

Posting Requested By:

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

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November 8, 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): 2019080095

PROJECT TITLE: MINOR DISCRETIONARY PERMIT 2019-06 (TURLOCK ONE STOP VALERO)

PROJECT APPLICANT: AMARPREET KAUR & AMAN SACHDEVA

PROJECT LOCATION: The proposed project is located at 2500 Fulkerth Rd., Turlock CA (Stanislaus County APN: 089-019-021)

PROJECT DESCRIPTION: Turlock One-Stop Valero has submitted an application requesting approval to construct a gas station with a 6-pump fuel island and canopy (3,572 square feet), an approximately 5,500 square foot convenience mart with a drive-through for a yet unidentified quick serve restaurant, and an approximately 2,400 square foot drive-through car wash with vacuum stalls and canopy (approximately 1,800 square feet). On-and off-site improvements will include paving, parking, parking stall striping, trash enclosure, landscaping, curb, gutter and sidewalks. The applicant will also be applying for a Type 21 alcohol license to allow the sale of beer, wine, and distilled spirits off the premises

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 Northwest Triangle Specific Plan Mitigated Negative Declaration.
2. All feasible mitigation measures developed in the General Plan EIR and the Northwest Triangle Specific Plan Mitigated Negative Declaration 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 and the Northwest Triangle Specific Plan Mitigated Negative Declaration, 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 the Northwest Triangle Specific Plan Mitigated Negative Declaration 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 and the Northwest Triangle Specific Plan Mitigated Negative Declaration, 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 and the Northwest Triangle Specific Plan Mitigated Negative Declaration were certified, and
 - b. That there is no new available information which was not and could not have been known at the time Documents used in preparation of this Proposed Mitigated Negative Declaration, are available for public review at the address below.
 8. Whereas, on June 13, 2017, the City of Turlock adopted minor changes, deletions, and additions to the project described in the Northwest Triangle Specific Plan Amendment 2017 and certified an Addendum to the Mitigated Negative Declaration 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 7, 2019
APPROVAL: Minor Discretionary Permit 2019-06

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.

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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

DEPUTY DIRECTOR OF DEVELOPMENT SERVICES/PLANNING MANAGER

Environmental Review

Governor's Office of Planning & Research

Date Received for filing at OPR: _____

NOV 08 2019

STATE CLEARINGHOUSE