

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # 6:35 p.m.

Urgent Routine

AGENDA DATE December 21, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01, El Rematito Marketplace

PLANNING COMMISSION AND STAFF RECOMMENDATIONS:

1. Adopt the Mitigated Negative Declaration pursuant to California Code of Regulations Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis.

(Continued on page 2)

FISCAL IMPACT:

There are no fiscal impacts associated with this project. In accordance with the adopted Department of Planning and Community Development Fee Schedule, this project is subject to payment of the 'actual cost' for process. All costs associated with this project have been paid and approval of this project will have no impact on the County's General Fund.

BOARD ACTION AS FOLLOWS:

No. 2010-784

On motion of Supervisor DeMartini, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION: INTRODUCED, ADOPTED, AND WAIVED THE READING OF ORDINANCE C.S.1096 FOR REZONE APPLICATION #2010-01.

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

ORD-55-N-5

PLANNING COMMISSION AND STAFF RECOMMENDATIONS: (Continued)

2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. In relation to the request for a General Plan Amendment and Rezone, find:
 - A. The General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses;
 - B. The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service;
 - C. The amendment is consistent with the General Plan goals and policies; and,
 - D. The proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
4. Find that the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
5. Approve General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematito, subject to the attached Development Standards/Conditions of Approval and Development Schedule.

DISCUSSION:

This is a request for a general plan amendment and a rezone to Planned Development (P-D). The project would allow development of a new parking area (overflow) and driveway for 930 cars for the El Rematito Marketplace. The applicant proposes to incorporate this 9.35 acre parcel with the existing El Rematito Marketplace located adjacent to the south.

The project is proposed to be developed in two phases with all existing structures (three dwellings, a barn, and a shop) to be removed. Phase I will be a total of 488 parking stalls and Phase II will add 442 stalls for a total of 930 parking stalls.

The project site is located at 3025 Crows Landing Road, in the Ceres area. The site is just north of the existing El Rematito Marketplace and other surrounding uses are: agriculture to the north, and west; single-family residential to the northwest; G3 (commercial), Stanislaus County Community Services Agency, and Sheriffs' offices to the east and is within the City of Ceres Sphere of Influence.

Public Hearing to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01, El Rematito Marketplace
Page 3

The current El Rematito Marketplace is to the south at 3113 Crows Landing Road, northwest of the Crows Landing Road and W. Hackett Road intersection. The site is an open air market with 700 parking stalls, storage units, restrooms, concessions, a play area, and a plaza.

El Rematito Marketplace was reviewed by the Planning Commission in November of 2003, and approved by the Board of Supervisors on December 16, 2003, to amend the general plan and zoning designations from AG/A-2-40 to PD-(285) to allow expansion to the neighboring property to the south and to allow upgrading of the existing legal, non-conforming Crows Landing Flea Market.

According to the operator, the attendance on Fridays is about 200 to 300 cars. On Saturdays and Sundays, attendance is over 700 vehicles. The project was required to have 640 parking stalls, but the applicant built 700 stalls. The existing parking lot has proven to be inadequate in size to handle their customer's parking needs. In addition to this application to establish additional parking, the applicant submitted a separate use permit application to convert the soccer field/storm basin on the marketplace site to parking. The use permit application, Use Permit 2009-17, was approved by the Planning Commission on November 18, 2010.

The applicant has already begun to use this 9.35 acre parcel for overflow parking for the adjoining flea market. This use has resulted in a code enforcement action pending the outcome of this request.

On November 18, 2010, the Planning Commission considered this application at a properly advertised public hearing. No one spoke against the project. Salvador Pleitez the applicant's representative, Marco Moreno and Ricardo Cardenas spoke in favor of project. During the Planning Commission meeting, Mr. Pleitez did request a change to an approved development standard for P-D (285) of the adjoining El Rematito Marketplace to allow the flea market to charge a fee for parking. After some discussion, since this request was not in the original application and was not reviewed by other departments and agencies, it was determined that the applicant would need to submit a new application requesting a change to the original development standards that required "no parking fees" as part of the P-D (285) approval in 2003.

Following the closing of the hearing, the Commission unanimously voted 9-0 (DeLaMare/Pires) to forward the project to the Board of Supervisors for approval including amending portions of Development Standards / Conditions of Approval Nos. 22 and 24 regarding a grading permit plan check fee and requiring improvement plans to be submitted within 1 year of approval. A detailed discussion of the request and staff's recommendation of approval can be found in the attached Planning Commission Staff Report.

POLICY ISSUES:

The Board should determine if approval of this proposed general plan amendment and rezone furthers the goals of Efficient Delivery of Public Services and A Well Planned Infrastructure System.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Bill Carlson, Senior Planner. Telephone: (209) 525-6330

Kirk Ford, Planning and Community Development Director. Telephone: (209) 525-6330

ATTACHMENTS:

1. Planning Commission Staff Report, November 18, 2010
2. Planning Commission Minutes, November 18, 2010
3. GPA2001-09, REZ2001-16 – El Rematito Development Standards

STANISLAUS COUNTY PLANNING COMMISSION

November 18, 2010

STAFF REPORT

GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01
REZONE APPLICATION NO. 2010-01
EL REMATITO MARKETPLACE

REQUEST: TO AMEND THE GENERAL PLAN DESIGNATION OF A 9.35 ACRE PARCEL FROM AGRICULTURE TO PLANNED DEVELOPMENT AND TO AMEND THE ZONING FROM A-2-40 (GENERAL AGRICULTURE) TO P-D (PLANNED DEVELOPMENT) TO INSTALL A NEW PARKING AREA AND DRIVEWAY FOR 930 CARS IN TWO PHASES.

APPLICATION INFORMATION

| | |
|------------------------------|---|
| Applicant/Property Owner: | Quetzal Corporation/Pedro and Candida Marquez |
| Agent: | Salvador Pleitez |
| Location: | 3025 Crows Landing Road, in the Ceres area |
| Section, Township, Range: | 17-4-9 |
| Supervisorial District: | Five (Supervisor DeMartini) |
| Assessor's Parcel: | 056-055-003 |
| Referrals: | See Exhibit I Environmental Review Referrals |
| Area of Parcels: | 9.35± acres |
| Water Supply: | Well |
| Sewage Disposal: | Private Septic System |
| Existing Zoning: | A-2-40 |
| General Plan Designation: | Agriculture |
| Community Plan Designation: | Not applicable |
| Williamson Act Contract No.: | Not applicable |
| Environmental Review: | Mitigated Negative Declaration |
| Present Land Use: | Three dwellings, a barn, and a shop |
| Surrounding Land Use: | Agriculture to the north, and west; single-family residential to the northwest; G3 (commercial), Stanislaus County CSA, and Sheriffs' offices to the east; El Rematito to the south |

PROJECT DESCRIPTION

This is a request for a General Plan Amendment and a Rezone to Planned Development (P-D). The project would allow development of a new parking area (overflow) and driveway for 930 cars for the El Rematito Marketplace. The project is proposed to be developed in two phases with all existing structures (three (3) dwellings, a barn, and a shop) to be removed.

The applicant proposes to incorporate this 9.35 acre parcel with the existing El Rematito Marketplace located adjacent to the south. Phase I will be a total of 488 parking stalls and Phase II will add 442 stalls for a total of 930 parking stalls.

SITE DESCRIPTION

The project site is located at 3025 Crows Landing Road, in the Ceres area. The site currently has three (3) dwellings, a barn, and a shop. If approved, all these structures will be removed as part of Phase I.

BACKGROUND/ DISCUSSION

The current El Rematito Marketplace is to the south at 3113 Crows Landing Road, northwest of the Crows Landing Road and W. Hackett Road intersection. The site is an open air market with 700 parking stalls, storage units, restrooms, concessions, a play area, and a plaza.

El Rematito Marketplace was reviewed by the Planning Commission in November of 2003 and approved by the Board of Supervisors on December 16, 2003, to amend the General Plan and zoning designations to allow expansion to the neighboring property to the south and to allow upgrading of the existing legal, non-conforming Crows Landing Flea Market.

El Rematito Marketplace is approved to operate between the hours of 5:30 a.m. and 6:00 p.m., Friday, Saturday, and Sunday. The 2003 approval expanded the sales area to approximately 128,883 square feet; an increase of 43,863 square feet. The applicant installed a 10 foot landscaping strip along the road frontages with a wrought iron fence with a two (2) foot high masonry base and pillars spaced every 20 feet around the sales area.

According to the operator, the attendance on Fridays is about 200 to 300 cars. On Saturdays and Sundays attendance is over 700 vehicles. The project was required to have 640 parking stalls, but the applicant built 700 stalls. The existing parking lot has proven to be inadequate in size to handle their customer's parking needs. In addition to this application to establish additional parking, the applicant has submitted a separate use permit application to convert the soccer field/storm basin on the marketplace site to parking (Use Permit 2009-17).

The applicant has already begun to use this 9.35 acre parcel for overflow parking for the adjoining flea market. This use has resulted in a code enforcement action pending the outcome of this request.

The site is also in the City of Ceres Sphere of Influence (SOI) and has been designated Commercial in their General Plan since the late 1990s. According to Goal Five, Policy Twenty-Four of the Stanislaus County General Plan Land Use Element, "Development within a city's Sphere of Influence must meet the applicable development standards of the affected city as well as any public facilities fee collection agreement in effect at the time of project consideration." Implementation Measure One states that, "All discretionary development proposals within the Sphere of Influence or areas of specific designation of a city shall be referred to that city to determine whether or not the proposal shall be approved and whether it meets their development standards. If development standards of the city and County conflict, the city's standards shall govern." According to the

Spheres of Influence section of the Land Use Element, "development, other than agricultural uses and churches, which requires discretionary approval from incorporated cities shall be referred to that city for preliminary approval. The project shall not be approved by the County unless written communication is received from the city memorializing their approval."

The City of Ceres responded to this project. This area is part of the West Landing Specific Plan Annexation area and could be annexed into the City as early as next year. They request the road, parking, and landscaping meet City Standards. Their biggest concern is with the overall circulation of the existing parking on the adjoining site and the parking proposed by this project. The City has required connection between the existing parking lots and the proposed lots so customers will not have to exit the southern lot to access the new northern parking lot via Crows Landing Road. This has been included as both a development standard/condition of approval (No. 43) and as a mitigation measure (No. 49). (See Exhibit D - *Development Standards/Conditions of Approval*.) Also, Ceres has requested a condition that all structures on this property be demolished on the proposed parking lot area with Phase I. Further, the area that will remain as Phase II shall be fenced or secured so that this area is not utilized as a parking lot area until it has been paved as Phase II.

GENERAL PLAN AMENDMENT

The project proposes to change the General Plan designation from Agriculture to Planned Development. General Plan Amendments effect the entire County and any evaluation must give primary concern to the County as a whole; therefore, a fundamental question must be asked in each case: "Will this amendment, if adopted, generally improve the economic, physical, and social well-being of the County in general?" Additionally, the County in reviewing General Plan Amendments shall consider the additional costs to the County that might be anticipated and how levels of public and private service might be affected. In order to approve a General Plan Amendment, three (3) findings must be made:

1. *The General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses.*
2. *The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service.*
3. *The amendment is consistent with the General Plan goals and policies.*

The proposed change in General Plan designation will maintain a logical land use pattern as the area has a concentration of low traffic generating light industrial uses. The proposed project will not be extending the boundaries of the current concentration of these uses and seems to be consistent with the existing planned land uses in the area.

The County has adopted standardized conditions requiring payment of all applicable Public Facilities Fees, on behalf of the appropriate service district, to address impacts to public services. To allow for additional traffic along Crows Landing Road, the Department of Public Works is requiring that the southbound lane of Crows Landing Road be improved with an acceleration and

deceleration lane into the new parking area. These development standards/conditions of approval will be applied to the project. (See Exhibit D - *Development Standards/Conditions of Approval*.) No potentially significant environmental concerns were raised in regard to the project's potential impacts on County services. (See Exhibit F - *Initial Study/Mitigation Monitoring Plan*.)

To fully address the third required finding, a more in depth look must be taken at the County's General Plan. The following are the relevant goals and policies of the General Plan that apply to this project:

Land Use Element

GOAL 1 Provide for diverse land use needs by designating patterns which are responsive to the physical characteristics of the land as well as to environmental, economic, and social concerns of the residents of Stanislaus County.

Policy 3 - Land use designations shall be consistent with the criteria established in this element.

Policy 10 - New areas of urban development (as opposed to expansion of existing areas) shall be limited to less productive agricultural areas.

GOAL 2 Ensure compatibility between land uses.

Policy 14 - Uses shall not be permitted to intrude into an agricultural area if they are detrimental to continued agricultural usage of the surrounding area.

GOAL 3 Foster stable economic growth through appropriate land use policies.

Policy 16 - Agriculture, as the primary industry of the County, shall be promoted and protected.

Policy 18 - Accommodate the siting of industries with unique requirements.

As discussed within the background and site description portions of this staff report, a large portion of the surrounding area has been urbanized and is not in agricultural production. The Planned Development (P-D) designation is intended for land that, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects to surrounding properties. Staff believes that the proposed Planned Development designation, which would allow the expansion of the parking lot of an existing flea market, is appropriate given the developed character of the site and surrounding area. Approval of this project will foster economic stability for the county by allowing a successful business to continue operating on property appropriate for such a use. The use has been operating at this location for many years. The requested change in the General Plan designation from Agriculture to Planned Development would be compatible with the surrounding area and complies with the City of Ceres General Plan designation.

Conservation Element

GOAL 3 Provide for the long-term conservation and use of agricultural lands.

Policy 11 - In areas designated "Agriculture" on the Land Use Element, discourage land uses which are incompatible with agriculture.

The nearest parcels still in agricultural production are to the north and west which are owned by G3 Enterprises. Agricultural properties enrolled in Williamson Act contracts are to the southwest (approximately 1,000 feet), separated by the existing El Rematitio Marketplace, and to the west, about a quarter mile. The applicant will install the required agricultural buffer, along the west and northern property line unless the areas (including adjacent parcels) are annexed and developed within the City of Ceres. A discussion on Ag Buffers is provided in the Ag Element section later in this report.

Circulation Element

GOAL 1 Provide a system of roads throughout the County that meets land use needs.

Policy 1 - Development will be permitted only when facilities for circulation exist or will exist as part of the development, to adequately handle increased traffic.

Policy 2 - Circulation systems shall be designed to provide safety and minimize traffic congestion.

Policy 5 - Transportation requirements of commercial and industrial development shall be considered in all planning, designing, construction, and improvements.

The Board of Supervisors has adopted a circulation plan for this general area. It was done in recognition of continuing commercial and industrial interest in the area and of the need to minimize direct access to Crows Landing Road, a major north-south travel route for local, regional, and state traffic. Crows Landing Road is designated as a major and is consistent with the City of Ceres Circulation Element. The West Landing Specific Plan Roadway improvements shall be installed along the eastern property line including a traffic signal at the intersection with Crows Landing and the overflow parking entrance.

A traffic study was required for this project. (See Exhibit H - *Traffic Study*.) The applicant hired KD Anderson & Associates to complete this task. The existing traffic level of the Crows Landing and Hackett Road intersection is already at minimum Stanislaus County standards. With the proposed project, Hackett Road will need additional improvements to stay at this standard. Based on the Traffic Study, KD Anderson & Associates recommended the following as mitigation measures:

- The applicant shall re-stripe both lanes of Hackett Road to allow left turns as described in the 11/30/09 KD Anderson Traffic Impact Analysis.

- The applicant shall improve the Crows Landing driveways as described in the 11/30/09 KD Anderson Traffic Impact Analysis.
- The applicant shall provide signs to inform patrons of parking availability as approved by the City of Ceres.
- The applicant shall connect the existing parking area to the overflow lot.

These have been included as mitigation measures. Other right-of-way improvements are included in the development standards/conditions of approval and shall meet the City of Ceres (West Landing Specific Plan) Standards.

Agricultural Element

GOAL 1 Strengthen the agricultural sector of our economy.

Policy 1.10 - The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

Implementation Measure No. 1 - The County shall require buffers and setbacks for all discretionary projects introducing or expanding non-agricultural uses in or adjacent to an agricultural area consistent with the guidelines presented in Appendix "A" (Agricultural Element).

GOAL 2 Conserve our agricultural lands for agricultural uses.

Policy 2.5 - To the greatest extent possible, development shall be directed away from the County's most productive agricultural areas.

Policy 2.7 - Proposed amendments to the General Plan Diagram (map) that would allow the conversion of agricultural land to non-agricultural uses shall be approved only if they are consistent with the County's conversion criteria.

The term "Most Productive Agricultural Areas" is evaluated on a case-by-case basis taking into consideration factors such as: soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; and existing uses and their contributions to the agricultural sector of the local economy. The nearest parcels still in agricultural production and enrolled in Williamson Act contracts are located to the southwest, separated by the existing El Rematitio Marketplace.

In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 zoning district. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. Alternatives

are taken to the Agricultural Advisory Board for support and may be approved provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. Current buffer guideline standards require a project to provide solid fencing and a double row of landscaping around the perimeter of the proposed operation.

Goal 2, Policy 2.7 - Implementation Measure 1 of the Agricultural Element requires that the following also be taken into consideration when evaluating General Plan Amendments which propose to change agricultural designations:

Conversion Consequences: The direct and indirect effects, as well as the cumulative effects, of the proposed conversion of agricultural land shall be fully evaluated.

Conversion Considerations: In evaluating the consequences of a proposed amendment, the following factors shall be considered: plan designation; soil type; adjacent uses; proposed method of sewage treatment; availability of water, transportation, public utilities, fire and police protection and other public services; proximity to existing airports and airstrips; impacts on air and water quality, wildlife habitat, endangered species, and sensitive lands; and any other factors that may aid the evaluation process.

Conversion Criteria: Proposed amendments to the General Plan Diagram (map) that would allow the conversion of agricultural land to urban uses shall be approved only if the Board of Supervisors makes the following findings:

- A. Overall, the proposal is consistent with the goals and policies of the General Plan.
- B. There is evidence on the record to show a demonstrated need for the proposed project based on population projections, past growth rates, and other pertinent data.
- C. No feasible alternative site exists in areas already designated for the proposed uses.
- D. Approval of the proposal will not constitute a part of, or encourage, piecemeal conversion of a larger agricultural area to non-agricultural uses, and will not be growth-inducing (as used in the California Environmental Quality Act).
- E. The proposed project is designed to minimize conflict and will not interfere with agricultural operations on surrounding agricultural lands or adversely affect agricultural water supplies.
- F. Adequate and necessary public services and facilities are available or will be made available as a result of the development.
- G. The design of the proposed project has incorporated all reasonable measures, as determined during the CEQA review process, to mitigate impacts to agricultural lands, fish and wildlife resources, air quality, water quality and quantity, or other natural resources.

Staff believes all these findings can be made for the reasons stated above. Parcels surrounding the site to the south and east have been developed. This project will not create new impacts to surrounding agricultural operations. Long-term productive agricultural capabilities of the adjacent properties in the A-2 zoning district are not anticipated to be negatively impacted as a result of approval of this project. In summary, Planning Staff believes the General Plan Amendment for the proposed use on this specific site is consistent with the goals and policies of the County's General Plan, and with the City of Ceres General Plan.

REZONE

This project is also requesting a change in the zoning designation of the parcel from A-2-40 (General Agriculture) to P-D (Planned Development). To approve a Rezone, the Planning Commission must find that it is consistent with the General Plan. In this case, if the requested change in General Plan designation is approved, the zoning designation of Planned Development would indeed be consistent with the General Plan.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to various agencies. Based on the Initial Study prepared for this project, adoption of a Mitigated Negative Declaration is being proposed. The Initial Study and comments to the Initial Study have not presented any substantial information to identify a potential significant impact that can not be mitigated.

RECOMMENDATION

Based on all evidence on the record, and on the ongoing discussion, staff's position is that the Planning Commission should recommend that the Board of Supervisors:

1. Adopt the Mitigated Negative Declaration pursuant to California Code of Regulations Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. In relation to the request for a General Plan Amendment and Rezone, find that:
 - A. The General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses;
 - B. The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service;

- C. The amendment is consistent with the General Plan goals and policies; and
 - D. The proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
- 4. Find that the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
 - 5. Approve General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematitio, subject to the attached Development Standards/Conditions of Approval and Development Schedule.

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay \$2,067.25 for the Department of Fish and Game, and the Clerk Recorder filing fees. The attached Development Standards ensure that this will occur.

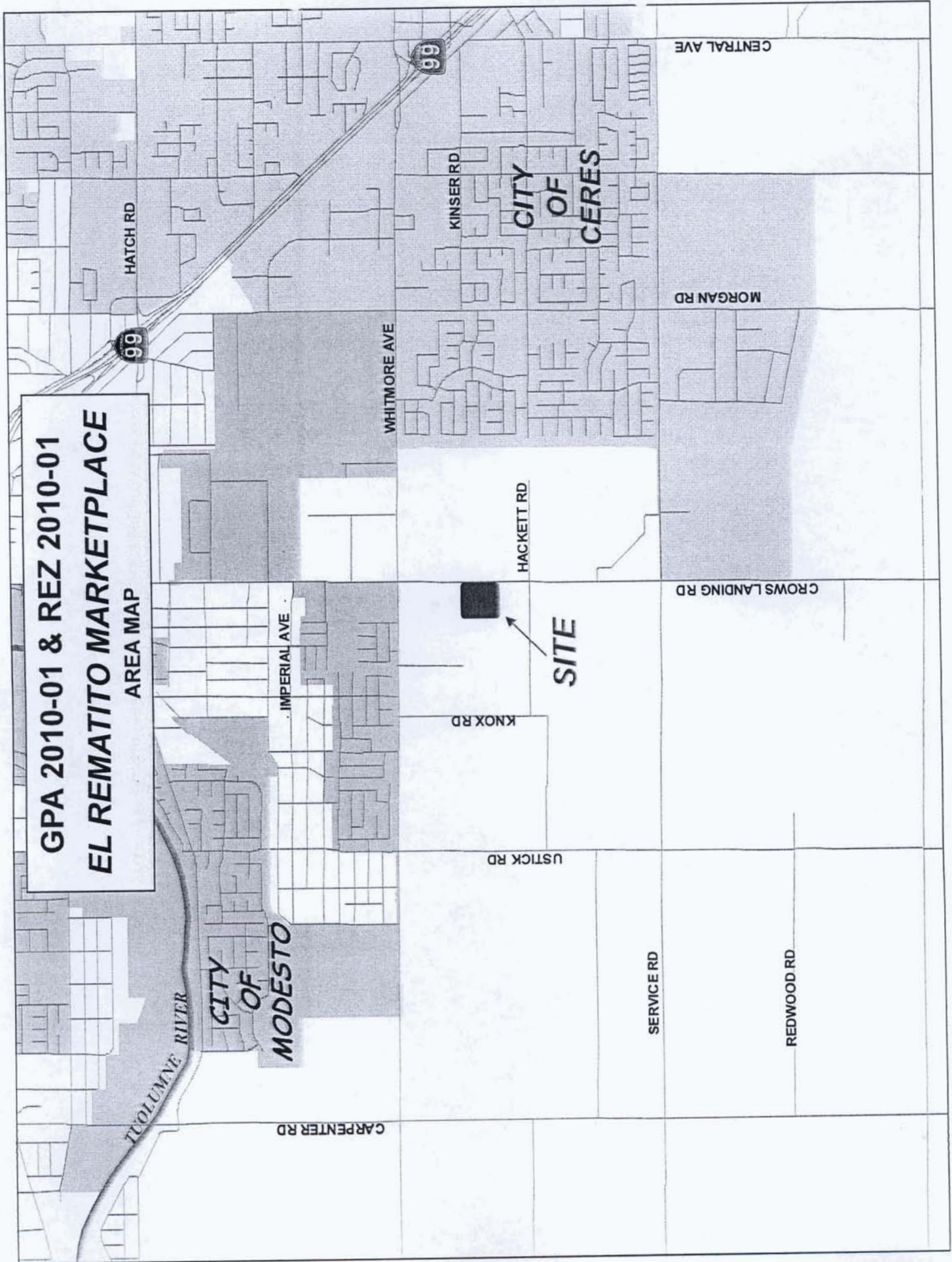
Report written by: Bill Carlson, Senior Planner, November 4, 2010
Reviewed By: Angela Freitas, Deputy Director

Attachments:

- Exhibit A - Maps
- Exhibit B - Site Plan
- Exhibit C - Applicant's General Plan Findings
- Exhibit D - Development Standards/Conditions of Approval
- Exhibit E - Development Schedule
- Exhibit F - Initial Study/Mitigation Monitoring Plan
- Exhibit G - Mitigated Negative Declaration
- Exhibit H - Traffic Study
- Exhibit I - Environmental Review Referrals

**GPA 2010-01 & REZ 2010-01
EL REMATITO MARKETPLACE**

AREA MAP



**GPA 2010-01 & REZ 2010-01
EL REMATITO MARKETPLACE**

ZONING DESIGNATION

| | |
|------|------|
| 0.45 | 0.46 |
| 0.44 | 0.46 |
| 0.44 | 0.46 |
| 0.97 | 0.92 |
| 1.27 | 0.93 |
| 0.98 | 0.82 |
| 0.92 | 0.58 |
| 0.85 | 0.46 |
| 0.48 | 1.08 |
| | 0.39 |
| | 0.39 |

CAROL LN

CROWS LANDING RD

HACKETT RD

SITE
9.5±

P-D (285)
9.46
8.32

A-2-40
30.49

A-2-40
18.45

A-2-40
34.10

A-2-40
88.80

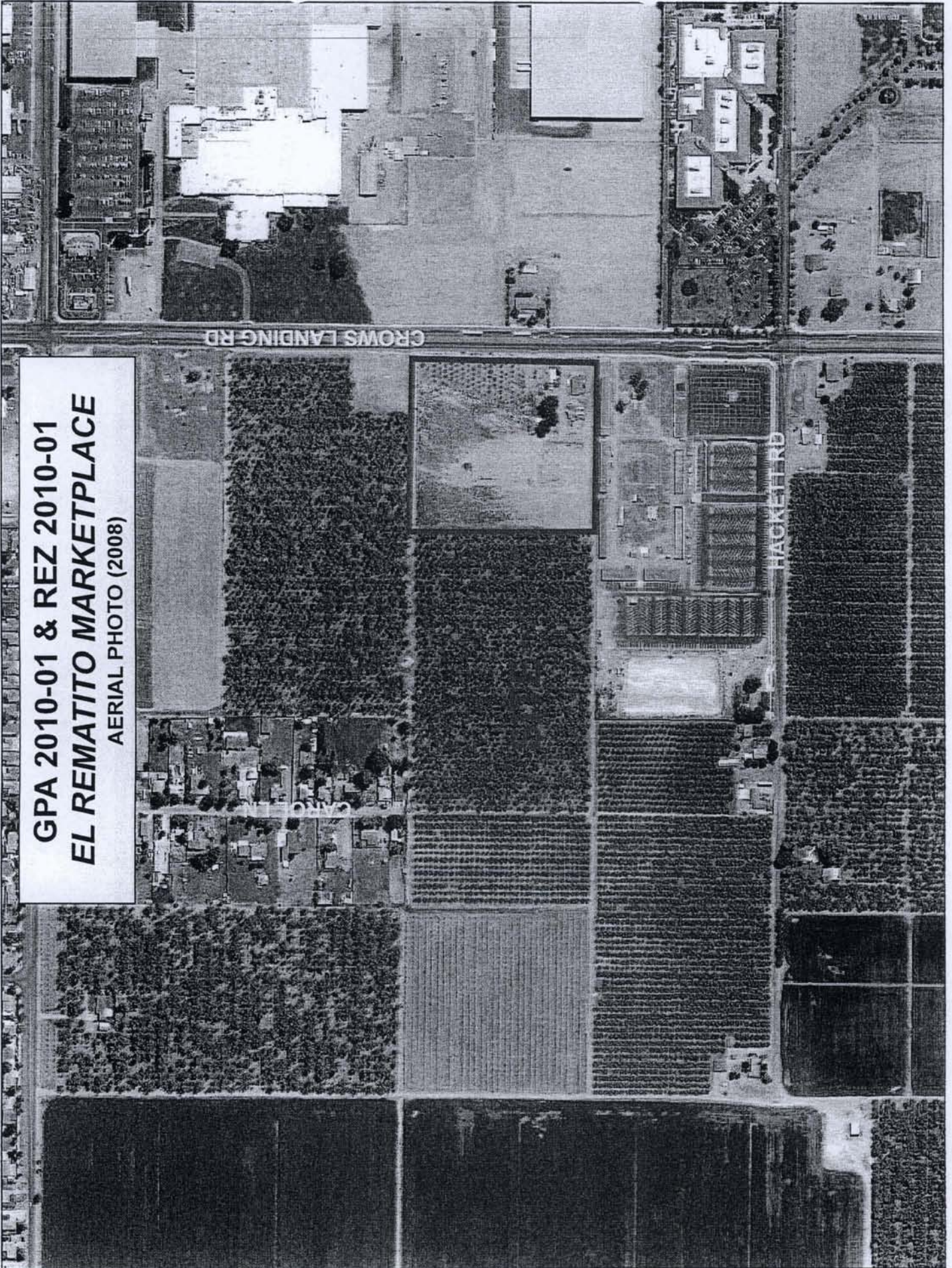
P-D (285)
4.65
0.40

A-2-40
20.21
20.14

A-2-40
30.38
1.07

M
52.01
0.84
2.14
58.47
23.63

P-D (224)
116.07



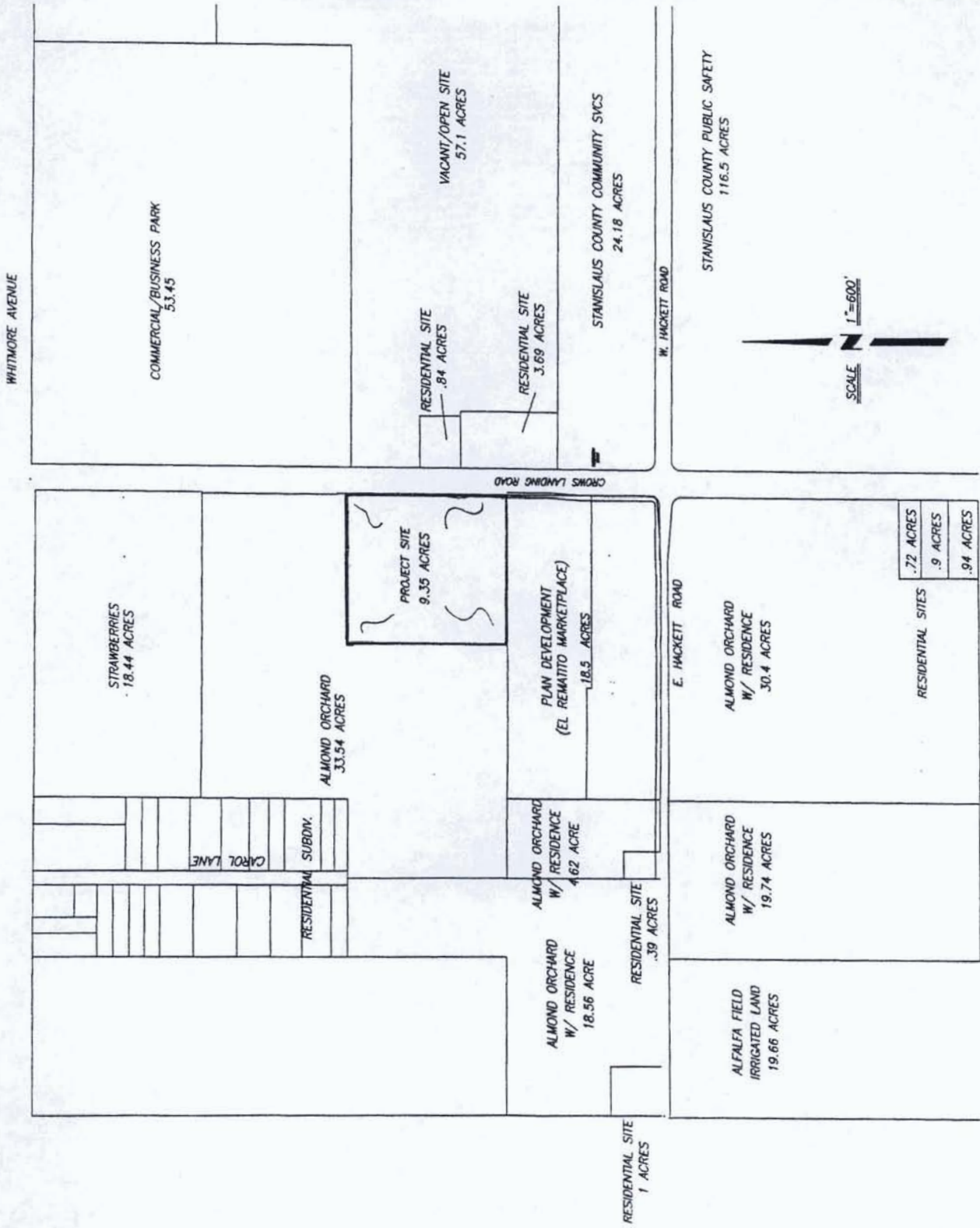
GPA 2010-01 & REZ 2010-01
EL REMATITO MARKETPLACE
AERIAL PHOTO (2008)

AREA MAP

PROJECT: OVERFLOW PARKING
DATE: JANUARY 20, 2010
GPA AND USE PERMIT APPLICATION PACKAGE

PLEETZ CONSULTING

517 S. JOHNSON ROAD
 TURLOCK, CA 95380
 PHONE: 209-620-1929
 FAX: 209-656-7488



ALMOND TREES



661.01'

30" TID LINE

PLOT PLAN - EXISTING CONDITION

621.01'

APN 056-055-003
9.35 AC

616.07'

EL REMATITO MARKETPLACE

EXIST. BLDG

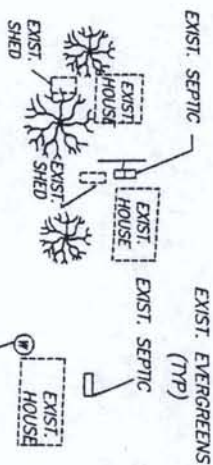
EXIST. BLDG

EXIST. BLDG

VACANT LAND

VACANT LAND

EXIST. DRIVEWAY



661.07'

CROWS LANDING ROAD

PLEITEZ CONSULTING

517 S. JOHNSON ROAD
TURLOCK, CA 95380

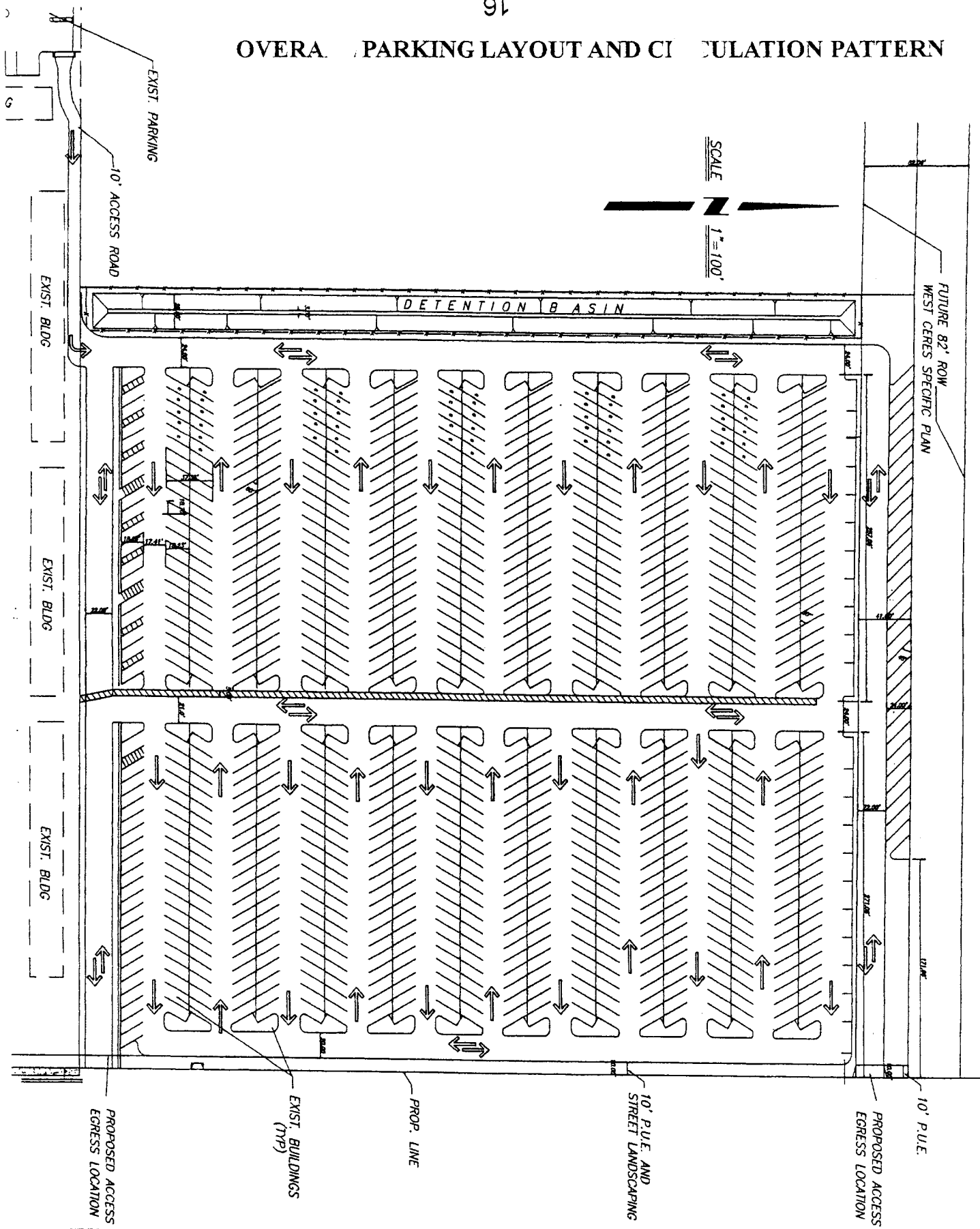
PHONE: 209-620-1929
FAX: 209-656-7488

PROJECT: OVERFLOW PARKING

DATE: JANUARY 20, 2010

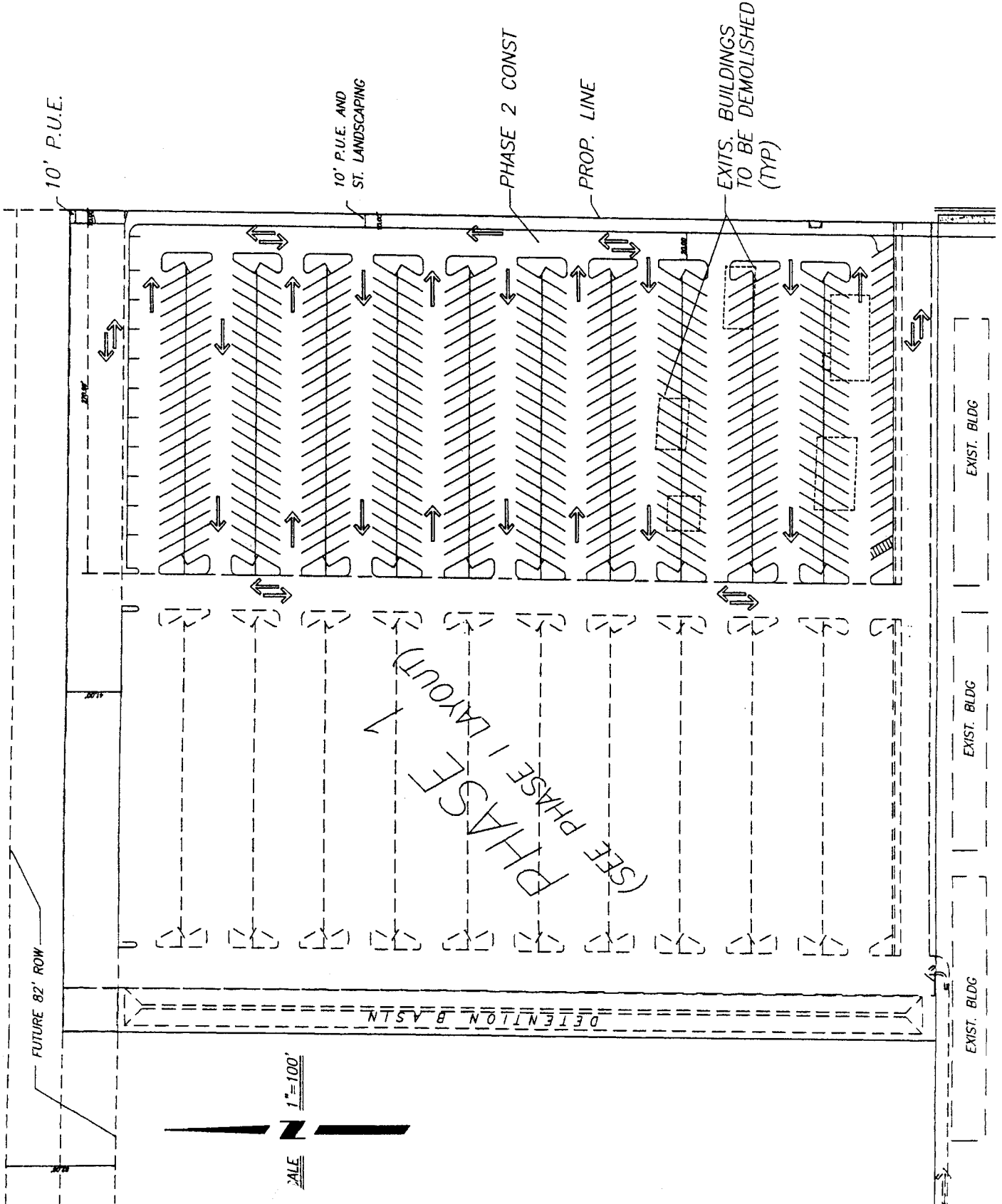
GPA AND USE PERMIT APPLICATION PACKAGE

OVERFLOW PARKING LAYOUT AND CIRCULATION PATTERN



| | |
|--|---|
| <p>PLEITEZ CONSULTING</p> <p>517 S. JOHNSON ROAD TURLOCK, CA 95380</p> <p>PHONE: 209-620-1929 FAX: 209-656-7488</p> | <p>PROJECT: OVERFLOW PARKING</p> <p>DATE: JANUARY 20, 2010</p> <p>GPA AND USE PERMIT APPLICATION PACKAGE</p> |
|--|---|

PHASE 2 LAYOUT AND CIRCULATION PATTERN



| | |
|---|--|
| PROJECT: OVERFLOW PARKING DATE: JANUARY 20, 2010 GPA AND USE PERMIT APPLICATION PACKAGE | PLEITEZ CONSULTING |
| | 517 S. JOHNSON ROAD TURLOCK, CA 95380 PHONE: 209-620-1929 FAX: 209-656-7488 |

EL REMATITO MARKETPLACE OVERFLOW PARKING

GENERAL PLAN, COMMUNITY PLAN AND SPECIFIC PLAN AMENDMENT

A description of the specific areas of the General Plan which are requested to be changed:

The applicant is seeking to obtain rezoning from a General Agriculture District (A-2) to Plan Development designation.

A full statement of the reasons and justifications for such changes in the General Plan to support the application:

It viewed by the applicant that the rezone of this property will serve the community in an improved manner by providing a safer environment to current traffic congestion. It will provide errand traffic with an alternate parking facility, and thus improve the current circulation patterns that create bottle necks at the intersection of Hackett and Crows Landing Roads. By providing alternate parking, people will also opt for not parking along Crows Landing Road, and thus avoid possible pedestrian/vehicle accidents. This will improve current Circulation Element and the Safety element of the current General Plan basic Goals. A full Traffic Report with county staff input has been prepared, and is part of this application package

Current Conditions leading to the need for portions of the General Plan inadequate or unattainable

The current Marketplace has seen an enormous growth in the last year due to the following two reasons; 1.) The new and improved open-air market has created a desirable environment for new vendors, and the public enjoys the paved parking facilities, landscaping, and the increased number of vendors meeting their shopping needs, and budget. At a this time of a down turned economy, the market is thriving because it meets many of the public needs. 2.) There was an open-market competitor in the nearby City of Ceres, and that facility has closed. Both their vendors and public have become a part of this thriving facility, and creates a large influx of public, especially on Sundays.

Events that have questioned specific policies or portions of the General Plan to be changed

Both the Department of Public Works, traffic section, and the Sheriff's Department have recommended, and studied the current problem. Traffic counts by DPW, and meetings with the Sheriff department, as well as, the California Highway Patrol, recommend that improvements be made to accommodate the overflow of traffic to avoid public safety issues out on public right of ways.

Effect upon the General Plan by future development of a specific area or the overall development of Stanislaus County:

The area along Crows Landing is rapidly growing. The project is part of the City of Ceres Sphere of Influence, and the City of Ceres is currently working on the annexation of this area as a whole, as shown in their West Ceres Specific Plan. The proposed designation will work well with the County by creating more employment opportunities, and more entrepreneur-type opportunities to new people seeking independent business, and opportunities. It will also work with the commercial designation the City of Ceres West Ceres Specific Plan.

Search for Historical and Cultural Resources:

The search has been done, and the results enclosed for review. No significant findings were found.

**EL REMATITO MARKET PLACE
OVERFLOW PARKING AREA**

DEVELOPER:
PEDRO AND CANDIDA MARQUEZ
5507 PRAIRIE FLOWER ROAD
CERES, CA 95307

PARCEL NUMBER
APN: 055-056-003 9.35 ACRES

PROJECT ADDRESS:
3025 CROWS LANDING ROAD
MODESTO, CA 95348

PARKING ANALYSIS:

TOTAL PROPOSED PARKING STALLS: **930 TOTAL**
REGULAR STALLS 856 EA
HANDICAP STALLS 19 EA (2%)
SUBCOMPACT 55 EA

PHASE I:
TOTAL PROPOSED PARKING STALLS 488 EA
NUMBER OF REGULAR STALLS 416 EA
NUMBER OF HANDICAP STALLS 17 EA
NUMBER OF SUBCOMPACT STALLS 55 EA

PHASE II:
TOTAL PROPOSED PARKING STALLS 442 EA
NUMBER OF REGULAR STALLS 440 EA
NUMBER OF HANDICAP STALLS 2 EA

LANDSCAPING:

TOTAL LANDSCAPING PROVIDED : 38,966 S.F.

PHASE I LANDSCAPING;
REGULAR LANDSCAPING 14,104 S.F.
DETENTION BASIN 16,941 S.F.

TOTAL LANDSCAPING PROVIDED PHASE I 31,045 S.F.

PHASE II LANDSCAPING
REGULAR LANDSCAPING 7,921 S.F.

21

PLEITEZ CONSULTING

517 S. JOHNSON ROAD PHONE: 209-620-1929
TURLOCK, CA 95380 FAX: 209-656-7488

**PROJECT: OVERFLOW PARKING
DATE: JANUARY 20, 2010
GPA AND USE PERMIT APPLICATION PACKAGE**

DEVELOPMENT STANDARDS / CONDITIONS OF APPROVAL

**GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01
REZONE APPLICATION NO. 2010-01
EI REMATITO MARKETPLACE**

Department of Planning & Community Development

1. This use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. All previous Conditions of Approval/Development Standards applicable to the EI Rematito Marketplace (P-D (285)) shall remain in effect as part of this application.
3. Hours of construction shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Saturday.
4. During the construction phases of the project, if any human remains, significant or potentially unique are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist.
5. All outside storage and mechanical equipment shall be screened from the view of any public right-of-way by a screen fence of uniform construction as approved by the Planning Director or appointed designee. Any required water tanks for fire suppression shall be painted to blend with the surrounding landscape and/or screened with landscaping and shall not be used as a sign unless approved by the Planning Director or appointed designee.
6. All signs shall meet City of Ceres standards. All signs shall be approved by the Planning Director or appointed designee prior to building permit issuance.
7. Trash bins shall be kept in trash enclosures. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director or appointed designee.
8. A final landscape plan prepared in accordance with Section 21.102 of the Stanislaus County Zoning Ordinance and consistent with the Agriculture buffer requirements, shall be submitted prior to issuance of any building permit. Final plans shall be approved by the Planning Director or appointed designee and shall meet the City of Ceres Landscaping standards prior to the issuance of any building permit. All landscaping shall be installed prior to use of the parking area. The landscaping may be installed in phases as approved by the Planning Director.
9. The applicant, or subsequent property owner, shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.

10. Prior to issuance of a building permit, reciprocal parking, maintenance, and access agreements shall be recorded between Assessor Parcel Number's 056-055-003, 056-055-028, and 056-055-029.
11. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
12. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2010), the applicant is required to pay a Department of Fish and Game filing fee at the time of recording a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,067.25** made payable to **Stanislaus County**, for the payment of Fish and Game and Clerk Recorder filing fees.

Pursuant to Section 711.4 (e)(3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
13. The applicant is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
14. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands", "waters of the United States", or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
15. Pursuant to Section 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate stream-bed alteration agreements, permits or authorizations, if necessary.
16. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.

17. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
18. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.

Building Permits Division

19. Building permits are required in accordance with California Code of Regulations Title 24.

Department of Public Works

20. The applicant's engineer or surveyor shall prepare an Irrevocable Offer of Dedication for 71-feet west of the centerline of Crows Landing Road. The Irrevocable Offer of Dedication shall be completed and submitted to Public Works within one (1) year of the rezone approval, or prior to the issuance of the first building permit, encroachment permit, or grading permit, whichever comes first.
21. A 10-foot wide Public Utility Easement along Crows Landing Road length shall be located adjacent to the area of the Irrevocable Offer of Dedication. This easement shall be dedicated at the same time the Irrevocable Offer of Dedication is offered.
22. A grading and drainage plan for the project site shall be submitted with the building permit. Public works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and the Stanislaus County road right-of-way.
 - The grading and drainage plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Permit and the Quality Control Standards for New Development and Redevelopment contained therein.
 - An Engineer's Estimate shall be submitted for the grading and drainage work.
 - The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.

- The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan. A deposit based off of the Engineer's Estimate shall be made prior to the plan check, at the time of the building permit application (3% for projects \$0 to \$100,000 and 2% for projects \$100,001 and above). The applicant will be responsible for any charges that are incurred over the plan check deposit. The plans shall not be released until such time that all plan check fees have been paid. Any fees left over from the deposit shall be returned to the applicant at the completion and acceptance of the plan by Stanislaus County Public Works.
 - The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. This shall include a deposit of 10% of the Engineer's Estimate for the grading and drainage work. The deposit shall be made prior to the issuance of the building permit. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on site. Any fees left over from the deposit shall be returned to the applicant at the completion and acceptance of the grading and drainage construction by Stanislaus County Public Works.
23. An Encroachment permit shall be obtained from Public Works prior to any work done in the road right-of-way.
24. Roadway improvement plans for Crows Landing Road shall be submitted to Stanislaus County Public Works Department and the City of Ceres for approval. Roadway improvements on Crows Landing Road shall include the following:
- A. A continuous acceleration/deceleration lane shall be installed along the entire parcel frontage. This area includes the corner of Crows Landing and Hackett Road to the north property line of the project. The acceleration/deceleration lane shall be in the same location that the future third lane on Crows Landing will be located, per the West Landing Specific Plan.
 - B. Street Lights shall be installed per City of Ceres Standards and Specifications on Crows Landing Road from the intersection of Hackett Road and Crows Landing Road to the north property line of the parcel.
 - C. Sidewalks shall be installed per the City of Ceres Standards and Specifications for the project's frontage along Crows Landing Road.
 - D. The north driveway will become part of the new signalized intersection. The south driveway will be brought up the City of Ceres Standards for a Commercial two-lane driveway. This driveway shall be for right in turns and right out turns only.
 - E. The concrete median shall be extended from the Crows Landing Road and Hackett Road intersection to the intersection with the new traffic signal. These improvements shall be consistent with the City of Ceres Standards and Specifications.

- F. "No Parking" signs shall be installed for 100-feet on either side of each driveway on Crows Landing Road. The applicant shall install the No Parking Anytime signs (Manual of Uniform Traffic Control sign R7-1) upon approval of the project and after approval from Stanislaus County Public Works. This approval can take 6 to 8 weeks to obtain. Stanislaus County shall approve the signs and locations of the signs prior to installation.
- G. The West Landing Specific Plan calls out for a collector road to be located on the existing north property line of the parcel. Roadway improvements shall be installed along this property line to include, but not limited to:
- I) A roadway dedication of 41-feet south of the north property line.
 - II) A 10-foot wide Public Utility Easement shall be dedicated starting from 41-feet south of the proposed roadway's centerline.
 - III A traffic signal shall be installed at this intersection with Crows Landing Road:
 - 1. The traffic signal shall be installed per the City of Ceres Standards and Specifications.
 - 2. Roadway improvements are to include a westbound lane and two eastbound lanes (one right-turn lane and one left-turn lane).
 - 3. The timing of the light shall be coordinated with the City of Modesto (Ceres).
 - 4. Asphalt, streetlights, concrete curb, gutter, and sidewalk, drainage facilities, signs, and pavement markings per the City of Ceres Standards and Specifications and the West Landing Specific Plan.
 - 5. "No Parking" signs shall be installed on both sides of the roadway.

The improvement plans shall be submitted within **one (1) year** ~~three (3) months~~ of the approval of the rezone. Stanislaus County Department of Public Works and the City of Ceres shall both approve the Hackett Road and Crows Landing Road improvement plans.

25. A connection between the existing parking lot and the overflow lot shall be installed prior to the use of the overflow lot. The location and width of this connection shall be approved by the Department of Public Works. This plan shall show the internal circulation of the parking lots and how they interconnect.
26. Streetlights shall be installed on Hackett Road per the City of Ceres Standards and Specifications.
27. Within one (1) year of the issuance of the rezone/general plan amendment, a lighting district shall be formed to provide a funding mechanism to pay for operations and maintenance of the streetlights. The developer shall provide all necessary documentation and pay all the costs associated with the formation of the lighting district. The formation requires a ballot procedure in compliance with State Proposition 218. *The formation can take approximately four to six months.*

28. The owner/developer shall deposit the first year's operating and maintenance cost of the new streetlights on Crows Landing with the Department of Public Works within *one (1) year* of the approval of the rezone/general plan amendment approval.
29. Modify the Hackett Road at Crows Landing Road intersection and traffic signal to accommodate the following:
 - A. The two eastbound lanes shall be striped to allow for a dedicated left-turn lane and the second lane shall be re-striped as a shared through and left-turn lane. Both of these lanes shall be extended at least 275-feet plus 60-foot bay taper to accommodate vehicle stacking during red signal indication.
 - B. A third eastbound right-turn lane at least 150-feet plus a bay taper of 60-feet shall be created.
 - C. A two-way left-turn lane shall be installed from the left-turn lay taper to the west property line.

The improvement plans shall be submitted within one (1) year of the approval of the rezone. Stanislaus County Department of Public Works and the City of Ceres shall approve of the Hackett Road and Crows Landing Road improvement plans.

30. Prior to the approval of the off-site improvement plans, the developer shall file a Notice of Intention (NOI) with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works prior the issuance of the encroachment permit or grading permit, whichever is taken out first.
31. An Engineer's Estimate shall be provided so that the amount of the financial guarantee can be determined. The estimate will be based on the street improvement plans that have been approved by Stanislaus County and the City of Ceres. This shall be submitted within one (1) year of the rezone/general plan amendment and once the improvement plans have been approved by the County. This cost estimate shall include the cost of installing the no parking signs on Crows Landing Road.
32. A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage on Crows Landing Road and Hackett Road with the Department *within one (1) year of the rezone/general plan amendment*. If the street improvements are completed and accepted by the Department of Public Works before the issuance of a rezone/general plan amendment, then a financial guarantee will not be required.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

33. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District.

Turlock Irrigation District

34. An irrigation pipeline belonging to Improvement District 570, Carol Lane Branch of Koefed, is no longer required to irrigate; it must be removed as per District Standards.
35. A private irrigation pipeline, well, pump and discharge structure, are located along a portion of the north property line. The facilities must be protected from damage during the construction phases of the project.
36. The applicant shall submit plans detailing the existing irrigation facilities, relative to the proposed site improvements, in order for the District to determine the scope of impacts and requirements to the irrigation facilities.
37. Properties that will no longer irrigate or have direct access to water must request abandonment from the improvement district(s). A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties.
38. Work on irrigation facilities can only be performed during the non-irrigation season which typically runs from November 1, thru March 1, but can vary.
39. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.

Modesto City Schools

40. Appropriate school impact fees will be assessed on all construction.

City of Ceres

41. The applicant shall dedicate and improve the right-of-way consistent with the West Landing Specific Plan (WLSP) and City of Ceres Standards. This will require the applicant to revise the proposed parking lot layout, which could result in fewer parking spaces.
42. The applicant shall submit a landscaping plan, including the parking lot area, that meets the City of Ceres Water Efficient Guidelines and Standards. The plan shall be approved by the City prior to submitting any building permit.
43. The applicant's overall circulation plan of the existing and proposed parking area shall be approved by the City of Ceres. All lots shall be paved to City of Ceres standards.
44. All structures shall be demolished on the proposed parking lot area with Phase I. Further, the area that will remain as Phase II shall be fenced or secured so that this area is not utilized as a parking lot area until it has been paved as Phase II with the drainage basin landscaped.

MITIGATION MEASURES

(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following:

- 1) Hold a public hearing to consider the project; and**
- 2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)**

45. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to: the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).
46. The applicant shall re-stripe both lanes of Hackett Road to allow left turns as described in the 11/30/09 KD Anderson Traffic Impact Analysis.
47. The applicant shall improve the Crows Landing driveways as described in the 11/30/09 KD Anderson Traffic Impact Analysis.
48. The applicant shall provide signs to inform patrons of parking availability as approved by the City of Ceres.
49. The applicant shall connect the existing parking area to the overflow lot.

*Please note: If Development Standards/Conditions of Approval are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Development Standards/Conditions of Approval, new wording is in **bold**, and deleted wording will have a ~~line through it~~.*

DEVELOPMENT SCHEDULE

**GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01
REZONE APPLICATION NO. 2010-01
EL REMATITO MARKETPLACE**

Begin construction on the first phase within 2 years of approval.



Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, California 95354

Phone: (209) 525-6330
Fax: (209) 525-5911

CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, December 30, 2009

1. **Project title:** General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematito and Use Permit Application No. 2009-17 - El Rematito 2009
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Bill Carlson, Senior Planner
(209) 525-6330
4. **Project location:** 3025 and 3113 Crows Landing Road and 401 W. Hackett Road, in the Ceres area. APN: 056-055-003 and 056-055-004
5. **Project sponsor's name and address:** Salvador A. Pleitez
517 S. Johnson Road
Turlock, CA 95380
6. **General Plan designation:** Planned Development and Agriculture
7. **Zoning:** P-D (285) (Planned Development) and A-2-40 (General Agriculture)
8. **Description of project:**

This application consists of two projects. The first is a request to provide 199 new parking spaces, elimination of the soccer field, and reconfiguration of the detention basin at the existing El Rematito. The second project is a request for a General Plan Amendment and a Rezone to a Planned Development (P-D). The project would remove all existing structures (3 dwellings, a barn, and a shop) and install a new parking area and driveway for 930 cars in two phases.
9. **Surrounding land uses and setting:** Immediately surrounded by agriculture to the north, south, and west; single-family residential to the northwest; G3 (commercial), Stanislaus County CSA, and Sheriffs' offices to the east
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** City of Ceres
Department of Public Works
Building Permits Division

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agriculture & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology /Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Bill Carlson, Senior Planner
Prepared By

October 4, 2010
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

| I. AESTHETICS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Have a substantial adverse effect on a scenic vista? | | | X | |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | X | |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | | | X | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | X | | |
| <p>Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for architectural review of agricultural or residential subdivisions. Any development resulting from this project will be consistent with existing area developments.</p> | | | | |
| <p>Mitigation:</p> <p>1. <i>All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to: the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).</i></p> | | | | |
| <p>References: Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |
| II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | X | |

| | | | | |
|--|--|--|--|---|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | | X |

Discussion: The existing market site is designated Planned Development and zoned P-D (285). The parcel to the north, which is proposed for more parking, is designated Agriculture and zoned A-2-40 (General Agriculture). The site is also in the City of Ceres Sphere of Influence (SOI) and has been designated Commercial in their General Plan since the late 1990s. This area is part of the West Ceres Specific Plan Annexation area and could be annexed into the City as early as next year.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

| III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | X | |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | | X | |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | X | |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | X | |
| e) Create objectionable odors affecting a substantial number of people? | | | X | |

Discussion: The project site is within the San Joaquin Valley Air Basin, which has been classified as "severe non-attainment" for ozone and respirable particulate matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.

| | | | | |
|---|---------------------------------------|---|-------------------------------------|------------------|
| Mitigation: None. | | | | |
| References: Letter from San Joaquin Valley Air Pollution Control District dated March 4, 2010; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; and the Stanislaus County General Plan and Support Documentation ¹ . | | | | |
| | | | | |
| IV. BIOLOGICAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | X | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | | | X | |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | X | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | X |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | | X |
| Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. The site is not identified as being within any biologically sensitive areas as shown in the California Natural Diversity Data Base (CNDDB). The project is also not within any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan. | | | | |
| Mitigation: None. | | | | |
| References: Stanislaus County General Plan and Support Documentation ¹ ; and California Department of Fish and Game California Natural Diversity Database. | | | | |
| | | | | |

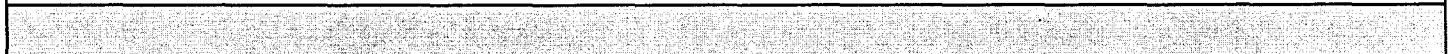
| V. CULTURAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? | | | X | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | | X |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | X | |
| <p>Discussion: Cultural resources are not known to exist on the project site. It does not appear this project will result in significant impacts to any archaeological or cultural resources. On March 1, 2005, the State of California established procedures for consultation between local governments and tribal governments on local General Plan Amendment land use decisions. As part of this project, the local area tribes were sent a referral and an invitation to consult with the applicants and Stanislaus County. To date, no contact has been made by any of the local tribes. The applicant received a letter from the Central California Information Center (CCIC) which stated that no significant resources exist on site. Although, as is the case with most properties, a possibility may exist that the site may contain resources which are not on record. A condition of approval will be added to this project to address any discovery of cultural resources during the construction phases.</p> | | | | |
| <p>Mitigation: None.</p> | | | | |
| <p>References: Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |
| VI. GEOLOGY AND SOILS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | X | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | X | |
| ii) Strong seismic ground shaking? | | | X | |
| iii) Seismic-related ground failure, including liquefaction? | | | X | |
| iv) Landslides? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil? | | | X | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | X |

| | | | | |
|--|--|--|---|---|
| d) Be located on expansive soil, as defined in Table 1804.2 of the California Building Code (2007), creating substantial risks to life or property? | | | | X |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | X | |

Discussion: As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the 2007 California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which considers the potential for erosion and run-off prior to permit approval. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources through the building permit process, which also takes soil type into consideration within the specific design requirements.

Mitigation: None.

References: California Building Code (2007); and the Stanislaus County General Plan and Support Documentation - Safety Element¹.



| VII. GREENHOUSE GAS EMISSIONS – Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | X | |

Discussion: The proposed project should not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any plan, policy, or regulations adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.



| VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | | | X |

| | | | | |
|--|--|--|--|---|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | X |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | X |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | X |

Discussion: No known hazardous materials are on site. Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials in this area.

Mitigation: None.

References: Letters from the Department of Environmental Resources dated September 23, 2009, February 22, 2010, and February 24, 2010; and the Stanislaus County General Plan and Support Documentation¹.

| IX. HYDROLOGY AND WATER QUALITY -- Would the project: | | | | |
|---|--------------------------------|--|------------------------------|-----------|
| | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Violate any water quality standards or waste discharge requirements? | | | X | |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | X | |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | X | |

| | | | | |
|---|--|--|---|---|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | | | X | |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | | | X | |
| f) Otherwise substantially degrade water quality? | | | X | |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | | X | |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | | X | |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | X | |
| j) Inundation by seiche, tsunami, or mudflow? | | | | X |

Discussion: Run-off is not considered an issue because of several factors which limit the potential impact. These factors include a relative flat terrain of the subject site and relatively low rainfall intensities. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project sites are not located within a recognized flood zone and, as such, flooding is not an issue with respect to this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.



| X. LAND USE AND PLANNING -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Physically divide an established community? | | | | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | | X | |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | | | X | |

Discussion: The existing market site is designated Planned Development and zoned P-D (285). The parcel to the north, which is proposed for more parking, is designated Agriculture and zoned A-2-40 (General Agriculture). The project is not known to conflict with any State agency or County policies with jurisdiction over the land which would be affected by this project. The use permit proposal is consistent with the General Plan. The other project requires a General Plan amendment from Agriculture to Planned Development and a zone change from A-2 to P-D to be developed into a commercial parking lot which will be consistent with the Stanislaus County General Plan and the City of Ceres General Plan.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

| XI. MINERAL RESOURCES – Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | | X |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | X |
| <p>Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site.</p> | | | | |
| <p>Mitigation: None.</p> | | | | |
| <p>References: Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |
| XII. NOISE -- Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | X | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | X | |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X | |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X | |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | X | |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | | | | X |
| <p>Discussion: The construction phases of this project may temporarily increase the area's ambient noise levels; however, a significant impact is not anticipated. Conditions of approval will be added to this project to limit the hours of construction. Noise impacts associated with increased on-site activities and traffic are not anticipated to exceed the area's existing level of noise. The existing market is subject to meet the Stanislaus County Noise Ordinance.</p> | | | | |
| <p>Mitigation: None.</p> | | | | |
| <p>References: Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |

| XIII. POPULATION AND HOUSING -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | X | |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | X | |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | | X |
| <p>Discussion: The proposed use of the site will not create significant service extensions or new infrastructure which could be considered as growth inducing. Three houses will be removed by this project. The site has been designated by the City of Ceres to be Commercial since the late 1990s.</p> | | | | |
| <p>Mitigation: None.</p> | | | | |
| <p>References: Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |
| XIV. PUBLIC SERVICES | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | | | X | |
| Police protection? | | | X | |
| Schools? | | | X | |
| Parks? | | | X | |
| Other public facilities? | | | X | |
| <p>Discussion: The projects are parking lots that require grading and drainage permits. If the applicant constructs any building on either property, all new buildings shall meet the current adopted building and fire codes. The County has adopted Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees, including school fees, are required to be paid at the time of building permit issuance. Since the project is in the City's SOI, they would be required to pay any City fees as well. The project shall pay all appropriate fees at the time of building permit issuance.</p> | | | | |
| <p>Mitigation: None.</p> | | | | |
| <p>References: Referral response from Modesto City Schools dated February 24, 2010; and the Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |

| XV. RECREATION -- | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | X | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | X | |
| <p>Discussion: The proposed project is not anticipated to significantly increase demands on recreational facilities. If there is a building in the future, the County has adopted Public Facilities Fees for neighborhood and regional parks which are required to be paid at the time of building permit issuance.</p> | | | | |
| <p>Mitigation: None.</p> | | | | |
| <p>References: Stanislaus County General Plan and Support Documentation¹.</p> | | | | |
| | | | | |
| XVI. TRANSPORTATION/TRAFFIC -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | | | X | |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | | X | | |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | X | | |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | X | | |
| e) Result in inadequate emergency access? | | | X | |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | | | X | |
| <p>Discussion: A traffic study was required for this project. The applicant hired KD Anderson & Associates to complete this task. The existing traffic level of the Crows Landing and Hackett Road intersection is already at minimum Stanislaus County standards. With the new parking, Hackett Road will need additional improvements to stay at this standard. Based on the Traffic Study, KD Anderson & Associates recommend the following as mitigation measures:</p> | | | | |

- The applicant shall re-stripe both lanes of Hackett Road to allow left turns as described in the 11/30/09 KD Anderson Traffic Impact Analysis.
- The applicant shall improve the Crows Landing driveways as described in the 11/30/09 KD Anderson Traffic Impact Analysis.
- The applicant shall provide signs to inform patrons of parking availability as approved by the City of Ceres.
- The applicant shall connect the existing parking area to the overflow lot.

If approved, all these items shall be done during the grading and drainage permit process.

The City of Ceres responded to this project. This area is part of the West Ceres Specific Plan Annexation area. The concern is with the overall circulation of the existing parking and the proposed areas. The City would require connection between the existing parking lots and the proposed lots so customers will not have to exit the southern lot to access the new northern parking lot via Crows Landing Road. This has been included as a mitigation measure.

Mitigation:

2. *The applicant shall re-stripe both lanes of Hackett Road to allow left turns as described in the 11/30/09 KD Anderson Traffic Impact Analysis.*
3. *The applicant shall improve the Crows Landing driveways as described in the 11/30/09 KD Anderson Traffic Impact Analysis.*
4. *The applicant shall provide signs to inform patrons of parking availability as approved by the City of Ceres.*
5. *The applicant shall connect the existing parking area to the overflow lot.*

References: Traffic Impact Analysis from KD Anderson & Associates dated November 30, 2009; referral responses from the Stanislaus County Department of Public Works dated May 3, 2010, and August 30, 2010; letter from the City of Ceres dated March 8, 2010; and the Stanislaus County General Plan and Support Documentation¹.

| XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | X | |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | X | |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | X | |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | X | |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | X | |

| | | | | |
|--|--|--|---|--|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | X | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | | | X | |

Discussion: Both projects are for a parking lot. The existing market is served by public water and sewer provided by the City of Ceres. The applicant will need to provide a storm drainage basin to the City of Ceres standards. The project shall comply with the conditions of approval from Turlock Irrigation District. Less than significant impacts associated with public utility and irrigation easement(s) will be reflected in the project's conditions of approval.

Mitigation: None.

References: Letters from the Turlock Irrigation District dated September 23, 2009, and March 5, 2010; and the Stanislaus County General Plan and Support Documentation¹.



| XVIII. MANDATORY FINDINGS OF SIGNIFICANCE -- | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | X | |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | | | X | |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | X | |

Discussion: Review of this project has not indicated any feature(s) which might significantly impact the environmental quality of the site and/or adjacent areas. As such, all identified project-significant impacts have been mitigated to a level of less than significant.

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¹Stanislaus County General Plan and Support Documentation adopted in October 1994, as amended. Optional and updated elements of the General Plan and Support Documentation: **Agricultural Element** adopted on December 18, 2007; **Housing Element** adopted on April 20, 2010 and pending certification by the California Department of Housing and Community Development; **Circulation Element** and **Noise Element** adopted on April 18, 2006.

Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, CA 95354

Phone: (209) 525-6330
Fax: (209) 525-5911

Mitigation Monitoring Plan

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

October 4, 2010

1. Project title and location: General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematito and Use Permit Application No. 2009-17 - El Rematito 2009

3025 and 3113 Crows Landing Road and 401 W. Hackett Road, in the Ceres area. APN: 056-055-003 and 056-055-004
2. Project Applicant name and address: Salvador A. Pleitez
517 S. Johnson Road
Turlock, CA 95380
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Pedro & Candida Marquez
4. Contact person at County: Bill Carlson, Senior Planner, (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

I. AESTHETICS

- No. 1 Mitigation Measure: All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to: the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

| | |
|---|--|
| Who Implements the Measure: | Applicant/Developer |
| When should the measure be implemented: | Ongoing |
| When should it be completed: | Ongoing |
| Who verifies compliance: | Stanislaus County Department of Planning and Community Development |
| Other Responsible Agencies: | None |

XVI. TRANSPORTATION/TRAFFIC

No. 2 Mitigation Measure: The applicant shall re-stripe both lanes of Hackett Road to allow left turns as described in the 11/30/09 KD Anderson Traffic Impact Analysis.

- Who Implements the Measure: Applicant/Developer
- When should the measure be implemented: During the grading and drainage permit process
- When should it be completed: Upon completion of construction
- Who verifies compliance: Stanislaus County Department of Public Works
- Other Responsible Agencies: City of Ceres, Stanislaus County Department of Planning and Community Development

No. 3 Mitigation Measure: The applicant shall improve the Crows Landing driveways as described in the 11/30/09 KD Anderson Traffic Impact Analysis.

- Who Implements the Measure: Applicant/Developer
- When should the measure be implemented: During the grading and drainage permit process
- When should it be completed: Upon completion of construction
- Who verifies compliance: Stanislaus County Department of Public Works
- Other Responsible Agencies: City of Ceres, Stanislaus County Department of Planning and Community Development

No. 4 Mitigation Measure: The applicant shall provide signs to inform patrons of parking availability as approved by the City of Ceres.

- Who Implements the Measure: Applicant/Developer
- When should the measure be implemented: During the grading and drainage permit process
- When should it be completed: Upon completion of construction
- Who verifies compliance: Stanislaus County Department of Public Works
- Other Responsible Agencies: City of Ceres, Stanislaus County Department of Planning and Community Development

No. 5 Mitigation Measure: The applicant shall connect the existing parking area to the overflow lot.

- Who Implements the Measure: Applicant/Developer
- When should the measure be implemented: As part of or prior to any construction
- When should it be completed: Upon completion of construction
- Who verifies compliance: City of Ceres
- Other Responsible Agencies: Stanislaus County Department of Planning and Community Development

I, the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

Signature on file _____
Person Responsible for Implementing
Mitigation Program

October 4, 2010 _____
Date

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MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematito and Use Permit Application No. 2009-17 - El Rematito 2009

LOCATION OF PROJECT: 3025 and 3113 Crows Landing Road and 401 W. Hackett Road, in the Ceres area. APN: 056-055-003 and 056-055-004

PROJECT DEVELOPER: Salvador A. Pleitez
517 S. Johnson Road
Turlock, CA 95380

DESCRIPTION OF PROJECT: This application consists of two projects. The first is a request to provide 199 new parking spaces, elimination of the soccer field, and reconfiguration of the detention basin at the existing El Rematito. The second project is a request for a General Plan Amendment and a Rezone to a Planned Development (P-D). The project would remove all existing structures (3 dwellings, a barn, and a shop) and install a new parking area and driveway for 930 cars in two phases.

Based upon the Initial Study, dated **October 4, 2010**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. *All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to: the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).*
2. *The applicant shall re-stripe both lanes of Hackett Road to allow left turns as described in the 11/30/09 KD Anderson Traffic Impact Analysis.*
3. *The applicant shall improve the Crows Landing driveways as described in the 11/30/09 KD Anderson Traffic Impact Analysis.*

4. *The applicant shall provide signs to inform patrons of parking availability as approved by the City of Ceres.*
5. *The applicant shall connect the existing parking area to the overflow lot.*

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Bill Carlson, Senior Planner

Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

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**TRAFFIC IMPACT ANALYSIS FOR
EL REMATITO MARKET GPA**

Stanislaus County, California

Prepared For:

PLEITEZ CONSULTING
517 S. Johnson Road
Turlock, CA 95380

Prepared By:

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(916) 660-1555

November 30, 2009

Job No. 5460-01

El Rematito.rpt

KD Anderson & Associates, Inc.

Transportation Engineers
EXHIBIT H

**TRAFFIC IMPACT ANALYSIS FOR
EL REMATITO MARKET GPA**

Stanislaus County, CA

TABLE OF CONTENTS

| | |
|--------------------------------------|-----------|
| INTRODUCTION | 1 |
| EXISTING CONDITIONS | 3 |
| Study Area | 3 |
| Parking..... | 3 |
| Traffic Characteristics | 5 |
| Circulation Bottlenecks | 8 |
| Cumulative Traffic Issues | 9 |
| PROJECT TRAFFIC IMPACTS | 12 |
| Proposed Improvements..... | 12 |
| MITIGATIONS | 17 |
| APPENDIX | 19 |

November 30, 2009

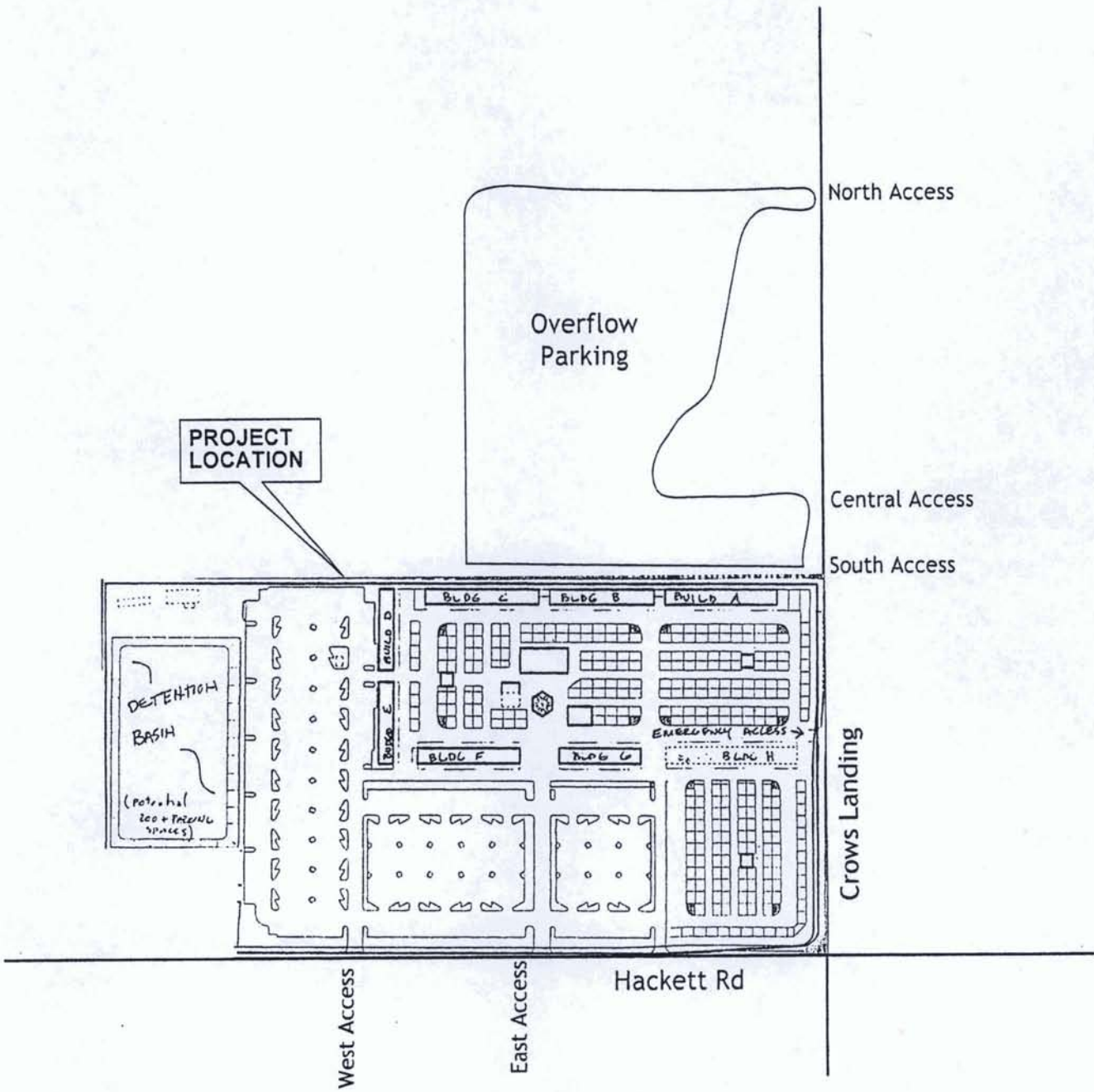
INTRODUCTION

The El Rematito Market is an open air market located on the northwest corner of the intersection of Crows Landing Road / Hackett Road in the area of Stanislaus County south of the City of Modesto and west of the City of Ceres (refer to figure 1). The market has been in operation for several years and due to its success, the need for additional parking on peak days has become apparent. In response to that demand, the market's owners have acquired the right to use property north of the market for overflow parking. However, because retail parking is not a use that is permitted under the current land use designation for the overflow parking lot, a General Plan Amendment (GPA) is required to allow parking to continue in this area. The project proponents are intended to develop parking in the market's detention basin, but a GPA is not required for this action.

The report which follows summarizes **KDAnderson & Associates** review of the access situation at the El Rematito Market and assessment of the potential traffic impacts associated with continuing operation of this business with use of the overflow and detention basin parking lots. This work included observation of traffic conditions at the site in April and October 2009. Peak hour traffic counts were made at the Crows Landing Road / Hackett Road intersection and at the market's access driveways on the day of typical peak activity (i.e., Sunday afternoon). We also reviewed traffic counts conducted at the intersection on a Friday morning in order to capture the peak traffic generated at the adjoining Stanislaus County government center.

Using this information we identified the "bottlenecks" that seem to obstruct traffic flow into and out of the site and that subsequently affect the flow of background traffic on Crows Landing Road. Strategies for removing the bottlenecks, improving the flow of on-site traffic and alleviating the safety problems that occur on Crows Landing Road were also identified.

The relative impacts of implementing these improvement strategies and using new parking supplies were evaluated within the context of 5 year cumulative traffic conditions which assume background growth on local streets as well as the additional traffic accompanying occupancy of "Approved / Pending" projects identified by Stanislaus County staff.



EXISTING CONDITIONS

Study Area

Streets. El Rematito Market is located on the northwest corner of the intersection of Crows Landing Road and Hackett Road at the southern edge of the unincorporated area of Modesto-Ceres in Stanislaus County. *Crows Landing Road* is a four lane rural highway with a center two-way left turn lane. On-street parking is allowed in some locations, and there is a posted speed limit of 50 mph on this road. *Hackett Road* is a partially improved collector street with one lane in each direction along the market's frontage. No parking is permitted on Hackett Road along the market's frontage, and a speed limit of 25 mph is posted.

Market Access. El Rematito Market has two points of regular access and three additional driveways that are used to reach the market's overflow parking area, as noted in Figure 1. Regular improved access is permitted at two locations on Hackett Road west of Crows Landing Road. Both are paved and are wide enough to accommodate both inbound and outbound automobile traffic. Pedestrian access also occurs at these driveways. There is a third driveway on Hackett Road that is not used.

The market has multiple points of access to Crows Landing Road. There is one improved access on Crows Landing Road that is not used for regular traffic plus three minor driveways north of the site that lead to the overflow parking area. The improved access adjoins a portion of the Markets' vendor area, and when the market is operating the gate at this location is only opened for pedestrians. Two of the overflow driveways are immediately north of the market and pass through a small parcel containing a home and outbuildings. These driveways were installed when Crows Landing Road was widened by the County and appear to be of the width typically required for single family residences. However, the approaches to the driveways are narrow due to fences and limited improvements (i.e., about 20 feet wide), and these driveways do not accommodate entering and exiting traffic at the same time. The approach to each driveway is graveled and the grade is relatively level. These driveways are only about 75 feet apart.

The most northerly driveway on Crows Landing Road is at the northern end of the overflow lot about 400 feet north of the other driveways. This driveway itself is similar to the other two in width, but the opening in the fence and the approach to the driveway is narrower (i.e. 14-16 feet). This driveway can only handle traffic in one direction at a time. The approach to the driveway is packed dirt, and there is an uphill grade from Crows Landing Road into the site that slows entering vehicles.

Today there is no vehicular access from the market's regular parking supply to the overflow lot.

Parking

Regular Parking. El Rematito Market has a primary parking area off of Hackett Road that is paved and marked, as well as a secondary overflow parking area that is north of the market and accessed from Crows Landing Road. The paved parking area is laid out for diagonal parking

with one-way aisles. In April we counted 676 vehicles parked in the paved areas when it was 100% occupied. That represents the practical capacity of the paved lots under the current operation when we observed the site. Since that time another area towards the west end of the site has been paved and approximately 40 regular spaces have been added. There is also a drainage basin adjoining the site, but this area is not used for parking. The proposed project includes the development of 210 more paved parking spaces in this area. With this new parking the total supply in paved areas would increase from 676 to 926 spaces.

Overflow Parking Area. The overflow lot is compacted dirt and covers about 9½ acres. The limits of parking aisles are designated by cables strung between posts that create parking aisles that are roughly 50' on centerline. This dimension would suggest that the overflow lot is intended for diagonal parking with one-way aisles, however, it is difficult for customers to tell which direction to travel in each aisle. Because the width of the aisle is only 50 feet, there is not enough room for perpendicular parking and two way aisles (i.e., needs 60-64 feet), although some customers try. The result is an appreciable amount of wasted space that can't be parked.

The number of vehicles that could be accommodated in the overflow lots would vary greatly based on the extent to which patrons follow the intended parking layout. In April, 600 vehicles were counted in the overflow lot at 1:30 p.m. on Sunday. At that time parked cars reached to the northern end of the lot. With better parking practices a paved lot could hold a total of 900 to 1,000 vehicles.

On-Street Parking. The extent to which on-street parking is used varied on the days when operation of the market was observed. Much of Crows Landing Road north of Hackett Road is signed/marked "No Parking". This includes the area adjoining the market itself on both sides of the road. On-street parking is permitted in the area starting about 80 feet north of the central Crows Landing Road driveway. On a Saturday afternoon in April, 21 vehicles parked on Crows Landing Road. The demand for on-street parking was greater on Sunday afternoon in April when 65 cars parked north of the second driveway. While no one parked on Hackett Road east of Crows Landing Road on Saturday, 17 vehicles were there on Sunday. On Saturday 5 cars parked on Crows Landing Road south of Hackett Road and the number increased to 34 on Sunday afternoon.

There are anecdotal reports of complaints about market customers parking on other properties. However, the County Agricultural Center parking lots are gated off on weekends and no vehicles parked there. The parking lots of the Carl's Jr. / Subway / Pizza retail center located to the north of El Rematito were observed, and it did not appear that any market customers were parked there. No vehicles parked in the red-curbed area adjoining the residence across Crows Landing Road from the market.

Parking Management Practices. The management of El Rematito Market attempts to manage their access and parking supply. On Friday and Saturday mornings the market opened using only the western Hackett Road driveway. About 9:00 a.m. on weekends the overflow access driveways were opened as was the eastern Hackett Road driveway. These actions are probably taken to maximize use of the parking in the western end of the paved lot and to reduce the queue

of traffic on Hackett Road during the initial morning peak. Management also tries to block off access to the eastern half of the parking lot at internal aisles and removed those obstacles about 10:00 a.m.

One of the market's neighbors reported that in the past market employees directed traffic on Crows Landing Road in order to help traffic enter and exit the site. However, that activity was not observed when the site visit was conducted.

The market employs staff to direct patrons in the overflow lot, either to the designated parking areas or to the Crows Landing exit. A small sawhorse sign on Crows Landing Road is used to identify the northern driveway as El Rematito Market parking, but the other two driveways are not signed.

Seasonal Variation in Market Business. Like most open air markets, El Rematito Market caters to a clientele that is closely linked to the Central Valley agricultural industry. Patronage varies throughout the year, with the highest number of customer visits in the winter/spring and in the fall at the end of the harvest season. The conditions we observed are probably average for a Sunday.

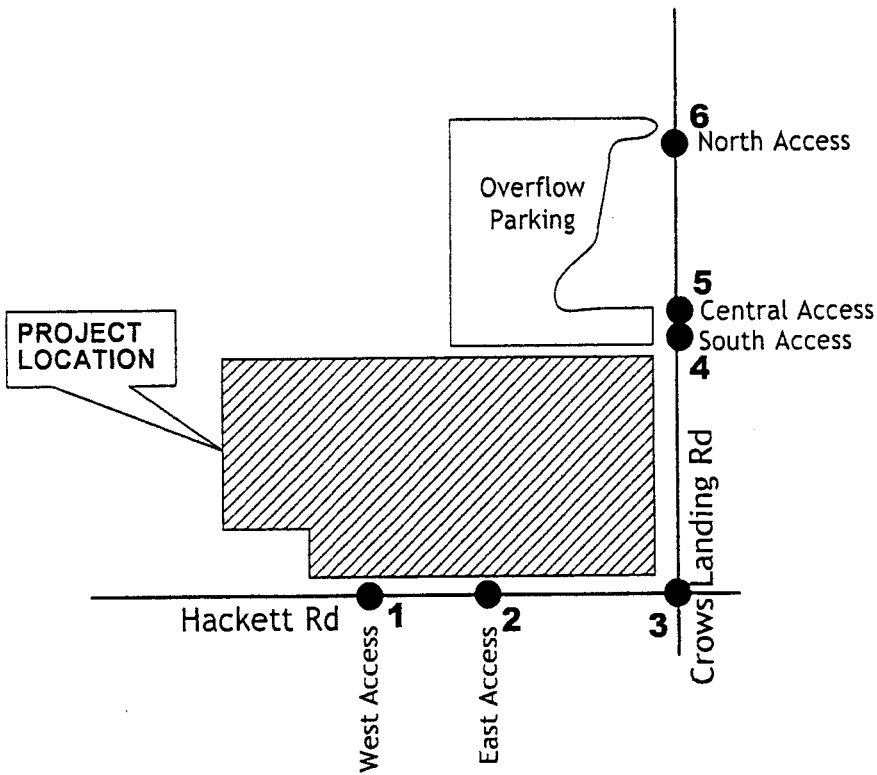
Traffic Characteristics

Because El Rematito Market is already in operation, it is possible to quantify the amount of traffic to and from the site and to identify the direction that traffic is headed.

Traffic Counts. The market is open Friday, Saturday, and Sunday, and Sunday is the day with the greatest number of customers. On Sunday, the peak arrival period is generally from 10:30 a.m. to noon, when 850 to 875 vehicles per hour entered the regular and overflow parking areas. This count excludes those persons who may have chosen to park off site. Peak exiting traffic occurred about 1½ hours later in the period from noon to 2:00 p.m. Friday commute peak hour (i.e., 7:00 to 9:00 a.m.) and Sunday afternoon traffic counts made in October 2009 are shown in Figure 2.

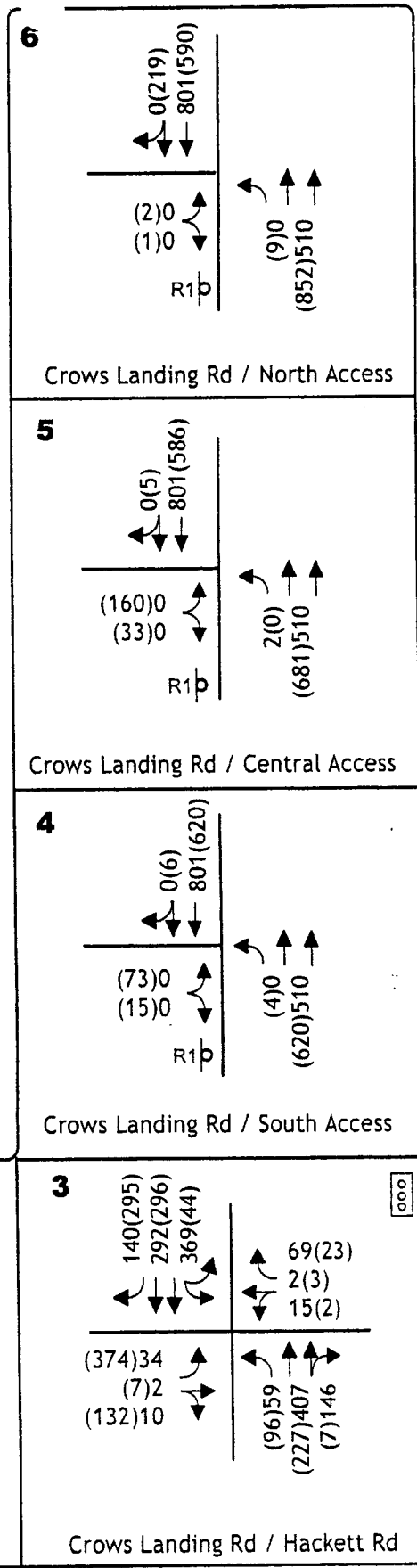
Directional Distribution. Market traffic is heavily oriented to the north. Based on the directionality of traffic flows at the Crows Landing Road driveways and at the Crows Landing Road / Hackett Road signal, about 80% of the patrons arrive from the north and 20% from the south.

When it is open, El Rematito Market's traffic is a large share of the total volume on Crows Landing Road. We estimate that 1,300 to 1,400 vehicles per hour travel on Crows Landing Road on Sunday afternoon, and El Rematito Market traffic is about ½ of that total. The hourly traffic volume on Crows Landing Road is similar in the morning on Friday (i.e., 1,300 vehicles per hour) but only about 13% of that total is traffic associated with the market.



Legend

- XX Friday AM 9/25/09
- (XX) Sunday (Noon-2:00 PM) 9/27/09
- qR1 Stop Sign
- Signalized Intersection



Pedestrians. Customers who parked off site on the east side of Crows Landing Road became pedestrians across this county road. While some people walked to the marked crosswalks at the Hackett Road intersection, most jaywalked across Crows Landing Road. Many jaywalkers took refuge in the striped two-way left turn lane in the middle of the road, and pedestrians also benefitted from the appreciable gaps in traffic created by the traffic signals north of the market.

Existing Levels of Service. Traffic Engineers evaluate the quality of traffic flow at intersections and driveways based on the operating Level of Service. Level of Service is a quantitative measure of the quality of traffic flow through intersections and on street segments. Table 1 identifies the typical characteristics of individual Level of Service grades. The Stanislaus County minimum Level of Service standard in urban areas is LOS D and in rural areas is LOS C. The LOS D minimum would apply in this area.

**TABLE 1
LEVEL OF SERVICE DEFINITIONS**

| Level of Service | Signalized Intersection | Unsignalized Intersection | Roadway (Daily) |
|------------------|---|--|---|
| "A" | Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec | Little or no delay. Delay ≤ 10 sec/veh | Completely free flow. |
| "B" | Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec | Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh | Free flow, presence of other vehicles noticeable. |
| "C" | Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec | Average traffic delays. Delay > 15 sec/veh and < 25 sec/veh | Ability to maneuver and select operating speed affected. |
| "D" | Significant congestion of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec | Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh | Unstable flow, speeds and ability to maneuver restricted. |
| "E" | Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec | Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh | At or near capacity, flow quite unstable. |
| "F" | Total breakdown, stop-and-go operation. Delay > 80.0 sec | Intersection blocked by external causes. Delay > 50 sec/veh | Forced flow, breakdown. |

Sources: 2000 Highway Capacity Manual, Transportation Research Board (TRB) Special Report 209.

As shown in Table 2, the current operating Level of Service at study intersections satisfies the minimum standard employed by Stanislaus County.

**TABLE 2
EXISTING INTERSECTION LEVELS OF SERVICE**

| Location | Control | Level of Service | | | |
|-------------------------------------|---------|-------------------------|------------------|-------------------------|------------------|
| | | Friday AM Peak Hour | | Sunday Afternoon | |
| | | Average Delay (seconds) | Level of Service | Average Delay (seconds) | Level of Service |
| Hackett Road / West Access | SB Stop | 9 | A | 13 | B |
| Hackett Road / East Access | SB Stop | - | - | 21 | C |
| Crows Landing Road / Hackett Road | Signal | 15 | B | 23 | C |
| Crows Landing Road / South Access | EB Stop | - | - | 17 | C |
| Crows Landing Road / Central Access | EB Stop | - | - | 24 | C |
| Crows Landing Road / North Access | EB Stop | - | - | 15 | C |

Note: Crows Landing Road driveways not opened during Friday a.m. peak hour.

Circulation Bottlenecks

The operation of El Rematito Market does impact the flow of traffic on Crows Landing Road, primarily because of four bottlenecks.

1. Patrons who arrive via the Hackett Road driveways after the regular spaces are “full” have no where to go. On weekends the market’s paved parking lots are full after about 10:00 a.m., and arriving motorists are forced to circle the lot looking for an exiting customer who would leave and create an open space. This situation leads to vehicles stopped in many parking aisles, including the main entrances off of Hackett Road. Long queues of traffic then back up behind these waiting vehicles onto Hackett Road and during peak morning periods these queues extend north on Crows Landing Road to the overflow parking driveways. These queues also interfered with northbound traffic trying to turn left at the Hackett Road / Crows Landing Road intersection.

2. It is difficult to leave the site using the overflow parking driveways. Because of the speed of traffic on Crows Landing Road, the width of the driveways and their desire to turn left, motorists leaving from the overflow parking driveways experience long delays that are not reflected in Level of Service calculations. Nearly all motorists attempt to make the left turn in two steps, first moving into the two-way left turn lane, then merging into northbound traffic. While the signals at the Whitmore Avenue and Hackett Road intersections do help create “gaps”

in the flow of traffic on Crows Landing Road, a queue of 13 cars waiting to get out of the central driveway was observed on Sunday afternoon.

3. Customers can't enter at the overflow driveways when vehicles are leaving. Because the driveways are narrow, inbound traffic has to wait for any exiting cars to leave. The presence of vehicles parked onsite near the driveways is also a factor. Because on-street parking is permitted near the northern driveway, inbound customers waiting to turn right block the first southbound travel lane and a queue is created at that location.

4. The single eastbound left turn lane on Hackett Road limits exiting traffic. While the signal at the Crows Landing Road / Hackett Road does not affect incoming traffic, exiting traffic is delayed during peak periods. We observed the eastbound queue in the short left turn lane occasionally extended back through the eastern driveway, either because of the number of vehicles involved or due to the presence of pedestrians. This queue then interfered with traffic just inside of the site and delayed inbound traffic.

5. Customers can't drive directly from regular parking lot to overflow lot. Once customers find that there are no parking spaces available in the regular parking lots, they cannot reach the overflow lot without leaving the site and returning to Crows Landing Road to use the overflow driveways. Most choose to instead circulate through the parking area looking for another customer that is ready to leave.

Cumulative Traffic Issues

5 Year Cumulative Conditions. The relative impacts of operating the El Rematito Market with the permitted use of the overflow lot and parking in the detention basin have been evaluated under a cumulative traffic condition that assumes background traffic growth and the occupancy of other "approved / pending" development projects identified by Stanislaus County staff.

Daily traffic volume counts conducted by Stanislaus County staff have been used to identify a background traffic volume growth rate for study area traffic. Review of available data indicates that over the last four years weekday traffic on Crows Landing Road has been growing at a rate of approximately 2% annually. It has been assumed that traffic on Crows Landing Road and on Hackett Road that is not related to El Rematito Market will increase by this rate until the year 2014 (i.e., 10% increase in through traffic).

Locally, County staff identified one approved project that is not yet occupied. The 70,000 sf Crows Landing Station retail center is located at the intersection of Crows Landing Road / Whitmore Avenue. While the City of Modesto did not require a traffic study when this project is approved, it is possible to estimate the trip generation for this project based on standard Institute of Transportation Engineers (ITE) rates. This project could generate roughly 536 vehicle trips during the peak hour on Sunday, with 400 trips generated on Friday morning. An appreciable portion of this traffic will be "pass-by" customers drawn from the stream of traffic already passing that site. Assuming that 1/4 of the "new" trips generated by Crows Landing Station pass

by the El Rematito Market site using Crows Landing Road, then this project could add 95 trips to Crows Landing Road on Sunday afternoon and 60 trips on Friday morning.

Figure 3 presents resulting Year 2014 traffic volumes assuming these background traffic increases and no change to the current operation of El Rematito Market.

Long Term Background traffic growth. The volume of traffic on Crows Landing Road that is not related to the market will continue to grow in the future. The StanCOG *Transportation Planning Partnership Group (TPPG)* regional travel demand forecasting model suggests that the weekday volume on Crows Landing Road will increase to about 25,500 vehicles per day by the year 2025. This area of Crows Landing Road carries 14,000 vehicles per day, and the future volume represents an increase of 75% over existing conditions. This forecast, however, does not include any new development of the area of Stanislaus County west of Crows Landing Road that is expected to be annexed into the City of Ceres.

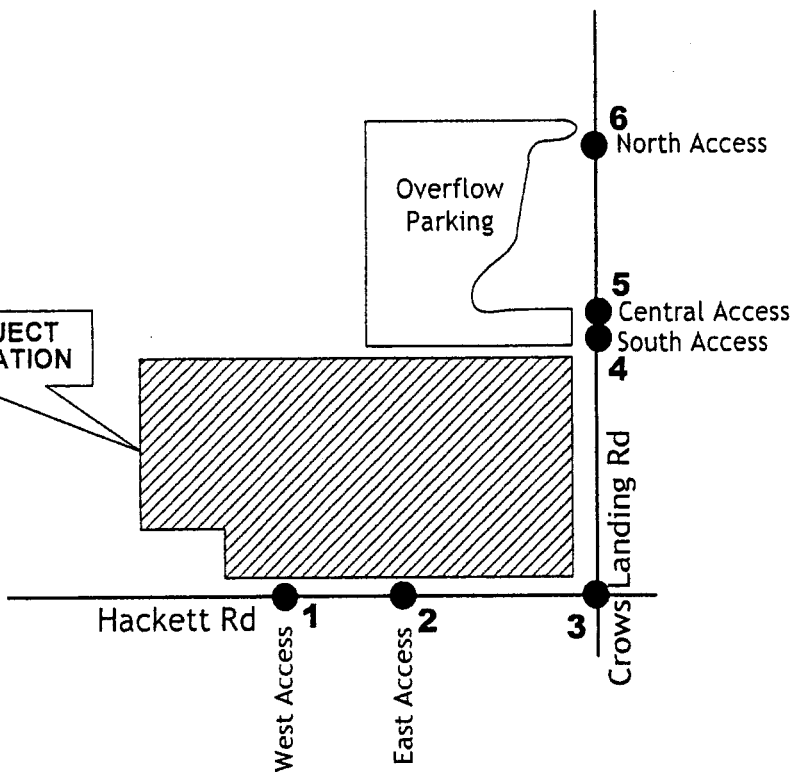
While a long term analysis of project access was not required, if background traffic on Saturday and Sunday increases in the same manner, it will become increasingly difficult to exit the overflow lot by turning left onto Crows Landing Road in the future. It is likely that options such as a traffic signal at the northern driveway or a prohibition on outbound right turns could be required.

West Ceres Specific Plan. The City of Ceres is currently completing the environmental review for the West Ceres Specific Plan. The plan area includes both “participating” and “non-participating” properties located between Whitmore Avenue and Service Road, and El Rematito Market lies in the center of the plan, as noted in the Specific Plan map included in the Appendix to this report. New roads are proposed for the area west of Crows Landing Road, and if development proceeds some day these roads may create opportunities for additional access to the El Rematito Market.

A Draft Environmental Impact Report (DEIR) is currently being prepared for the West Ceres Specific Plan, but the actual report has not been released. City of Ceres staff has indicated that the DEIR’s traffic study suggests that if that project is approved and proceeds then the Crows Landing Road / Hackett Road intersection would eventually need to be improved. According to the City, the following improvements would be needed:

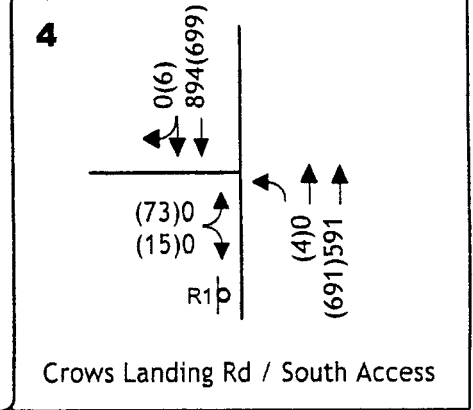
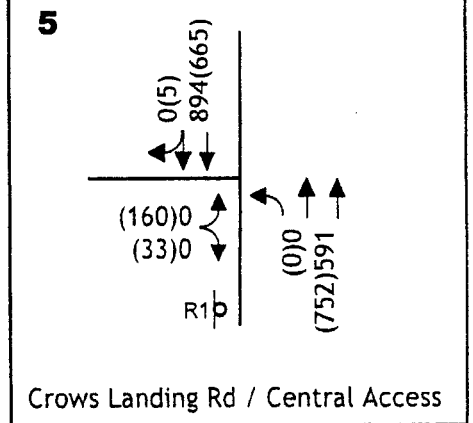
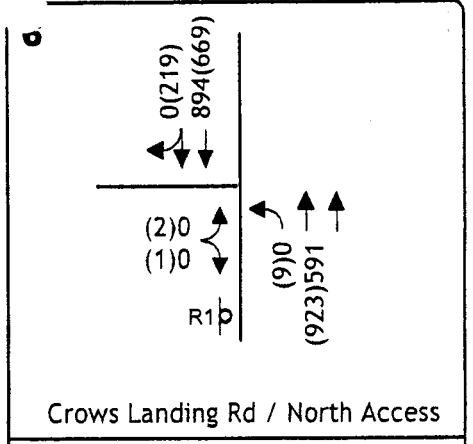
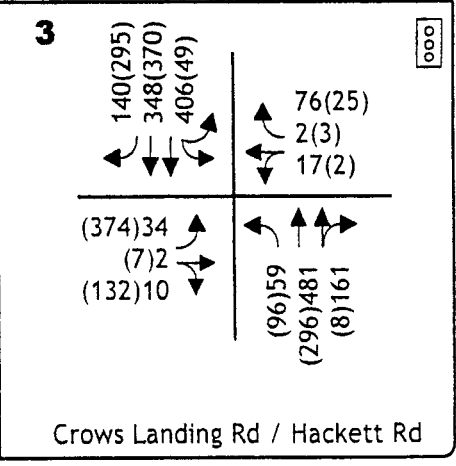
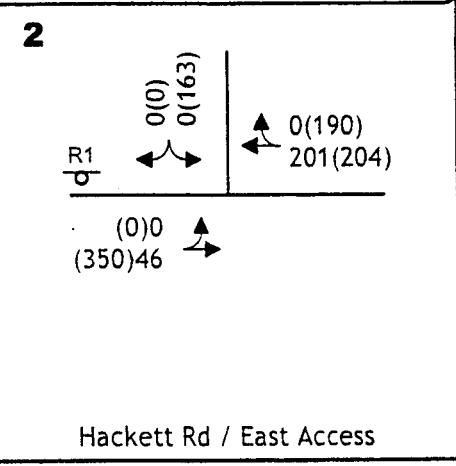
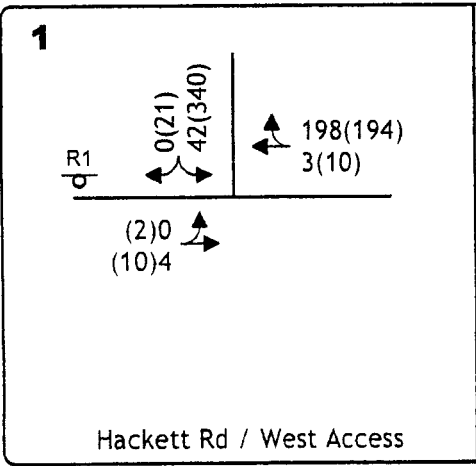
1. Widen Hackett Road west of Crows Landing Road to create a three lane eastbound approach with a left turn, a combined through and left turn, and a right turn lane.
2. Widen Crows Landing Road to create a second southbound left turn lane.

PROJECT LOCATION



Legend

- XX Friday AM
- (XX) Sunday (Noon-2:00 PM)
- R1 Stop Sign
- Signalized Intersection



PROJECT TRAFFIC IMPACTS

Proposed Improvements

Because the proposed GPA will not by itself change the volume of traffic generated by El Rematito Market, the changes to market's access, parking and to internal circulation operations would have the most appreciable effect on traffic conditions.

Immediate improvements. The following improvements are proposed as part of the project:

Develop additional regular parking. As noted previously, 210 new paved parking spaces will be constructed on the site in the detention basin. These spaces will likely be chosen by arriving patrons prior in lieu of unpaved overflow parking spaces. As a practical matter, additional parking will reduce the amount of time during which a queue of arriving traffic extends out of the market onto Hackett Road. However, eventually this new parking would also be filled and a queue created later in the day.

While the total amount of traffic into and out of the site in the peak afternoon period would not change, the share using the Hackett Road driveway would be slightly higher since more parking is available in that area. The effects of this change are addressed in the Traffic Operational Analysis which follows

Consolidate / improve the Crows Landing Road driveways. The northern driveway will be widened to better accommodate two-way traffic flow. Because they are so close, the central and southern driveways would be designated one-way in (central driveway) and one-way out (southern driveway) or one driveway could be closed.

Tell customers when the regular lots are full. After about 10:00 a.m. the paved lots along Hackett Road are full, but many customers still enter via the Hackett Road driveways and create queues. With the addition of 210 new parking spaces, the lots will fill up later. Signs that tell customers arriving from the north when those lots are "full" and which point customers to the northern overflow driveway will be provided.

Add Red Curb on Crows Landing Road. The County didn't paint the curb near the northern driveway, and cars parked close to the driveway block the view of exiting motorists. About 200 feet of red curb will be installed north of the northern driveway. The red curb north of the central Crows Landing Road driveway will also be lengthened.

Avoid directing traffic on Crows Landing Road. El Rematito Market would incur liability if employees are instructed to direct traffic on Crows Landing Road. If manual traffic controls are needed during peak times, off-duty Sheriff's Department or CHP officers will be hired by the market on peak days.

Maximize use of the overflow lot. The overflow lot could be better used to maximize the number of vehicles we can accommodate on peak days. This could mean directional signing

indicating the direction of travel in each aisle, the type of parking (diagonal), and signing for exits.

Add informational signing in regular lot. We observed that the Market attempts to close off some aisles at various times in order to direct traffic. However, customers often don't understand what they are expected to do. In one case, Saturday morning a small golf cart blocked off half of the aisle connecting the west and east areas. Because there was room to drive around the cart, customers didn't know whether they were supposed to proceed around the cart or not. This created a queue that extended out on to Hackett Road to Crows Landing Road. If the aisles are blocked, signing is needed to tell customers where to go.

Longer Term Improvements. Additional improvements may be pursued as funds are available.

Connect regular parking lot and overflow lot. An exit route to drive from the regular paved lot to the overflow parking lot is needed and will be developed along the north side of the Market's existing buildings.

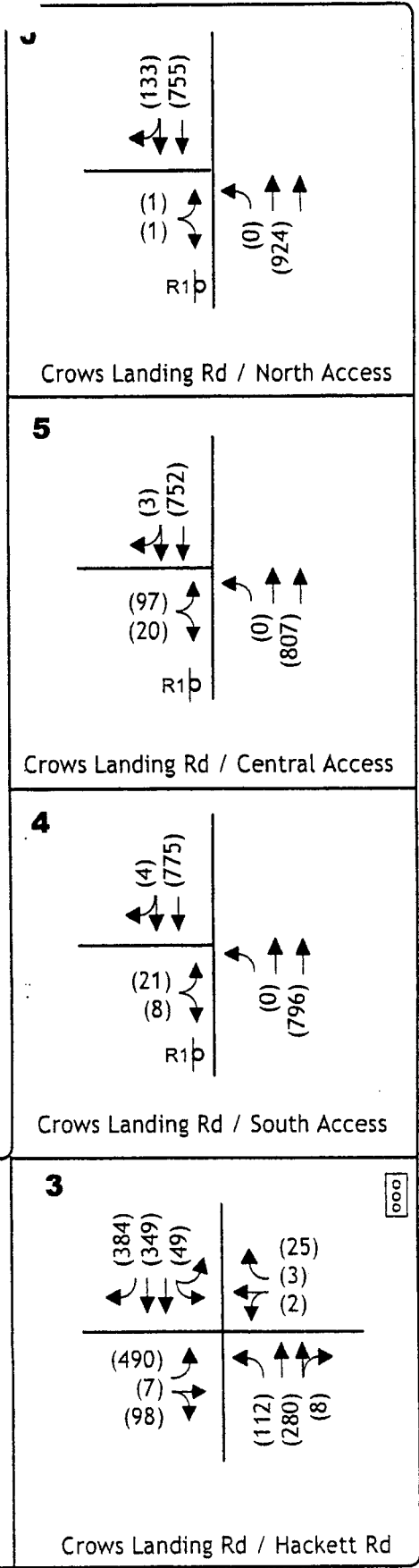
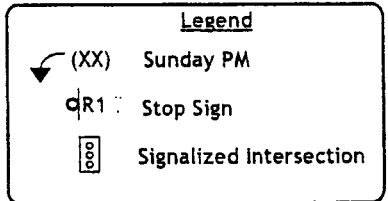
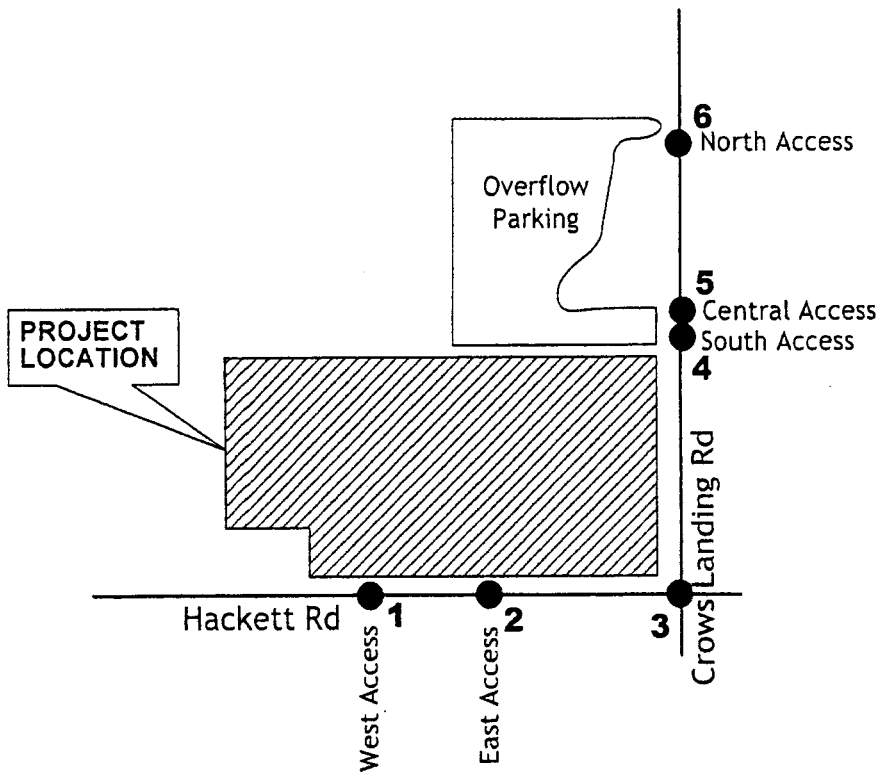
Pave the overflow lot. To achieve the maximum number of vehicles in the overflow lot it would have to be paved and permanently striped.

Get access to another traffic signalized intersection on Crows Landing Road. The West Ceres Specific Plan shows a new signalized intersection at the northern limit of the overflow lot. That signal leads to a new street that would run along the west side of the Market. While the market would probably be asked to contribute to the cost of the road and signal, in the long term it may be difficult to turn left out of the Market's un-signalized driveways on Crows Landing Road. It is also going to be harder to use the Hackett Road driveways if the Specific Plan area develops and background traffic increases on Hackett Road. The market would benefit from two connections to the new road.

Traffic Operational Analysis.

To evaluate the impacts of the proposed project traffic volume forecasts have been developed and Levels of Service calculated for the following scenarios:

1. Year 2014 with no Project
2. Year 2014 with 210 new spaces but no changes to access and circulation (Figure 4)
3. Year 2014 with 210 new parking spaces and closure of central access.
4. Year 2014 with 210 new spaces but inbound traffic at North Access and outbound traffic at south access.



Scenario 2: 210 New Parking Spaces with Current Access. As indicated in Table 3, adding 210 new paved spaces will increase use of the Market's Hackett Road driveways. This extra traffic will use the western driveway but could increase delays at the eastern driveway slightly. LOS E conditions could occur at the eastern driveway if all of the vehicles coming out of this driveway now continued to do so. To deliver LOS D or better conditions it would be necessary to direct a few of the existing motorists turning out of the site to the western driveway. If 13 existing motorists move to the other driveway the eastern access will operate at LOS D.

Because more traffic will pass through the Crows Landing Road / Hackett Road intersection, the length of delays may increase but the Level of Service would remain the same. The most appreciable change would be to the length of queue in the eastbound left turn lane. The 95th percentile queue is forecast to reach 275 feet in 2014 with no changes to the site but increase to 370 feet with the additional parking. Measures to reduce this queue length have been evaluated. As noted in Table 3, permitting left turns from the through+right turn lane would move left turning traffic into that lane. However, because the eastbound and westbound approaches would have to be operated in "split phases" the queue in the combination lane would likely reach 240 feet.

With the creation of additional regular parking that is accessed from Hackett Road the Crows Landing Road driveways would be likely to carry less traffic on typical Sundays than was observed in 2009. As a result, if the current utilization patterns remained at these locations, the Level of Service at these driveways will improve and remain within adopted standards in the year 2014.

Scenario 3: 210 New Parking Spaces with closure of Central Crows Landing Road access. Because the two most southerly driveways are very close, one or the other needs to be closed on weekends to avoid conflicts between traffic using each location. Either the south or central Crows Landing Road driveway could be closed under this scenario. Because the volume of traffic using a consolidated southern access is higher than at either location individually, delays at the remaining southern access would be slightly longer, but the intersection would operate at LOS D.

Scenario 4: Limit Northern Crows Landing Road access to Inbound only and Southern Crows Landing Road access to outbound only. This option would completely separate inbound and outbound traffic at the Crows Landing Road driveways. This option would reduce confusion at the access points and would reduce the length of delays at the south access slightly.

TABLE 3 – YEAR 2014 LEVELS OF SERVICE

| Location | Control | 2014 Sunday Afternoon Level of Service | | | | | | | |
|-------------------------------------|---------|--|------------------|-----------------------------|------------------|--------------------------------|------------------|-----------------------------|------------------|
| | | No Project | | With 210 New Parking Spaces | | | | | |
| | | Average Delay (seconds) | Level of Service | No Change to Access | | North In Only – South Out Only | | Full Access North and South | |
| | | | | Average Delay (seconds) | Level of Service | Average Delay (seconds) | Level of Service | Average Delay (seconds) | Level of Service |
| Hackett Road / West Access | SB Stop | 13 | A | 18 | C | 18 | C | 18 | C |
| Hackett Road / East Access | SB Stop | 21 | C | 36 | E | 36 | C | 36 | E |
| Crows Landing Road / Hackett Road | Signal | 22 | C | 25 | C | 25 | C | 25 | C |
| Crows Landing Road / South Access | EB Stop | 19 | C | 17 | C | 26 | D | 28 | D |
| Crows Landing Road / Central Access | EB Stop | 29 | D | 24 | C | - | - | - | - |
| Crows Landing Road / North Access | EB Stop | 16 | C | 15 | C | - | - | 34 | D |

TABLE 4 – YEAR 2014 QUEUE LENGTHS ON HACKETT ROAD

| Location | Control | 2014 Sunday Afternoon 95 th Percentile Queues | | | | | |
|-----------------------------------|--------------------|--|--------------|------------------------------|--------------|---------------------------------------|--------------|
| | | No Project | | Plus Project No Improvements | | Plus Project With Signal Modification | |
| | | Vehicles | Queue (feet) | Vehicles | Queue (feet) | Vehicles | Queue (feet) |
| Crows Landing Road / Hackett Road | EB left lane | 374 | 275' | 490 | 370 | 312 | 285 |
| | EB thru+right | 84 | 30' | 105 | 30 | - | - |
| | EB left+thru+right | - | - | - | 185' | 283 | 240 |

88

KDA

MITIGATIONS

The following recommendations should be incorporated into the proposed project. Mitigated geometry and traffic volumes are shown in Figure 5.

Modify the Crows Landing Road / Hackett Road Traffic Signal. While the Level of Service at this location will continue to meet minimum Stanislaus County standards, with the new parking the length of the eastbound queue on Hackett Road will be a problem. The two eastbound lanes should be restriped to allow left turns from both lanes, and as noted earlier this action should reduce the length of queues on Hackett Road. However, there are issues with this action. Today the eastbound and westbound Hackett Road approaches operate at the same time (i.e., one phase of the signal cycle). Restriping the lanes to accommodate additional left turns would require that the two legs be "split" (i.e., operate with two separate phases). This may mean that pedestrians would have to be accommodated during both phases or pedestrians should be prohibited on one approach. While this would improve safety when there are a large number of pedestrians, it could reduce the amount of time that the signal can service Crows Landing traffic. Also, because the existing eastbound left turn lane is short (125'), the actual effect on peak period queues may be limited. Some left turning vehicles could move into the second lane when the signal is "red". However, once the phase turns "green" and westbound traffic starts moving, vehicles that are farther back in the queue are unlikely to move into the second lane as they approach the intersection. To achieve the full effect, the two lanes would need to be made longer. Hackett Road would need to be widened to create two separate eastbound lanes that are as long as the projected queue (i.e., 275 feet).

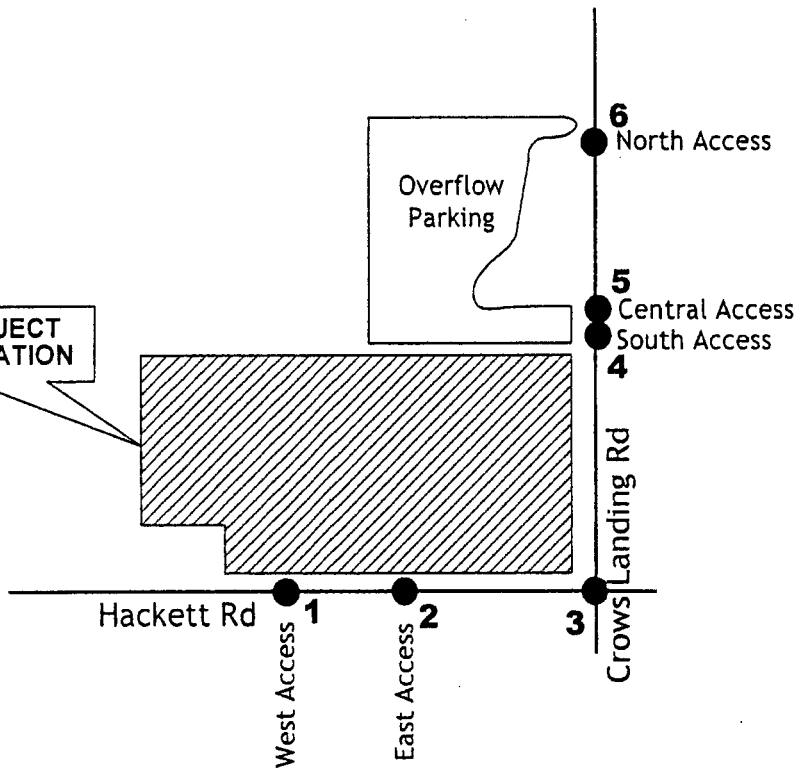
Improve Crows Landing Road Access Driveways. As planned, the overflow lot should be served by two driveways where full access is permitted. The North driveway should be used and either the Southern or Central driveway should be closed. The each driveway should have a throat that is long enough to store waiting cars without interfering with the flow of inbound traffic.

With the diversion of traffic to Hackett Road with the new parking, the length of exit queue at the Crows Landing Road driveways is projected to be relatively short. The southern driveway queue is forecast to be less than 75'. Because use of the overflow lot will likely vary throughout the year and the queue could be longer, a 100' long throat is recommended at each location.

Provide Signage to inform patrons of parking availability. The signs described earlier in this report should be provided at the overflow driveways to indicate when the regular parking area is full and to direct motorists through the regular lot.

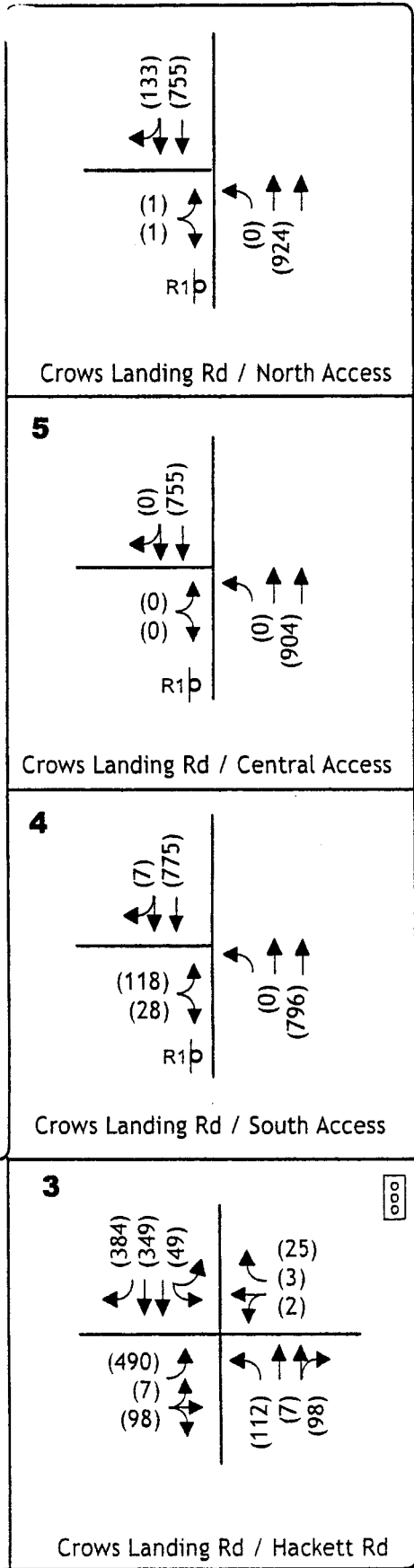
Pursue connection to the Overflow lot. There will be less need to create an exit route from the regular parking to the overflow lot with the addition of 210 paved spaces, and the County's minimum operating Level of Service can be provided without it. However, on peak days the connection will still be needed to minimize the length of entering traffic queues on the Hackett Road driveways. The project proponents should pursue the creation of an exit route which can be signed to direct arriving motorists to the overflow lot when the regular lot is full.

PROJECT LOCATION



Legend

- (XX) Sunday PM
- R1 Stop Sign
- Signalized Intersection



SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01 AND REZONE APPLICATION NO. 2010-01 - EL REMATITO

| REFERRED TO: | | | | RESPONDED | | RESPONSE | | | MITIGATION MEASURES | | CONDITIONS | |
|---|------|--------|-----------------------|-----------|----|----------------------------------|-----------------------------|---------------------|---------------------|----|------------|----|
| | 2 WK | 30 DAY | PUBLIC HEARING NOTICE | YES | NO | WILL NOT HAVE SIGNIFICANT IMPACT | MAY HAVE SIGNIFICANT IMPACT | NO COMMENT NON CEQA | YES | NO | YES | NO |
| AGRICULTURE COMMISSIONER | X | X | | X | | | | X | | | | |
| ALLIANCE | X | X | X | | | | | | | | | |
| BUILDING PERMITS DIVISION | X | X | | X | | | | X | | | X | |
| CALTRANS DISTRICT 10 | X | X | X | X | | | | X | | | | |
| CHIEF EXECUTIVE OFFICE | X | X | | | | | | | | | | |
| CITY OF: CERES | X | X | X | X | | | | X | | | X | |
| COUNTY COUNSEL | X | X | | | | | | | | | | |
| ENVIRONMENTAL RESOURCES | X | X | | X | | | | X | | | | |
| FIRE PROTECTION DIST: WESTPORT | X | X | X | | | | | | | | | |
| FISH & GAME, DEPT OF | X | X | X | | | | | | | | | |
| HAZARDOUS MATERIALS | X | X | | | | | | | | | | |
| IRRIGATION DISTRICT: TURLOCK | X | X | X | X | | | | X | | | X | |
| LAFCO | X | X | X | | | | | | | | | |
| MOSQUITO DISTRICT: TURLOCK | X | X | X | | | | | | | | | |
| MT VALLEY EMERGENCY MEDICAL | X | X | X | | | | | | | | | |
| PACIFIC GAS & ELECTRIC | X | X | X | | | | | | | | | |
| PARKS & FACILITIES | X | X | X | | | | | | | | | |
| PUBLIC WORKS | X | X | | X | | | X | | X | | X | |
| REGIONAL WATER QUALITY CONTROL | X | X | X | | | | | | | | | |
| SAN JOAQUIN VALLEY APCD | X | X | X | X | | | | X | | | X | |
| SCHOOL DISTRICT 1: MODESTO | X | X | X | X | | | | X | | | X | |
| SHERIFF | X | X | | | | | | | | | | |
| StanCOG | X | X | | X | | | | X | | | | |
| STANISLAUS COUNTY FARM BUREAU | X | X | X | | | | | | | | | |
| STANISLAUS ERC | X | X | | | | | | | | | | |
| STANISLAUS FIRE PREVENTION BUREAU | X | X | | | | | | | | | | |
| STATE CLEARINGHOUSE | X | X | X | X | | | | X | | | | |
| SUPERVISORIAL DISTRICT: DEMARTINI | X | X | | | | | | | | | | |
| SURROUNDING LAND OWNERS | | | X | | | | | | | | | |
| TELEPHONE COMPANY: AT&T | X | X | X | | | | | | | | | |
| TRIBAL CONTACTS | X | X | X | | | | | | | | | |
| UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies) | X | X | X | | | | | | | | | |

- C. **GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01 AND REZONE APPLICATION NO. 2010-01 - EL REMATITO MARKETPLACE** - Request to amend the General Plan from Agriculture to P-D (Planned Development) and rezone from A-2-40 (General Agriculture) to P-D to allow additional parking for 930 cars, in two phases, to serve the El Rematito Marketplace. The 9.35± acre property is located at 3025 Crows Landing Road, south of Whitmore Avenue, in the Ceres area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.

APN: 056-055-003

Staff Report: Bill Carlson Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Mark Moreno; Salvador Pleitez, 517 S. Johnson Road, Turlock; Ricardo Cardenas, 1809 El Sereno Ct., Modesto

Public hearing closed.

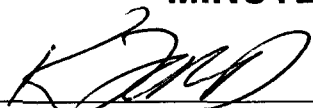
DeLaMare/Pires, 9-0 (Unanimous), **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS INCLUDING AMENDING PORTIONS OF DEVELOPMENT STANDARDS / CONDITIONS OF APPROVAL NOS. 22 & 24 AS FOLLOWS.**

22. • The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan. A deposit based off of the Engineer's Estimate shall be made prior to the plan check, at the time of the building permit application (3% for projects \$0 to \$100,000 and 2% for projects \$100,001 and above). The applicant will be responsible for any charges that are incurred over the plan check deposit. The plans shall not be released until such time that all plan check fees have been paid. Any fees left over from the deposit shall be returned to the applicant at the completion and acceptance of the plan by Stanislaus County Public Works.
24. • The improvement plans shall be submitted within **one (1) year** ~~three (3) months~~ of the approval of the rezone. Stanislaus County Department of Public Works and the City of Ceres shall both approve the Hackett Road and Crows Landing Road improvement plans.

EXCERPT

PLANNING COMMISSION

MINUTES


Secretary, Planning Commission

12/14/2010
Date

CONDITIONS OF APPROVAL,
DEVELOPMENT STANDARDS, AND
MITIGATION MEASURES

GENERAL PLAN AMENDMENT APPLICATION NO. 2001-09
REZONE APPLICATION NO. 2001-16
CROWS LANDING FLEA MARKET (AKA EL REMATITO MARKETPLACE)
CONDITIONS OF APPROVAL

Department of Planning and Community Development

1. This use shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. **There shall be no selling of vehicles on the property.**
3. Hours of operation for the open air market shall be limited to 5:30 a.m. to 6:00 p.m., Friday through Sunday. The hours of operation for the soccer field will be 8:00 a.m. to 8:30 p.m. during the summer and 8:00 a.m. to 6:00 p.m. during the winter months.
4. A Certificate of Occupancy shall be obtained from the Building Inspection Division prior to occupancy, if required. (UBC Section 307).
5. The applicant shall extend the wrought iron fencing on the northern property line for Crows Landing Road to the first storage building. **The driveway entrance along Hackett Road shall not have a cable gate. The gate shall be wrought iron or metal as approved by the Stanislaus County Director of Planning.**
6. Fences and landscaping adjacent to roadways shall be in compliance with City of Ceres policies regarding setbacks, and visibility and obstructions along roadways. A landscaping plan shall be submitted to and approved by the City of Ceres and the Stanislaus County Planning Director prior to issuance of a building permit.
7. The applicant, and subsequent operators, shall obtain and maintain a valid business license. Application may be made in the Planning Department. (Section 6.04 of the Stanislaus County Ordinance Code)
8. The applicant is required to defend, indemnify, or hold harmless the County, its officers and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
9. The developer shall pay all Public Facilities Impact Fees and Fire Protection Development Impact Fees as adopted by Resolution of the Board of Supervisors. The Fees shall be payable at the time of issuance of the building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.

10. Prior to the issuance of the Notice of Determination, the applicant shall pay within five days, a filing fee of \$50.00 to "**Stanislaus County Clerk/Recorder**" care of the Planning Department. Should the "De Minimis" finding be found invalid for any reason, the applicant/developer shall be responsible for payment of Department of Fish and Game Fees.
11. Prior to construction: The developer shall be responsible for contacting the U.S. Army Corps of Engineers to determine if any "wetlands", "waters of the United States", or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
12. Prior to construction: The developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate streambed alteration agreements permits or authorizations, if necessary.
13. Prior to construction: The developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan. Once complete, and prior to construction, a copy of the Storm Water Pollution Prevention Plan shall be submitted to the Stanislaus County Department of Planning and Community Development.
14. The eight foot high block wall shall have landscaping along the wall as approved by the Stanislaus County Planning Director.
15. Hours of operation of the recreation area shall be from 8:00 a.m. to 8:30 p.m. in the summer and 8:00 a.m. to 6:00 p.m. during the winter during days of business. Monday through Thursday the soccer field may be rented but will still use the same hours of operation. **The operator shall acknowledge the Stanislaus County Right to Farm Ordinance and shall cooperate with adjacent farmers to accommodate agricultural practices, including spraying.**

Caltrans

16. Impact fees should be collected toward future improvements at SR99 and Whitmore Road, SR99, and Crows Landings Road.

Development Services

17. All future structures require proper building permits and grading permitted for the storm drainage retention basin.

Environmental Resources

18. The sewage disposal system shall be an approved aerobic treatment system so as to comply with the Primary and Secondary Sewage Treatment Initiative (Measure X).

19. The applicant must submit 3 sets of food facility construction plans to the Department of Environment Resources for review and approval for compliance with the California Uniform Retail Food Facilities Law (Section 27550).
20. Water supply for the project is defined by the State regulations as a public water system. The water system owner must submit plans for the water system construction or addition and obtain approval from this Department prior to construction. Prior to final approval of the project, the owner must obtain a Water Supply permit from this Department. Water Supply Permit issuance is contingent upon the water system meeting construction standards and providing water which is of acceptable quantity and quality.

Stanislaus Consolidated Fire

21. Fire department access and water for fire protection shall be provided and maintained in accordance with all applicable codes and ordinances. This shall include fire sprinklers, if applicable. No development shall be approved prior to complying with this condition.
22. Fire protection development/impact fees shall be paid prior to construction.
23. Fire access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface which will provide all-weather driving capabilities. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

Ceres Unified School District

24. The applicant shall pay the applicable school impact fees required on any new construction.

San Joaquin Valley Air Pollution Control District

25. This project is subject to the District Regulation VIII (Fugitive Dust Prohibitions) and must comply with their requirements during construction.
26. For demolition of any buildings, the applicant shall comply with the National Emission Standards for Hazardous Air pollutants (NESHAPS). Specifically, the primary air pollutant is asbestos.

Turlock Irrigation District

27. The subject parcels are members of two improvement districts: ID 1430, Kofoed and ID 570, Kofoed Carol Land Br. An Irrigation pipeline runs north and south through the middle of both parcels. This irrigation line must be removed and the pipe plugged at the north property line of APN 056-055-004.
28. Properties that will no longer irrigate or have direct access to irrigation facilities must request an abandonment from the improvement districts.

29. Development property adjoining irrigated ground must be graded so that the finished grading elevations are at least 6 inches higher than the irrigated ground.
30. The district shall review and approve all maps and plans of this project. Any improvements to this property shall be subject to District's approval and meet all District' standards and specifications.
31. Electric utility maps show existing overhead facilities along the north and south ends of this proposed project. Owner/developer must apply for a facility change for any pole or facility relocation. Facility changes are performed at developer's expense.
32. A 10-foot public utility easement shall be granted and recorded along all existing and proposed street frontages.

City of Ceres

33. The applicant shall provide a minimum of a 5 foot landscaping strip along Crows Landing and Hackett Roads that include 1 tree and 10 shrubs every 35 liner feet of street frontage, excluding ingress and egress points. At the minimum, 5% of the parking lot area shall be landscaped.
34. The applicant shall provide three 12' x 12' trash enclosures on site, with one residing near the snack bar.
35. The applicant shall provide customer parking spaces at the rate of 1 space per 200 square foot of food vending, net vending, leaseable area and seven spaces for the storage areas. Phase 1 & 2 shall be required to provide parking at the same rate consistent with the expansion of the flea market. No "catch-up" of parking will be allowed. In addition, the applicant must provide at least 2% of total parking spaces as handicapped stalls.
36. Fencing shall not exceed 8 feet in height.
37. Security lights shall not shine onto adjacent properties
38. The Property owner must submit and sign a "Landscape & Property Maintenance Agreement Form" prior to occupancy of the facility. The form is not required in order to obtain building permits and may be turned in toward the completion of construction. It is an agreement that the property owner will maintain the landscaping.
39. All signs shall be submitted under a separate package for approval by the Planning and Building Departments.
40. The development shall meet the latest adopted codes of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, the National Electric Codes and American Disability Act Standards as approved by the building Department.

41. Permits are required for any new building, site lighting, and all fences above 6 feet tall.
42. Minimum 20 foot width between aisles, entrances and exits to all leaseable floor space.
43. Shall maintain a 13'6" height clearance to accommodate Emergency Service vehicles.
44. Fire extinguishing system provided in the snack bar area where grease laden vapors are produced.
45. Fire hydrants shall be provided and spaced every 300 feet along street frontage. On the site, fire hydrants shall be placed near the snack bar. Fire extinguishers shall be placed on existing and proposed storage buildings.
46. Minimum 20 foot wide perimeter roadway.
47. Shall provide knox locks on all access gates.
48. Shall contact Ceres Emergency Services prior to any expansion, to provide for a review of the public safety issues regarding expansion.
49. The parking area shall be paved and striped.
50. All drainage shall remain on-site and shall be designed as per the Stanislaus County Storm Drain Manual.
51. Shall construct the portion of Hackett Road to standards set by the Ceres Public Works Department.
52. The applicant shall pay the City Public Facility Fees, if annexed to the City prior to development.

Turlock Mosquito Abatement District

53. The weed growth in the basin shall be maintained so plant growth does not exceed 12" in height and that the access be provided for the District personnel to conduct routine inspections and control as necessary.

Department of Public Works

- To be attached under separate cover.
54. All recommended mitigation measures stated in the "Traffic Impact Analysis for the Romatito Marketplace" shall be implemented prior to final and/or occupancy of the proposed expansion. These mitigation measures shall include both situations of "Existing Plus Project Conditions" and "Year 2025 plus Project Conditions", as stated on Page 22 of the analysis. These mitigation measures include the following:
 - A. Southbound Crows Landing Road shall be widened to provide a right turn pocket with a minimum of 300 feet **in length including for de-acceleration of storage** at the Crows Landing / Hackett intersection. This will require the relocation of existing facilities including: curb and gutter to provide a minimum of eight (8) feet of additional pavement, traffic signal pole(s), and traffic loops.

- B. Eastbound Hackett Road shall be widened to provide a left turn pocket at the Crows Landing / Hackett intersection. The left turn pocket shall have with a minimum of 200 feet of storage per this Department's calculations.
 - C. Westbound Hackett Road shall be widened to ensure "vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. In order to meet this mitigation measure, Hackett Road shall be reconstructed to provide a "Collector" standard half width road section (20 feet from centerline to flow line per County standards).
55. Prior to occupancy of the property with the approved use, street improvements shall be installed along both road frontages. A sidewalk shall be installed along the entire frontage of Crows Landing Road after portions of the curb and gutter are relocated to accommodate the required right turn pocket. The improvements on Hackett Road shall include, but not be limited to, curb, gutter, sidewalk, drainage facilities, signs, pavement markings and pavement. Hackett Road shall be reconstructed and widened to provide a minimum pavement width of **12 feet and non-paved shoulder of 4 feet in width** 16-feet south of the centerline and 20 feet north of the centerline to the flow line of the new curb and gutter along the property's entire frontage. No parking signs shall be installed by the developer along both sides of Hackett Road adjacent to and across from the project site. The curb on Hackett Road along the property's entire frontage shall be painted red as a no parking zone at owner's expense. The developer shall pay for and provide sufficient R-value tests to establish the appropriate road section for the Hackett Road reconstruction.
56. Prior to the issuance of any building permits, off-site improvement plans for the construction of the road improvements shall be approved by the Department of Public Works.
57. A financial guarantee in a form acceptable to the Department of Public Works to ensure the construction of all off-site improvements shall be deposited with the Department prior to the issuance of any building permit.
58. An encroachment permit shall be obtained from the Department of Public Works prior to the start of any work within the county road right-of-ways.
59. A six (6) foot high access control fence shall be installed along the entire Crows Landing Road frontage in order to prohibit vehicular and pedestrian access. One gated vehicular emergency access shall be permitted on Crows Landing Road.
60. A Grading and Drainage Plan for the entire development shall be designed to meet County standards. Engineering calculations and percolation test results must be provided to substantiate the design. The plan must be approved by the Department of Public Works prior to the issuance of any building permits. The storm drainage system shall be installed prior to final and/or occupancy of any buildings.
61. Driveway locations and widths shall be approved by the Department of Public Works.
62. A 10-foot wide public utility easement along both street frontages shall be provided behind the new right-of-way lines.

63. Prior to the issuance of any building permit, sufficient road right-of-way shall be dedicated to Stanislaus County to provide for the following:
- A. Right-of-way on Hackett Road north of centerline as per the County standard for a "Typical Intersection of a Major/Collector";
 - B. 30 feet of right-of-way north of the centerline of Hackett Road along the remaining frontage not affected by A above; and,
 - C. 10 feet behind the existing and relocated flow lines of Crows Landing Road along the project's entire frontage.

The Road Deed for this right-of-way dedication shall be prepared by the developer's engineer.

64. Prior to the approval of the Grading and Drainage Plan and prior to the issuance of the building permit, the developer shall file a Notice of Intention with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.
65. A Grading Permit shall be obtained from the Department of Public Works prior to the start of importing, exporting or otherwise moving any dirt.
66. **Hackett Road shall be designed to the City of Ceres "Minor Industrial" road standards.**

California Regional Water Quality Control Board

67. The applicant shall submit a complete Report of Waste Discharge (RWD) at least 120 days prior to initiating discharge to the new onsite disposal system, The RWD must include, at a minimum a complete Form and filing fee. The RWD must demonstrate that the onsite septic tank disposal system is fully compliant with Regional Board guidelines and County codes.
68. The project will need to obtain coverage under the NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity.

DEVELOPMENT STANDARDS

1. Incorporate, by reference, all applicable Mitigation Measures and Development Standards, approved by the Board of Supervisors on December 16, 2003, for General Plan Amendment 2001-09 and Rezone Application No. 2001-16 (Crows Landing Flea Market).
2. **Public shall not be charged for parking.**

MITIGATION MEASURES

(Pursuant to California Public Resources Codes 15074.1:

Prior to deleting and substituting for a mitigation measures, the lead agency shall do both of the following:

- 1) Hold a public hearing to consider the project; and**
 - 2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.**
1. Southbound Crows Landing Road shall be widened to provide a separate right turn lane into the site access along Hackett Road. This lane shall be at least 300 feet long to provide room for deceleration at the designated speed on Crows Landing Road. At a time to be determined by the Department of Public Works an eastbound left turn lane approaching the Crows Landing / Hackett intersection shall be installed, and westbound Hackett shall be made wide enough to ensure that vehicles headed to the western driveway have room to pass vehicles waiting to turn into the eastern driveway. Applicants shall be responsible for the costs of these mitigation measures.

STANISLAUS COUNTY ORDINANCE NO. C.S. 1096

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.994 FOR THE PURPOSE OF REZONING A 9.35± ACRE PROPERTY FROM A-2-40 (GENERAL AGRICULTURE) TO P-D TO ALLOW ADDITIONAL PARKING FOR 930 CARS, IN TWO PHASES, TO SERVE THE EL REMATITO MARKETPLACE, LOCATED AT 3025 CROWS LANDING ROAD, SOUTH OF WHITMORE AVENUE, IN THE CERES AREA. APN: 056-055-003.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110.994 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Insert Map Here)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor DeMartini, seconded by Supervisor Monteith, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 21st day of December, 2010, by the following called vote:

AYES: Supervisors: O'Brien, Chiesa, Monteith, DeMartini and Chairman Grover

NOES: Supervisors: None

ABSENT: Supervisors: None

ABSTAINING: Supervisors: None



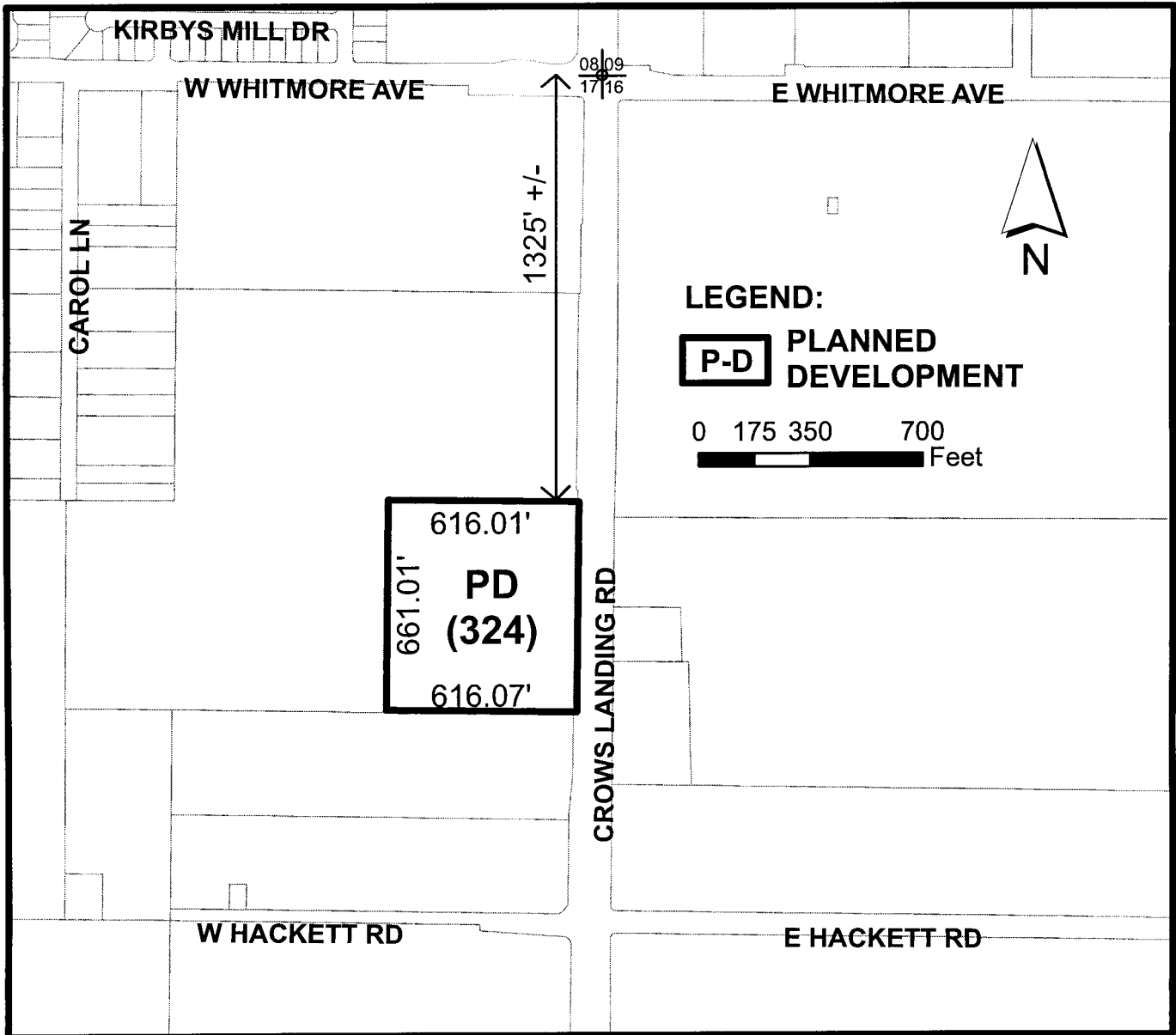
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California



BY: Elizabeth A. King, Assistant Clerk of the Board

SECTIONAL DISTRICT MAP NO. 9-110-994



EFFECTIVE DATE: 01.20.2011
PREVIOUS MAP: 671 E

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of **THE MODESTO BEE**, which has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, under the date of **February 25, 1951, Action No. 46453**. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

DECEMBER 28, 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at **MODESTO, California** on

DECEMBER 28, 2010

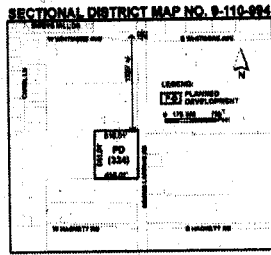
Mavis Dickman

(Signature)

**STANISLAUS
COUNTY ORDINANCE
NO. C.S. 1096**

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110.994 FOR THE PURPOSE OF REZONING A 9.35± ACRE PROPERTY FROM A-2-40 (GENERAL AGRICULTURE) TO P-D TO ALLOW ADDITIONAL PARKING FOR 930 CARS, IN TWO PHASES, TO SERVE THE EL REMATITO MARKETPLACE, LOCATED AT 3025 CROWS LANDING ROAD, SOUTH OF WHITMORE AVENUE, IN THE CERES AREA. APN: 056-055-003. The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows: Section 1: Sectional District Map No. 9-110.994 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

SECTIONAL DISTRICT MAP NO. 9-110-994



EFFECTIVE DATE: 01.28.2011
PREVIOUS MAP: 071 E

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage. It shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California. Upon motion of Supervisor DeMartini, seconded by Supervisor Montelth, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 21st day of December, 2010, by the following called vote: AYES: Supervisors: O'Brien, Chiesa, Montelth, DeMartini and Chairman Grover; NOES: Supervisors: None; ABSENT: Supervisors: None; ABSTAINING: Supervisors: None. /s/ Jeff Grover, Chairman of the Board of Supervisors of the County of Stanislaus, State of California. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk of the Board

54747.1

PowerPoint Presentation

GPA 2010-01, REZ 2010-01 El Rematito Marketplace



GPA 2010-01, REZ 2010-01

El Rematito Marketplace

- A request for a General Plan Amendment and a Rezone to Planned Development P-D) allow development of a new parking area (overflow) and driveway for 930 cars.

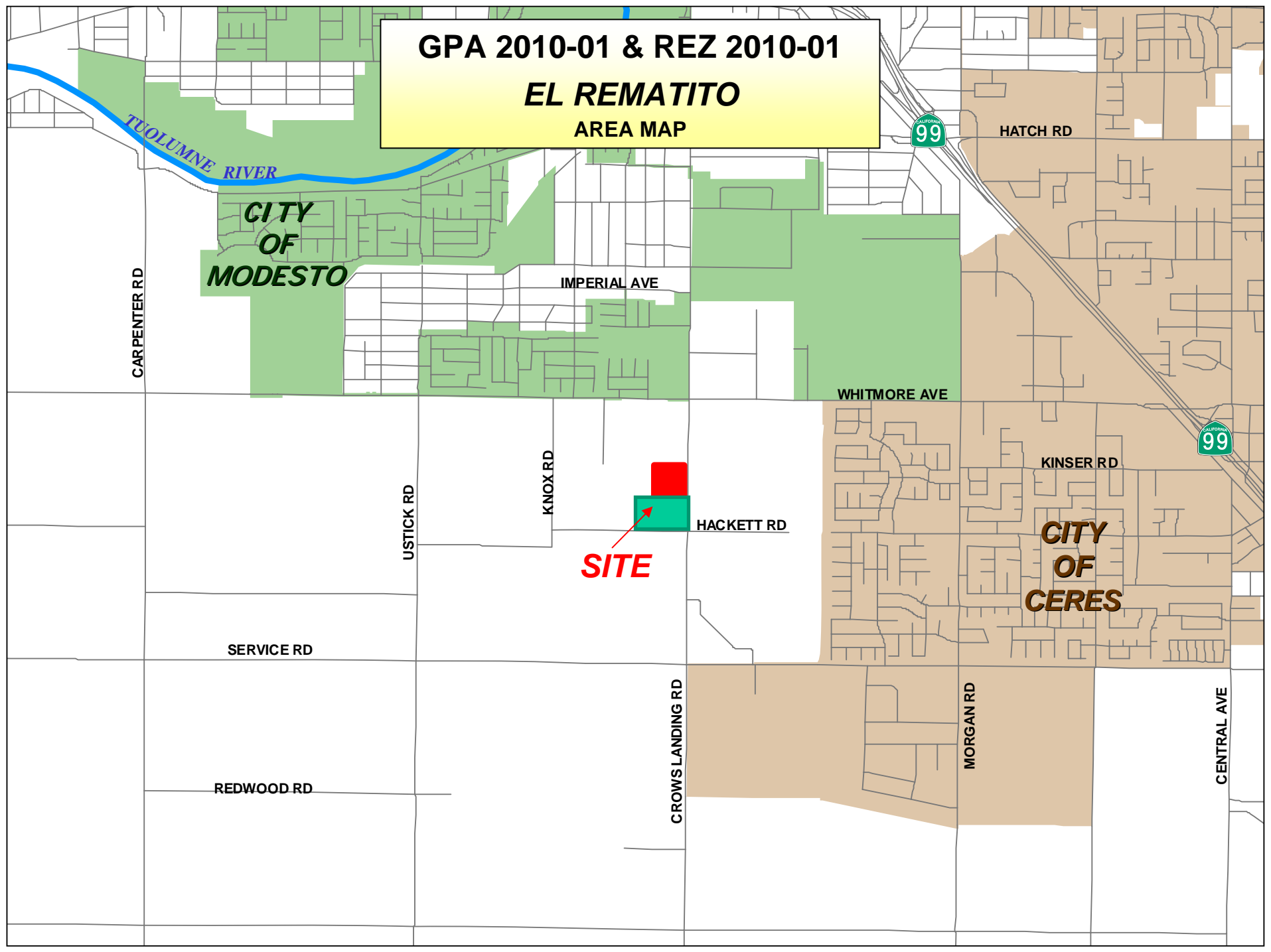
Project Description

- Phase I will be a total of 488 parking stalls
- Phase II will add 442 stalls for a total of 930 parking stalls.

GPA 2010-01 & REZ 2010-01

EL REMATITO

AREA MAP



CARPENTER RD

CITY OF MODESTO

IMPERIAL AVE

WHITMORE AVE

USTICK RD

KNOX RD

HACKETT RD

SITE

SERVICE RD

REDWOOD RD

CROWS LANDING RD

MORGAN RD

KINSER RD

CITY OF CERES

CENTRAL AVE

99

99

HATCH RD

GPA 2010-01 & REZ 2010-01
EL REMATITO
GENERAL PLAN DESIGNATION

AG

88.80

30.38

18.77

1.07

136.90

20.21

AG

20.14

0.46

0.45

0.44

0.44

0.97

1.27

0.98

0.92

0.85

0.48

CAROL LN

0.46

0.46

0.92

0.93

0.82

0.58

0.46

1.08

0.39

0.40

4.65

34.10

AG

18.45

SITE

9.5±

P-D

30.49

CROWS LANDING RD

IND

52.01

IND

58.47

23.53

HACKETT RD

116.07

P-D

0.84

2.14

**GPA 2010-01 & REZ 2010-01
EL REMATITO
ZONING DESIGNATION**

A-2-40

88.80

30.38

18.77

1.07

136.90

20.21

20.14

0.46

0.45

0.44

0.44

0.97

1.27

0.98

0.92

0.85

0.48

CAROL LN

0.46

0.46

0.92

0.93

0.82

0.58

0.46

1.08

0.39

0.39

18.45

A-2-40

34.10

4.65

0.40

A-2-40

30.49

SITE

9.5±

P-D (285)

CROWS LANDING RD

M

52.01

58.47

M

23.53

HACKETT RD

116.07

P-D (224)

0.84

2.14

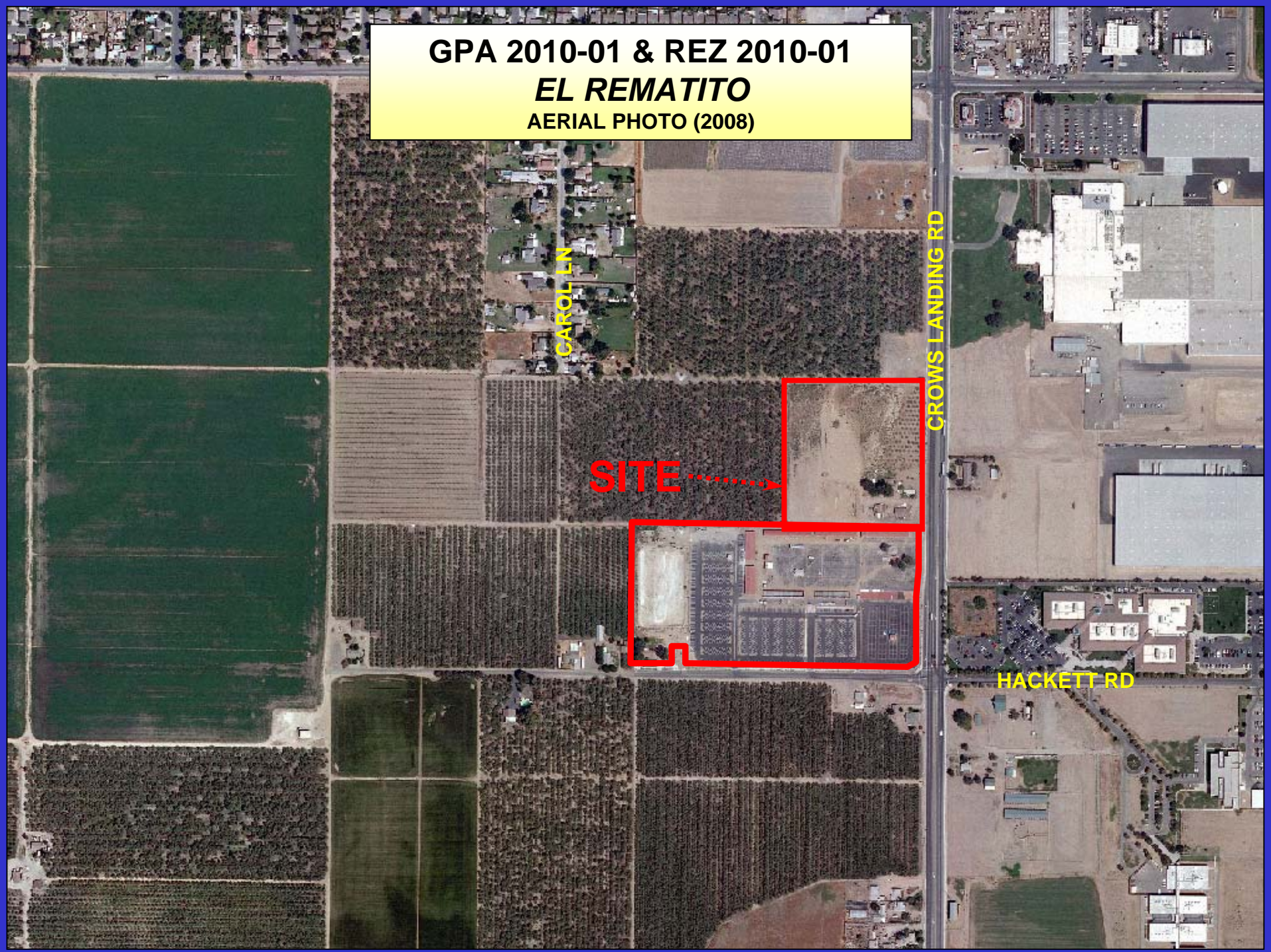
GPA 2010-01 & REZ 2010-01
EL REMATITO
AERIAL PHOTO (2008)

CAROL LN

CROWS LANDING RD

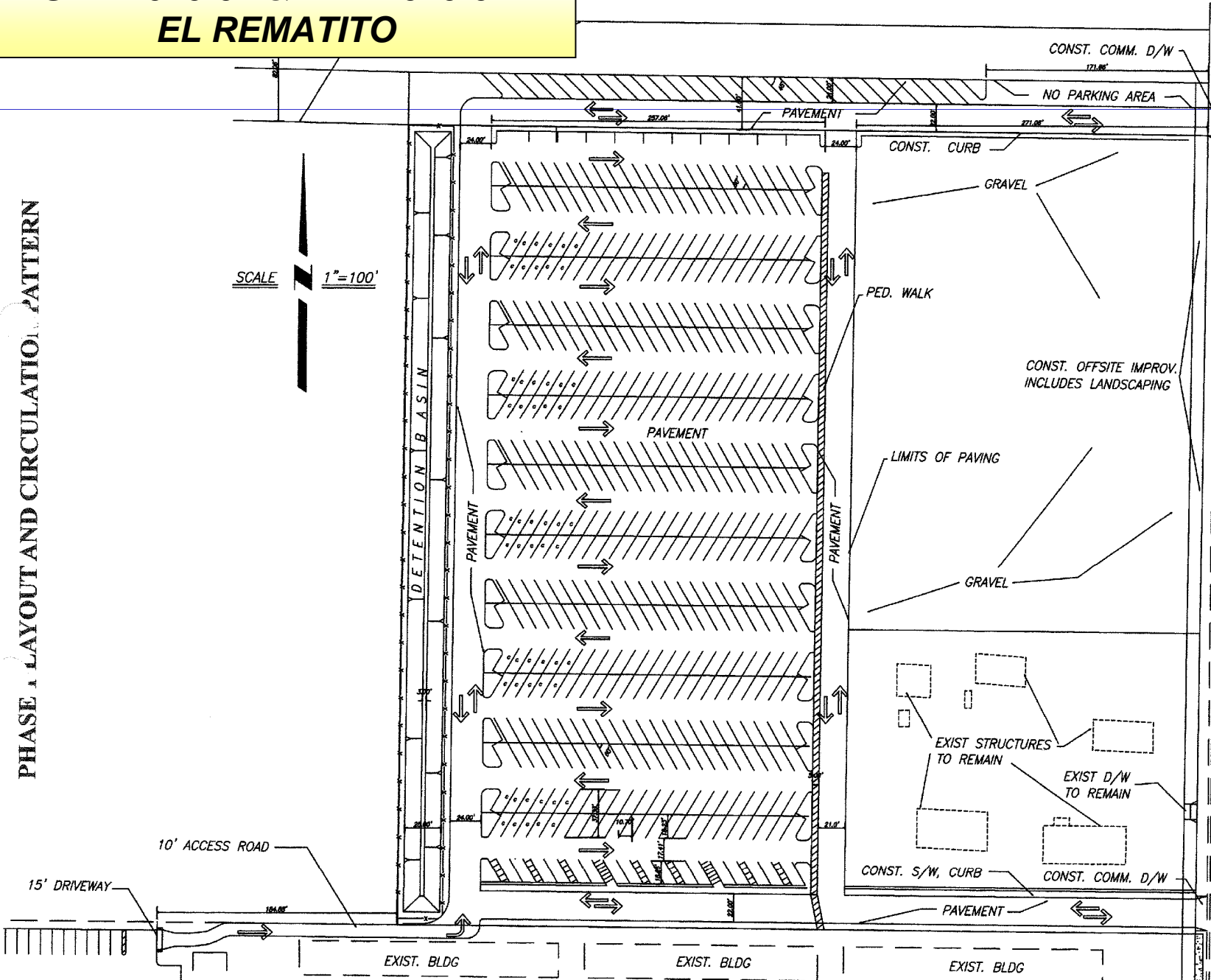
SITE →

HACKETT RD



GPA 2010-01 & REZ 2010-01 EL REMATITO

PHASE 1 LAYOUT AND CIRCULATION PATTERN



PROJECT: OVERFLOW PARKING
DATE: JANUARY 20, 2010
GPA AND USE PERMIT APPLICATION PACKAGE

PLEITEZ CONSULTING

PHONE: 209-620-1929
 FAX: 209-656-7488

517 S. JOHNSON ROAD
 TURLOCK, CA 95380

PHA

GPA 2010-01 & REZ 2010-01 EL REMATITO

FUTURE 82' ROW

10' P.U.E.

SCALE 1"=100'

DEFINITION BASLN

PHASE 1
(SEE PHASE 1 LAYOUT)

10' P.U.E. AND
ST. LANDSCAPING

PHASE 2 CONST

PROP. LINE

EXITS, BUILDINGS
TO BE DEMOLISHED
(TYP)

EXIST. BLDG

EXIST. BLDG

EXIST. BLDG

PROJECT: OVERFLOW PARKING
DATE: JANUARY 20, 2010
GPA AND USE PERMIT APPLICATION PACKAGE

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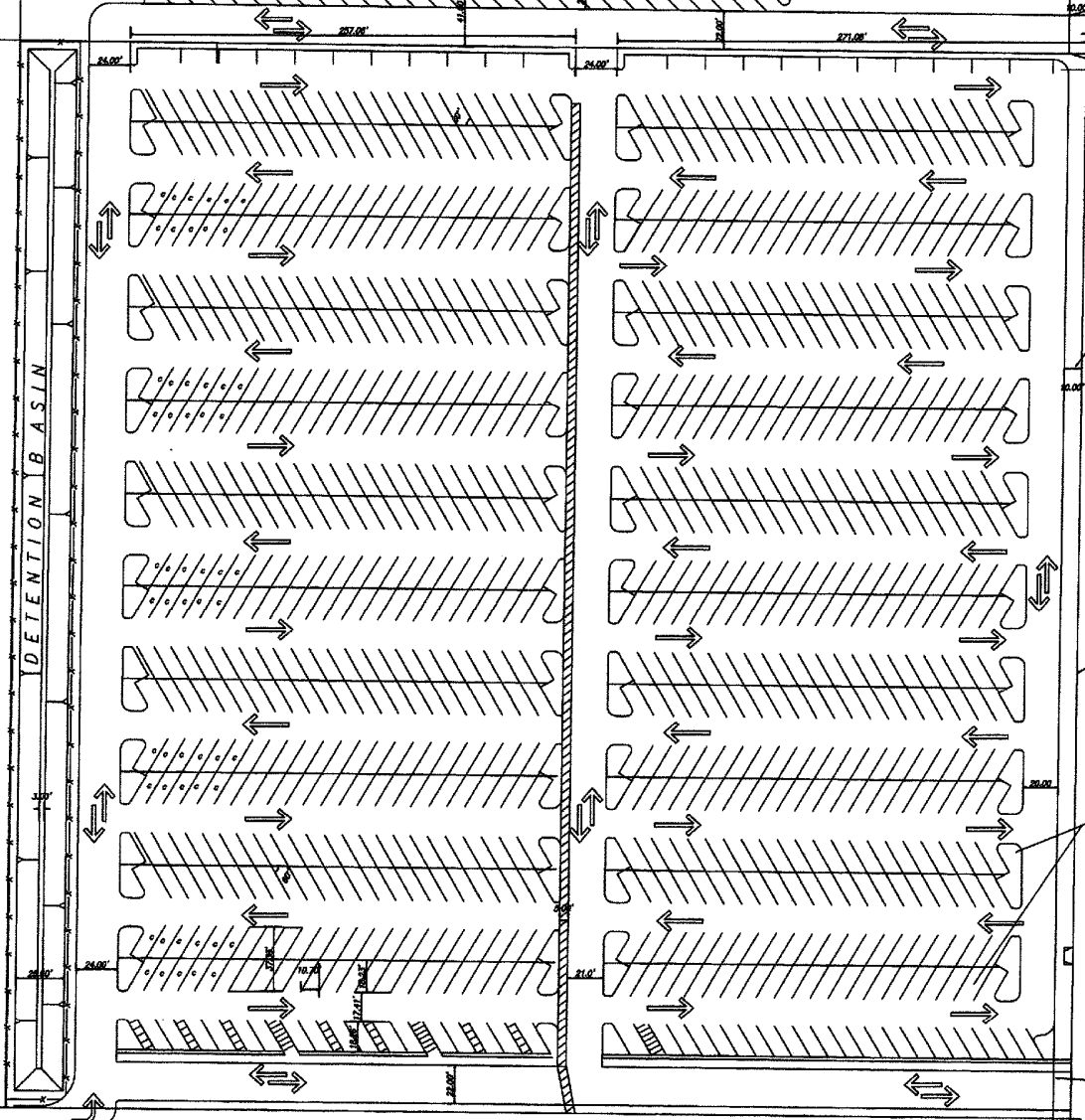
OVERFLOW PARKING LAYOUT AND CIRCULATION PATTERN

SCALE 1"=100'



FUTURE 82' ROW
WEST CERES SPECIFIC PLAN

DETENTION BASIN



PLEITEZ CONSULTING

517 S. JOHNSON ROAD
TURLOCK, CA 95380
PHONE: 209-620-1929
FAX: 209-656-7488

PROJECT: OVERFLOW PARKING
DATE: JANUARY 20, 2010
GPA AND USE PERMIT APPLICATION PACKAGE

Background

- El Rematito Marketplace was approved by the Board of Supervisors on December 16, 2003, to amend the General Plan and zoning designations to allow expansion to the neighboring property to the south and to allow upgrading of the existing legal, non-conforming outdoor market.

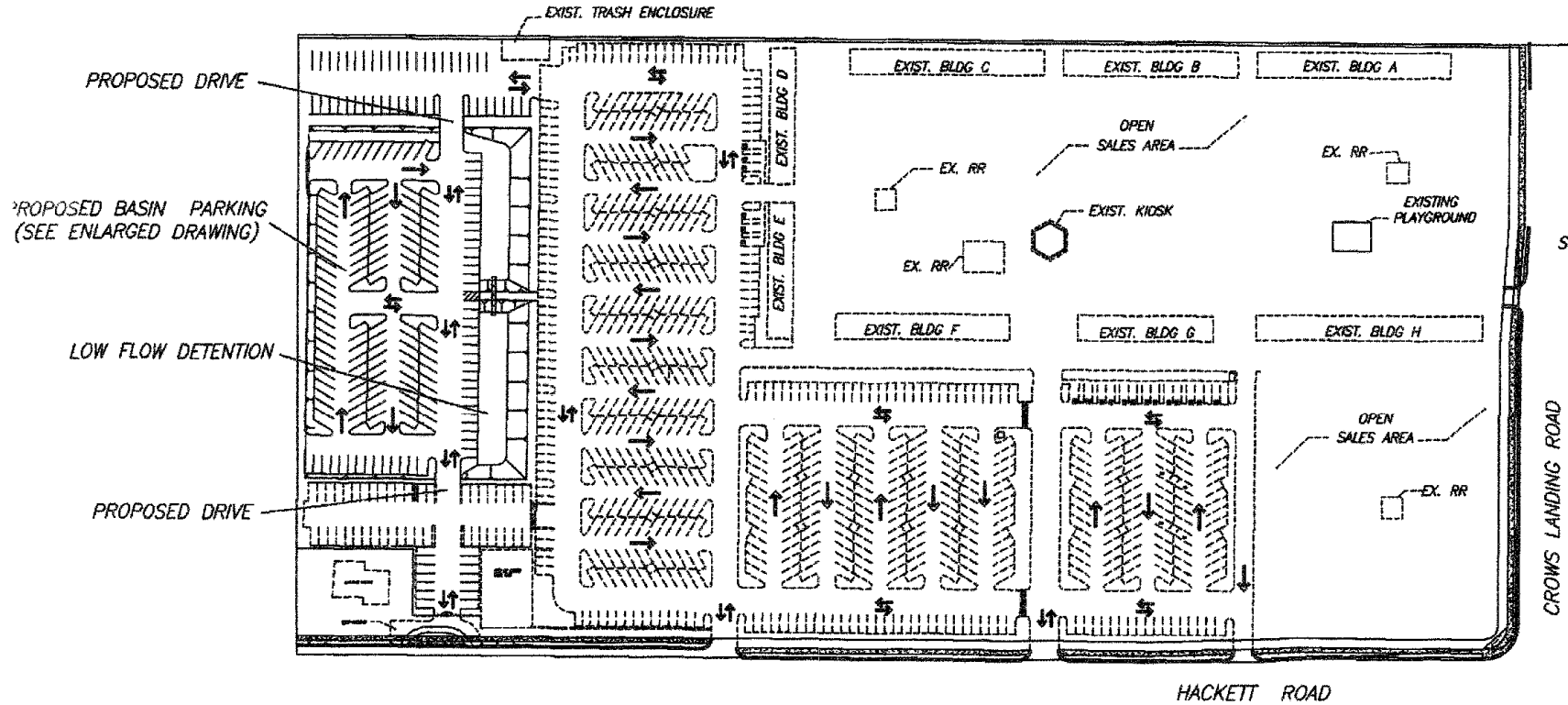
UP 2009-17

- November 18, 2010 the Planning Commission approved a use permit request to install 199 new parking spaces on the current El Rematito Marketplace by eliminating the proposed soccer field and reconfiguring and redesigning the existing detention basin.

GENERAL NOTES

UP 2009-17 EL REMATITO

1. DESIGNATED ZONING
2. TOTAL PROJECT AREA: 18.5 ACRES
3. WATER AND SEWER UTILITIES: CITY OF CERES
4. APPROVED LANDSCAPING AREA: 190,426 S.F.
5. PROPOSED REDUCED LANDSCAPING; 66,500 S.F.
6. PROPOSED NEW PARKING AREA : 66,500 S.F.



Ceres' SOI

- Land Use Element Goal 5, Policy 24 and Implementation Measure 1 requires development within a city's SOI to their development standards.
- The site is General Plan designation allows for commercial use.
- Specific conditions to comply with Ceres standards.

General Plan Findings

- 1. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses.
- 2. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service.
- 3. The amendment is consistent with the General Plan goals and policies.

Traffic Study

- A traffic study was required for this project.
- Hired KD Anderson & Associates
- The existing traffic level of the Crows Landing and Hackett Road intersection is already at minimum standards.
- With the proposed project, Hackett Road will need additional improvements to stay at this standard.

Mitigation Measures

- Re-stripe both lanes of Hackett Road to allow left turns as described Traffic Impact Analysis.
- Improve the Crows Landing driveways as Traffic Impact Analysis.
- Provide signs to inform patrons of parking availability (City of Ceres).
- Connect the existing parking area to the overflow lot.

Rezone

- To approve the requested rezone, the Planning Commission must find that it is consistent with both the General Plan.
- The Planned Development zoning district would be consistent with both the and the General Plan if the proposed amendments to the Planned Development are approved.

Environmental Review

- Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all responsible agencies for review and comment.
- Based on the comments, a Mitigated Negative Declaration was approved during the 2009 use permit application. The Initial Study included both the applications.





RECOMMENDATION

The Planning Commission considered this project at a public hearing held on November 18, 2010

- No one spoke in opposition to the project
- Three spoke in favor of project.



RECOMMENDATION

The Planning Commission unanimously voted 9-0 to forward the project to the Board of Supervisors for approval.