight

light poles no more than 15 feet in height are proposed along the rear of the project area and along the frontage of the site. Drainage is proposed to be contained on-site via an underground French drain system.

The project is considered to be a part of Phase Two of P-D (330), which allowed for the modification of a legal non-conforming restaurant on-site and allowed for uses consistent with the General Commercial (C-2) zoning district and proposed development in two phases. Phase Two required a traffic study to be conducted for any use that requires a staff approval permit. Based on a traffic study performed by Peters Engineering Group on April 26, 2024, the project is not anticipated to generate more than 50 trips per peak hour, within Caltrans standards and therefore further traffic analyses is not required (see attached *Traffic Study, Peters Engineering, dated April 26, 2024*). Development of Phase Two also required that the existing pole sign on-site be removed and replaced by one monument sign for all uses on-site. Signage under this request will consist of one monument sign along the project site's frontage.

Full document with attachments available for viewing at:
<http://www.stancounty.com/planning/pl/act-projects.shtm>



STAFF APPROVAL APPLICATION NO. PLN2024-0121 – RANDY THOMAS

Attachment A

Distribution List

X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO BUILDING PERMITS DIVISION
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO CEO
	CA DEPT OF MOTOR VEHICLES	X	STAN CO DER
X	CITY OF: MODESTO	X	STAN CO HAZARDOUS MATERIALS
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO PUBLIC WORKS
X	DISPOSAL DIST: BERTOLOTTI DISPOSAL AREA 1	X	STAN CO PUBLIC WORKS - SURVEY
X	FIRE PROTECTION DIST: SALIDA	X	STAN CO SHERIFF
X	IRRIGATION DIST: MODESTO	X	STANISLAUS FIRE PREVENTION BUREAU
X	SAN JOAQUIN VALLEY APCD	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	STAN CO AG COMMISSIONER		

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: STAFF APPROVAL APPLICATION NO. PLN2024-0121 – RANDY THOMAS

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- _____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Name	Title	Date
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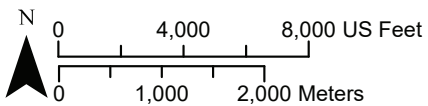
RANDY THOMAS

**SAA
PLN2024-0121**

AREA MAP

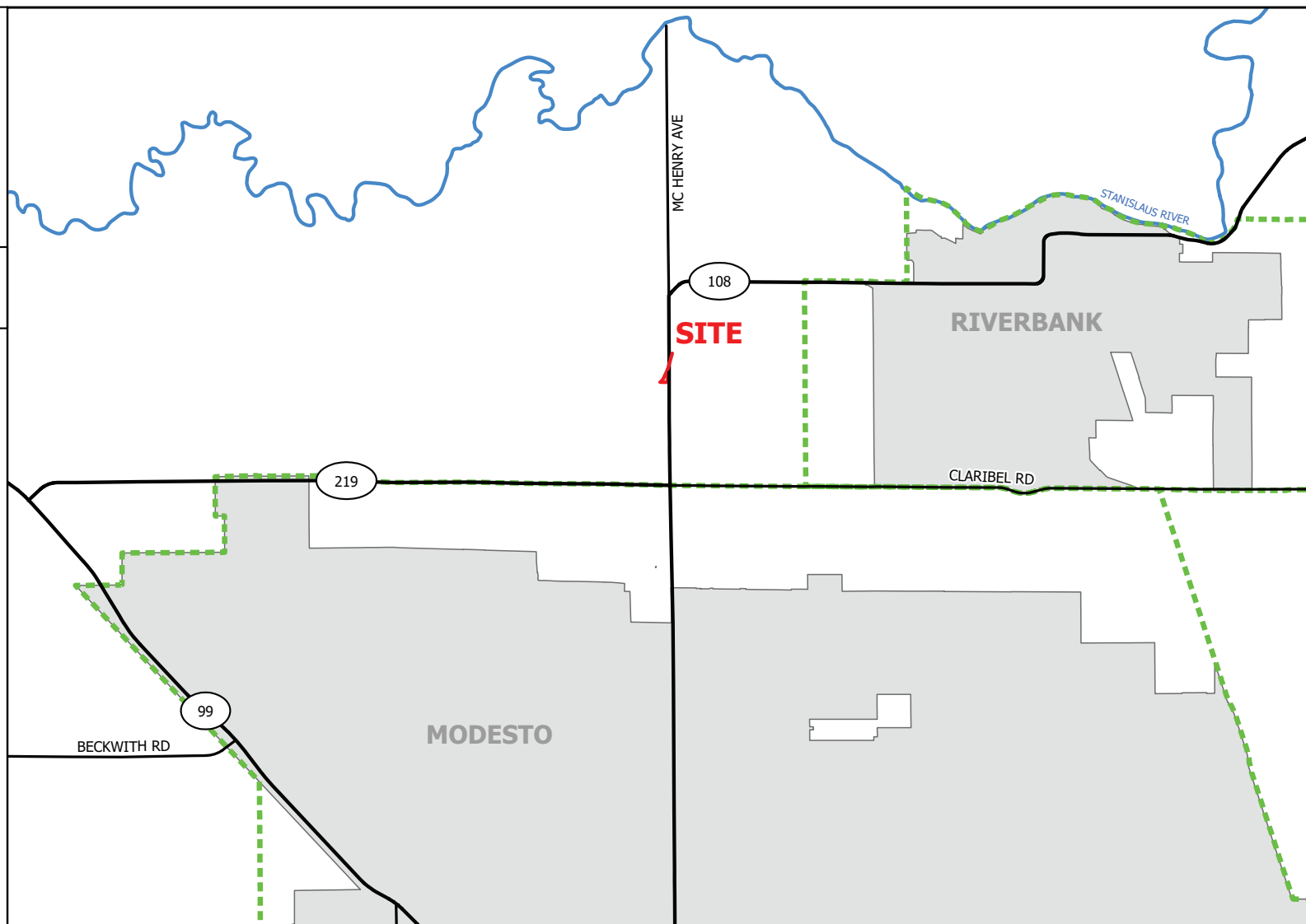
LEGEND

-  Project Site
-  Sphere of Influence
-  Highway
-  Major Road
-  River



Source: Planning Department GIS

Date Exported: 12/10/2024



RANDY THOMAS

**SAA
PLN2024-0121**


GENERAL PLAN MAP

LEGEND

 Project Site

 Parcel


 Highway

 Street


 Canal

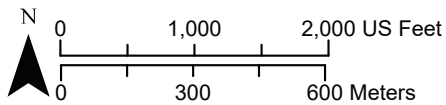
General Plan

 Agriculture

 Planned Development

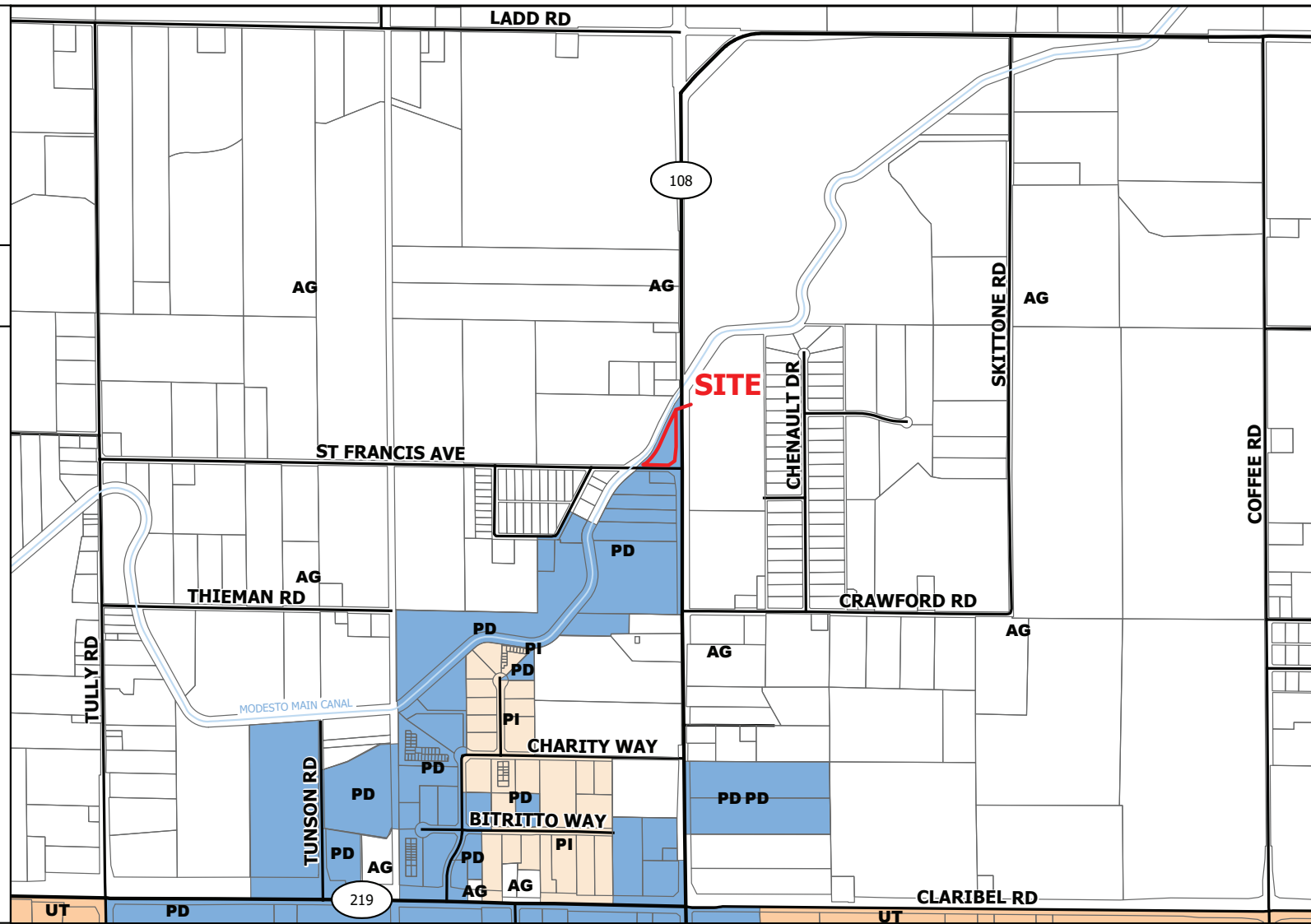
 Planned Industrial

 Urban Transition



Source: Planning Department GIS

Date Exported: 12/10/2024



RANDY THOMAS





**SAA
PLN2024-0121**

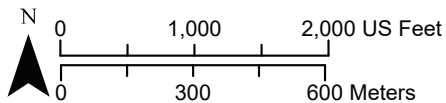
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Street
-  Canal

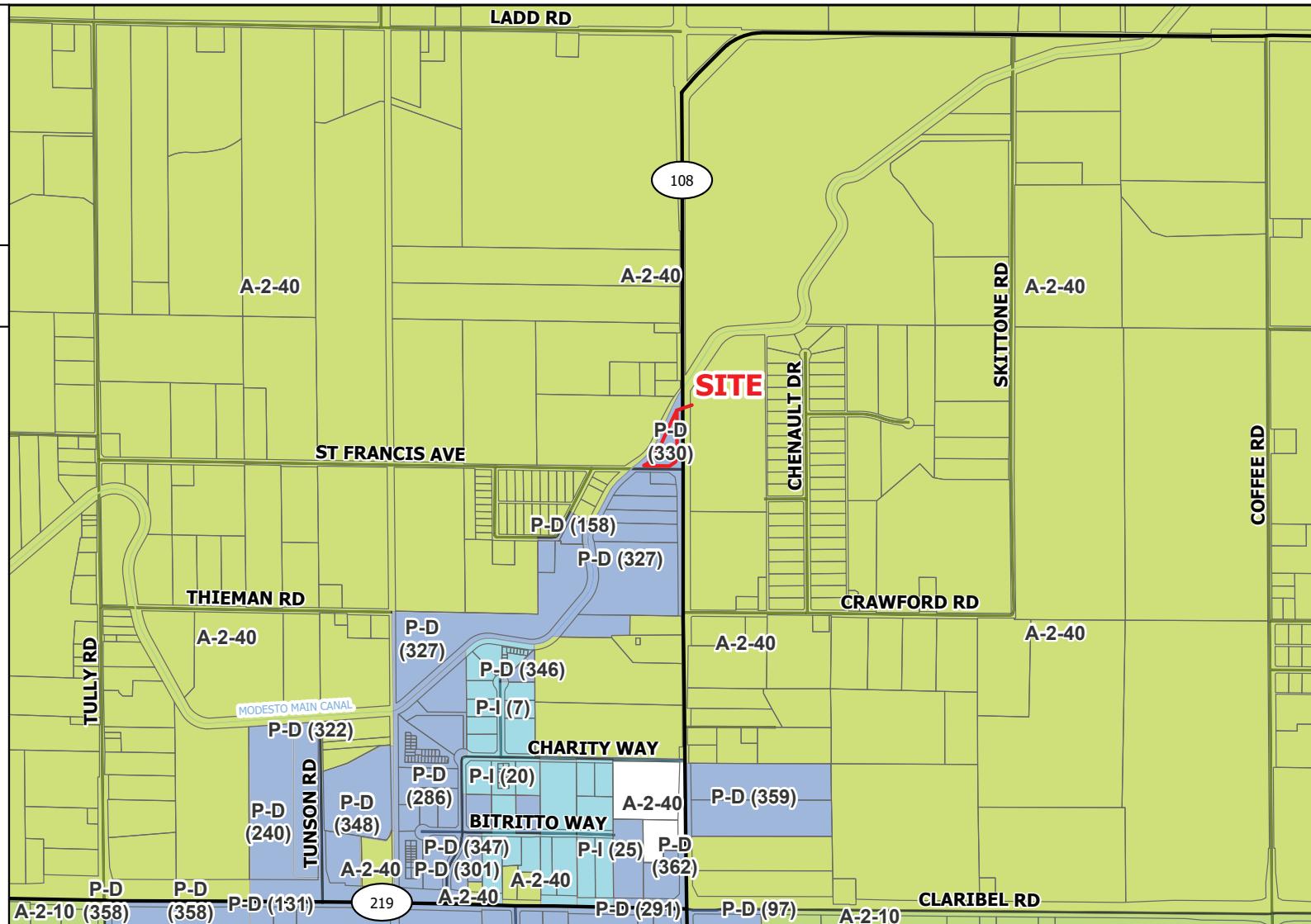
Zoning Designation

-  General AG 10 Acre UT
-  General AG 40 Acre
-  Planned Development
-  Planned Industrial



Source: Planning Department GIS

Date Exported: 12/10/2024



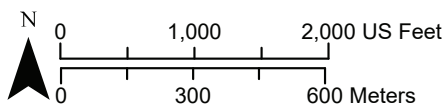
RANDY THOMAS

**SAA
PLN2024-0121**

2023 AERIAL AREA MAP

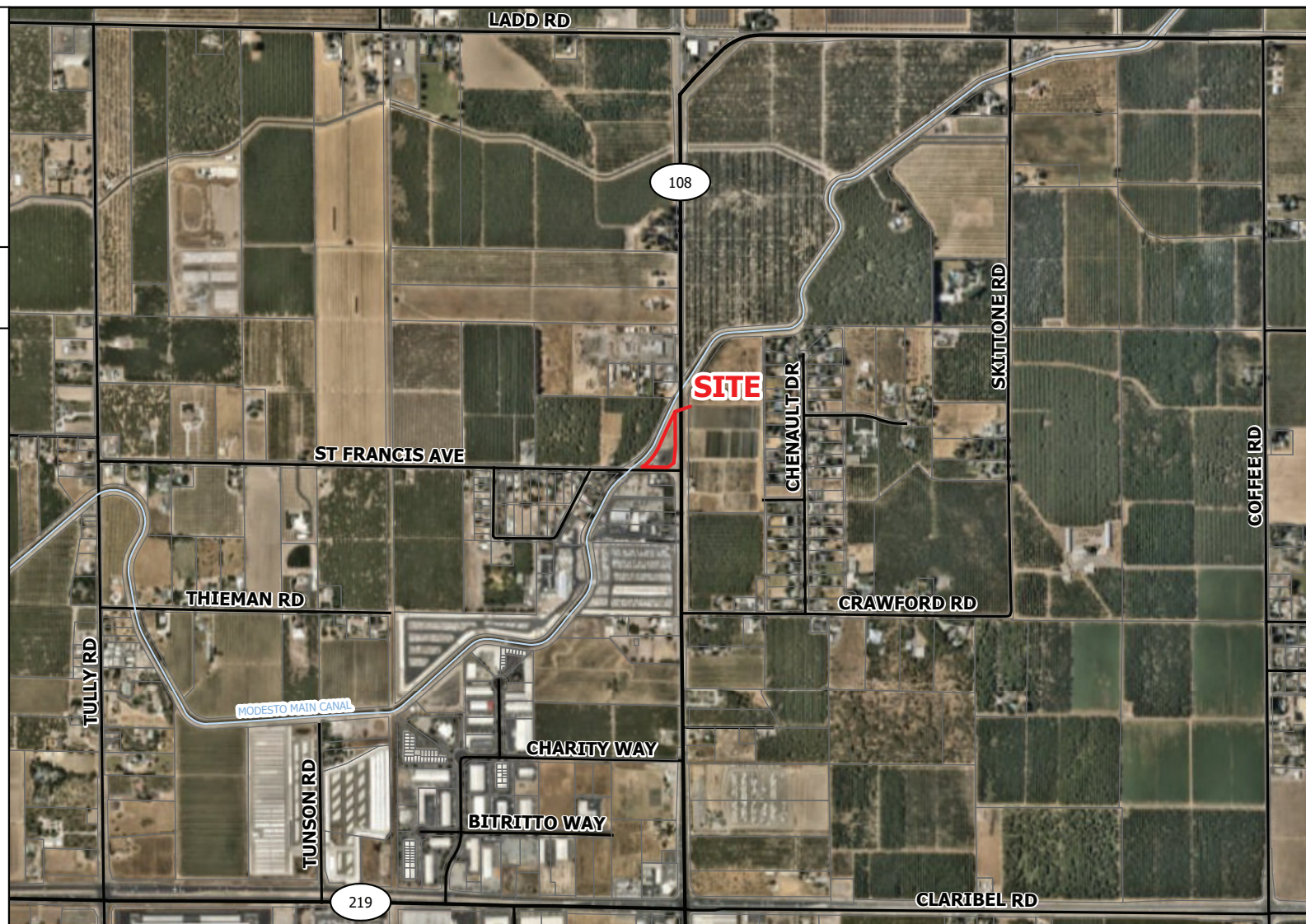
LEGEND

- Project Site
- Parcel
- Highway
- Street
- Canal



Source: Planning Department GIS

Date Exported: 12/10/2024



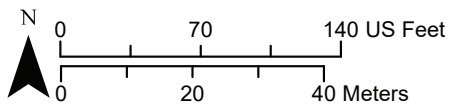
RANDY THOMAS

**SAA
PLN2024-0121**

2023 AERIAL SITE MAP

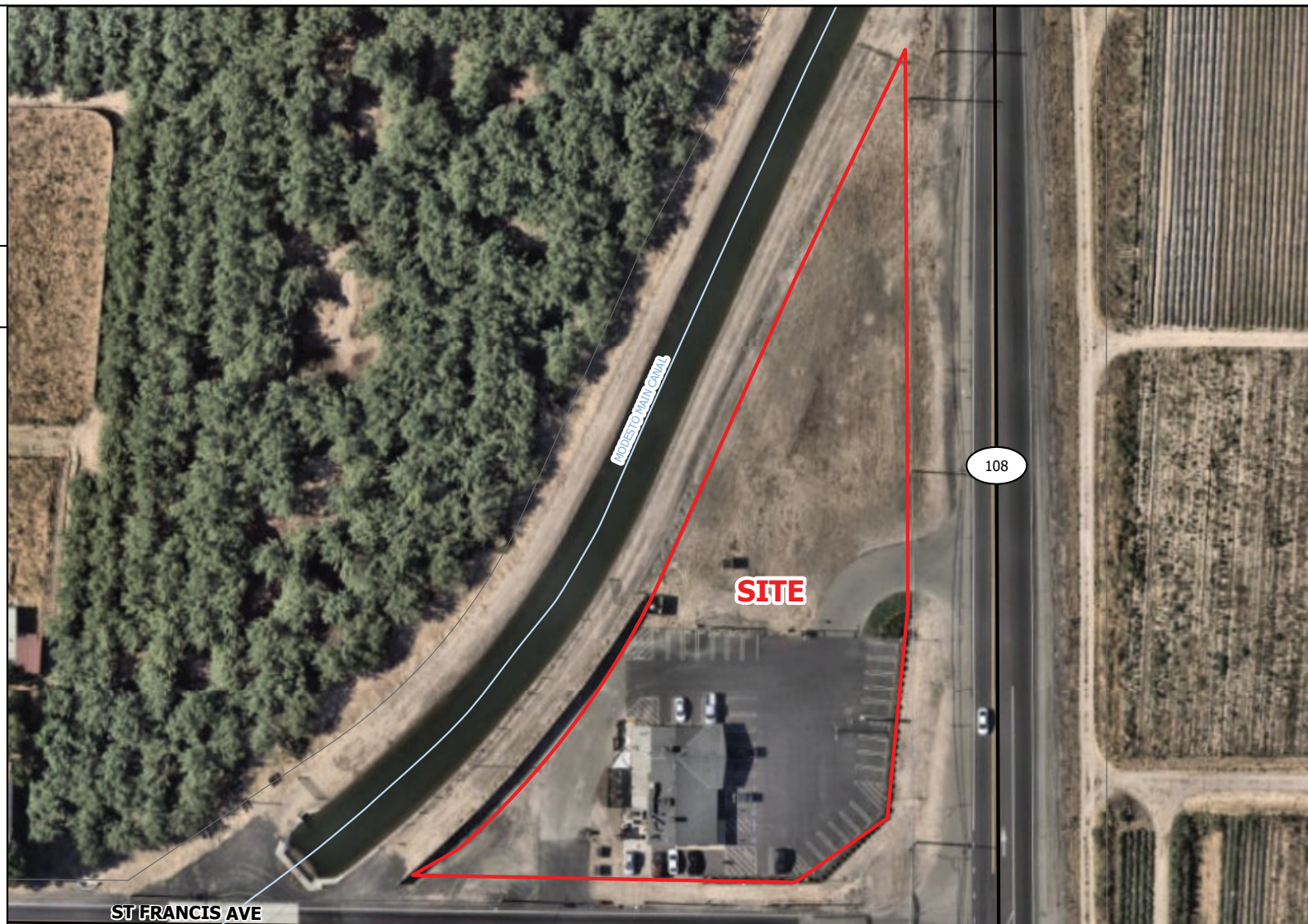
LEGEND

-  Project Site
-  Parcel
-  Highway
-  Street
-  Canal



Source: Planning Department GIS

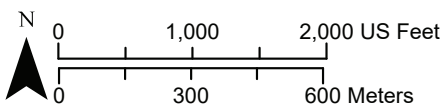
Date Exported: 12/10/2024



SAA
PLN2024-0121

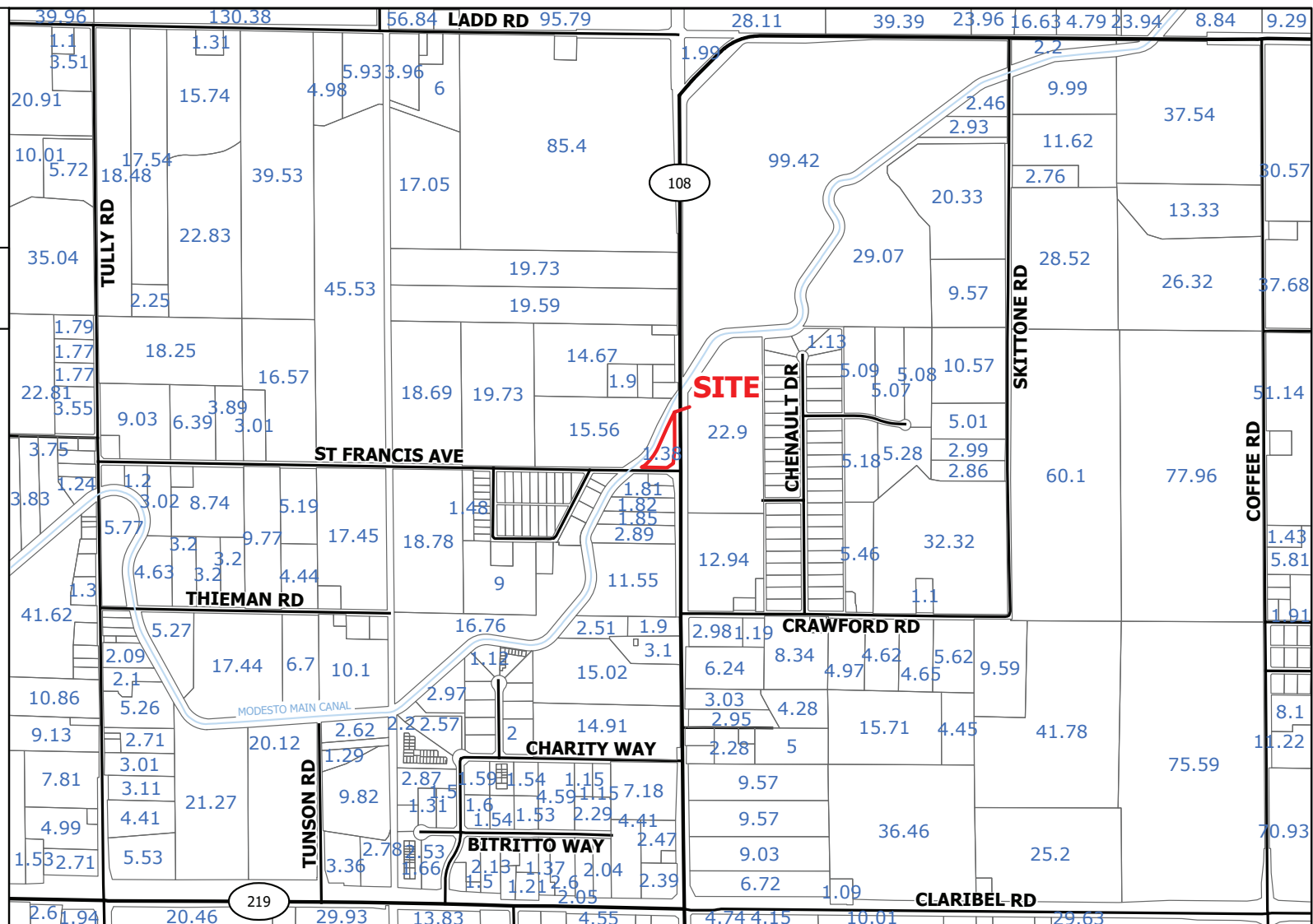
LEGEND

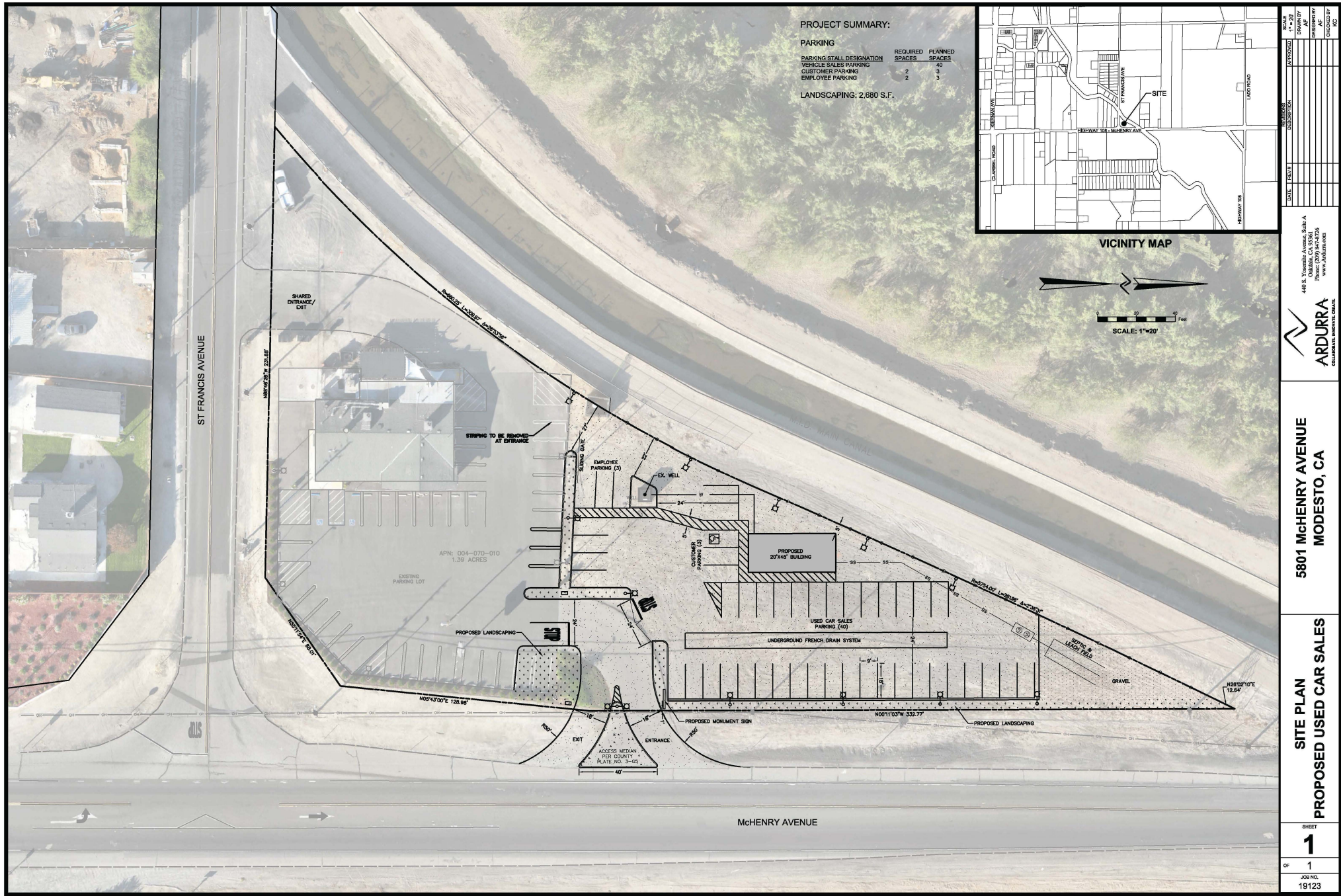
-  Project Site
 Parcel
 Acres
 Highway
 Street
 Canal



Source: Planning Department GIS

Date Exported: 12/10/2024



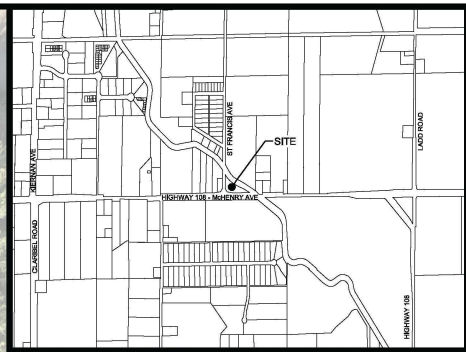


PROJECT SUMMARY:

PARKING

PARKING STALL DESIGNATION	REQUIRED SPACES	PLANNED SPACES
VEHICLE SALES PARKING	40	40
CUSTOMER PARKING	2	3
EMPLOYEE PARKING	2	3

LANDSCAPING: 2,680 S.F.



VICINITY MAP



DATE	11/17/21
	11/17/21
DESIGNED BY	ARDURRA
CHECKED BY	ARDURRA
SCALE	1"=20'
PROJECT NO.	19123
SHEET NO.	1
OF	1
JOB NO.	19123

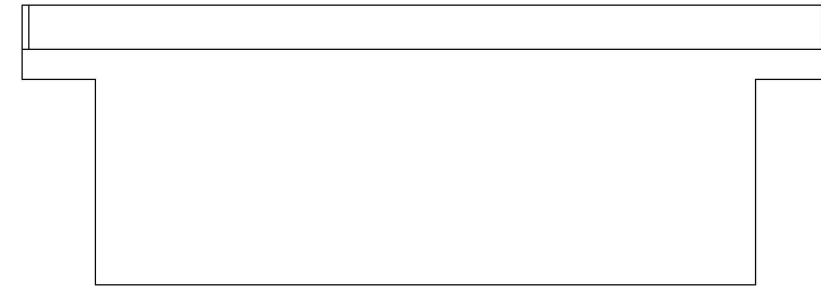
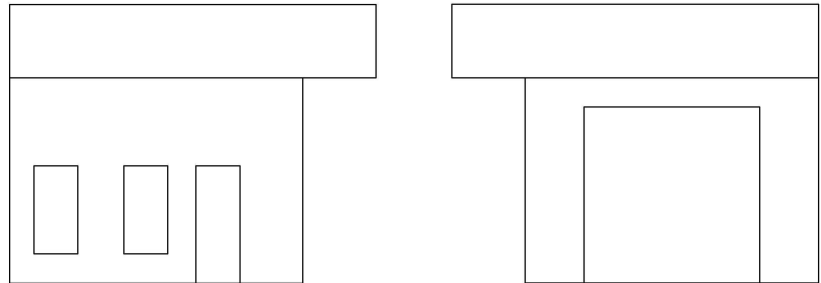
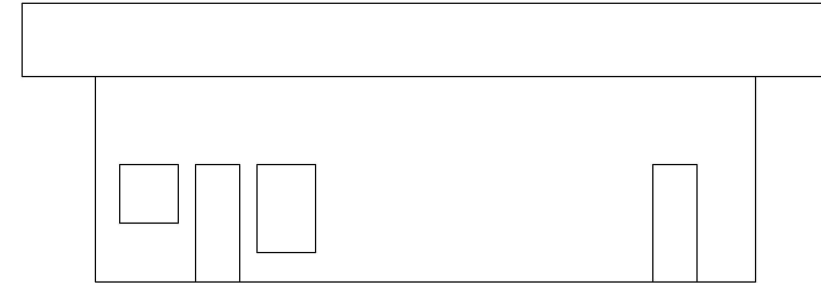
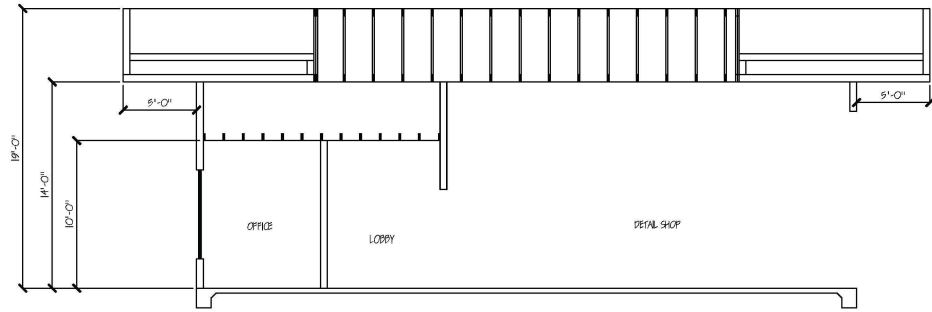
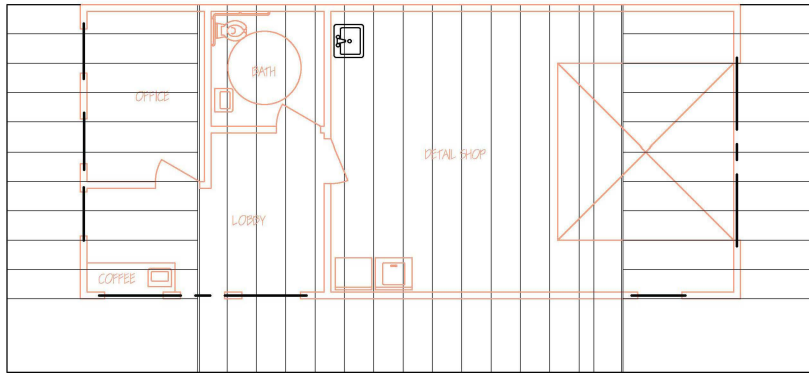
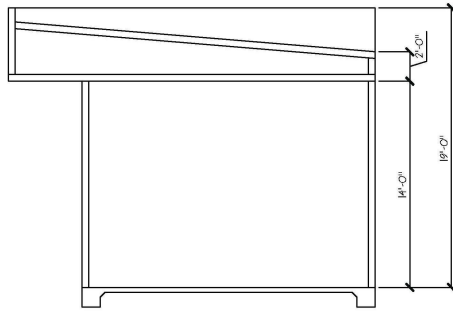
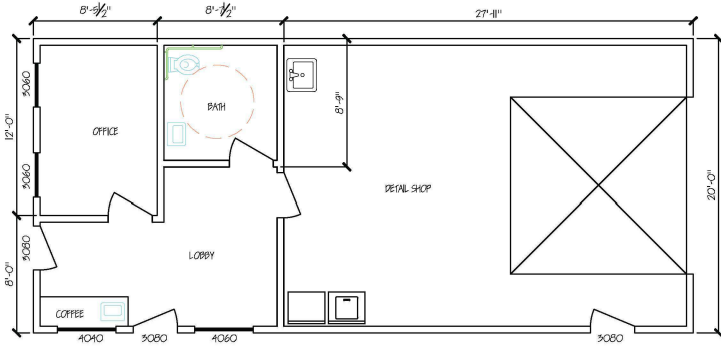
5801 McHENRY AVENUE
MODESTO, CA

SITE PLAN
PROPOSED USED CAR SALES

440 S. Yosemite Avenue, Suite A
Modesto, CA 95354
Phone: (209) 412-2229
www.ardurra.com

ARDURRA
CALIFORNIA LICENSED CIVIL ENGINEER

PROJECT: 19123 Design/Assessment for 5801-CAR LOT2 - 02/24/2023 10:44am



REVISIONS

DRAWN BY:
FRANK GONZALES
 1411 SAN PEDRO AVE
 GARDEN CITY, CA 95021
 TEL: 925.255.1111
 EMAIL: GONZALES@ACOMPCAST.NET

ADU FOR:
RANDY THOMAS CONSTRUCTION
 2801 KENNETH AVE
 MODESTO, CA
 APN: ...

ALL DESIGN, REVISIONS AND PLANS ARE SUBJECT TO APPROVAL BY THE LOCAL AGENCY. ANY CHANGES TO THE PROJECT OR PLANS, A CONTRACTOR AND OWNER MUST BE PROVIDED AND APPROVED FOR THE PROJECT. ANY CHANGES TO THE PROJECT OR PLANS, A CONTRACTOR AND OWNER MUST BE PROVIDED AND APPROVED FOR THE PROJECT. ANY CHANGES TO THE PROJECT OR PLANS, A CONTRACTOR AND OWNER MUST BE PROVIDED AND APPROVED FOR THE PROJECT.

DATE: **MARCH 25, 2024**

JOB NUMBER:

SCALE: **1"=50'**

DESIGNED BY: **F. GONZALES**

SHEET #: **1**



Ms. Mickey Hunt
TPM Inc.
5637 McHenry Avenue
Modesto, California 95356

April 26, 2024

Subject: Scope of Traffic Study
Proposed Car Sales Lot
5801 McHenry Avenue
Stanislaus County, California

Dear Ms. Hunt:

Peters Engineering Group has been retained to perform a traffic study for the subject project. It is our understanding that the County of Stanislaus is the lead agency for the Project. The purpose of this letter is to present information for the County and other affected agencies to consider to finalize the required scope of the traffic study, including approval of the trip generation calculations and determination of the intersections to be studied, if any. The County may provide this letter to other affected agencies for review and comment, in particular Caltrans and the City of Modesto.

It is our understanding that the traffic study is a requirement prior to issuance of the building permit but is not part of an environment (CEQA) review. Therefore, an analysis of vehicle miles traveled (VMT) is not proposed.

Project Description

The proposed Project site is the northern, undeveloped portion of 5801 McHenry Avenue in Stanislaus County, California. The site is located northwest of the intersection of McHenry Avenue (State Route 108) and St. Francis Avenue, north of the existing restaurant building and parking lot. The proposed development consists of a 900-square-foot office building and 61 parking stalls. Site access will be via existing driveways. A site plan is attached.

Project Trip Generation

Data provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*, are typically used to estimate the number of trips anticipated to be generated by proposed projects. Table 1 presents the trip generation estimates for the Project.

Table 1
Project Trip Generation Estimate

Land Use	Units	Daily		A.M. Peak Hour					P.M. Peak Hour				
		Rate	Total	Rate	In:Out	In	Out	Total	Rate	In:Out	In	Out	Total
Automobile Sales – Used (841)	900 sq. ft.	27.06	25	2.13	76:24	2	0	2	3.75	47:53	2	2	4

Reference: *Trip Generation Manual, 11th Edition*, Institute of Transportation Engineers 2021
Rates are reported in trips per 1,000 square feet of building area

Project Trip Distribution and Assignment

It is estimated that a majority of the Project trips will travel south of the Project site. Project-specific traffic modeling is not proposed for purposes of trip distribution.

Need for Further Study

It appears that the proposed Project falls under Phase 2 of the General Plan Amendment and Rezone Application No. PLN2014-0077 as described in the Stanislaus County Planning Commission Staff Report dated March 5, 2015. According to the staff report: *“Permitted and conditional uses for Phase 2 are the same as Phase 1; however, prior to issuance of a building permit for development of Phase 2, a traffic impact analysis will need to be prepared in order to determine if a restriction on uses or additional improvements is needed.”*

The staff report states the following:

“During the early consultation review process, traffic impacts were identified by Caltrans due to a potential increase in the number of trips generated by the project site from increased commercial development. Caltrans stated that a threshold of 50 or more vehicular trips onto McHenry Avenue/State Route 108 during the morning and evening peak hours would warrant a traffic impact analysis to determine the level of impacts to the existing traffic volumes and to determine the need for additional street improvements. The County’s adopted threshold for a traffic impact analysis is 100 or more vehicular trips occurring at the busiest times of the day; however, County staff will defer to the threshold Caltrans has set for this portion of State Route 108.

“The standard Caltrans uses for determining potential traffic impacts is consistent with the Institute of Transportation Engineers (ITE). (ITE uses prior traffic impact studies to create a trip generation model based on specific variables, such as square footage of development, number of employees, or type of land use. Using these models, an average trip generation calculation during the prescribed morning and evening peak hours can be made.) At this time, the applicant has elected not to conduct a traffic impact analysis and proposed land uses that generate lower levels of traffic. (See Exhibit E – Approved Uses.) Based on the specifics of the Phase 1 development, uses consistent within the C-2 zoning district, such as professional offices, retail and wholesale establishments, as well as farm equipment sales, would generate less than the 50 vehicular trips during peak hours. Upon project approval, Phase 1 uses that have been identified will be permitted with the issuance of a business license.

“The same characteristics of Phase 1 would indicate uses such as drive thru eateries, drive thru banks, and convenience markets which would generate above 50 vehicular trips during

peak hours. As stated previously, any development that would generate more than 50 vehicular trips during peak hours would be subject to a traffic impact analysis and its findings with a use permit application.

“The approved uses of Phase 2 will be consistent with Phase 1. Phase 2’s development will most likely increase the entire site’s peak hour vehicular trips above the established threshold of 50; therefore, prior to the issuance of a building permit for Phase 2, a Staff Approval Application, as well as a traffic impact analysis, shall be required. As with Phase 1, uses such as convenience stores, drive thru establishments, and auto sales shall be subject to the approval of a use permit in Phase 2.”

The proposed car sales lot is expected to generate fewer than 50 trips per peak hour. In fact, the values in Table 1 suggest that the peak-hour trips expected to be generated are nearly negligible. Therefore, it is suggested that further traffic counts and analyses need not be required and that the trip generation calculations provided above be considered adequate to satisfy the requirement that the Project perform a traffic impact study.

Study Scenarios

If further analyses are required, the following time periods are proposed to be studied:

- Weekday a.m. peak hour between 7:00 and 9:00 a.m.;
- Weekday p.m. peak hour between 4:00 and 6:00 p.m.

If further analyses are required, the following scenarios are proposed for analysis:

- Existing Conditions;
- Existing-Plus-Project Conditions;
- Cumulative (Year 2045) Conditions With Project.

Pending and Approved Projects

The analyses for the cumulative conditions consider the effects of traffic expected to be generated by pending and approved projects in the study area. Peters Engineering Group is requesting that the County and other affected agencies provide information related to known pending and approved projects in the vicinity of the study intersections to be included in the traffic analysis.

Study Area

If further analyses are required, the intersection of McHenry Avenue and the existing site access is the only intersection proposed to be included in the study. We are requesting that the lead agency and the affected agencies provide any requirements for analysis of additional intersections or other types of studies (such as traffic index or traffic signal warrants analyses). Since intersection operations typically govern with respect to the required number of through lanes on roadways, operational analyses of road segments are not proposed.

Traffic Counts

If required, manual traffic counts, including turning movements, heavy vehicles, bicycles, and pedestrians, will be performed at the study intersections between the hours of 7:00 a.m. and

9:00 a.m. on a weekday morning and between the hours of 4:00 p.m. and 6:00 p.m. on a weekday evening when school is in session, or during time periods specified by the affected agencies.

Twenty-four-hour traffic counts for traffic signal warrant studies or traffic index analyses are not proposed. We are requesting that the lead agency and affected agencies comment as to whether 24-hour counts are required to be included in this study for purposes of other types of analyses (traffic index, traffic signal warrants).

Operational Conditions Analysis

The Transportation Research Board *Highway Capacity Manual*, 7th Edition, (HCM) defines level of service (LOS) as, “A quantitative stratification of a performance measure or measures that represent quality of service, measured on an A-F scale, with LOS A representing the best operating conditions from the traveler’s perspective and LOS F the worst.” Automobile mode LOS characteristics for both unsignalized and signalized intersections are presented in Tables 2 and 3.

Table 2
Level of Service Characteristics for Unsignalized Intersections

Level of Service	Average Vehicle Delay (seconds)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Table 3
Level of Service Characteristics for Signalized Intersections

Level of Service	Description	Average Vehicle Delay (seconds)
A	Volume-to-capacity ratio is no greater than 1.0. Progression is exceptionally favorable or the cycle length is very short.	<10
B	Volume-to-capacity ratio is no greater than 1.0. Progression is highly favorable or the cycle length is very short.	>10-20
C	Volume-to-capacity ratio is no greater than 1.0. Progression is favorable or cycle length is moderate.	>20-35
D	Volume-to-capacity ratio is high but no greater than 1.0. Progression is ineffective or cycle length is long. Many vehicles stop and individual cycle failures are noticeable.	>35-55
E	Volume-to-capacity ratio is high but no greater than 1.0. Progression is unfavorable and cycle length is long. Individual cycle failures are frequent.	>55-80
F	Volume-to-capacity ratio is greater than 1.0. Progression is very poor and cycle length is long. Most cycles fail to clear the queue.	>80

Reference for Tables 2 and 3: *Highway Capacity Manual*, 7th Edition, Transportation Research Board, 2022

County of Stanislaus Level of Service Criteria

Goal One, Policy Two, Implementation Measure 1 as presented in the Circulation Element of the Stanislaus County General Plan adopted August 23, 2016 states: *“The County shall maintain LOS D or better for all County roadways (Daily LOS) and LOS C or better at intersections (Peak Hour LOS), except, within the sphere of influence of a city that has adopted a lower level of service standard, the City standard shall apply. The County may allow either a higher or lower level of service standard for roadways and intersections within urban areas such as Community Plan areas, but in no case shall the adopted LOS fall below LOS D.”*

For purposes of this study, a traffic issue will be recognized at Stanislaus County facilities if the Project will decrease the LOS below D at an intersection. A traffic issue will also be recognized if the Project will exacerbate the delay at an intersection already operating below the target LOS by increasing the average delay by 5.0 seconds or more, or by causing the LOS to drop from LOS E to LOS F.

State Highways

Caltrans has traditionally endeavored to maintain a target LOS at the transition between LOS C and LOS D, but does not currently identify a specific LOS goal. For purposes of this study, a traffic issue will be recognized at State facilities if the Project will decrease the LOS below D at an intersection. A traffic issue will also be recognized if the Project will exacerbate the delay at an intersection already operating below the target LOS by increasing the average delay by 5.0 seconds or more, or by causing the LOS to drop from LOS E to LOS F. LOS E and F can be indicative of delays that may lead to safety concerns at unsignalized intersections.

City of Modesto Level of Service Criteria

Policy V.H.2 of the City of Modesto General Plan adopted March 5, 2019 states: *“LOS “D” is the threshold of significance for measuring traffic impacts.”* For purposes of this study, a traffic issue will be recognized at City of Modesto facilities if the Project will decrease the LOS below D at an intersection. A traffic issue will also be recognized if the Project will exacerbate the delay at an intersection already operating below the target LOS by increasing the average delay by 5.0 seconds or more, or by causing the LOS to drop from LOS E to LOS F.

Closing

The proposed car sales lot is expected to generate fewer than 50 trips per peak hour. The values in Table 1 suggest that the peak-hour trips expected to be generated by the Project are nearly negligible. Therefore, it is suggested that further traffic counts and analyses need not be required and that the trip generation calculations provided above be considered adequate to satisfy the requirement that the Project perform a traffic impact study.

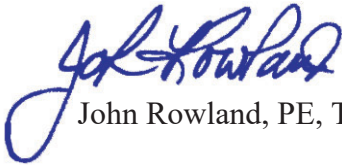
Peters Engineering Group is requesting written comments and/or confirmation of the contents of this letter. Specifically, we are requesting comments on the following items from all affected agencies before continuing with the analyses:

- No further traffic analyses required.
- The general approach to the study.
- Trip generation assumptions and calculations.

- Project-specific traffic modeling (select zone analysis) not proposed.
- The time periods and days requiring intersection turning movement counts and analyses.
- The study scenarios.
- Pending and approved projects.
- The study area (intersections to be included in the study).
- 24-hour counts for traffic signal warrants not proposed.
- Collision history research for traffic signal warrants not proposed.
- Traffic index for pavement analysis not proposed.
- Confirmation of criteria for determining a traffic issue.
- More detailed additional Project-specific VMT analyses and traffic modeling not proposed.

Thank you for the opportunity to work with you on this project. Please feel free to call our office if you have any questions.

PETERS ENGINEERING GROUP



John Rowland, PE, TE

Attachments: Site Plan



