

**MITCHELL ROAD CORRIDOR**

**SPECIFIC PLAN**

**FINAL E.I.R.**

**CITY OF CERES**

**NOVEMBER 1989**



RESOLUTION NO. 89 - 176

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERES CERTIFYING  
THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MITCHELL ROAD  
CORRIDOR SPECIFIC PLAN AND GENERAL PLAN AMENDMENT.

WHEREAS, the City of Ceres, as the lead agency, has  
duly caused to be prepared an Environmental Impact Report for  
the proposed project designated as the Mitchell Road Corridor  
Specific Plan and General Plan Amendment; and,

WHEREAS, the proposed project consists of a Specific  
Plan for the Mitchell Road corridor and a General Plan Amendment  
to the Land Use and Circulation Element of the Ceres General  
Plan; and,

WHEREAS, the proposed project site consists of  
approximately 450 acres of land located within the City of  
Ceres, as well as within the Sphere of Influence of the City of  
Ceres, consisting of an area approximately 2 1/2 miles long  
located along the Mitchell Road corridor; and,

WHEREAS, the Planning Commission of the City of Ceres  
duly reviewed the Final Environment Impact Report, made certain  
findings and duly recommended to the City of Ceres that the  
Final Environmental Impact Report be certified by the City  
Council of the City of Ceres as having been completed in  
compliance with the provisions of the California Environmental  
Quality Act of 1970; and,

WHEREAS, the City Council of the City of Ceres, at its  
regularly scheduled meeting of August 28, 1989, did review the

1 Final Environmental Impact Report for said project, a copy of  
2 which is on file in the Office of the City Clerk of the City of  
3 Ceres.

4 NOW, THEREFORE, the City Council of the City of Ceres  
5 does hereby make the following findings:

6 1. That the Final Environmental Impact Report  
7 consists of the following:

- 8 a) The Draft Environmental Impact Report;  
9 b) Comments and recommendations received on the  
10 Draft Environmental Impact Report;  
11 c) A list of persons, organizations, and public  
12 agencies commenting upon the Draft Environmental Impact Report;  
13 and,  
14 d) Responses to significant environmental points  
15 raised in the review and consultation process.

16 2. That the items listed in Paragraph 1 above are on  
17 file in the Office of the Director of Planning and Community  
18 Development, and are incorporated herein by this reference.

19 3. That the Environmental Impact Report, although it is  
20 not required to have a public hearing, was properly noticed in  
21 the newspaper in accordance with the laws applicable to public  
22 hearings regarding city ordinances; and, additionally, the  
23 property owners within the project area and surrounding the  
24 project area were notified.

25 4. That based upon Exhibit A, Sequence of Events, a  
26 copy of which is attached hereto and incorporated herein by

1 reference, the Environmental Impact Report was processed in  
2 compliance with the California Environmental Quality Act and the  
3 State Guidelines.

4 NOW, THEREFORE, IT IS HEREBY RESOLVED by the City  
5 Council of the City of Ceres as follows:

6 1. The City Council of the City of Ceres does hereby  
7 certify that the Final Environmental Impact Report, described  
8 hereinabove, has been completed in compliance with the  
9 California Environmental Quality Act and the State Guidelines  
10 promulgated with regard to said Act.

11 2. That the Final Environmental Impact Report was  
12 presented to the City Council; that the City Council reviewed  
13 and considered the information contained in the Final  
14 Environmental Impact Report and will further review and consider  
15 said information prior to approving the proposed projects.

16 The foregoing resolution was introduced at a regular  
17 meeting of the City Council of the City of Ceres held on the  
18 28th day of August 1989, by Councilmember Caruso  
19 who moved for its adoption, said motion being duly seconded, was  
20 upon roll call, passed and adopted by the following votes:

21 AYES: COUNCILMEMBER: Hinton, Caruso, McBride, McKay,  
22 NOES: COUNCILMEMBER: None  
23 ABSENT: COUNCILMEMBER: None

24  
25 APPROVED:

26   
LEWIS ARROLLO, MAYOR

1 ATTEST:

2 *Patricia E. Laffoon*  
3 PATRICIA E. LAFFOON, CITY CLERK

4 SEAL IMPRESSED  
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## EXHIBIT A

### PROJECT OVERVIEW - SEQUENCE OF EVENTS

The environmental impact report, Mitchell Road Corridor Specific Plan and Design Guidelines have been under consideration since the following listing identifies the process and time lines associated with the project.

- 1) Request for proposals (RFP) prepared outlining goal of City and distributed to consulting firms - February 16, 1988.
- 2) Response from consultants on the RFP - March 14, 1988.
- 3) Resolution 88-90 adopted by the City Council authorizing The Planning Center to prepare an EIR and Mitchell Road Specific Plan - May 9, 1988.
- 4) Environmental Assessment prepared - May 23, 1988.
- 5) City of Ceres Environmental Review Committee determines Environmental Impact Report is required - May 26, 1988.

Notice of Preparation prepared and distributed, 30 day review and comment period provided - May 26, 1988.

- 6) Request scoping meeting, coordinated by State of California Office of Planning and Research - May 31, 1988.
- 7) Office of Planning and Research (OPR) assignment of State Clearinghouse Number 88053107 and distribution of Notice of Preparation (NOP) to state agencies - June 2, 1988.
- 8) Public notice for scoping meeting to be held on June 23, 1988 published - June 2, 1988.
- 9) Minutes of inter-agency scoping meeting and General Plan Committee Meeting, major issues identified - June 23, 1988.
- 10) Guidance package for Mitchell Road Corridor Specific Plan and EIR - June 30, 1988.
- 11) Agenda for public information meeting - July 14, 1988.  
Public information meeting minutes - July 14, 1988.
- 12) City Council accepted guidance package - July 19, 1988.
- 13) Notice of Completion mailed - April 26, 1989.

Distribution of EIR, Mitchell Road Specific Plan (MRSP) and Design Guide to City staff, Planning Commission and City Council - April 26, 1989.

EXHIBIT A

- 14) Mailing list for the advertised meetings containing the following number of notices - mailed April 26, 27, 28, 1989.

Property owner list 300' outside the project boundary - 544  
Business list - 397  
Property owners within project - 397

Total notices mailed 1132

Public notice - published April 28, 1989.

Notice of completion, public review period - April 28 to June 14, 1989.

Community workshops on May 11 and May 24, 1989.

Planning Commission public hearings - June 5 and June 19, 1989.

City Council public hearings - July 10 and July 24, 1989.

- 15) Community workshop minutes - May 11, 1989.

- 16) Office of Planning and Research acknowledging receipt of review period for draft EIR. Review period ends June 12, 1989 - May 16, 1989.

- 17) Letter to Airport Land Use Commission requesting review of proposed land uses in the Airport Approach Zone - May 19, 1989.

- 18) Community workshop minutes - May 24, 1989.

- 19) Written responses to EIR, Mitchell Road Specific Plan and Design Guide:

|  |               |
|--|---------------|
| a) Lew-Garcia-Davis                    | May 24, 1989  |
| b) Ceres Public Safety Office          |               |
| Emergency Services                     | March 7, 1989 |
| c) Native American Heritage Commission | May 12, 1989  |
| d) Stanislaus County Department of     |               |
| Public Works                           | May 12, 1989  |
| e) Community workshop                  | May 11, 1989  |
| f) Community workshop                  | May 24, 1989  |
| g) Department of Transportation        |               |
| State of California                    | June 6, 1989  |
| h) Stanislaus County Department of     |               |
| Planning and Community Development     |               |
| ALUC                                   | June 9, 1989  |
| i) Planning Commission public hearing  |               |
| minutes                                | June 5, 1989  |
| j) Office of Planning and Research     | June 13, 1989 |
| 1) Division of Aeronautics Department  |               |
| of Transportation                      | June 7, 1989  |
| 2) Native American Heritage            |               |
| Commission                             | May 12, 1989  |
| 3) State Department of Transportation  |               |

EXHIBIT A



|  |               |
|--|---------------|
| Stockton   | June 6, 1989  |
| 4) State of California Department<br>of Conservation | June 2, 1989  |
| k) City of Modesto Department of<br>Public Works     | June 9, 1989  |
| l) Turlock Irrigation District                       | June 12, 1989 |
| 20) Planning Commission public hearing -             | June 5, 1989  |
| 21) Planning Commission public hearing -             | June 19, 1989 |

EXHIBIT A

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## PREFACE

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This document, when combined with the Draft Environmental Impact Report for Ceres General Plan Amendment and the Mitchell Road Corridor Specific Plan, will comprise the Final Environmental Impact Report (FEIR) for the project.

The EIR is to be used by public decision-makers to analyze the significant effects of the project, to identify alternatives and to disclose possible ways to reduce or avoid the possible environmental damage.

This FEIR has been prepared pursuant to the State of California CEQA Guidelines, implementing the California Environmental Quality Act (CEQA) of 1970 (as amended).

## Chapter 10

### INTRODUCTION

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#### 10.1 PURPOSE

The EIR serves as an informational document which informs public agency decision-makers and the public about the environmental effects of the project, identifies ways to minimize those effects through changes in the project or the use of reasonable alternatives to the project.

This Environmental Impact Report addresses the environmental impacts of the City of Ceres General Plan, the adoption of Mitchell Road Corridor Specific Plan with ultimate development of approximately 450 acres.

This FEIR consists of responses to comments received on the DEIR, written comments received by the City of Ceres and the State Office of Planning and Research related to the Draft Environmental Impact Report, and errata pages to the DEIR document.

#### 10.2 THE DRAFT ENVIRONMENTAL IMPACT REPORT

A scoping meeting concerning the project was held on Monday, July 14, 1988 at the City of Ceres City Council Chambers.

The DEIR was circulated through the State Clearinghouse for a period of forty-five (45) days (April 28, 1989 to June 12, 1989). The City of Ceres circulated the document from April 28, 1989 to June 14, 1989.

The following is a distribution list of persons, agencies, and organizations sent a copy of the DEIR.

#### State of California

- Air Resources Board
- Department of Conservation
- Department of Health
- Office of Historic Preservation
- Department of Parks and Recreation
- Reclamation Board
- Department of Water Resources
- Cal Trans District 10
- Department of Fish and Game
- Regional Water Quality Control Board
- Central Valley Region

#### County of Stanislaus

- Air Pollution Control District
- Planning Department
- Public Works Department
- Environmental Resources Department
- LAFCO

City of Modesto

Planning Department  
Public Works Department

Other

Turlock Mosquito Abatement District  
Stanislaus Area Association of Governments  
Pacific Gas and Electric  
Turlock Irrigation District (2 each)  
Pacific Bell  
Modesto City-County Airport  
Industrial Fire Protection District

City of Ceres

City Manager  
Public Works Director  
Building Official  
Public Safety Office (2 each)  
Finance Director  
City Council  
City Planning Commission

## CHAPTER 11

### SUMMARY

#### 11.1 Project Description

The Mitchell Road Corridor Specific Plan adoption and the general plan amendment to the Land Use and Circulation Element is proposed on approximately 450 acres of land located within the City of Ceres as well as within the Sphere of Influence of the City of Ceres.

The project site is located between Tuolumne River on the north and Highway 99 on the south, approximately 2½ miles in length (refer to Figure 2).

Development within the Mitchell Road Corridor Specific Plan would consist of a combination of land use mixes from Industrial Park Residential to Mixed Use which would incorporate commercial, residential, and business park as well as recreation. A series of commercial designations are identified from Freeway Commercial, Quasi-Regional Commercial, Highway Commercial, and Neighborhood Commercial.

Of the 450 acres existing within the project, approximately 330 acres is either undeveloped or under-utilized. The proposed land use mix for the project area is as follows:

| <u>Land Use</u>         | <u>Acreage</u> | <u>Square Footage</u> |
|-------------------------|----------------|-----------------------|
| Neighborhood Commercial | 52.89          | 691,200               |
| Planned Commercial      | 138.45         | 1,809,300             |
| Highway Commercial      | 28.86          | 377,100               |
| Retail Commercial       | 61.62          | 805,300               |
| Business Park           | 105.40         | 1,377,400             |
| Residential             | 49.48          | 282 units +/-         |
| Church                  | 4.4            | None                  |
| TOTAL                   | 436.70         |                       |

All services would either be provided through and by the City of Ceres or through agreement between the City and other public agencies. The land use concept identified above includes the protection of existing viable residential neighborhoods providing a variety of commercial opportunities, enhancing and capitalizing on key visual features within the Corridor and surrounding area, preserving existing significant trees, and minimizing the traffic conflicts along the Mitchell Road Corridor.

The objective of the general plan amendment and the Mitchell Road Corridor Specific Plan is to provide through the goals and objectives and the cost effective physical and economic development of the Mitchell Road Corridor.

## 11.2 Significant Effects which cannot be Mitigated

### Loss of Agricultural Land

Development along the Mitchell Road Corridor for commercial or residential purposes will not eliminate any existing commercial agricultural operation. However, the potential for future agricultural uses still exist along the Corridor where the property is undeveloped. This potential for future agricultural use will be lost.

### Air Quality

Long term degradation of local and regional air quality including increase of local carbon monoxide (co concentrations).

### Noise

With the increased traffic and intensity of land uses within the Mitchell Road Corridor will significantly alter the ambient noise conditions along the Corridor.

With the construction of noise attenuation walls, it remains likely that residences in the existing homes along Mitchell Road frontage will be exposed to CNEL levels exceeding the City's Noise Standards.

### Increased Traffic Generation

Increased trip ends will cumulate impact city-wide circulation and Mitchell Road will operate at or above capacity conditions.

## 11.3 Significant Irreversible Environmental Changes

A permanent conversion of vacant land to urban use will occur. There will be permanent loss of agricultural land, open space, and a permanent commitment of resources, water and energy to serve the site. Additional traffic generated from the project corridor will impact transportation systems and air quality.

In addition, the noise exposure to existing residential uses will occur along the Mitchell Road Corridor.

11.4 Summary Chart of Issues, Adverse Impacts, Recommended  
Mitigated Measures, and Level of Significance with Mitigation  
Identified

The following summary chart identifies those issues, the adverse impacts, recommended mitigation measures, and level of significance with the mitigation measures being implemented.

As identified under Section 11.2, significant effects which can not be mitigated, the other issues identified are believed to be mitigated to an acceptable level.



# MITCHELL ROAD CORRIDOR SPECIFIC PLAN EIR SUMMARY CHART

| Issue                    | Adverse Impacts  | Recommended Mitigation Measures   | Level of Significance with Mitigation                            |
|--------------------------|--|---|--|
| <i>Geology and Soils</i> | Residents and property structures will be exposed to mild groundshaking during seismic occurrences. The site poses no other geotechnical hazards.  | All new structures should be built according to City Code. Older, existing structures which will remain should be modified to incorporate the latest building and safety standards.   | Mitigated to a level of insignificance.                          |
| <i>Air Quality</i>       | Project-related grading and construction will temporarily degrade local air quality due to the increase in associated fugitive dust emissions from heavy-duty, diesel-powered machinery. These emissions will be short-term. Additionally, residents and car-owners who park their cars in the area may be exposed to nuisance dust. Residents may also periodically experience odors from the diesel machinery. | To reduce impacts during construction, normal wetting procedures should be employed. Grading should be restricted on exceedingly windy days when dust is likely to be carried off-site so as to create a nuisance or cause potential harm to sensitive environmental areas, i.e., residents, irrigation water. Graded areas would be revegetated as soon as practical. Construction equipment should be tuned to operate in good condition. | Mitigated to a level of insignificance.                          |
|                          | Emissions from project-related traffic and the on-site consumption of natural gas will incrementally degrade the air quality in the area. Emissions from   | Employ standard energy conservation measures to reduce the consumption of natural gas and electricity. A TMS program should be developed by the City to   | The project will incrementally degrade the regional air quality. |

| Issue | Adverse Impacts  | Recommended Mitigation Measures   | Level of Significance with Mitigation   |
|-------|--|---|---|
|       | <p>the off-site generation of electricity for project uses will degrade the regional air quality. On a daily basis, the project would generate approximately 15,000 pounds of carbon monoxide, 1,500 pounds of hydrocarbons, 6,500 pounds of nitrogen oxides, and 1,300 pounds of particulates. The majority of these pollutants would be emitted by trucks and automobiles.</p> | <p>reduce the number of project-related trip ends and therefore reduce traffic emissions.</p> |   |
|       | <p>The intensity of commercial development proposed may not be consistent with the type and levels of development assumed in the Air Quality Plan.</p>   | <p>None are recommended.</p>  | <p>The project would not be consistent with the AQMP. Given the area's current non-attainment status regarding air quality management, this impact is considered significant.</p> |

| Issue            | Adverse Impacts   | Recommended Mitigation Measures   | Level of Significance with Mitigation   |
|------------------|---|---|---|
| <i>Hydrology</i> | The increase in impervious surface area will result in increase volumes of storm runoff. A remote potential exists for rupture or flood hazard of nearby irrigation channels. | A City-wide drainage plan should be developed to accommodate storm runoff from the Corridor and expanding development in surrounding areas. The drainage plan should consider the threat of upset of local irrigation canals. Construction of on-site catch basins shall be the responsibility of developers, subject to the City Engineer's approval. The Specific Plan should provide implementation procedures for the formation of an assessment district to finance infrastructure improvements. | Mitigated to a level of insignificance. |
|                  | Grading may result in increased siltation and erosion for the duration of this activity.  | Normal wetting procedures employed during grading activities will reduce the potential for siltation of exposed soils.  | Mitigated to a level of insignificance. |
|                  | Project runoff will result in the incremental degradation of the local water quality from oil, grease, particles and fertilizers carried off-site.                            | Regular maintenance of roads and parking areas can minimize the potential contamination of surface waters due to site runoff.   | Mitigated to a level of insignificance. |

| Issue                                      | Adverse Impacts  | Recommended Mitigation Measures  | Level of Significance with Mitigation   |
|--|--|--|---|
| <i>Noise</i>                               | Project-related traffic will increase the ambient noise levels. Upon buildout, 60 CNEL contours are anticipated to extend up to 700 feet into the corridor area. Without mitigation, areas designated for residential uses in the Mitchell Road study area may experience noise levels which exceed the State and City criteria. | Sound walls - or similar barriers should be constructed as appropriate around the exterior of residential neighborhoods. Exterior residential structures should be oriented to avoid having openings directed toward traffic exposure. Standard construction practice will attenuate noise impacts to a degree. In addition, the City should explore means of reducing overall traffic or limiting truck traffic along the corridor. | The potential increase in noise levels represents a significant adverse impact to land uses located within unacceptable noise contours. |
| <i>Aesthetics/<br/>Light and<br/>Glare</i> | The character of the site will be altered from rural and scattered commercial development to an intense commercial corridor.   | Development standards and design guidelines will ensure continuity within the new development and an attractive architectural theme.   | Some residents may perceive the aesthetic change as a significant adverse effect.   |
|  | The project will increase nighttime illumination in the area. The increase in illumination may affect activities at the Modesto Airport.   | Developments within the corridor should direct lighting toward the interior of sites and screen highly light intensive uses.   | Mitigated to a level of insignificance.   |
|  | Potential glare could be associated with structures anticipated to be build near the Highway 99.   | Building surfaces on the south and west facing sides should be designed to avoid large reflective surfaces.  | Mitigated to a level of insignificance.   |

| Issue                         | Adverse Impacts  | Recommended Mitigation Measures   | Level of Significance with Mitigation   |
|-------------------------------|--|---|---|
| <i>Land Use</i>               | The proposed commercial intensities are greater than what the current general plan allows.   | Approval of the requested Specific Plan as a regulatory document will ensure compatibility with the General Plan and Zoning Code.                                     | Mitigated to a level of insignificance. |
|                               | Development of the site will alter the intensity and character of existing uses from vacant and underutilized to intense commercial uses and business park.  | The City should approve the proposed Specific Plan and intensification at a City policy level.  | Mitigated to a level of insignificance. |
|                               | Impacts arising from the adjacency of incompatible land uses (i.e., at the residential interface) are anticipated.   | Impacts between and nuisance due to incompatible land uses should be minimized by the implementation of traffic access control, screening, sound barriers and design. | Mitigated to a level of insignificance. |
| <i>Population and Housing</i> | Though not considered an adverse impact, the proposed addition of 122 dwelling units would add some new residents to the city. In addition, indirect population growth would be required to support the increased intensity commercial uses. | None are required.  | Not a significant impact.               |

| Issue                          | Adverse Impacts  | Recommended Mitigation Measures   | Level of Significance with Mitigation   |
|--------------------------------|--|---|---|
| <i>Traffic and Circulation</i> | Additional housing demand generated by the project will impact the local housing stock and will contribute pressure on vacancy rates and housing costs within the City and surrounding area. | Establishment of Planning Area 1 as redevelopment district will ensure that monies are set aside for low - and moderate - income housing on the Corridor and in the City of Ceres.  | Mitigated to a level of insignificance.   |
|                                | The proposed project would generate about 210,000 daily trips, approximately 20,000 of which would occur during both the morning and evening rush hours.                                     | Three basic options for mitigating traffic impacts are proposed for the City's consideration.   | All three mitigation options could reduce traffic impacts to a level of insignificance. |
|                                | The proposed project would result in unacceptable levels of service at all intersections analyzed, even when proposed intersection improvements are taken into account.                      | The first option involves widening Mitchell Road to the proposed four through lanes, and reduced intensity for the proposed land uses so that project-related traffic does not exceed the capacity of affected roadways.  |   |
|                                | Traffic on nearby residential streets is expected to increase as a result of the proposed project.   | The second option involves retention of the proposed land uses and intensities and widening Mitchell Road to nine lanes to accommodate project-related traffic. This option requires the city to obtain additional right-of-ways, and would itself involve significant environmental impacts. |   |

| Issue                                | Adverse Impacts  | Recommended Mitigation Measures   | Level of Significance with Mitigation   |
|--------------------------------------|--|---|---|
|                                      |  | The final mitigation option involves reduced intensity development in tandem with alternative roadway solutions. This option would involve regional transportation improvements, such as Faith Home Loop, and incorporation of master-planned mixed use developments, resulting in increased residential use and neighborhood commercial uses complemented by local employment opportunities. |   |
| <i>Public Services and Utilities</i> | The demand for police and fire protection services would increase due to the intensity of development and the increased potential for crime and fire protection.     | Incorporation of safety design factors can reduce the potential for crime. Maintaining an adequate water pressure level will minimize impacts. An assessment district should be established to provide fees for supporting fire staff.  | Mitigated to a level of insignificance. |
|                                      | The project will generate an additional 0.7 million gallons of sewage per day. Water consumption for the project area will be approximately 1,558 acre-feet per day. | Developers of individual projects will construct individual line improvements. Trunk lines may require upgradings to handle the increased usage.  | Mitigated to a level of insignificance. |

| Issue                      | Adverse Impacts  | Recommended Mitigation Measures   | Level of Significance with Mitigation              |
|----------------------------|--|---|--|
| <i>Energy Conservation</i> | Buildout of the Specific Plan will result in the increased consumption of natural gas and electricity. | Energy conservation measures in accordance with Title 24 should be implemented. | The consumption of non-renewable energy resources. |



## CHAPTER 12.0

### LIST OF LETTERS OF COMMENTS RECEIVED ON DRAFT EIR

- A) Ceres Public Safety Office Emergency Services - March 7, 1989
- B) Community Workshop - May 11, 1989
- C) Native American Heritage Commission - May 12, 1989
- D) Stanislaus County Department of Public Works - May 12, 1989
- E) Community Workshop - May 24, 1989
- F) Lew-Garcia-Davis - May 24, 1989
- G) Planning Commission Public Hearing Minutes - June 5, 1989
- H) Department of Transportation State  
of California - June 6, 1989
- I) Stanislaus County Department of Planning  
and Community Development ALUC - June 9, 1989
- J) Office Planning and Research Transmittal of  
Responses from State Agencies - June 13, 1989
  - 1) Department of Transportation  
Division of Aeronautics - June 7, 1989
  - 2) Native American Heritage Commission - May 12, 1989
  - 3) State Department of Transportation  
Stockton - June 6, 1989
  - 4) State of California Department of  
Conservation - June 2, 1989
- K) City of Modesto Public Works and  
Transportation Department - June 9, 1989
- L) Turlock Irrigation District - June 12, 1989

# LETTER A

TO : Jake Raper, Director of Planning and Community Development

FROM *BW*: Brian F. Weber, Commander, Emergency Services

DATE : March 7, 1989

SUBJECT : Mitchell Road Corridor Specific Plan

After review of the Mitchell Road Corridor Specific Plan, the following are items of concern that need to be addressed and articulated relative the corridor from the perspective of the Emergency Services Division of the Department of Public Safety.

1. Lane width and shoulder width being capable of supporting and handling the various widths of apparatus that are currently owned by the City of Ceres and those apparatus that are projected to be purchased in the near future.
2. Intersection be designed to accommodate the fire apparatus in straight, backing and turning movements.
3. Intersections be equipped with Opticon Signal Changing Device for all four (4) directions of travel.
4. Curb cuts be of sufficient width to accommodate existing equipment and future equipment, particularly a ladder truck.
5. Parking lot, driveways and turnarounds be of sufficient size to accommodate current and future apparatus, particularly a truck company.
6. Construction of buildings that exceed two (2) stories in height not be approved nor constructed until such time the City owns and operates the necessary truck company to accommodate three (3) plus story buildings.
7. Water supplies capable of supporting multi-story structures and their fire loads.
8. Utility lines, electrical, phone and cable utilities that interfere with fire apparatus in fire suppression activities around multi-story structures. It is recommended that where at all possible in this quarter that those utilities be placed underground or set back far enough from

structures that they do not interfere with fire suppression equipment.

If you have any questions relative any of the above issues, please feel free to re-direct back to me for further clarification.

BFW:bjs

(mitchlrd)

COMMUNITY WORKSHOP  
MITCHELL ROAD SPECIFIC PLAN AND EIR

MAY 11, 1989

MINUTES

**LETTER B**

The meeting was called to order at 7:05 P.M. with the following persons present: Jake Raper, Director of Planning and Community Development; Mohammad Khatami, Assistant Planner; Pablo Galvez, Planning Aide; and Melanie Traxler, representing The Planning Center. Also in attendance was: Vice Mayor McBride.

A sign-up list of all the participants is attached as Exhibit A consisting of three pages with the total number of persons in attendance as 27.

Jake Raper introduced the purpose of the community workshop as it relates to the Mitchell Road Specific Plan and EIR. The workshop provides an opportunity for the business persons, property owners, and residents to identify any concerns they may have regarding the proposed Specific Plan and incorporating their concerns into comments to future staff reports to the Planning Commission and City Council.

The purpose of the community workshop is to make appropriate recommendations to the Planning Commission based upon the input received during the workshops.

Mr. Raper introduced the planning staff, the consultant, and the vice mayor to the audience.

Ms. Traxler presented a brief overview of the planning effort to date, identifying that the plan had originally started approximately in April of 1988 with interviews with the General Plan Review Committee identifying the proposal of the specific plan along the Mitchell Road Corridor.

The goals and issues that were identified during that discussion and briefing are contained in the Specific Plan document.

One of the primary purposes of the Specific Plan is to ensure that the City of Ceres has a viable commercial core within its community. In reviewing the land use opportunities within the community, the Mitchell Road Corridor is the primary area in which the city can capture long term commercial opportunities for the community.

Other issues identified were traffic and noise associated with the development of the Mitchell Road Corridor.

During the presentation of the Specific Plan, staff received the following comments and concerns:

Northern End of the Specific Plan on the Western Side of Mitchell  
that is Identified as an Industrial Park

Residents and citizens voiced concern of the following:

- 1) The industrial park would generate heavy traffic within the area;
- 2) That the architectural treatment and uses invited in that area through the industrial area may not be the most desirable for the community as it is in the gateway to the corridor of Mitchell Road and sets the tone and image for the community;
- 3) Suggestions to staff for consideration by the Planning Commission/City Council that the area would be best served as a estate residential development and combination of business park which may reflect the mixed use #2 which is on the east side of Mitchell Road directly across from this area;
- 4) That the change from industrial park to the estate residential/business park concept would begin at the northern end of the existing buildings currently developed in that area;
- 5) The audience identified that rumors had been identified that mini warehouses would be permitted in this area upon the change of the Specific Plan;

It was suggested under the mixed use 1 categories south of Hatch and North of Fowler, that the mixed use be changed into just commercial designation and not mix the uses together. Concerns identified were:

- 1) Noise as it relates to residential use;
- 2) The potential hazard with the canal associated with High Density Residential use and children potentially drowning in this area;
- 3) Concerns existed regarding the noise impact along Mitchell Road as it affects the residential areas currently existing on the east and west sides of Mitchell;
- 4) Traffic control in terms of channelization. The audience wanted to know if the channelization concept would be implemented as part of the Specific Plan. They were advised that the City Council would seek input from residents and businesses relating to channelization.

- 5) Non-conforming uses: The Northern Refrigerated Terminal located on the north side of Roeding, west of the TID canal and the existing mobilehome park known as the Westward Ho Mobilehome Park.

Concerns relate to the continuation/expansion of the non-conforming uses within the Specific Plan area. It was encouraged that these temporary uses be permitted to be viable land uses within the plan until such time as the value of the land increases sufficiently to cause relocation through economic forces and not through an arbitrary planning limit.

- 6) Concerns exist that the quasi-regional commercial area on the west side of Mitchell and north side of Roeding extended too far within potential residential areas.

It was suggested that a portion of this area be changed back to residential uses and not provide for the regional commercial uses as proposed in the plan.

- 7) The question was raised as to the improvement of Mitchell Road into the four lanes with the center turn lane.
- 8) In the area south of Service Road and north of Highway 99, through the previous plans, road identification occurred showing internal circulation for both sides on the east and west of Mitchell.

The question was who is to develop the internal circulation for these project sites.

- 9) The question was raised why was the area identified as Freeway Commercial when we have identified industrial and residential uses within that portion of the Specific Plan.

The above identifies the concerns which were expressed at the community workshop on May 11, 1989.

#### SUMMARY

The community workshop as presented to the audience identified that specific changes may occur to the plan as currently being reviewed at the public workshop and may be recommended to be reviewed by the Planning Commission at its public hearings on June 5 and June 19, 1989.

The audience was advised that the next community workshop would be on May 24, 1989 and the same type of presentation would be presented to those in attendance at that time. Staff advised that we would prepare

a listing of concerns voiced during the first workshop of May 11, 1989 which would be available for those persons to review and if these concerns were not accurately identified, that they would have an opportunity to have further input and further correct the concerns as prepared by staff.

An illustrative map is attached showing staff's interpretation as to what the community identified as their concerns under the workshop illustrating those land use changes as proposed or as suggested by those persons in attendance (Exhibit B).

JR/lr

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 288  
SACRAMENTO, CALIFORNIA 95814  
(916) 322-7791

FILED  
MAY 19 1989  
CERES P.D. & C.D.

May 12, 1989

LETTER C.

Mr. Jake Raper  
City of Ceres  
2720 Second Street  
Ceres, California 95307

SCH# 88053107-Mitchell Road Corridor Specific Plan

Dear Mr. Raper:

Since the Specific Plan will involve over four hundred acres of land of mixed use, one recommendation would be to address the possibility of discovering previously undetected cultural resources during various portions of future projects.

The concern of the Native American Heritage Commission is in those places where the prehistoric sites underlie areas which have been previously developed and thought to be free of cultural resources. Sites have been covered by natural causes, flooding would be one example, over a period of centuries. The alluvial buildup has provided a buffer zone between the present surface and the prehistoric site. Structures have been placed on some, the soil covering others has been cultivated over many years. When an older structure is replaced with a modern building, or an old underground water or sewer line is upgraded to meet present needs is when the problem of impacting such a location takes place. When a foundation is dug to comply with the building codes and requirements of today, or utility lines are buried to meet health and safety standards, previously undisturbed soil becomes impacted.

The region around that particular section of the Valley is part of what would have been more than 5,000 square kilometers of extensive wetlands, and broad, shallow lakes. The area would have been occupied on a year-round basis by various Indian tribal groups for approximately ten thousand years. The siltation of the region has caused numerous prehistoric archaeological sites to be buried under, what is now, the existing grade.



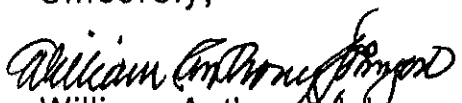
There have been Native American cultural resources, including numerous old burials, discovered within the recent past, throughout the Valley. The possibility of discovering previously detected cultural resources should be addressed in any environmental document from that region. These sites do not always surface indications of their presence. Archaeological sites have been discovered in the former floodplains of the Sacramento and San Joaquin Valleys at depths exceeding eight feet below the present ground surface.

The California Environmental Quality Act, Appendix K, deals with the discovery of archaeological sites and the procedures to follow. It also contains the instructions to follow when human remains are found during any phase of development.

The Native American Heritage Commission has prepared a pamphlet for use by lead agencies, planners, developers and property owners. It provides an easy-to-read breakdown of the California Codes pertaining to Native American human remains and their disposition. I have included a copy of this brochure for your information.

If you have any questions or need additional information, please contact this office.

Sincerely,

  
William Anthony Johnson  
Staff Analyst

Enclosure

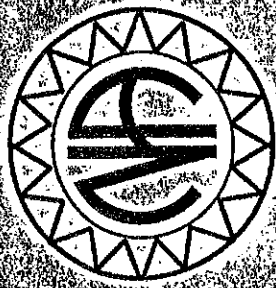
cc: John Keene, SCH

## WHAT TO DO

The following actions must be taken immediately upon the discovery of remains at a construction site:

- a) Stop work immediately and contact the County Coroner.
- b) The Coroner has two working days to examine remains after being notified by the person responsible for the excavation. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- c) The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.
- d) The most likely descendant has 24 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the remains and grave goods.
- e) If the descendant doesn't make recommendations within 24 hours the owner may reinter the remains in an area of the property secure from further disturbance, or:  
  
If the owner doesn't accept the descendant's recommendations, the owner or the descendant may request mediation by the Native American Heritage Commission.

A RESOURCE GUIDE FOR:  
  
CORONERS  
NATIVE AMERICAN  
MOST LIKELY DESCENDENTS  
CITY AND COUNTY PLANNERS  
PROPERTY OWNERS  
DEVELOPERS



## A PROFESSIONAL GUIDE

FOR THE PRESERVATION AND  
PROTECTION OF NATIVE  
AMERICAN REMAINS  
AND ASSOCIATED GRAVE GOODS

Published by the  
Native American  
Heritage Commission  
288  
GEORGE DEUKMEJIAN, Governor



## FOR ADDITIONAL INFORMATION:

call the NATIVE AMERICAN  
HERITAGE COMMISSION  
at (916) 322-7791 or write to:  
NATIVE AMERICAN HERITAGE  
COMMISSION  
915 Capitol Mall, Room 288  
Sacramento, CA 95814

The following excerpts from California law concerning Native American remains are provided for your reference:

From Chapter 1492, Statutes of 1982, which added Section 7050.5 to the Health and Safety Code, amended Section 5097.94 of the Public Resources Code and added Sections 5097.98 and 5097.99 to the Public Resources Code:

(a) The Legislature finds as follows:

- (1) Native American human burials and skeletal remains are subject to vandalism and inadvertent destruction at an increasing rate.
- (2) State laws do not provide for the protection of these burials and remains from vandalism and destruction.
- (3) There is no regular means at this time by which Native American descendants can make known their concerns regarding the treatment and disposition of Native American burials, skeletal remains, and items associated with Native American burials.

(b) The purpose of this act is:

- (1) To provide protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction.
- (2) To provide a regular means by which Native American descendants can make known their concerns regarding the need for sensitive treatment and disposition of Native American burials, skeletal remains, and items associated with Native American burials.

From Section 7050.5 of the Health and Safety Code:

- (b) In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of

Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

- (c) If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

From Section 5097.94 of the Public Resources Code:

The commission shall have the following powers and duties:

- ... (k) To mediate, upon application of either of the parties, disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.

The agreements shall provide protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction and provide for sensitive treatment and disposition of Native American burials, skeletal remains, and associated grave goods consistent with the planned use of, or the approved project on, the land.

- (l) To assist interested landowners in developing agreements with appropriate Native American groups for treating or disposing, with appropriate dignity, of the human remains and any items associated with Native American burials.

From Section 5097.98 of the Public Resources Code:

- (a) Whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

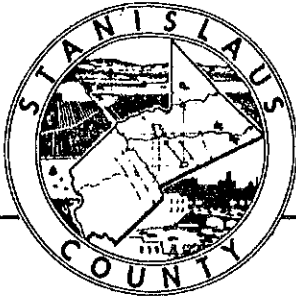
- (b) Whenever the commission is unable to identify a descendant, or the descendant identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendant and the mediation provided for in subdivision (k) of Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

SB 447 (Chapter 404, Statutes of 1987):

On January 1, 1988, Senate Bill 447 went into effect. This legislation amended Section 5097.99 of the Public Resources Code, making it a felony to obtain or possess Native American remains or associated grave goods:

- (a) No person shall obtain or possess any Native American artifacts or human remains which are taken from a Native American grave or casket on or after January 1, 1984, except as otherwise provided by law or in accordance with an agreement reached pursuant to subdivision (l) of Section 5097.94 or pursuant to Section 5097.98.
- (b) Any person who knowingly or willfully obtains or possesses any Native American artifacts or human remains which are taken from a Native American grave or casket after January 1, 1988, except as otherwise provided by law or in accordance with an agreement reached pursuant to subdivision (l) of Section 5097.94 or pursuant to Section 5097.98, is guilty of a felony which is punishable by imprisonment in the state prison.

- (c) Any person who removes, without authority of law, any Native American artifacts or human remains from a Native American grave or casket with an intent to sell or dissect or with malice or wantonness is guilty of a felony which is punishable by imprisonment in the state prison.



# Stanislaus County

Department of Public Works

RECEIVED

MAY 16 1989

11000  
CERES P.D. & C.D.  
MODESTO, CALIFORNIA 95304

May 12, 1989

ADMINISTRATIVE DIVISION (209) 525-6550  
ENGINEERING DIVISION (209) 525-6552  
BUILDING INSPECTION (209) 525-6557  
TRANSIT OPERATION (209) 525-6552  
ROAD DIVISION (209) 525-4130  
SANITARY LANDFILL (209) 522-5691  
EQUIPMENT DIVISION (209) 525-4145

Jake Raper, Director  
Planning and Community Development  
City of Ceres  
P.O. Box 217  
Ceres, California 95307

LETTER D

Dear Mr. Raper:

SUBJECT: Mitchell Road Corridor -- Environmental Impact Report

We have reviewed the above project's environmental document and offer a few comments on the traffic circulation portion of the report.

In the project's traffic analysis, the traffic volumes are obtained by adding the project's traffic to the existing traffic volumes. This method ignores the increase as a result of general County growth. We feel the report should use the sum of the three for its analysis. On page 78, a statement is made that as volumes increase the number of trucks using the roadways will decrease, therefore, trucks were not accounted for in the final analysis. As the report states, these roadways, as well as Whitmore and Service roads, are major routes from industrial and agricultural areas of the County to the industrialized area north of the river. Trucks will continue to use these facilities out of necessity and need to be included in the analysis.

Responding to the notice of preparation in July of last year, we requested the impacts this project may have on the surrounding County road system be discussed in the document. No analysis of this nature seems to appear in the document. Have our surrounding roadways been analyzed for impacts? Without this information, we cannot identify the extent this project could impact our facilities nor can we evaluate proper mitigation. We continue to request our adjacent roadways be evaluated.

Overall, the report seems to be limited in its study area. It investigates a few locations along Mitchell Road while ignoring several. It appears appropriate for the report to include, at a minimum, the other significant intersections along the corridor, namely Mitchell Road at Highway 99, Service, Roeding, Fowler and River roads. Additionally, the intersection of Hatch at Herndon Road is studied but the intersections between here and Mitchell are not. Will these and the other intersections be operating at an acceptable level of service or will mitigation items be required here also?

SUBJECT: Mitchell Road Corridor -- Environmental Impact Report  
May 12, 1989  
Page 2

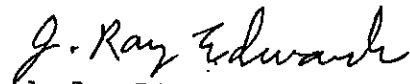
By not evaluating these areas of possible impact, the extent of this project's influence cannot be properly measured. The extent of mitigation may be significantly above that presently stated in the report.

If you have any questions regarding our comments, please feel free to give me a call.

Very truly yours,

H. R. CALLAHAN, Director

By



J. Ray Edwards  
Deputy Director, Engineering

SE  
SE:sw

COMMUNITY WORKSHOP  
MITCHELL ROAD SPECIFIC PLAN AND EIR

MAY 24, 1989

MINUTES

LETTER E

The meeting was called to order at 7:10 P.M. with the following persons present: Jake Raper, Director of Planning and Community Development; Mohammad Khatami, Assistant Planner; Pablo Galvez, Planning Aide; and Melanie Traxler, representing The Planning Center. Also in attendance was Councilmember Caruso.

A sign-up list of all the participants is attached as Exhibit A consisting of one page with the total number of persons in attendance as 13.

Jake Raper introduced the purpose of the community workshop as it relates to the Mitchell Road Specific Plan and EIR. The workshop provides an opportunity for the business persons, property owners, and residents to identify any concerns they may have regarding the proposed Specific Plan and incorporating their concerns into comments to future staff reports to the Planning Commission and City Council.

The purpose of the community workshop is to make appropriate recommendations to the Planning Commission based upon the input received during the workshops.

Mr. Raper introduced the planning staff, the consultant, and Councilmember Caruso to the audience.

At this time, Mr. Raper reviewed the comments received during the workshop of May 11, 1989 and identified that a hand-out with those comments were in the back room for those person's review and comment.

Ms. Traxler presented a brief overview of the planning effort to date identifying that the plan had originally started approximately in April 1988.

The goals and issues that were identified during that discussion and briefing are contained in the Specific Plan document.

One of the primary purposes of the Specific Plan is to ensure that the City of Ceres has a viable commercial core within its community. In reviewing the land use opportunities within the community, the Mitchell Road Corridor is the primary area in which the City can capture long term commercial opportunities for the community.

Other issues identified were: traffic and noise associated with development of the Mitchell Road Corridor.

During the presentation of the Specific Plan, staff received the following comments and concerns:

#### Signalization

The question was raised as to where other signalization would occur along Mitchell Road.

Staff identified that Rosewood and Roeding have been proposed for signalization and that implementation would occur at some future date.

The questions were raised as to whether or not with the new road being proposed going into Mitchell Road, if signalization would be placed at that intersection.

Staff identified that they did not know if signalization would be put in there but it would seem that if the area is increasing in intensity from a business park stand point, signalization would be needed from a planning perspective to control traffic. However, it was made clear that the warrants for signalization would have to be prepared by public works and approved by the City Council.

Questions were raised as to whether or not Don Pedro Road would receive a traffic signal at that location.

Staff identified that they did not know a traffic signal would be warranted at this location. Staff identified that other signalization may occur as the project is developed.

#### Legend

A question was raised as to the coding I, II, and III.

After staff responded that the I category provided that large lot configuration must be maintained and prior to any subdivision of the property, that a master plan taking into account the entire site, must be approved by the City Council.

II represents activities that were identified from the perspective of the plan that the northern portion of the project which was in the Airport Overlay Zone, would be an activity center such as a conference center, restaurant, etc. for the northern portion of the plan.

For the southern portion of the plan, the activity center would include theatres, recreational facilities, etc.

Traffic concerns regarding increased traffic along Rose Avenue when quasi-regional is developed.

Concerns identified were: through traffic would increase on Rose with development in this area, the lighting in the parking lights would provide a glare to the homes on the north side of Roeding Road.

The question was raised as to where day care centers would be permitted.

Staff advised that they would be permitted in the H-C and F-C Zone Districts as identified in the Specific Plan.

The question was raised as to what would be the density of residential uses within the Airport Overlay Zone District as identified in the Mixed Use II category.

Staff advised that the density issue has not been fully discussed and that recommendations will be made to the Planning Commission as to the densities permitted in the Mixed Use II category as well as the Mixed Use I category.

Question as to the church on Don Pedro Road and what the status of that would be.

Staff advised that the church may become a nonconforming use and as such would be permitted to continue in its existing condition. In some cases, a nonconforming uses may be expanded and/or enlarged based upon a use permit through the Planning Commission hearing process.

A question was raised as to whether or not a conference center could be placed in the Mixed Use II category at the north end of the project site due to the limitations of the categories identified in the Specific Plan.

Staff advised that in the Mixed Use II category, conference centers would be a permitted use in conjunction with other activities.

Concerns were raised as to what type of sound barrier would be placed on the west side of Mitchell Road adjacent to the single family residential development that currently exists. They also wanted to know the timing of the installation of the sound barriers.

Staff identified that sound barriers may be necessary due to the existing noise levels as a result of increased traffic. Staff identified that the funding for the sound walls may be required to come from the homeowners or through development fees within the Specific Plan to help mitigate the impacts as a result of the Specific Plan or from state funds or grants received for construction of the sound barrier wall along Mitchell Road.



Staff did not know what the specific timing of the installation of the sound wall would be. It could be one year, ten years, or 20 years depending upon the type of financing and impacts associated with the project.

It was identified that at the last meeting, representatives from Lew-Garcia-Davis identified that the property owners wanted to have consideration made for the mobilehome park and not impacting in a nonconforming use thus removing the Freeway Commercial designation from the property. However, after due consideration, they have requested that the property remain designated for Freeway Commercial. They also recommended that an interim list of uses be permitted until such time as commercial time will occur.

In conjunction with the interim uses prior to commercial development, it is recommended that improvements be deferred until permanent uses can be developed.

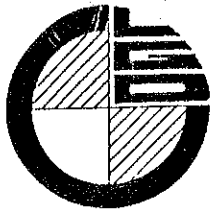
The above identifies the concerns that were expressed at the community workshop on May 24, 1989.

#### Summary

The community workshop as presented to the audience, identified that that specific changes may occur to the plan as currently being reviewed at the public workshop and may be recommended to be reviewed by the Planning Commission at its public hearings of June 5 and June 19, 1989.

The audience was advised that the next public hearing will be June 5, 1989 by the Planning Commission. The public hearing will start at 7:15 P.M. or as soon thereafter as can be heard in the City Council Chambers.

Staff also advised that we would prepare a listing of concerns voiced during the second workshop on May 24, 1989 which would be available for those persons to review and that if those concerns were not accurately identified, that they would have an opportunity to have further impact to further correct concerns as prepared by staff.



**LEW-GARCIA-DAVIS**  
**ENGINEERS**  
**SURVEYORS**

LAWRENCE L. LEW, JR., RCE  
(209) 538-3360  
P.O. BOX 1033  
3641 MITCHELL ROAD, SUITE D  
CERES, CALIFORNIA 95307-1033

MAX M. GARCIA, LS  
(209) 538-3360  
P.O. BOX 1033  
3641 MITCHELL ROAD, SUITE D  
CERES, CALIFORNIA 95307-1033

GARY S. DAVIS, RCE  
(209) 358-9170  
594 BELLEVUE ROAD  
ATWATER, CALIFORNIA 95301

REPLY TO:  
RE FILE NO:

**LETTER F**

May 24, 1989

**RECEIVED**

**MAY 25 1989**

**CERES P.D. & C.D.**

City of Ceres  
2720 Second Street  
Ceres, CA 95307

Attention: Mr. Jake Raper  
Director of Planning & Community Development

Re: Mitchell Road Corridor Specific Plan  
Project No. 88141

Dear Jake:

Mr. Clarence R. Sands has requested that we prepare this letter on his behalf regarding his  $\pm 9.7$  acre site on Mitchell Road (APN 69-21-05). The property is located south of Roeding Road on the east side of Mitchell Road and is developed on  $\pm 6.5$  acres, as the "Westward Ho" Mobile Home Park and the southerly  $\pm 3.2$  acres is vacant. The property at this time is one parcel.

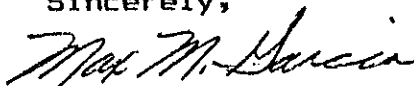
In reviewing the proposed land uses for the Mitchell Road Corridor Specific Plan, we are in agreement that the best use for the property is Freeway Commercial as currently proposed. Our understanding is that the mobile home park could remain as a non-conforming use.

Our plan has always been to develop the vacant  $\pm 3.2$  acres into additional mobile home spaces. However, in light of the Mitchell Road Corridor Specific Plan and the apparent desires of City planners, our anticipated expansion would not be compatible. At some point in the future we would consider developing the vacant acreage into commercial uses but maintain the use of the existing mobil home park. This would keep the needed mobile home spaces for the community, for which rental rates have been held as reasonable as possible. However, a major concern is that, when we apply for a parcel split to create the  $\pm 3.2$  acre parcel for commercial development, we will be forced to make major improvements to the mobil home park site. These improvements would likely cause such a financial burden that either major rent increases would have to be instituted or subsequent commercial

development of the remaining acreage would be rendered unfeasible. Furthermore, if the mobile home park land were ever to be converted to commercial uses, such additional improvements and costs to our park would delay this conversion.

This letter is to give our support for the proposed freeway commercial designation but also reflect on our concerns on maintaining the mobile home park until it is feasible to convert its use, but allow the vacant land to develop commercially.

Sincerely,



Max M. Garcia  
LEW-GARCIA-DAVIS

MMG/bg

cc: Mr. James G. Marshall, City Manager  
Mr. Lewis Arrollo, Mayor  
Mr. Richard G. McBride, Vice-Mayor  
Mr. Jeffrey D. McKay, Councilmember  
Ms. Barbara Hinton, Councilmember  
Mr. Paul Caruso, Councilmember  
Mr. Clarence R. Sands  
Mr. Richard J. Sands

## LETTER G

### PORTION OF PLANNING

### COMMISSION MINUTES

JUNE 5, 1989

- 7) Environmental Impact Report for  
General Plan Amendment and Mitchell  
Road Specific Plan.

Planning Director Raper gave a brief introduction regarding the EIR process for the Mitchell Road Specific Plan.

He addressed the Commission by saying that the City will be taking testimony and concerns from the residents that had come to express their views regarding the EIR procedure for the Mitchell Road Specific Plan.

He also stressed that this item and the following items will be continued for the future June 12, 1989 meeting of the Planning Commission at which time the Commission will act on it and send a recommendation to the City Council or make modifications to the proposals.

Jim Boling, 3230 Vernal Drive, Ceres, addressed the Commission.

Mr. Boling mentioned that there are agricultural and residential uses around Vernal and Roeding and that he would hate the thought of kids having to live so close to a proposed shopping center in the area.

Mr. Boling expressed his fear for the children's safety and asked the Commission to consider an alternative site for commercial uses, perhaps, on the east side of Mitchell Road.

Commissioner Reaves asked Mr. Boling whether or not his concerns would be lessened by the requirement that all traffic from future commercial areas would be channeled through Mitchell and not through Roeding.

Mr. Boling responded that he didn't see any problem in case all the traffic goes on Mitchell where it belongs.

Phillip Machado, a resident of Rose Avenue, also addressed the Commission. He expressed his concerns with the growing traffic problem along Rose Avenue. He mentioned that the location of commercial projects south of Roeding will more than likely cause the traffic problem to worsen. He mentioned that the neighbors in the area would love to see speed bumps on Rose Avenue.

Kathy Bowers-Powell, 3224 Rose Avenue, also addressed the Commission. She mentioned that her residence was located at the corner of Rose and Roeding and that she constantly is exposed to the dangers of motorists speeding along Roeding and Rose.

She was also concerned with the mall across the street from her house and the increase in the traffic problem. She mentioned that children cannot play and are not allowed on her front yard because she considers this location to be extremely hazardous to their health.

Tim Pursley, 2221 Roeding Road, also addressed the Commission. Mr. Pursley mentioned that the traffic situation is really bad and continues to worsen along Rose Avenue. He mentioned that the neighbors are not happy with the situation and would like to start circulating a petition in order to get speed bumps along Rose Avenue.

Planning Director Raper directed Mr. Pursley to send the petition to the Traffic Safety and Control Committee so the Committee could study the situation.

Jerri Snyder, 2231 Rose Avenue (the corner of Rose and Roeding), had concerns with the traffic and the impacts of future commercial development on Mitchell Road on existing services like police and fire protection and landscaping. Mrs. Snyder also asked the Commission what the adjacent commercial center would do to the property values in the area.

The Commission mentioned that there was not an answer that could be given at this specific time and that the original values depended on many other factors.

Linda Howard, 3204 Rose Avenue, addressed the Commission. She mentioned she had concerns about the air pollution created by the traffic.

Kathy Bowers-Powell, 2234 Roeding Road, addressed the Commission again and expressed her concerns regarding increased traffic and noise levels.

Clarence Page, 3221 Rose Avenue, mentioned that he would hate to see more traffic coming down Rose Avenue. He pointed out that on Geer Road in Turlock, a nice set-up had been accomplished and that commercial could also be next to residential if done the right way.

Commissioner Risen asked staff what the difference in trip generation between commercial and single family.

Staff could not give the exact figure for commercial, but specified that single family units generate as much, if not more traffic, than commercial.

The Commission again explained to the people present in the audience that they were taking comments to be incorporated in the EIR process and that the item will be continued for the next meeting.

- 8) Public Hearing - General Plan Amendment to Land Use and Circulation Element.
- 9) Public Hearing - Mitchell Road Corridor Specific Plan.
- 10) Design Review Guidelines for Mitchell Road Corridor Specific Plan.

Planning Director Raper gave a brief staff report and introduced Melanie Traxler as the consultant to give a presentation to the Planning Commission.

Melanie Traxler, The Planning Center, presented the Commission and the persons attending the meeting with a presentation of the Mitchell Road Specific Plan.

She gave a brief background and also mentioned what the goals and objectives were for Mitchell Road.

Ms. Traxler explained that the Mitchell Road Specific Plan establishes a comprehensive guidance and regulations for the development of approximately 450 acres along the Mitchell Road Corridor.

Ms. Traxler explained that the design guidelines were intended to assist developers in understanding how the properties are going to be developed, including setback requirements, landscape requirements, type of materials, etc. She also pointed out that in order to make the corridor a viable commercial corridor, the Mitchell Road Specific Plan needed to be cleaned up from some of the existing blighted areas.

Ms. Traxler went into detail on how the Mitchell Road Corridor was to be divided into different overlay districts.

Planning Director Raper gave a brief summary overview of the concerns brought up by the persons attending the previous workshops conducted May 11 and May 24, 1989. Those concerns were as follows:

- 1) Industrial park on the north side of Hatch Road which was suggested to be changed to a mixed use category 1.
- 2) Traffic on River Road and the probability of signalization at that intersection and the realignment of Mitchell Road.
- 3) The mixed use located south side of Hatch and north of Fowler and the probability to change to commercial use only.
- 4) Signalization of Mitchell Road to non-conforming uses under potential for expansion.



- 5) The amount of quasi-regional commercial targeted for the west side of Mitchell Road.
- 6) The widening of Mitchell Road.
- 7) The internal circulation and who would be responsible for the improvements of these areas.
- 8) The reason why Freeway Commercial designation on the south side of Mitchell Road.
- 9) Signalization of different intersections including Rosewood, Roeding and maybe Don Pedro Road.
- 10) Explanation for legends for overlay districts 1, 2, and 3.
- 11) Traffic increase along Rose and Roeding, as well as glare generated by commercial users.
- 12) Possibility of location of a day care center along Mitchell Road.
- 13) The density for residential within the Airport Overlay District and the density for other Medium Density areas in conjunction with business parks.

Other concerns were voiced from the church at Don Pedro whether the church would become a nonconforming use, the feasibility of the location of a conference center on the north side of the corridor, the placement of some barriers along Mitchell Road where it abuts existing residential uses, the change of opinion from the Westward Ho Mobilehome Park property owners clarifying that they will be in

agreement with the commercial land use designation, the permissibility of interim land uses along the corridor, and their potential for delaying the implementation of the Mitchell Road Specific Plan.

Commissioner Risen asked Planning Director Raper what the reason was for a conditional use permit to be required of churches within the Mitchell Road Specific Plan since the Commission had recently adopted the Zoning Ordinance text amendment to allow churches without that requirement.

Planning Director Raper replied that the Mitchell Road Specific Plan was a different zoning as opposed to the traditional zoning imposed in other areas of the city. However, he pointed out that if it was the Commission's desire to continue that philosophy as stated in the Zoning Ordinance text amendment that allowed establishment of churches without a conditional use permit, then the Commission had the power to include such change.

Commissioner Risen also asked staff what the potential consequences would be for litigation would be if the Commission makes a statement of overriding consideration for the north in order to allow that portion of the corridor to have a higher density as opposed to that which is mandated by the Airport Land Use Commission.

Planning Director Raper replied that there would be legal risks but that the Commission had to weigh the benefits against the risks. He offered to research these potential liabilities before the Commission made a decision on it.

Homer Jorgensen, 1260 Mitchell Road, concurred with staff's recommendation for the changes on the north side of the Mitchell Road Corridor from Industrial Park to mixed use 2. Mr. Jorgensen commented that any risks that the Commission may be taking have already been taken by the City authorizing some subdivisions to be developed immediately west of his land. He also added that he believed that the risk was very small and that it was very unlikely that an accident would happen.

Mr. Jorgensen also suggested that the Planning Commission include in their recommendation that the density be raised from 0-1 to 1-2 parcels per acre since a portion of his land which is irregularly shaped would be lost and will be under-utilized if the requirement of only 1 unit per 10 acres remains in place.

Mr. Jorgensen also made the comment that the signalization be required if a road develops from the west side of Mitchell onto Mitchell across his property.

Tim Riley, 2221 Roeding Road, approached the podium to clarify that if the Commission would consider each individual development within the Mitchell Road Specific Plan and their potential traffic impacts.

The Commission assured Mr. Riley that the traffic impacts will be considered at the time of the development of each project.

After the hearing was closed, Commissioner Risen expressed his concerns with the requirements of a conditional use permit for churches in the specific plan.

Planning Director Raper asked the Commission whether or not they would like to carry the same philosophy as that stated in the Zoning Ordinance text amendment that allows churches to be located by right in areas if they could provide a minimum of 1 acre and if they were located on a major thoroughfare, and also require a conditional use permit for those churches that could not provide a minimum of 1 acre lot size or were not located on a major thoroughfare.

The Commission agreed with Planning Director Raper and directed him to carry on the same philosophy.

After brief discussion, it was moved by Commissioner Reaves, seconded by Commissioner Marable, to continue items 7, 8, 9, and 10 to the June 19, 1989 Planning Commission meeting.

- 5) Request for Planning Commission Modification and Review of Central Estates Subdivision, Lots 4 and 5, 837 N. Central Avenue. R-1 Zone. Lew-Garcia-Davis, Applicant.

Planning Aide Galvez gave a staff report and presented the request from Lew-Garcia-Davis

## DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)  
STOCKTON, CA 95201

(209) 948-7958



RECEIVED

June 6, 1989

LETTER H  
See J-3

10-Sta-99-PM 9.9/13.6

JUN - 9 1989

City of Ceres

Mitchell Rd Specific Plan  
SCH #88053107

CERES P.D. &amp; C.D.

Mr. John Keene  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

Dear John:

Caltrans appreciates the opportunity to review and comment on the Mitchell Road Corridor Specific Plan. This Plan will have significant impacts on the surrounding road system and particularly Route 99 mainline and interchanges at Mitchell Road, Hatch Road and Whitmore Avenue; therefore, Caltrans offers the following comments:

- o The EIR addresses only the impacts that will occur to the Mitchell Road corridor and included intersections. The EIR does not address the impacts that will occur at Route 99/Whitmore or Route 99/Hatch Interchanges. Caltrans requests that this traffic impact portion of the study include, at a minimum, the existing traffic, the cumulative traffic, along with the AM/PM peak hour turning movements for the three interchanges and ramps noted. This analysis should include project related and cumulative impacts to mainline Route 99 on either side of the interchanges.
- o An evaluation of the project's traffic impact on the LOS of the key interchange ramps and ramp intersections in the area. Currently the southbound ramp on Hatch Road Interchange is developing queuing problems during PM peak hours. Caltrans' Traffic Operations Branch agrees with the report (Page 74) conclusion that Mitchell Road Interchange should be redesigned if increased traffic is projected.
- o An estimation of the directional distribution of the projected trips. This analysis should consider local roads and interchanges in the area.
- o A discussion of the merge and diverge analysis on Route 99 near the interchanges.
- o A discussion which recommends mitigation measures for significant impacts on the State highways and reference to funding responsibility for improvements made necessary by this project. The recommendations suggested should be incorporated into the Capital Improvement Plan for the City of Ceres. The mitigation established for this project should be integrated with future projects being planned by Caltrans in the area.

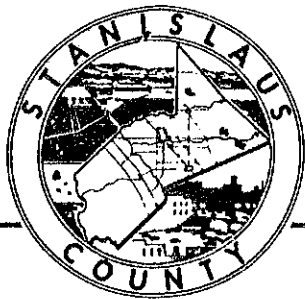
Mr. John Keene  
June 6, 1989  
Page 2

These comments address the major issues and concepts of the circulation element of this proposal. Thank you for the opportunity to comment and if we can be of any further assistance please call me at the above referenced telephone number.

Sincerely,

  
MICHAEL G. HINSHAW  
ATSD Coordinator

cc: J Raper/Ceres Planning  
V Holanda/Sta Co Planning



# Stanislaus County

Department of Planning and  
Community Development

1100 H STREET

MODESTO, CALIFORNIA 95354

PHONE: (209) 525-6330

June 9, 1989

JUN 12 1989

**CERES P.D. & C.D.**

Jake Raper, Director  
City of Ceres  
Planning and Community Dev. Dept.  
P.O. Box 217  
Ceres, CA 95307-0127

**LETTER I**

RE: Mitchell Road Corridor Specific Plan

Dear Mr. Raper:

I have reviewed the Mitchell Road Corridor Specific Plan for consistency with the ALUC Plan as requested. The following are comments related to the consistency of the two plans in the area of the "approach and transitional surfaces" (airport transition boundary on your plan).

Mixed Use 2 (MS2)

Does the lack of a symbol designation (blank) following a designation mean the use is not permitted? If so, then I will only address those that have a symbol.

- Hotel, motel, motor hotel: This use is specifically prohibited in the ALUC Plan.
- Conference center: Although not specifically listed in the ALUC Plan, if it is a theater or auditorium which could be considered a conference center, it is prohibited.
- Day nursery and nursery schools, technical and industrial training schools: The ALUC Plan specifically prohibits schools in this area.
- Low-density residential, medium-density residential, and high-density residential: Rural residential, one unit per ten acres is allowed in the ALUC Plan. Densities which allow more than 1 du/10 ac. are prohibited.

Jake Raper  
Mitchell Road Corridor  
June 9, 1989  
Page 2

Industrial Park (IP)

- Automobile service station: The ALUC Plan prohibits gas stations; an automobile service station is not permitted.
- Music studio, recording studio and radio/television studio: While not expressly permitted or prohibited, the consultant and the city staff may want to consider, from a practical point, the wisdom of locating noise-sensitive uses such as these in a potentially noise-impacted area.

Alternative Plan - Exhibit A of letter (area west of Mitchell Road)

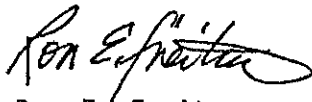
There does not appear to be a listing of "Business Park" on the legend of the exhibit or a listing in the land use matrix. Therefore, that undefined term cannot be evaluated with the ALUC Plan.

- Estate Residential ( $\frac{1}{2}$  to 1 acre, Single-Family Residential): The ALUC Plan does allow rural residential uses at one unit per ten acres. Densities which are greater are not permitted.

For the proposed plan to be consistent with the proposed Mitchell Road Corridor Specific Plan, the inconsistencies listed above would need to be corrected.

Thank you for the opportunity to comment. If you or the consultant have questions regarding my comments, please contact me.

Sincerely,



Ron E. Freitas  
Senior Planner

REF:jl,p25



## OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET  
SACRAMENTO, CA 95814

June 12, 1989

Mr. Jake Raper  
City of Ceres  
2720 Second Street  
Ceres, CA 95307

LETTER J

RECEIVED

JUN 13 1989

CERES P.D. &amp; C.D.

Subject: Mitchell Road Corridor Specific Plan  
SCH# 88053107

Dear

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code requires that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation.

These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact John Keene at 916/445-0613 if you have any questions regarding the environmental review process.

Sincerely,

David C. Nunenkamp  
Chief  
Office of Permit Assistance

Enclosures

cc: Resources Agency

## NOTICE OF COMPLETION AND ENVIRONMENTAL DOCUMENT TRANSMITTAL FORM

SCH # 88053107

1. Project Title: MITCHELL ROAD CORRIDOR SPECIFIC PLAN  
 2. Lead Agency: CITY OF CERES 3. Contact Person: JAKE RAPER  
 3a. Street Address: 2720 SECOND ST. 3b. City: CERES  
 3c. County: STANISLAUS 3d. Zip: 95307 3e. Phone: 209 538 5774  
 PROJECT LOCATION 4. County: STANISLAUS 4a. City/Community: CERES

4b. Assessor's Parcel No. \_\_\_\_\_ 4c. Section \_\_\_\_\_ Twp. \_\_\_\_\_ Range \_\_\_\_\_  
TUOLUMNE RIVER NORTH END OF PROJECT  
 5a. Cross Streets: HWY 99 SOUTH END OF PROJECT 5b. Community: \_\_\_\_\_

6. Within 2 miles: a. State Hwy: 99 b. Air-ports: MODESTO c. Rail-ways: SOUTHERN PACIFIC d. Water-ways: TUOLUMNE

|  |   |  |
|--|---|--|
| 7. DOCUMENT TYPE   | 8. LOCAL ACTION TYPE  | 9. DEVELOPMENT TYPE  |
| <u>CEQA</u>  | 01. <input checked="" type="checkbox"/> General Plan Update               | 01. <input checked="" type="checkbox"/> Residential: Units _____ Acres _____ |
| 01. <u>NOP</u> 06. <u>NOC</u>  | 02. <u>NEW</u> Element  | 02. <u>Office</u> : Sq. Ft. _____ Acres _____ Employees _____                |
| 02. <u>Early Cons</u> 07. <u>NOC</u>                                 | 03. <input checked="" type="checkbox"/> General Plan Amendment            | 03. <u>Shopping/Commercial</u> : Sq. Ft. _____ Acres _____ Employees _____   |
| 03. <u>Reg Dec</u> 08. <u>NOD</u>                                    | 04. <u>Master Plan</u>  | 04. <u>Industrial</u> : Sq. Ft. _____ Acres _____ Employees _____            |
| 04. <input checked="" type="checkbox"/> Draft EIR                    | 05. <u>Annexation</u>   | 05. <u>Water Facilities</u> : MGD _____                                      |
| 05. <u>Supplement/</u><br><u>Subsequent EIR</u><br>(Prior SCH No. 1) | 06. <input checked="" type="checkbox"/> Specific Plan                     | 06. <u>Transportation</u> : Type _____                                       |
|  | 07. <u>Community Plan</u>   | 07. <u>Mining</u> : Mineral _____  |
|  | 08. <u>Redevelopment</u>  | 08. <u>Power</u> : Type _____ Watts _____                                    |
| <u>NEPA</u>  | 09. <input checked="" type="checkbox"/> <u>Zone</u>                       | 09. <u>Waste Treatment</u> : Type _____                                      |
| 09. <u>NOI</u> 11. <u>Draft</u><br><u>EIS</u>                        | 10. <u>Land Division</u><br>(Subdivision, Parcel<br>Map, Tract Map, etc.) | 10. <u>Other</u> related _____   |
| 10. <u>FOISI</u> 12. <u>EA</u>                                       | 11. <u>Use Permit</u>   | 11. <u>Other</u> _____   |
| <u>OTHER</u>   | 12. <u>Waste Mgmt Plan</u>  |  |
| 13. <u>Joint Document</u>  | 13. <u>Cancel Ag Preserve</u>   |  |
| 14. <u>Final Document</u>  | 14. <u>Other</u> _____  |  |
| 15. <u>Other</u> _____   |   |  |

10. TOTAL ACRES: 460 ± 11. TOTAL JOBS CREATED: \_\_\_\_\_

|  |  |                                 |
|--|--|---------------------------------|
| 12. PROJECT ISSUES IDENTIFIED IN DOCUMENT                                    | 15. <u>Septic Systems</u>  | 21. <u>Water Quality</u>        |
| 01. <u>Aesthetic/Visual</u>  | 16. <u>Sewer Capacity</u>  | 22. <u>Waste Supply</u>         |
| 02. <u>Agricultural Land</u>   | 17. <u>Soil</u>  | 23. <u>Wetland/Riparian</u>     |
| 03. <input checked="" type="checkbox"/> <u>Air Quality</u>                   | 18. <u>Soil Erosion</u>  | 24. <u>Wildlife</u>             |
| 04. <u>Archaeological/Historical</u>   | 19. <u>Solid Waste</u>   | 25. <u>Growth Inducing</u>      |
| 05. <u>Coastal Zone</u>  | 20. <u>Toxic/Hazardous</u>   | 26. <u>Incompatible Landuse</u> |
| 06. <input checked="" type="checkbox"/> <u>Economic</u>                      | 21. <input checked="" type="checkbox"/> <u>Traffic/Circulation</u> | 27. <u>Cumulative Effects</u>   |
| 07. <u>Fire Hazard</u>   | 22. <u>Vegetation</u>  | 28. <u>Other</u> _____          |
| 13. <u>FINANCING</u> (approx) Federal \$ _____ State \$ _____ Total \$ _____ |  |                                 |

14. PROJECT LAND USE AND ZONING: Mixed commercial, professional and planned unit developments. Some older single-family residences and apartment complexes.

15. PROJECT DESCRIPTION: The development of a comprehensive specific plan, complete with development standards, detailed design guidelines and implementation program, to guide and encourage the optimum retail and commercial development of undeveloped and underdeveloped parcels within the Mitchell Road Corridor while maintaining adequate housing and remaining sensitive to the residential component within the corridor.

CLEARINGHOUSE CONTACT: JOHN KEENE  
916-445-0613

STATE REVIEW BEGAN: 4-28-89

DEPT REV TO AGENCY: 6-5

AGENCY REV TO SCH: 6-9

SCH COMPLIANCE : 6-12

PLEASE RETURN NOC WITH ALL COMMENTS

Resources

AQMD/APCD: 34 (File Date: 4/29)

FAX TELEPHONE: 916-323-3018

W/C N/C

• Resources  
☒ • Conservation  
☒ • Fish & Game  
☒ • NAHC  
☒ • Parks & Rec/OHP

• ARB

W/C N/C

• RWQCB# 5 Sacto  
☒ • Caltrans# 10  
☒ • Aeronautics  
☒ • Health

Ca

Bd

# Memorandum

To: State Clearinghouse  
Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

Date: June 7, 1989

File:

Attention John Keene

J-1

From: DEPARTMENT OF TRANSPORTATION  
DIVISION OF AERONAUTICS

Subject: The City of Ceres' DEIR for the Mitchell Road Corridor  
Specific Plan; SCH#88053107

The California Department of Transportation, Division of Aeronautics, has reviewed the above-referenced document with respect to the Division's area of expertise as required by CEQA. The following comments are offered for your consideration.

According to the DEIR, an objective of the Mitchell Road Corridor Specific Plan is to achieve an "airport oriented commercial center" between Hatch Road and the Tuolumne River by designating the area as an Airport Overlay District. The Division supports this policy. Since the area north of the airport transition boundary is within the 65 and greater Community Noise Equivalent Level (CNEL), new residential development should be discouraged in this area due to the associated noise impacts.

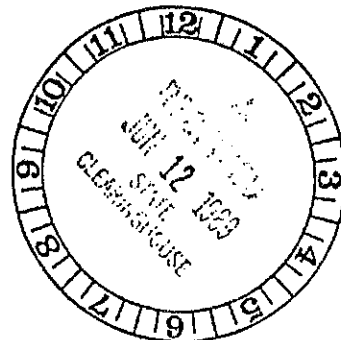
Thank you for the opportunity to review and comment on this proposal. The Specific Plan must be reviewed and approved by the Airport Land Use Commission (ALUC).

Sincerely,

JACK D. KEMMERLY, Chief  
Division of Aeronautics

*Sandy Hesnard*  
Sandy Hesnard  
Environmental Planner

cc: Stanislaus County ALUC  
Modesto City-County Airport



## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 288  
SACRAMENTO, CALIFORNIA 95814  
(916) 322-7791

May 12, 1989

Mr. Jake Raper  
City of Ceres  
2720 Second Street  
Ceres, California 95307

J-2 see letter C

SCH# 88053107-Mitchell Road Corridor Specific Plan

Dear Mr. Raper:

Since the Specific Plan will involve over four hundred acres of land of mixed use, one recommendation would be to address the possibility of discovering previously undetected cultural resources during various portions of future projects.

The concern of the Native American Heritage Commission is in those places where the prehistoric sites underlie areas which have been previously developed and thought to be free of cultural resources. Sites have been covered by natural causes, flooding would be one example, over a period of centuries. The alluvial buildup has provided a buffer zone between the present surface and the prehistoric site. Structures have been placed on some, the soil covering others has been cultivated over many years. When an older structure is replaced with a modern building, or an old underground water or sewer line is upgraded to meet present needs is when the problem of impacting such a location takes place. When a foundation is dug to comply with the building codes and requirements of today, or utility lines are buried to meet health and safety standards, previously undisturbed soil becomes impacted.

The region around that particular section of the Valley is part of what would have been more than 5,000 square kilometers of extensive wetlands, and broad, shallow lakes. The area would have been occupied on a year-round basis by various Indian tribal groups for approximately ten thousand years. The siltation of the region has caused numerous prehistoric archaeological sites to be buried under, what is now, the existing grade.


There have been Native American cultural resources, including numerous old burials, discovered within the recent past, throughout the Valley. The possibility of discovering previously detected cultural resources should be addressed in any environmental document from that region. These sites do not always surface indications of their presence. Archaeological sites have been discovered in the former floodplains of the Sacramento and San Joaquin Valleys at depths exceeding eight feet below the present ground surface.

The California Environmental Quality Act, Appendix K, deals with the discovery of archaeological sites and the procedures to follow. It also contains the instructions to follow when human remains are found during any phase of development.

The Native American Heritage Commission has prepared a pamphlet for use by lead agencies, planners, developers and property owners. It provides an easy-to-read breakdown of the California Codes pertaining to Native American human remains and their disposition. I have included a copy of this brochure for your information.

If you have any questions or need additional information, please contact this office.

Sincerely,

  
William Anthony Johnson  
Staff Analyst

Enclosure

cc: John Keene, SCH

## DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)  
STOCKTON, CA 95201

(209) 948-7958



June 6, 1989

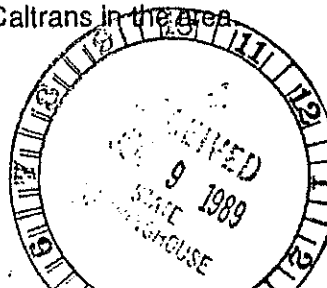
10-Sta-99-PM 9.9/13.6  
City of Ceres  
Mitchell Rd Specific Plan  
SCH #88053107Mr. John Keene  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

J-3

Dear John:

Caltrans appreciates the opportunity to review and comment on the Mitchell Road Corridor Specific Plan. This Plan will have significant impacts on the surrounding road system and particularly Route 99 mainline and interchanges at Mitchell Road, Hatch Road and Whitmore Avenue; therefore, Caltrans offers the following comments:

- o The EIR addresses only the impacts that will occur to the Mitchell Road corridor and included intersections. The EIR does not address the impacts that will occur at Route 99/Whitmore or Route 99/Hatch Interchanges. Caltrans requests that this traffic impact portion of the study include, at a minimum, the existing traffic, the cumulative traffic, along with the AM/PM peak hour turning movements for the three interchanges and ramps noted. This analysis should include project related and cumulative impacts to mainline Route 99 on either side of the interchanges.
- o An evaluation of the project's traffic impact on the LOS of the key interchange ramps and ramp intersections in the area. Currently the southbound ramp on Hatch Road Interchange is developing queuing problems during PM peak hours. Caltrans' Traffic Operations Branch agrees with the report (Page 74) conclusion that Mitchell Road Interchange should be redesigned if increased traffic is projected.
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- o A discussion of the merge and diverge analysis on Route 99 near the interchanges.
- o A discussion which recommends mitigation measures for significant impacts on the State highways and reference to funding responsibility for improvements made necessary by this project. The recommendations suggested should be incorporated into the Capital Improvement Plan for the City of Ceres. The mitigation established for this project should be integrated with future projects being planned by Caltrans in the area.



Mr. John Keene  
June 6, 1989  
Page 2

These comments address the major issues and concepts of the circulation element of this proposal. Thank you for the opportunity to comment and if we can be of any further assistance please call me at the above referenced telephone number.

Sincerely,

  
MICHAEL G. HINSHAW  
ATSD Coordinator

cc: J Raper/Ceres Planning  
V Holanda/Sta Co Planning

## Memorandum

To : Dr. Gordon F. Snow  
Assistant Secretary for Resources

Mr. Jack Raper  
City of Ceres  
2720 Second Street  
Ceres, CA 95307

J-4

Date : June 2, 1989

Subject: Draft Environmental  
Impact Report (EIR)  
for Mitchell Road  
Corridor Specific  
Plan,  
SCH# 88053107

From : Department of Conservation—Office of the Director

The Department of Conservation has reviewed the City of Ceres' Mitchell Road Corridor Specific Plan, which proposes commercial and retail development in the planning area. A grape vineyard exists on 12 acres of the site and is the only currently-productive land in the project area. There are no Williamson Act contracts on the site.

The Department is responsible for monitoring farmland conversion on a statewide basis and also administers the California Land Conservation (Williamson) Act. The Department is concerned with the loss of agricultural land throughout the State. Although the Draft EIR indicates that the loss of agricultural areas would be a project impact, it does not address the areas of concern which this Department indicated in our response to the Notice of Preparation (dated June 24, 1988).

Among those concerns was the fact that although no Williamson Act contracts existed on the site, there were contracts within 2,100 feet of the eastern boundary of the site and the possible growth-inducing impacts on these contracts should be assessed.

In addition, with the exception of some reference to buffers as a mitigation measure, none of the suggested mitigation measures for agricultural impacts have been considered. Among the mitigation measures suggested were the purchase of development rights of farmland along access points of the corridor in order to maintain agricultural uses and lessen induced urban-growth impacts and utilization of land-use planning tools such as purchase of conservation easements and establishment of farmland trusts to protect farmland.

Therefore, we suggest that the Draft EIR be modified to include assessment of cumulative and growth-inducing impacts, as well as possible mitigation measures for impacts on agricultural and Williamson Act contracted lands.

The Department appreciates the opportunity to comment on the Draft EIR. We hope that the farmland conversion impacts and the Williamson Act contract issues are given adequate consideration in the Final EIR. If I can be of further assistance, please feel free to call me at (916) 322-5873.

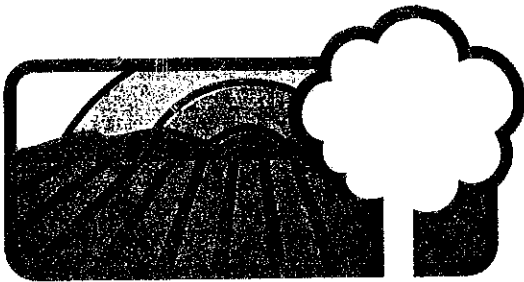
*Dennis J. O'Bryant*

Dennis J. O'Bryant  
Environmental Program Coordinator

DJO:PG:efh

cc: Stephen Oliva, Chief, Office of Land Conservation





# **CITY of MODESTO**

**Public Works & Transportation Department**

**Engineering Division**

**Traffic: (209) 577-5293**

**RECEIVED**  
**JUN 14 1989**  
**CERES P.D. & C.D.**

**LETTER K**

801 11th Street, P. O. Box 642, Modesto, CA 95353

[TDD (209) 526-9211 Hearing and Speech Impaired only]

June 9, 1989

Mr. Jake Raper  
Director of Planning  
and Community Development  
City of Ceres  
P.O. Box 217  
Ceres, CA 95307-0217

**Subject: Mitchell Road Corridor Specific Plan EIR**

Dear Mr. Raper:

I asked Joe Holland, Transportation Planner, of my staff to review the subject EIR, and enclosed herewith are his comments for your consideration.

## **Land Use and Trip Generation**

Review of this EIR shows that the project consists of a total of about 338 acres of new commercial and business-professional development. The development is proposed along both sides of Mitchell Road from the Tuolumne River to State Route 99.

The project is expected to generate a total of about 210,000 trips per day, with nearly 21,000 trips in the peak hour. This trip generation can be put in perspective by comparing it to residential trip generation. If all of these trips were residential trips, the total generation would be equivalent to 21,000 single family dwelling units, or a population of over 56,000 persons (@ 2.7 pers/hh).

The total generation represents an average rate of 620 daily trips per acre. This is a very high generation rate, and reflects the preponderance of commercial uses in the proposed land use plan.

The trip generation estimated for this area in the SAAG

model has been compared with the EIR's estimate. This reveals that the project would generate at least 4 times the traffic estimated by the model for the area. Our current planning efforts for the Mitchell/El Vista corridor are based on the SAAG model trip generation levels for the project area. Thus, the significantly higher trip generation of the project will significantly impact this corridor and other streets connecting to it (e.g., Yosemite, La Loma, Grand).

### Traffic Impacts

Three intersections are analyzed by the EIR: Hatch/Herndon, Mitchell/Hatch, and Mitchell/Whitmore. All three are shown to be heavily impacted by the project's potential trip generation. The tabulation below (Table 28 from the EIR) shows the extent of these impacts.

| Intersection             | Existing<br>Conds. |     | Project+<br>Existing<br>Geometry |     | Project+<br>Proposed<br>Geometry |     | Project+<br>Mitigated<br>Geometry |     |
|--------------------------|--------------------|-----|----------------------------------|-----|----------------------------------|-----|-----------------------------------|-----|
|                          | V/C                | LOS | V/C                              | LOS | V/C                              | LOS | V/C                               | LOS |
| <b>Herndon/Hatch</b>     |                    |     |                                  |     |                                  |     |                                   |     |
| AM Peak                  | 0.53               | C   | 1.06                             | F   | 1.06                             | F   | 0.92                              | E   |
| PM Peak                  | 0.69               | C   | 1.34                             | F   | 1.39                             | F   | 1.20                              | F   |
| <b>Mitchell/Hatch</b>    |                    |     |                                  |     |                                  |     |                                   |     |
| AM Peak                  | 1.00               | F   | 2.66                             | F   | 1.99                             | F   | 1.45                              | F   |
| PM Peak                  | 0.89               | D   | 3.11                             | F   | 2.28                             | F   | 1.75                              | F   |
| <b>Mitchell/Whitmore</b> |                    |     |                                  |     |                                  |     |                                   |     |
| AM Peak                  | 0.89               | D   | 2.33                             | F   | 2.33                             | F   | 1.25                              | F   |
| PM Peak                  | 0.77               | C   | 2.46                             | F   | 2.46                             | F   | 1.29                              | F   |

From these data it is obvious that even with significant improvement to the existing intersection geometry, there will still be the potential for serious overloading of intersections in the vicinity of the project. With the project and with mitigated intersection geometry, V/C ratios of 0.92 to 1.75 are shown, with Level F conditions at all three locations in the PM peak hour. Mitigated geometry includes, among other things, 6 lanes plus dual left-turn lanes and right-turn lanes on the Mitchell Road approaches.

The EIR estimates that on Mitchell Road south of the river, there will be a total of 6,900 vehicles per hour with the project. This is equivalent to at least 69,000 vehicles per day (vpd). It is apparent from the EIR's analysis that this projection does not reflect the Faith Home bridge. With the Faith Home bridge the volume would presumably be somewhat less, but no projection of this is included in the EIR.

A volume of 69,000 vpd on the Mitchell/El Vista corridor would have serious impact on Modesto's street system.

Mr. Jake Raper  
June 9, 1989  
Page 3

### Mitigation Measures

The EIR indicates that in order for Mitchell Road to operate acceptably (Level of Service E or better), development traffic will need to be reduced and the roadway cross-section will need to be increased. Reductions in development traffic of up to 50 percent are indicated by the EIR's analysis.

Mitigation of impacts outside of the Specific Plan's study area are not specifically addressed. There is general reference to the efficacy of improving Faith Home Road, including a bridge over the Tuolumne River, as an alternative to Mitchell Road.

### Conclusion

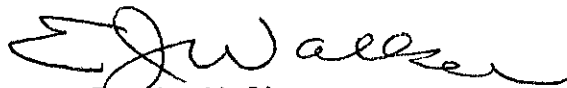
The EIR's analysis is summarized on page 74 as follows:

"Buildout of the proposed Mitchell Road Specific Plan will have significant impacts on study area intersections and roadways. . . . The current plan to widen Mitchell Road to two through lanes in both directions will improve traffic conditions, but will not mitigate the impacts of the proposed specific plan development."

It is also apparent that the magnitude of trip generation is such that, unless major changes in land use are made to reduce the traffic generation intensity of the plan, there will be significant traffic impacts on roadways outside the study area of the Specific Plan. A project which generates 200,000 daily trips will have far-reaching traffic impacts, affecting numerous regional roadways.

Some of these impacts will clearly occur on City of Modesto streets. The EIR does not identify impacts of the project outside of the plan's study area. It also does not identify mitigation measures for impacted roadways outside of the study area. These are issues which should be addressed by the EIR's analysis for both proposed and reduced project trip generation levels.

Sincerely,

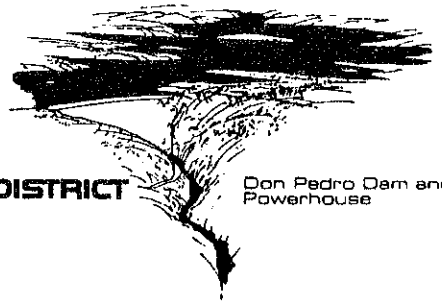


E. J. Walker  
Public Works & Transportation Director

## LETTER L

### TURLOCK IRRIGATION DISTRICT

333 EAST CANAL DRIVE  
POST OFFICE BOX 949  
TURLOCK, CALIFORNIA 95381  
(209) 883-8300



Don Pedro Dam and  
Powerhouse

June 12, 1989

**RECEIVED**

**JUN 14 1989**

**CERES P.D. & C.D.**

Mr. Jake Raper  
City of Ceres  
Dept. of Planning and Community Development  
P.O. Box 217  
Ceres, CA. 95307-0217

Dear Mr. Raper:

Reference: Mitchell Road Corridor Specific Plan

The staff of the Turlock Irrigation District ("District") has reviewed the Mitchell Road Specific Plan, Design Guidelines, and Environmental Impact Report (EIR). The District has the following comments pertaining to the EIR:

1. Page 1. The Turlock Irrigation District should also be included among the agencies who have an interest in the development of the Mitchell Road Corridor. The District's interests would include relationship and impacts to the District's irrigation canals, specifically the Ceres Main Canal and Lateral No. 1, and possible effects on its electrical Transmission/distribution facilities in the area.
2. Page 2. In paragraph 2, the corridor is bounded on the east by the District's Ceres Main Canal, not the Main Canal (two separate canals within the District's canal system).

In general, the District will require review and approval of development plans which encompass or border District irrigation and/or electrical transmission/distribution facilities. Review of the aforementioned documents and future documents and plans helps greatly in the coordination of future growth between agencies.

Thank you for providing the District an opportunity to comment on these documents. If you have any questions, please feel free to contact me at (209) 883-8300.

Sincerely,

TURLOCK IRRIGATION DISTRICT

Richard R. Vela  
Associate Civil Engineer



RRV:gh:rl150

## MATRIX--COMMENTS, RESPONSES, AND RECOMMENDATIONS

13.0

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE   | RECOMMENDATION   | ACTION |
|---|--|--|--------|
| <p>Letter A: Brian F. Webber<br/>Commander, Emergency Services,<br/>March 7, 1989.....</p> <ol style="list-style-type: none"> <li>1. Lane width and shoulder width being capable of supporting and handling the various widths of apparatus that are currently owned by the City of Ceres and those apparatus that are projected to be purchased in the near future.</li> <li>2. Intersection be designed to accommodate the fire apparatus in straight, backing and turning movements.</li> <li>3. Intersections be equipped with Opticon Signal Changing Device for all four (4) directions of travel.</li> <li>4. Curb curb be of sufficient width to accommodate existing equipment and future equipment, particularly a ladder truck.</li> <li>5. Parking lot, driveways and turnarounds be of sufficient size to accommodate current and future apparatus, particularly a truck company.</li> <li>6. Construction of buildings that exceed two (2) stories in height not be approved nor constructed until such time the City owns and operates the necessary truck company to accommodate three (3) plus story buildings.</li> <li>7. Water supplies capable of supporting multi-story structures and their fire loads.</li> <li>8. Utility lines, electrical, phone and cable utilities be constructed with fire suppression in fire suppression activities around water in structures. It is recommended that where at all possible in this quarter that those utilities be placed underground or set back far enough from structures that they do not interfere with fire suppression equipment.</li> </ol> | <p>This comment is acknowledge<br/>The Draft EIR, Section 3.9.2<br/>should be amended to include<br/>the eight (8) emergency<br/>access recommendations.</p> | <p>Incorporate change into Draft<br/>EIR. <del>Page 88-1</del><br/>Some mitigation measures may<br/>be adopted which permits<br/>greater than two stories.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

LETTER B

| COMMENTS   | RESPONSE  | RECOMMENDATION   | ACTION |
|--|---|--|--------|
| <p>LETTER B</p> <p>INDUSTRIAL PARK, west side of Mitchell Road, Northern end:</p> <p>1. The industrial would generate heavy traffic within the area.</p> <p>2. The architectural treatment and uses invited in that area may not be the most desirable for the community as it is in the gateway to the corridor and sets the tone and image for the community.</p> <p>3. Request this area be changed to estate residential and business park which may reflect Mixed Use #2 as proposed in the specific plan.</p> <p>4. Request would occur at the northern end of the existing buildings currently developed in the area.</p> <p>MIXED USE 1, SOUTH OF HATCH AND NORTH OF FLOWLER:</p> <p>1. Change to commercial</p> <p>2. Noise impact to existing and potential residential units.</p> <p>3. Potential hazard with the canal for children generated with residential. Potential drowning</p> | <p>1. STAFF CONCURS THAT TRUCK TRAFFIC WOULD BE A CONCERN</p> <p>2. STAFF CONCURS WITH THE OBSERVATIONS AND COMMENTS</p> <p>3. STAFF WOULD CONCUR WITH THE REQUESTED CHANGE: AIR PORT LAND USE COMMISSION MUST REVIEW</p> <p>4. STAFF WOULD RECOMMEND FRONTAGE TO BE MIXED USE #2.</p> <p>1. CONCERN IS INCREASED TRAFFIC IMPACT</p> <p>2. CONCUR WITH OBSERVATION</p> <p>3. EXISTING HAZARD, CONCUR WITH CONCERN</p> | <p>1. EXCHANGE LAND USE DESIGNATION TO MIXED USE #2</p> <p>2. REFER TO #1</p> <p>3. CHANGE LAND USE DESIGNATIONS TO MIXED USE #2.</p> <p>4. SEE EXHIBIT A FOR RECOMMENDING CHANGE</p> <p>1. RECOMMEND TO REMAIN AS MIXED USE #1. GIVES OPTIONAL DEVELOPMENT CRITERIA FOR PROPERTY OWNERS</p> <p>2. NONE</p> <p>3. NONE</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS   | RESPONSE  | RECOMMENDATION  | ACTION |
|--|---|---|--------|
| <p>OTHER COMMENTS:</p> <p>1. Channelization, will property owners have an opportunity to give input on the channelization along Mitchell Road?</p> <p>2. Non-Conforming Uses:<br/> a. NRT, Northern Refrigerated Terminal.<br/> b. Westward Ho Mobilehome Park</p> <p>It was encouraged that these non-conforming uses, if the plan is adopted as proposed, be permitted to continue until such time as the value of the land increases sufficiently to cause relocation through economic forces and not through an arbitrary planning limit.</p> <p>3. The Quasi-regional commercial area on the west side of Mitchell and north side of Roeding extended too far within potential residential areas.</p> <p>It was suggested that a portion of this area be changed back to residential uses and not provide for the regional commercial uses as proposed in the plan.</p> <p>4. Improvement of Mitchell Road to four lanes, when will it occur?</p> | <p>1. City Council to Review THIS ISSUE AT A LATER DATE.</p> <p>2. Uses will have Non-Conforming Rights and may continue to exist.</p> <p>3. STAFF ADVISED THAT THIS AREA IS THE LAST REMAINING OF LARGE PARCELS. MAIN FOCUS OF PLAN IS ECONOMIC STABILITY FOR THE CITY</p> <p>4. SHOULD OCCUR IN 1989.</p> | <p>1. None</p> <p>2. NO CHANGE PROPOSED MIXED USE OR FREQUENT COMMERCIAL.</p> <p>LONG TERM DEVELOPMENT OF THE MITCHELL ROAD CORRIDOR SHOULD REMAIN AS PRIMARY GOAL FOR THE CITY. LAND USE CHANGES WILL OCCUR OVER TIME.</p> <p>3. NO CHANGE IN THE PROPOSED LAND USE. RECOMMENDS QUASI-REGIONAL COMMERCIAL LAND USE.</p> <p>4. None</p> |        |

COMMUNITY WORKSHOP, MAY 11, 1989

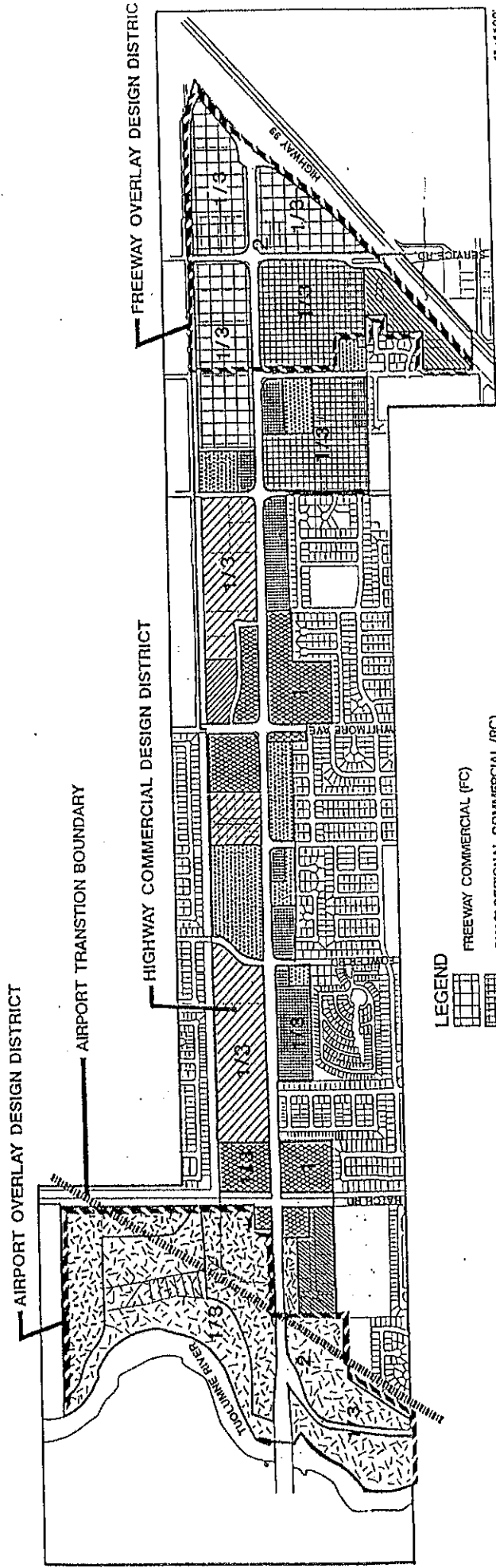


# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS   | RESPONSE   | RECOMMENDATION   | ACTION |
|--|--|--|--------|
| <p>5. Internal road systems were identified on preliminary plans. Are they still proposed?</p> <p>Who will be responsible for improvements?</p> <p>6. The question was raised why was the area identified as Freeway Commercial when the area has industrial, residential, and commercial land use designations.</p> | <p>5. YES, INTERNAL ROAD SYSTEMS ARE PROPOSED</p> <p>LANDOWNERS/DEVELOPERS</p> <p>6. PRIMARY FOCUS IS FREEWAY COMMERCIAL ACTIVITIES.</p> | <p>5. SHOW INTERNAL ROADS OF MAPS - ILLUSTRATIONS ONLY.</p> <p>6. NONE</p> |        |

13.4

# PROPOSED LAND USE PLAN DIAGRAM



## LEGEND

- FREEWAY COMMERCIAL (FC)
- QUASI-REGIONAL COMMERCIAL (RC)
- HIGHWAY COMMERCIAL (HC)
- NEIGHBORHOOD COMMERCIAL (NC)
- INDUSTRIAL PARK (IP)
- RESIDENTIAL (R) 16 TO 7 UNITS/NET ACRE
- MIXED USE 1 (COMMERCIAL, RESIDENTIAL, BUSINESS PARK) 7 TO 15 UNITS/NET ACRE
- MIXED USE 2 (RESIDENTIAL, BUSINESS PARK, RECREATIONAL) 0 TO 1 UNIT/NET ACRE

1 LARGE-LOT PERFORMANCE STANDARDS

2 ACTIVITY CENTERS (LOCATION APPROXIMATE)

3 INTERNAL CIRCULATION PERFORMANCE STANDARDS



EXHIBIT A

CITY OF CERES

5 OF 23

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE  | RECOMMENDATION   | ACTION |
|---|---|--|--------|
| <p>LETTER C: Native American Heritage Commission, William Anthony Johnson- May 12, 1989</p> <p>Advised of potential for pre-historic sites which underlie areas which have been previously developed. Advised of the method established in the CEQA Guidelines, Appendix K.</p>                               | <p>Acknowledge the comments and concerns. While preliminary analysis did not indicate no areas of known archaeological or cultural resources, the potential for such resources may exist. Hence procedures as outlined in the CEQA Guidelines, Appendix K, will be followed as a minimum in the event that archaeological or cultural resources are discovered during construction.</p> | <p>Establish a mitigation measure which implements Appendix K, of CEQA if prehistoric resources are discovered while construction is occurring.</p>                        |        |
| <p>LETTER D: Stanislaus County Dept. of Public Works, J. Ray Edwards, Deputy Director, Engineering- May 12, 1989</p> <p>1. Believes EIR ignores the increase in county growth in general and concentrates on project boundary only.</p> <p>2. Concern that trucks were not considered as part of the EIR.</p> | <p>The traffic analysis considered a cumulative growth rate. Discussions of project at buildout include this cumulative (county-wide) growth.</p> <p>The intent of the statement on page 78 was to pointout that the truck mix will decline as project related traffic increases. Current</p>   | <p>None,, The issue of cumulative growth, including the county was included in the EIR, traffic study.</p> <p>The issue of truck mix is addressed--no action required.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE  | RECOMMENDATION  | ACTION |
|---|---|---|--------|
| LETTER D: CONT'D  | <p>Currently a large percent of truck traffic is experienced along Mitchell Road. As the number of automobiles using the project area increases, the percentage of trucks will decrease--probably to a more normal mix of 3 to 4 %.</p> <p>In the consideration of existing traffic flow, an abnormally high percentage (10 to 15%) of trucks was considered to account for access to industrial areas. Truck traffic was considered in all phases of the traffic analysis.</p> <p>The traffic analysis indicates that the majority of project related traffic is anticipated to come from the south (Hwy 99) and the west (City of Ceres). As residential development expands eastward, a larger percentage of project users may come from those areas and utilize county roads. The impact along these county roadways is not considered to be significant.</p> | <p>We believe the traffic analysis adequately addresses the traffic impact on County roads.</p> <p>Traffic counts indicate that far more pass through traffic exists today generating from the county and neighboring communities.</p> <p>No action required or recommended</p> |        |
| 3. Requested county roads to be evaluated in order to evaluate proper mitigation. |   |   |        |
| 4. Believes that intersections of Service, Roeding, Fowler ,                      |   |   |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE   | RECOMMENDATION  | ACTION |
|---|--|---|--------|
| <p>LETTER D, CONT'D</p> <p>Highway 99, Hatch at Herndon and Fowler and River roads so be analyzed and potential mitigation measures incorporated if they are operating beyond acceptable level.</p> | <p>The draft EIR focuses on those areas determined through the initial study and scoping process to have the greatest potential for significant impact. In the preliminary analysis, the City of Ceres was contacted to determine which key intersections should be analyzed. The four key intersections evaluated are considered to an indicator for other intersections along those routes as well. It is acknowledged that some level of impact will occur at all of the intersections mentioned in the comment; however, the intersections of greatest concern were evaluated.</p> | <p>Acknowledge the comment and note the given response.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

## COMMENTS

## RESPONSE

## RECOMMENDATION

## ACTION

1. *10/24/85* *Community Workshop*  
 1. SIGNALIZATION: Where will signalization occur along Mitchell Road?

1. Staff identified the Rosewood and Roeding inter-sections.

1. NONE

New road extension east to Mitchell Road at north end of project, will it have signalization

Staff advised that a new road has been identified in this area. If this road is constructed, it is planned to close the existing River Road connection to Mitchell Rd

NONE

Signalization would seem necessary but nothing is currently planned.

NONE

Will Don Pedro receive a traffic signal?

Staff advised that if signalization is warranted then the city may install one.

2. Legend which referenced I, II, and III.

2. Staff advised that:  
 I--stands for large lot configuration  
 II--stands for activity centers to be considered  
 III--requires internal circulation to be provided

2. NONE

3. Traffic increase along Rose Ave. and new light glare for homes facing RoseDale

3. Staff advised that through traffic along Rose would increase as a result of development. That additional glare would result from new dev.

3. Recognize that traffic and glare will increase as development occurs. As development occurs and projects are reviewed impact to local streets will be considered.

*10/24/85*  
*Community Workshop*

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS   | RESPONSE  | RECOMMENDATION   | ACTION |
|--|---|--|--------|
| 4. Where are day care centers permitted?   | 4. Staff advised that they would be permitted in the H-C and F-C classification   | 4. NONE  |        |
| 5. Density of residential in the Airport overlay area.   | 5. Staff advised that the density issue was not specifically addressed in this area nor the Mixed use 2 classification                        | 5.. Mixed Use 2 permit 0 to 1 unit per net acre, and Mixed Use 1 permit 7 to 15 units per net acre.                              |        |
| 6. Status of existing church on Don Pedro  | 6. Staff advised currently as proposed in the plan it would be classified as a non-conforming use   | 6. Churches be permitted in all land use classifications   |        |
| 7. Can a Conference Center be permitted in the Mixed Use 2 classification.   | 7. Staff advised that it would be permitted.  | 7. No action required  |        |
| 8. Sound barriers along Mitchell where existing residential units exist and how would the walls be funded  | 8. Staff advised that sound walls will be necessary due to the current noise levels. No funding has been provided nor timing been identified. | 8. Mitigation measures to be incorporated in the approval of the specific plan as well as potential sources of funds and timing. |        |
| 9. Last meeting I-G-D requested on behalf of the Westward Ho Mobilehome Park for the Property to remain as a permitted use. However the property owners have changed their minds and wish the Commercial designations to remain as proposed. | 9. None   | 9. None  |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE   | RECOMMENDATION   | ACTION |
|---|--|--|--------|
| <p>10. It was requested that interim land uses be permitted until permit Commercial uses be developed along Mitchell Road.</p> <p>END OF MEETING</p> <p>LETTER F: LEW GARCIA DAVIS, Max Garcia--May 24, 1989</p> <p>1. Supports the Freeway Commercial for APN 69-21-05, Westward Ho Mobile Home Park.</p> <p>2. Understands that parcel and use will be considered a legal non-conforming use.</p> <p>3. Requests consideration to waive major improvements, ie block wall, street improvements etc. until mobilehome park is converted into commercial use when said property is (vacant portion) subdivided and developed.</p> | <p>10. None given at meeting</p> <p>Plan supports the freeway commercial land use</p> <p>The mobilehome park will be considered a non-conforming use.</p> <p>Current codes require development improvements to be installed.</p> | <p>10. Staff is recommending that interim uses not be permitted or considered. If interim uses are permitted it would in Staff's opinion delay the ultimate development of Mitchell Rd.</p> <p>No recommendation necessary.</p> <p>No recommendation necessary</p> <p>Delay of improvements associated with development projects has not been the City's policy. To do this new policy should be investigated.</p> |        |



# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

13.12

| COMMENTS   | RESPONSE  | RECOMMENDATION  | ACTION |
|--|---|---|--------|
| <p>LETTER G: Planning Commission Minutes of June 5, 1989</p> <p>1. Mr. Boling identified that agricultural and residential uses exist, she also expressed concern about the children in the neighborhood. She requested Planning Commission to consider an alternative site for commercial uses.</p> <p>2. Mr. Machado expressed his concerns with the growing traffic problems on Rose Ave. He believes that the location of commercial on the south side of Rose along Roeding will make the traffic worse.</p> <p>3. Kathy Bowers-Powell expressed concern over the existing traffic along Rose Ave. and Roeding.</p> <p>The proposed Commercial south of Roeding will increase traffic and increase safety concerns for pedestrians.</p> <p>4. Mr. Pursley voiced concerns regarding traffic along Rose Ave. and advised that a petition may be circulated in order that speed bumps be placed along Rose Ave.</p> | <p>1. The designation of the adjacent areas to commercial is the City's effort to establish a needed tax base for the community. The City is sensitive to the safety and welfare of its citizens. Efforts will be made to insure a safe environment remains.</p> <p>2. The EIR recognizes that traffic trips will increase within the project area as well as on neighboring streets within the community. Appropriate traffic control devices will be installed to control traffic when warranted</p> <p>3. See Response 1 and 2 above</p> <p>4. See Response 1 and 2 above. Also concerns over existing traffic issues should be presented to the Traffic Safety Committee.</p> | <p>1. That the proposed land uses remain.</p> <p>2. Acknowledge the comments and that appropriate traffic control devices will be installed when warranted.</p> <p>3. See Recommendation 1 &amp; 2 above.</p> <p>4. See Recommendation 1 and 2 above.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

13, 13

| COMMENTS   | RESPONSE   | RECOMMENDATION   | ACTION |
|--|--|--|--------|
| <p>5. Ms. Snyder also voiced concerns over potential traffic impacts to Rose Ave.</p> <p>She also voiced concerns over adequacy of police and fire protection if commercial is developed in this area.</p> <p>She inquired as to the affect of property values on the neighboring residential properties if the commercial is developed.</p> <p>6. Ms. Howard voiced concerns over the air pollution created by the traffic.</p> <p>7. Ms Powell expressed concerns over increased traffic and noise levels.</p> <p>8. Planning Commissioners requested that Churches be authorized within the Mitchell Road Corridor Specific Plan area as they are currently permitted within the City limits.</p> | <p>5. See Response 1 and 2, above</p> <p>Staff advised that the City has adequate fire and police protection. Also a manpower ratio has been established by the City.</p> <p>Determination of effect on property (residential) values if commercial uses develop is speculative at best.</p> <p>6. The Draft EIR provides an analysis of potential air pollution impacts. Section 3.2</p> <p>7. See Response 2, above. Noise issues are addressed in Section 3.4 of the Draft EIR.</p> <p>8. The Specific Plan <sup>(M)</sup> has been amended to reflect policy and ordinances.</p> | <p>5. See Recommendation 1 and 2 above.</p> <p>The EIR provides an analysis of the public services and proposes mitigation measures to insure adequate service from fire and police.</p> <p>None. Response or recommendation is beyond the scope of this report and would be speculative at best.</p> <p>6. Air pollution mitigation measures are identified in Section 3.2 of the Draft EIR. Air Pollution is a Regional concern and is being addressed.</p> <p>7. Mitigation measures have been identified in the Draft EIR and should be implemented to the extent feasible.</p> <p>8. Concur with change to the Specific plan.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS   | RESPONSE  | RECOMMENDATION  | ACTION |
|--|---|---|--------|
| <p>9. Planning Commission requested information on the City's responsibilities if the Airport Overlay District is approved with land uses different than those established in the Airport Land Use Plan.</p> <p>10. Mr. Jorgensen supported the change from industrial park on the northern portion of the plan to Mixed Use #2.</p> <p>He also requested the Planning Commission to consider a density of 1 to 2 units per net acre instead of the Staff's recommendation of 0 to 1 unit per net acre within the Mixed Use #2 land use category.</p> <p>He also recommended that a traffic signal be constructed at the proposed new street intersection when the roads are constructed and that the signals be sequenced in timing.</p> <p>11. Mr. Riley asked for reassurance that traffic considerations be reviewed on each development occurring in the Mitchell Road Specific Plan.</p> | <p>9. Public Utility Code, Section 21678, relieves the operator of the airport of property damage and injury if the City adopts land uses contrary to the Airport Land Use Plan.</p> <p>10. Staff has recommended Mixed Use #2 for this area.</p> <p>Staff is recommending the 0 to 1 dwelling unit per net acre. This lower density will decrease potential liability and blend better with the recreation and business setting.</p> <p>Traffic signals would be installed where warranted and resources are available</p> <p>11. The Planning Commission will review all development through Architectural Site Plan or Master Plan process</p> | <p>9. The City Council refer the Mitchell Road Corridor Specific Plan to the Airport Land Use Commission for review and recommendation.</p> <p>The City Council may approve the land uses proposed in accordance with Sections 21676 and 21676.5</p> <p>10. None</p> <p>Staff is recommending the 0 to 1 dwelling unit per net acre.</p> <p>Recognize the comment and response.</p> <p>11. None</p> |        |

MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS                 | RESPONSE       | RECOMMENDATION | ACTION         |
|--------------------------|----------------|----------------|----------------|
| LETTER H: SEE LETTER J-3 | See Letter J-3 | See Letter J-3 | See Letter J-3 |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

## COMMENTS

## RESPONSE

## RECOMMENDATION

## ACTION

LETTER I: Stanislaus County, Department of Planning and Community Development...June 9, 1989, Review of Mitchell Road Specific Plan with the Airport transitional surfaces, Airport Land Use Commission Plan.

Review by staff identified that the proposed uses within the Airport Overlay District of the Mitchell Road Corridor Specific Plan is not in compliance with the Airport Land Use Commission Plan.

The City Council will be required to consider the Airport Land Use Commissions actions and recommendations.

The Planning commission forward a recommendation to the City Council to refer that portion of the Mitchell Road Corridor Specific Plan to the Airport Land Use Commission for their review and recommendation.

If the City Council wishes to override the Airport Land Use Commission action or recommendation, they may do so. Section 21676 of the Public Utility Code permits local agencies to override with a 2/3 vote.

Section 21678 provides that the airport operator will be immune from liability for damages to property or personal injury caused by or resultin directly or indirectly from the City's action.

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE   | RECOMMENDATION                                    | ACTION                    |
|---|--|---|---------------------------|
| <p>per J-1: Sandy Hesnard, Department of Transportation Division of Aeronautics, June 7, 1989.....</p> <p>1. According to the DEIS, an objective of the Mitchell Road Corridor Specific Plan is to achieve an "airport oriented commercial center" between Hatch Road and the Tuolumne River by designating the area as an Airport Overlay District. The Division supports this policy. Since the area north of the airport transition boundary is within the 65 and greater Community Noise Equivalent Level (CNEL), new residential development should be discouraged in this area due to the associated noise impacts.</p> | <p>1. Under the current proposed landuse designations, residential would be conditionally permitted at a density of 0 to 1 dwelling unit per net acre.</p> <p>Recreational Uses and business parks will also be permitted in the Mixed Use #2 designation.</p> | <p>1. None, acknowledge comment and response.</p> | <p>Refer to Letter C.</p> |
| <p>LETTER J-2: Native American Heritage Commission... May 12, 89</p>  | <p>Refer to Letter C</p>   | <p>Refer to Letter C.</p>                         | <p>Refer to Letter C.</p> |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE  | RECOMMENDATION  | ACTION |
|---|---|---|--------|
| <p>Letter J-3: Michael Hinesham, Department of Transportation, Stockton, June 6, 1989.....</p> <p>1. The EIR addresses only the impacts that will occur to the Mitchell Road Corridor and included intersections. The EIR does not address the impacts that will occur at Route 99, Whittmore or Route 99/Hatch Interchanges. Caltrans requests that this traffic impact portion of the study include, at a minimum, the existing traffic, the cumulative traffic, along with the AM/PM peak hour turning movements for the three interchanges and ramps noted. This analysis should include project related and cumulative impacts to mainline Route 99 on either side of the interchanges.</p> <p>2. An evaluation of the project's traffic impact on the LOS of the key interchanges ramps and ramp intersections in the area. Currently the southbound ramp on Hatch Road Interchange is developing queuing problems during PM peak hours. Caltrans' Traffic Operations Branch agrees with the report (Page 74) conclusion that Mitchell Road Interchange should be redesigned if increased traffic is projected.</p> <p>3. An estimation of the directional distribution of the projected trips. This analysis should consider local roads and interchanges in the area.</p> <p>4. A discussion of the merge and diverge analysis on Route 99 near the interchanges.</p> | <p>1. The traffic analysis in the Draft EIR was based on several assumptions, among them was the assumption that quasi-regional traffic to the corridor would be channeled predominantly along Mitchell Road at Highway 99 and Hatch Road at Highway 99. The traffic trip distribution assumptions in the analysis indicate up to 14% of the trips originating from east Whitmore; however, these are anticipated to be almost entirely trips originating from within the City and not Highway 99. As was indicated in Response for Letter D, item 4, the analysis of the Herndon/Hatch intersection is indicative of the conditions at the Hatch/Hwy 99 interchange.</p> <p>2. Highway 99 interchanges will be analyzed more thoroughly in the Circulation Element update currently underway. The City of Ceres recognizes the importance of the interchanges and the potential impacts of the Mitchell Road Corridor; however because of the more regional aspects associated with the interchanges a broader scale study (i.e. the Circulation</p> | <p>1. Acknowledge the response.</p> <p>2. Acknowledge the response.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS  | RESPONSE   | RECOMMENDATION  | ACTION |
|---|--|---|--------|
| <p>5. A discussion which recommends mitigation measures for significant impacts on the State highways and reference to funding responsibility for improvements made necessary by this project. The recommendations suggested should be incorporated into the Capital Improvement Plan for the City of Ceres. The mitigation established for this project should be integrated with future projects being planned by Caltrans in the area.</p> | <p>Element ) is needed to thoroughly address those interchanges.</p> <p>3. Trip distribution assumptions utilized for this traffic analysis are provided on page 69 of the Draft EIR.</p> <p>4. The Ceres Circulation Element update, which is currently underway, will analyze the more regional traffic flow patterns along Highway 99.</p> <p>5. Funding responsibilities for roadway improvements will be included in the City of Ceres financing plan to be prepared in conjunction with the Public Facilities Element.</p> | <p>3. Acknowledge the response.</p> <p>4. Acknowledge the response.</p> <p>5. Acknowledge the response.</p> |        |



# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS   | RESPONSE   | RECOMMENDATION  | ACTION |
|--|--|---|--------|
| <p>Letter J-4: Dennis O'Bryen, Department of Conservation, June 2, 1989.</p> <p>1. Among those concerns was the fact that although no Williamson Act contracts existed on the site, there were contracts within 2,000 feet of the eastern boundary of the site and the possible growth-inducing impacts on these contracts should be assessed.</p> <p>2. In addition, with the exception of some reference to buffers as a mitigation measure, none of the suggested mitigation measures for agricultural impacts have been considered. Among the mitigation measures suggested were the purchase of development rights of farmland along access points of the corridor in order to maintain agricultural uses and lessen induced urban-growth impacts and utilization of land use planning tools such as purchase of conservation easements and establishment of farmland trusts to protect farmland.</p> <p>3. We suggest that the draft EIR be modified to include assessment of cumulative and growth-inducing impacts, as well as possible mitigation measures for impacts on agricultural and Williamson Act contracted lands.</p> | <p>1. The Draft EIR, Section 4.0, acknowledges that the proposed project is likely to induce growth beyond its immediate boundaries. It is anticipated that residential growth will continue to occur east of the Mitchell Road Corridor. However, it should be noted that the decisions which actually allow growth to occur in this area, and other areas designated as agriculture, occur through a process separate than the proposed project. Loss of agricultural land has been identified as an unavoidable impact of the proposed project.</p> <p>2. Mitigation options for preserving farmland within the corridor were considered; however, implementation of such measures would not allow for the attainment of project objectives. The loss of agricultural lands is considered to be an unavoidable impact. The City of Ceres will consider the magnitude of this loss in light of the overall benefits to be achieved through project approval.</p> <p>3. See Response 2 above.</p> | <p>1. Acknowledge the response.</p> <p>2. Acknowledge the response.</p> <p>3. Acknowledge the response.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

13,21

| COMMENTS   | RESPONSE  | RECOMMENDATION  | ACTION |
|--|---|---|--------|
| <p>Letter K: E. J. Walker, City of Modesto Public Works and Transportation Department, Engineering Division, June 9, 1989.....</p> <p>1. The trip generation estimated for this area in the SAAG model has been compared with the EIR's estimate. This reveals that the project would generate at least four times the traffic estimated by the model for the area. Our current planning efforts for the Mitchell/El Vista corridor are based on the SAAG model trip generation levels for the project area. Thus, the significantly higher trip generation of the project will significantly impact this corridor and other streets connecting to it (e.g., Yosemite, La Loma, Grand).</p> <p>2. From this data, it is obvious that even with significant improvement to the existing intersection geometry, there will still be the potential for serious overloading of intersections in the vicinity of the project. With the project and with mitigated intersection geometry, V/C ratios of 0.92 to 1.75 are shown, with Level F conditions at all three locations in the PM peak hour. Mitigated geometry includes, among other things, six lanes plus dual left-turn lanes and right-turn lanes on the Mitchell Road approaches.</p> | <p>1. The SAAG Model projections are initially based on proposed land uses. It is anticipated that if the Mitchell Road Specific Plan is adopted through the City that other local plans should be adjusted accordingly.</p> <p>2. Traffic related impacts are identified as an unavoidable impact of the proposed project. While a range of mitigation options are presented to reduce impacts, the goals and objectives of the project could not be obtained through their implementation. The City of Ceres has consider the adverse impacts of the proposed project in light of the overall benefits to be gained through project approval.</p> | <p>1. Acknowledge the response/</p> <p>2. Acknowledge the response.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

| COMMENTS   | RESPONSE  | RECOMMENDATION  | ACTION |
|--|---|---|--------|
| <p>3. The EIR estimates that on Mitchell Road south of the river, there will be a total of 6,900 vehicles per hour with the project. This is equivalent to at least 69,000 vehicles per day (vpd). It is apparent from the EIR's analysis that this projection does not reflect the Faith Home bridge. With the Faith Home bridge, the volume would presumably be somewhat less, but no projection of this is included in the EIR.</p> <p>4. A volume of 69,000 vpd on the Mitchell/EI Vista corridor would have serious impact on Modesto's street system.</p> <p>5. Mitigation of impacts outside of the Specific Plan's study area are not specifically addressed. There is general reference to the efficiency of improving Faith Home Road, including a bridge over the Tuolumne River, as an alternative to Mitchell Road.</p> <p>6. Some of these impacts will clearly occur on City of Modesto streets. The EIR does not identify impacts of the project outside of the plan's study area. It also does not identify mitigation measures for impacted roadways outside of the study area. These are issues which should be addressed by the EIR's analysis for both proposed and reduced project trip generation levels.</p> | <p>3. The assumption that peak hour traffic is equivalent to 10% of the overall vehicles per day (vpd) is probably not a true representation. As traffic travelling across the river is likely to be comprised mostly of commuter traffic, a peak hour equivalent of 13% is more representative. This works out to an overall vpd of 53,080.</p> <p>The Faith Home Road loop was considered in the analysis and discussion is presented on page 83 of the Draft EIR. Analysis indicates that without improvement of Faith Home Road, this extension would have very little effect on traffic along Mitchell Road.</p> <p>4. As noted in response 3 above, we believe 53,000 vpd to more representative of traffic conditions. It is anticipated that the majority of this traffic will be entering into Ceres along Mitchell Road rather than utilizing Mitchell as a means into Modesto.</p> | <p>3. Acknowledge the response.</p> <p>4. Acknowledge the response.</p> <p>5. Acknowledge the response.</p> <p>6.</p> <p>4. Acknowledge the response.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

13,23

| COMMENTS | RESPONSE  | RECOMMENDATION  | ACTION |
|----------|---|---|--------|
|          | <p>5. Completion of the Ceres Circulation Element, which is currently underway, will provide asolutions to the more regional traffic concerns in the City. Additionally, the City of Modesto, Stanislaus County, and Ceres has asked, SHAG to be the coordinating agency for the Regional Transportation Study. Additional recommendations addressing regional issues should result from that study as well.</p> <p>6. See Responses 4 and 5 above. It is recognized that the proposed project will have some impact on traffic related impacts along City of Modesto Streets. However, these are not anticipated to be significant. The greatest impacts along the Ceres/Modesto interface will be due to vehicles entering the corridor from Modesto.</p> | <p>5. Acknowledge the response.</p> <p>6. Acknowledge the response.</p> |        |

# MITCHELL ROAD CORRIDOR SPECIFIC PLN , DESIGN GUIDE, EIR

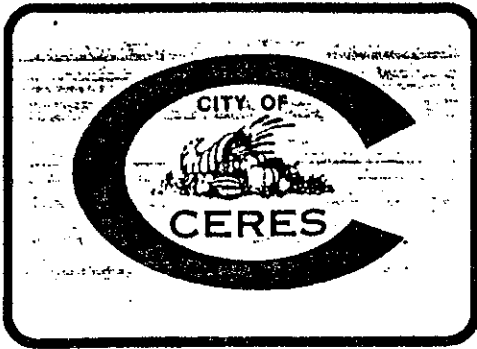
13,24

| COMMENTS   | RESPONSE   | RECOMMENDATION  | ACTION |
|--|--|---|--------|
| <p>Letter L: Richard Vela, Turlock Irrigation District, June 12, 1989.....</p> <p>1. Page 1. The Turlock Irrigation District should also be included among the agencies who have an interest in the development of the Mitchell Road Corridor. The District's interests would include relationship and impacts to the District's irrigation canals, specifically the Ceres Main Canal and Lateral No. 1, and possible effects on its electrical transmission/distribution facilities in the area.</p> <p>2. Page 2. In paragraph 2, the corridor is bounded on the east by the District's Ceres Main Canal, not the Main Canal (two separate canals within the District's canal system).</p> <p>3. In general, the District will require review and approval of development plans which encompass or border District irrigation and/or electrical transmission/distribution facilities. Review of the aforementioned documents and future documents and plans helps greatly in the coordination of future growth between agencies.</p> | <p>1. The Draft Eir is amended to indicate the Turlock Irrigation District as an interested agency.</p> <p>2. This correction is noted.</p> <p>3. As an adjacent property owner, the Turlock Irrigation District will be notified of proposed development plans.</p> | <p>1. Acknowledge the response.</p> <p>2. Acknowledge the response.</p> <p>3. Acknowledge the response.</p> |        |

## APPENDICES

# ERRATA

14.1



PLANNING AND  
COMMUNITY DEVELOPMENT  
P.O. BOX 217  
2220 MAGNOLIA AVENUE  
CERES, CA 95307-0217  
(209) 538-5774

PLANNING COMMISSION  
REPORT AND RECOMMENDATION

CITY COUNCIL  
Lewis Arrollo, Mayor  
Paul W. Caruso      Jeffrey D. McKay  
Barbara Hinton      Richard McBride

July 3, 1989

TO : Honorable Mayor and City Council  
FROM : City Planning Commission  
SUBJECT : Review and Certification of Environmental Impact Report  
for General Plan Amendment and Mitchell Road Corridor  
Specific Plan.

BACKGROUND

The Ceres Planning Commission conducted a review on the environmental impact report for the general plan amendment to the Land Use and Circulation Element and the Mitchell Road Corridor Specific Plan.

The final environmental impact report has identified four significant environmental concerns which cannot be mitigated to an acceptable level. These environmental concerns are:

- 1) Traffic;
- 2) Loss of agricultural lands;
- 3) Noise;
- 4) Air Pollution.

The four significant environmental impacts are identified in the summary of the final EIR.

PLANNING COMMISSION RECOMMENDATION

At the conclusion of the hearing, a motion was made by Commissioner Ingwerson, seconded by Commissioner Marable, to recommend to the City Council to certify the environmental impact report since it has been completed in compliance with CEQA, California Environmental Quality Act of 1970, and recommend the City Council review and consider the information contained in the environmental impact report prior to the approval of the projects. The projects being the general plan amendment to the Land Use and Circulation Element and the adoption of the Mitchell Road Corridor Specific Plan.

Motion carried 4/0. Chairperson Smith absent.



#### CITY COUNCIL ALTERNATIVES

- 1) Approve as recommended by the Planning Commission; or,
- 2) Deny; or,
- 3) Refer this matter back to the Planning Commission for reconsideration of specific details (to be specified in City Council motion); or,
- 4) Continue the public hearing to a future City Council meeting (date to be specified in City Council motion).

#### DISCUSSION

The project site is approximately 2½ miles long and contains approximately 450 acres of land. The Corridor is approximately 1/4 mile wide for the majority of its length, but broadens to approximately 1/2 mile wide at the northern and southern ends, to include large parcels in those areas. Portions of the project are within the unincorporated area of Stanislaus County. Exhibit A identifies a sequence of events associated with the project that is currently pending before the Planning Commission.

The final environmental impact report dated June 1989 is in compliance with Section 15132 of the CEQA Guidelines. The final EIR contains comments and recommendations received on the draft EIR, a list of persons and organizations and public agencies commenting on the draft EIR, and responses to those agencies regarding significant environmental points raised in the review and consultation process. The draft EIR dated April 1989 was distributed to the Planning Commission and City Council on April 26, 1989.

#### CERTIFICATION OF THE FINAL EIR

The environmental impact report was presented to the Planning Commission on June 19, 1989 for their consideration and recommendation to the City Council.

At the conclusion of that hearing, the Planning Commission did recommend that the City Council make the necessary findings and certify the environmental impact report.

July 3, 1989

Planning Commission

Report and Recommendation

Review and Certification - EIR

Page Three

### FINDINGS REQUIRED FOR CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT

- 1) That the final EIR constitutes of:
  - A) The draft EIR;
  - B) Comments and recommendations received on the draft EIR;
  - C) A list of persons, organizations, and public agencies commenting on the draft;
  - D) Responses to significant environmental points raised in the review and consultation process.
- 2) That the environmental impact report although it is not required to have a public hearing, was properly noticed in the newspaper and additionally, the property owners within the project area and surrounding the project area were notified.
- 3) That based upon on Exhibit A, Sequence of Events, the EIR was processed in compliance with CEQA and the state guidelines.
- 4) That the City of Ceres certifies that the environmental impact report has been completed in compliance with CEQA and the state guidelines and that the decision making body having final approval authority over the projects has reviewed and considered the information contained in the EIR prior to approval of the project.

### DISCUSSION

The environmental impact report has identified several significant effects which can not be mitigated. These are identified under the executive summary of the draft EIR.

These significant impacts which can not be reduced to acceptable areas are the noise generation from the project, the increased traffic along the Mitchell Road Corridor, air quality, and loss of agricultural lands.

July 3, 1989

Planning Commission

Report and Recommendation

Review and Certification - EIR

Page Four

In accordance with the CEQA Guidelines, the City of Ceres as a lead agency can not approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant affects of the project unless the public agency makes one or more of the following written findings for each of those significant affects accompanied by a statement of facts supporting each finding.

One or more of the required findings to be made are as follows:

- 1) Changes or alterations have been required in or incorporated into the project which mitigate or void the significant environmental effects thereof as identified in the final EIR.
- 2) Such changes or alterations are within the responsibility or jurisdiction of another agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- 3) Specific economic, social, or other considerations make infeasible the mitigation measures or project for projects alternatives as identified in the final EIR.

STATEMENT OF OVERRIDING CONSIDERATION

Upon reviewing the significant effects, the City of Ceres is required to adopt a Statement of Overriding Consideration for project approval of the general plan amendment and the adoption of the Mitchell Road Corridor Specific Plan.

Staff is recommending a Statement of Overriding Consideration be adopted utilizing the third category of the above section and that specific economic, social, or other consideration make infeasible the mitigation measures or project alternatives identified in the final EIR.

RECOMMENDED OVERRIDING CONSIDERATION STATEMENT

For each of the significant impacts identified in the draft EIR, staff would recommend the following statements to be adopted for each project approval:

- 1) The change in land use designation concentrating and establishing a commercial corridor along Mitchell Road provides financial stability for the community whereas the current land use pattern does not encourage commercial development; and,

July 3, 1989  
Planning Commission  
Report and Recommendation  
Review and Certification - EIR  
Page Five

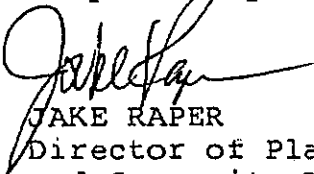
- 2) That all the property taxes currently generated within the City of Ceres is not sufficient to off-set the cost of police and fire protection for the community and that the City must develop other resources to support desired services for the community; and,
- 3) The establishment of a commercial corridor along Mitchell Road will provide opportunities for commercial growth and long term stability for the City of Ceres in terms of generation of monies through sales tax and increased property tax to provide necessary services to the community; and,
- 4) That mitigation measures identified within the draft environmental impact report will be implemented to the fullest capability of the City and those mitigation measures will be monitored through the mitigation monitoring plan to be considered by the Planning Commission and City Council for all new projects developed with the Specific Plan area.

As part of project approval for the general plan and the Mitchell Road Specific Plan Corridor, each statement of overriding consideration should be made as a finding and should also be mentioned in the Notice of Determination filed by the City of Ceres if the projects are approved.

AUTHORITY

CEQA, California Environmental Quality Act of 1970 as amended.

Respectfully submitted,



JAKE RAPER  
Director of Planning  
and Community Development

JR/lr  
REVIEW/REVIEW1

ATTACHMENTS

- 1) Exhibit A (Final EIR)
- 2) Exhibit B (Project Time Table and Overview of Process)
- 3) Exhibit C (Draft EIR, April, 1989) Previously Distributed to City Council

## EXHIBIT "A"

### PROJECT OVERVIEW - SEQUENCE OF EVENTS

The environmental impact report, Mitchell Road Corridor Specific Plan and Design Guidelines have been under consideration since  
The following listing identifies the process and time lines associated with the project.

- 1) Request for proposals (RFP) prepared outlining goal of City and distributed to consulting firms - February 16, 1988.
- 2) Response from consultants on the RFP - March 14, 1988.
- 3) Resolution 88-90 adopted by the City Council authorizing The Planning Center to prepare an EIR and Mitchell Road Specific Plan - May 9, 1988.
- 4) Environmental Assessment prepared - May 23, 1988.
- 5) City of Ceres Environmental Review Committee determines Environmental Impact Report is required - May 26, 1988.  
Notice of Preparation prepared and distributed, 30 day review and comment period provided - May 26, 1988.
- 6) Request scoping meeting, coordinated by State of California Office of Planning and Research - May 31, 1988.
- 7) Office of Planning and Research (OPR) assignment of State Clearinghouse Number 88053107 and distribution of Notice of Preparation (NOP) to state agencies - June 2, 1988.
- 8) Public notice for scoping meeting to be held on June 23, 1988 published - June 2, 1988.
- 9) Minutes of inter-agency scoping meeting and General Plan Committee Meeting, major issues identified - June 23, 1988.
- 10) Guidance package for Mitchell Road Corridor Specific Plan and EIR - June 30, 1988.
- 11) Agenda for public information meeting - July 14, 1988.  
Public information meeting minutes - July 14, 1988.
- 12) City Council accepted guidance package - July 19, 1988.
- 13) Notice of Completion mailed - April 26, 1989.

Distribution of EIR, Mitchell Road Specific Plan (MRSP) and Design Guide to City staff, Planning Commission and City Council - April 26, 1989.

- 14) Mailing list for the advertised meetings containing the following number of notices - mailed April 26, 27, 28, 1989.

|   |              |
|---|--------------|
| Property owner list 300' outside the project boundary | - 544        |
| Business list   | - 397        |
| Property owners within project                        | - <u>397</u> |

|                      |      |
|----------------------|------|
| Total notices mailed | 1132 |
|----------------------|------|

Public notice - published April 28, 1989.

Notice of completion, public review period - April 28 to June 14, 1989.

Community workshops on May 11 and May 24, 1989.

Planning Commission public hearings - June 5 and June 19, 1989.

City Council public hearings - July 10 and July 24, 1989.

- 15) Community workshop minutes - May 11, 1989.

- 16) Office of Planning and Research acknowledging receipt of review period for draft EIR. Review period ends June 12, 1989 - May 16, 1989.

- 17) Letter to Airport Land Use Commission requesting review of proposed land uses in the Airport Approach Zone - May 19, 1989.

- 18) Community workshop minutes - May 24, 1989.

- 19) Written responses to EIR, Mitchell Road Specific Plan and Design Guide:

|   |               |
|---|---------------|
| a) Lew-Garcia-Davis   | May 24, 1989  |
| b) Ceres Public Safety Office   |               |
| Emergency Services  | March 7, 1989 |
| c) Native American Heritage Commission                                | May 12, 1989  |
| d) Stanislaus County Department of Public Works                       | May 12, 1989  |
| e) Community workshop   | May 11, 1989  |
| f) Community workshop   | May 24, 1989  |
| g) Department of Transportation                                       |               |
| State of California   | June 6, 1989  |
| h) Stanislaus County Department of Planning and Community Development |               |
| ALUC  | June 9, 1989  |
| i) Planning Commission public hearing minutes                         | June 5, 1989  |
| j) Office of Planning and Research                                    | June 13, 1989 |
| 1) Division of Aeronautics Department of Transportation               | June 7, 1989  |
| 2) Native American Heritage Commission                                | May 12, 1989  |
| 3) State Department of Transportation                                 |               |

- Stockton
- 4) State of California Department of Conservation June 6, 1989
  - k) City of Modesto Department of Public Works June 2, 1989
  - l) Turlock Irrigation District June 9, 1989  
June 12, 1989
- 20) Planning Commission public hearing - June 5, 1989
- 21) Planning Commission public hearing - June 19, 1989

FIRE PROTECTION MITIGATION CONTINUED

4

- ° Lane width and shoulder width being capable of supporting and handling the various widths of apparatus that are currently owned by the City of Ceres and those apparatus that are projected to be purchased in the near future.
- ° Intersection be designed to accomodate the fire apparatus in straight, backing and turning movements.
- ° Intersections be equipped with Opticon Signal Changing Device for all four directions of travel.
- ° Curb cuts be of sufficient width to accomodate existing equipment and future equipment, particularly a ladder truck.
- ° Parking lot, driveways and turn-arounds be of sufficient size to accomodate current and future apparatus, particularly a truck company.
- ° Construction of buildings that exceed two stories in height not be approved nor constructed until such time the City owns and operates the necessary truck company to accomodate three plus story buildings. Other improvements, i.e., sprinkler systems may permit structures to exceed two stories.
- ° Water supplies capable of supporting multi-story structures and their fire loads.
- ° Utility lines, electrical, phone and cable utilities that interfere with fire apparatus in fire suppression activities around multi-story structures. It is recommended that where at all possible in this quarter that those utilities be placed underground or set back far enough from structures that they do not interfere with fire suppression equipment.

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Village No. 5 Subdivision, to the Southwest Corner of said Lot 4 of Block 514; thence Southerly in a straight line to the Northwest corner of Lot 11 of Block 515 of said Morrow Village No. 5 Subdivision; thence Southerly along the Westerly line of Lots 4 and 11 of Block 515 of said Morrow Village No. 5, to the Southwest corner of said Lot 4 of Block 515; thence Southerly in a straight line to the Northwest corner of Lot 4 of Block 516 of said Morrow Village No. 5; thence Southerly along the Westerly line of said Lot 4 of Block 516 to the Southwest Corner of said Lot 4 of Block 516, also being the Northwest Corner of Lot 11 of Block 516, in the City of Ceres, Morrow Village No. 6 as recorded in Book 19 of Maps at Page 12, Stanislaus County Records; thence Southerly along the Westerly line of said Lot 11 of Block 516, to the Southwest corner of said Lot 11 of Block 516; thence Southerly in a straight line to the Northwest corner of Lot 4 of Block 517 of said Morrow Village No. 5; thence Southerly along the Westerly line of Lots 4 and 11 of Block 517 of said Morrow Village No. 5 to the Southwest corner of said Lot 11 of Block 517; thence Southerly in a straight line to the Northwest corner of Lot 4 of Block 518 of said Morrow Village No. 5; thence Southerly along the Westerly line of Lot 4 of Block 518 of said Morrow Village No. 5, to the Southwest Corner of said Lot 4 of Block 518; thence Westerly along the Southerly line of Lots 5, 6, and 7 of Block 518 of said Morrow Village No. 5 to the Southwest corner of said Lot 7 of Block 518; thence Southerly along the prolongation of the Westerly line of Lot 8 of Block 518 of said Morrow Village No. 5, to the Southerly right of way line of Whitmore Avenue; thence Westerly along the Northerly line of Lots 1, 2, 7, and 8 of Block 5531, of the City of Ceres, as shown in Book 34 of Parcel Maps at Page 42, Stanislaus County Records, to the Northwest corner of said Lot 1 of Block 5531; thence Southerly along the Westerly line of said Block 5531, to the Southwest corner of said Lot 8 of Block 5531; thence Easterly along the Southerly line of said Block 5531, to the Northeasterly corner of San Ramon Estates No. 2, of the City of Ceres, as shown in Book 27 of Maps at Page 28, Stanislaus County Records; thence Southerly along the prolongation of the Easterly line of said San Ramon Estates No. 2, to the center line of Standford Avenue; thence Easterly along the center line of Standford Avenue to the Northerly prolongation of the Easterly line of Roeding Heights Subdivision, of the City of Ceres, as recorded in Book 26 of Maps at Page 93, Stanislaus County Records; thence Southerly along the Easterly line of said Roeding Heights Subdivision, to the Southeast corner of said Roeding Heights Subdivision; thence Westerly along the Southerly line of said Roeding Heights Subdivision to the Southwest corner of said Roeding Heights Subdivision; thence Westerly along the Southerly line of Roeding Heights No. 2 Subdivision, of the City of Ceres, as shown in Book 27 of Maps at Page 83, Stanislaus County Records, to the Southwest corner of said Roeding Heights Subdivision; thence Southerly along the prolongation of the Easterly line of Lot 35 Smyrna Park Tract, of the City of Ceres, to the Northeast corner of the Redwood Estates Subdivision; thence Southerly along the prolongation of the Easterly line of Lot 35 Smyrna Park Tract, of the City of Ceres, to the Northeast corner of the Redwood Estates Subdivision, of the City of Ceres, as shown in Book 24 of Maps at Page 10, Stanislaus County Records; thence Southerly along the Easterly line of said Redwood Estates Subdivision to the Southeast corner of said Redwood Estates Subdivision; thence Southerly in a straight line to the

Northeast corner of Lot 26 of Block 4552 of the City of Ceres, Redwood Estates Unit 2, as shown in Book 26 of Maps at Page 92, Stanislaus County Records; thence Southerly along the Easterly line of said Redwood Estates Unit 2 Subdivision to the Southeast corner of Lot 19 of Block 4552 of said Redwood Estates Unit 2 Subdivision; thence Westerly along the Southerly lines of Lots 17, 18, and 19 of Block 4552, of said Redwood Estates Unit 2 Subdivision, to the Southwest corner of said Lot 17 of Block 4552; thence Northerly along the Westerly line of Lots 16 and 17 of Block 4552 of said Redwood Estates Unit 2 Subdivision, to the Northwest corner of said Lot 16 of Block 4556; thence Westerly along the Southerly line of Lots 6, 7, 10, and 11 of Block 4552 of said Redwood Estates Unit 2 Subdivision, to the Southwest corner of said Lot 6; thence Northerly along the prolongation of the Westerly line of Lots 1, 3, 4, 5, and 6 of Block 4552 of said Redwood Estates Unit 2 Subdivision to the North right of way line of Don Pedro Road; thence Westerly along the prolongation of the Northerly right of way line of Don Pedro Road, to the Easterly right of way line of the U. S. Highway 99; thence Southerly along the prolongation of the Easterly line of said Highway 99, to the Westerly line of the Ceres Main Canal; thence Northerly along the prolongation of the Westerly line of said Ceres Main Canal to the Southerly right of way line of Hatch Road; thence Easterly along the prolongation of the Northerly right of way line of Hatch Road to the Southeast corner of Parcel B as shown in Book 27 of Parcel Maps at Page 83, Stanislaus County Records; thence Northerly along the prolongation of the Easterly line of said Parcel B, to the thread of the Tuolumne River; thence Westerly along said thread to the Northerly prolongation of the Westerly line of Parcel 1, City of Ceres, as recorded in Book 4 of Parcel Map at Page 92, Stanislaus County Records; thence Southerly along the prolongation of the Westerly line of said Parcel A to the Northwest corner of the Riverbend Heights Subdivision, City of Ceres, as recorded in Book 31 of Maps at Page 99, Stanislaus County Records; thence Easterly along the Northerly line of said Riverbend Heights Subdivision to the Northwest corner of Lonni Estates Subdivision, City of Ceres, as recorded in Book 33 of Maps at Page 91, Stanislaus County Records; thence Easterly along the Northerly line of said Lonni Estates Subdivision to the Northeast corner of said Subdivision; thence Southerly along the Easterly line of said Lonni Estates Subdivision to the Southeast corner of said Subdivision; thence Easterly along the Northerly line of Lot 2 of Block 847, City of Ceres, as recorded in Book 8 of Parcel Maps at Page 23, to the true point of beginning.

June 14, 19898

*Ms. Traylor  
1062 Riverrock Drive  
Folsom, CA  
95630*

MEMORANDUM

TO : City Planning Commission  
FROM : *JP* Planning and Community Development Department  
SUBJECT : Review and Certification of Environmental Impact Report  
for General Plan Amendment and Mitchell Road Corridor  
Specific Plan.

BACKGROUND

The City of Ceres has caused completion of the environmental impact report for a general plan amendment to the land use and circulation element and the preparation and consideration for the Mitchell Road Corridor Specific Plan which are currently pending before the Planning Commission.

The project includes an area  $2\frac{1}{2}$  miles in length spanning from the Tuolumne River to Highway 99 along the Mitchell Road Corridor (refer to Exhibit 2 of the draft EIR for the site location).

The project site is approximately  $2\frac{1}{2}$  miles long and contains approximately 450 acres of land. The corridor is approximately  $\frac{1}{4}$  mile wide for most of its length but broadens to approximately  $\frac{1}{2}$  mile wide at the northern and southern ends to include large parcels in those areas.

Portions of the project are within the unincorporated area of Stanislaus County.

Exhibit A identifies the sequence of events associated with the project that is currently pending before the Planning Commission.

The final environmental impact report dated June 1989 is in compliance with Section 15132 of the CEQA Guidelines. The final EIR contains comments and recommendations received on the draft EIR, a list of persons and organizations and public agencies commenting on the draft EIR, and responses to those agencies regarding significant environmental points raised in the review and consultation process.

The draft EIR dated April 1989 was distributed to the Planning Commission on April 26, 1989.

CERTIFICATION OF FINAL EIR

The environmental impact report is presented to the Planning Commission and will be presented to the City Council as the decision-making body regarding the proposed projects. In this specific case, the Planning Commission is considered the "recommending body" for the general plan amendment and recommendation for adoption of the Mitchell Road Specific Plan and the adoption of the design guidelines for the Specific Plan.

The Planning Commission will be recommending to the City Council that the environmental impact report be certified and make the finding that the environmental impact report has been completed in compliance with CEQA and the state guidelines and that the decision making body having final approval of authority over the project has reviewed and considered the information contained in the EIR prior to the approval of the projects.

The projects in this case are the General Plan Amendment to the Land Use and Circulation Element and the Mitchell Road Corridor Specific Plan and the Design Guidelines.

FINDINGS REQUIRED FOR CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT

- 1) That the final EIR constitutes of:
  - A) The draft EIR;
  - B) Comments and recommendations received on the draft EIR;
  - C) A list of persons, organizations, and public agencies commenting on the draft;
  - D) Responses to significant environmental points raised in the review and consultation process.
- 2) That the environmental impact report although it is not required to have a public hearing, was properly noticed in the newspaper and additionally, the property owners within the project area and surrounding the project area were notified.
- 3) That based upon on Exhibit A, Sequence of Events, the EIR was processed in compliance with CEQA and the state guidelines.

June 14, 1989  
Memorandum  
Certification of EIR  
Page Three

- 4) That the City of Ceres certifies that the environmental impact report has been completed in compliance with CEQA and the state guidelines and that the decision making body having final approval authority over the projects has reviewed and considered the information contained in the EIR prior to approval of the project.

#### STAFF RECOMMENDATION

Staff believes the above findings can be made in order to certify the environmental impact report by the City of Ceres.

#### ALTERNATIVES FOR THE PLANNING COMMISSION

The Planning Commission has the following alternatives available to them:

- 1) The Planning Commission is recommending to the City Council that the environmental impact report shall be certified since it has been completed in compliance with the CEQA, California Environmental Quality Act of 1970, and the City Council having final approval authority over the project, have reviewed and considered the information contained in the environmental impact report prior to the approval of the projects; or,
- 2) Not certify the environmental impact report as being completed in compliance with CEQA and State Guidelines. The Planning Commission should identify those areas which are not in your opinion to be in compliance with the process identified by the California Environmental Quality Act; or,
- 3) Refer the environmental impact report back for further consideration by staff; or,
- 4) Continue this meeting to a future meeting (date to be specified in Planning Commission motion).

#### DISCUSSION

The environmental impact report has identified several significant effects which can not be mitigated. These are identified under the executive summary of the draft EIR.

These significant impacts which can not be reduced to acceptable areas are the noise generation from the project, the increased traffic along the Mitchell Road Corridor, air quality, and loss of agricultural lands.

In accordance with the CEQA Guidelines, the City of Ceres as a lead agency can not approve or carry-out a project for which an environmental impact report has been completed which identifies one or more significant affects of the project unless the public agency makes one or more of the following written findings for each of those significant affects accompanied by a statement of facts supporting each finding.

One or more of the required findings to be made are as follows:

- 1) Changes or alterations have been required in or incorporated into the project which mitigate or void the significant environmental effects thereof as identified in the final EIR.
- 2) Such changes or alterations are within the responsibility or jurisdiction of another agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- 3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives as identified in the final EIR.

#### STATEMENT OF OVERRIDING CONSIDERATION

Upon reviewing the above significant effects, the City of Ceres is required to adopt a statement of overriding consideration for project approval of the general plan amendment and the adoption of the Mitchell Road Corridor Specific Plan.

Staff is recommending a statement of overriding consideration be adopted utilizing the third category of the above section and that specific economic, social, or other consideration make infeasible the mitigation measures or project alternatives identified in the final EIR.

#### RECOMMENDED OVERRIDING CONSIDERATION STATEMENT

For each of the significant impacts identified above, staff would recommend the following statements to be adopted for each project approval:

- 1) The change in land use designation concentrating and establishing a commercial corridor along Mitchell Road provides financial stability for the community whereas the current land use pattern does not encourage commercial development; and,

June 14, 1989

Memorandum

Certification of EIR

Page Five

- 2) That all the property taxes currently generated within the City of Ceres is not sufficient to off-set the cost of police and fire protection for the community and that the City must develop other resources to support desired services for the community; and,
- 3) The establishment of a commercial corridor along Mitchell Road will provide opportunities for commercial growth and long term stability for the City of Ceres in terms of generation of monies through sales tax and increased property tax to provide necessary services to the community; and,
- 4) That mitigation measures identified within the draft environmental impact report will be implemented to the fullest capability of the City and those mitigation measures will be monitored through the mitigation monitoring plan to be considered by the Planning Commission and City Council for all new projects developed with the Specific Plan area.

As part of project approval for the general plan and the Mitchell Road Specific Plan Corridor, each statement of overriding consideration should be made as a finding and should also be mentioned in the Notice of Determination filed by the City of Ceres if the projects are approved.

AUTHORITY

CEQA, California Environmental Quality Act of 1970 as amended.

JR/lr

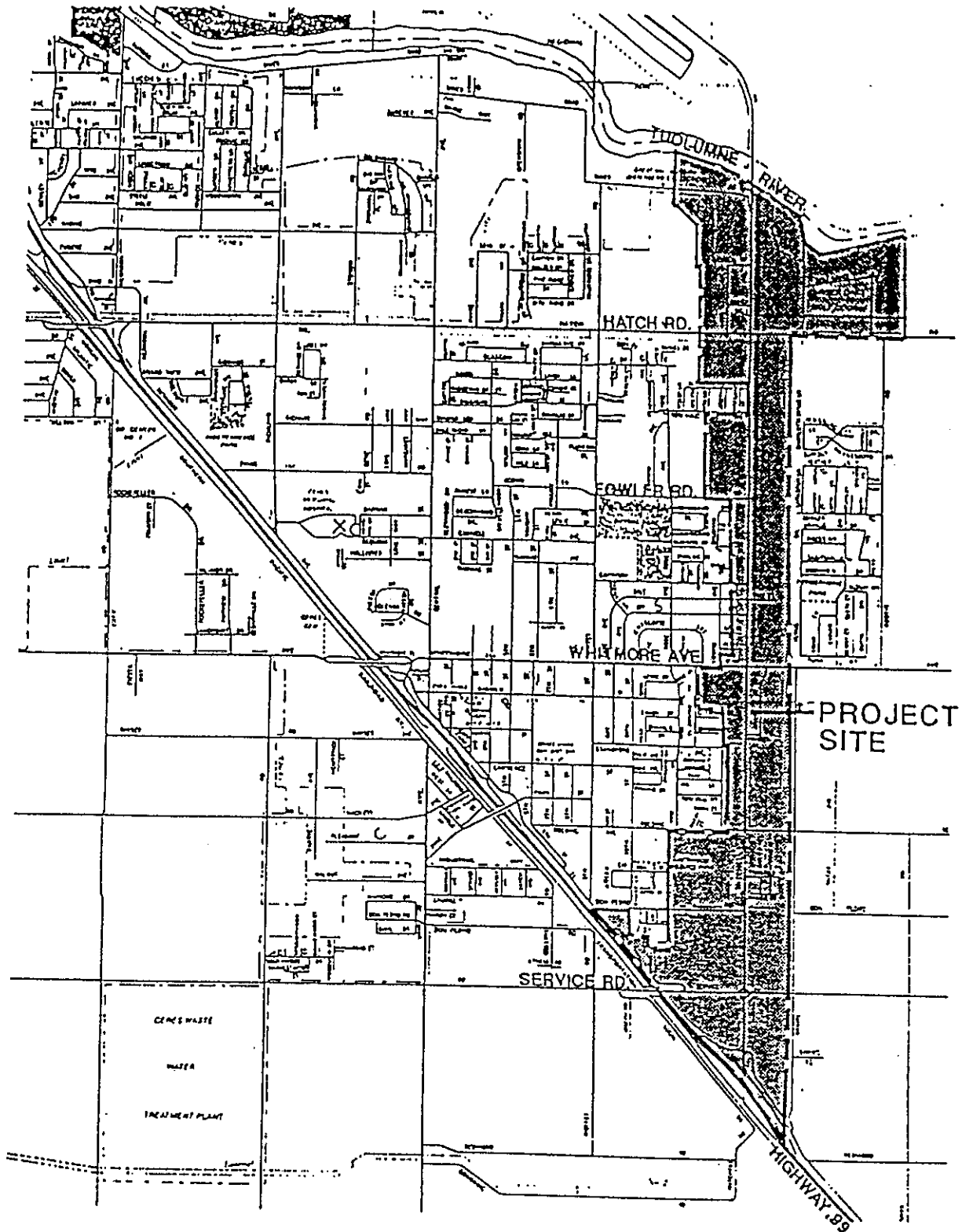
CERTIFY1/CERTIFY2

ATTACHMENTS

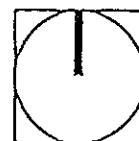
- 1) Exhibit A (Final EIR)
- 2) Exhibit B (Project Time Table and Overview of Process)
- 3) Exhibit C (Draft EIR, April, 1989)

July 11,

# VICINITY MAP



## MITCHELL ROAD CORRIDOR SPECIFIC PLAN CITY OF CERES



THE  
PLANNING  
CENTER  
100 DOW STREET, SUITE 100  
NEWPORT BEACH, CA 92660 (714) 851-4444

EXHIBIT 2



July 11, 1989

MEMORANDUM

TO : Jake Raper, Jr., Planning and Community Development Director  
FROM : James G. Marshall, City Manager  
SUBJECT : Environmental Impact Report, General Plan Amendment, and  
Specific Plan for Mitchell Road

On July 10, 1989 the Ceres City Council opened the public hearing on the above three noted items.

After accepting testimony, the Council continued action until the July 24, 1989 City Council meeting.

During the public hearing on July 10, 1989, comments were made by Joseph Holland, City of Modesto, regarding the inadequacy of the final environmental impact report. According to Mr. Holland, the final EIR did not address concerns expressed by the City of Modesto regarding traffic. Accordingly, please have the consultant prepare a response to Mr. Holland's comments for consideration by the City Council when the hearing is re-opened on July 24, 1989.

If you have any questions, please contact me at your convenience.

JGM:kmd

MITCHELL

cc: Upcoming Agenda - 7/24/89

July 10, 1989

The regular meeting of the City Council was called to order at 7:00 p.m. with the following:

PRESENT: COUNCILMEMBERS: Caruso, Hinton, McKay, Vice-Mayor McBride.  
ABSENT: COUNCILMEMBERS: Mayor Arrollo (Excused)

ALSO PRESENT: Director of Planning and Community Development, Jake Raper; City Manager, James Marshall; City Engineer, Joe Hollstein; City Attorney, Michael Lyons, and City Clerk Laffoon.

Pledge of Allegiance to the flag led by Vice-Mayor McBride.

Approval of the Minutes - Councilmember Hinton moved, seconded by Councilmember McKay to approve the minutes of the adjourned meeting of June 22, 1989 and the regular meeting of June 25, 1989. Vote 4/0/1.

AYES: COUNCILMEMBERS: McKay, Hinton, Caruso, Vice-Mayor McBride.  
NOES: COUNCILMEMBERS: None.  
ABSENT: COUNCILMEMBERS: Mayor Arrollo

Citizen Communications - None.

Approval of Agenda as posted (or amended) and certification of posting - Councilmember Caruso moved, seconded by Councilmember McKay to approve the agenda as posted and accept certification. Vote 4/0/1.

AYES: COUNCILMEMBERS: McKay, Hinton, Caruso, Vice-Mayor McBride.  
NOES: COUNCILMEMBERS: None.  
ABSENT: COUNCILMEMBERS: Mayor Arrollo

Consent Items - Councilmember Hinton moved, seconded by Councilmember Caruso to approve Items 1 a-g, 2, 3, 4, 5, 6, & 7 on the consent calendar. Vote 4/0/1.

AYES: COUNCILMEMBERS: Hinton, Caruso, McKay, Vice-Mayor McBride  
NOES: COUNCILMEMBERS: None.  
ABSENT: COUNCILMEMBERS: Mayor Arrollo

1. General Correspondence - Information Only

- a. Video tape order form from WGRA annual conference.
  - b. Area Comments (SAAG)
  - c. Public Works Department monthly report for May 1989.
  - d. Gondring Library relocation; progress payment #3.
  - e. Progress payment #1 - Smyrna Park ballfield lighting project.
  - f. Progress payment #1 - Walnut Avenue water, sewer and storm drain project.
  - g. Public Safety Department monthly report for May 1989.
2. Approval of the Bills.
  3. Memorandum from Public Works Director concerning contract change order #5 for the Gondring Library relocation.
  4. Request from Ceres Senior Citizens for waiver of rental fees at the Ceres American Legion Memorial Building for senior citizen's bazaar.
  5. Memorandum from Director of Public Works concerning contract change order #1 - Smyrna Park ballfield lighting project.
  6. Memorandum from Public Works Director concerning Riverpark development-northeast storm drain benefit district temporary storm drain pumps (Canyon Drive east of Moffet).

ABUG4JJ

7. Memorandum from City Manager concerning regulations for candidates' statements of qualification - Election Code Section 10012.5.

ORDINANCE (Second Reading and Adoption)

Ordinance No. 89-734 repealing Chapter 8.04 of the Ceres Municipal Code and adopting in its place a new chapter 8.04 regarding animals and animal control.

Councilmember McKay moved, seconded by Councilmember Caruso to adopt the ordinance. Vote 4/0/1.

AYES: COUNCILMEMBERS: Caruso, Hinton, McKay, Vice-Mayor McBride  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Mayor Arrollo

ORDINANCE (Introduction and First Reading)

Ordinance No. 89-735 rezoning certain real property from R-3, medium density multiple family residential to R-1, single family residential zone district. (North side of Hackett Road between Central and Farris Avenues - 1905, 1909, and 1923 Hackett Road - Lew-Garcia-Davis for Inland Developers).

Councilmember Hinton offered the ordinance.

RESOLUTIONS - Councilmember McKay moved, seconded by Councilmember Caruso to approve Resolutions No. 89-134, 89-135, 89-136, 89-137, 89-138, 89-139, 89-140, 89-141 and 89-142. Vote 4/0/1.

AYES: COUNCILMEMBERS: Caruso, Hinton, McKay, Vice-Mayor McBride  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Mayor Arrollo

Resolution No. 89-134 purchasing office panel systems - City Hall annex from Durst Office interiors.

Resolution No. 89-135 rejecting the claim for damages of Rich J. Dostal.

Resolution No. 89-136 accepting the Penal Code requirements relating to the selection and training standards of public safety dispatchers.

Resolution No. 89-137 accepting the Marchick parcel map, approving the land division improvement agreement, rejecting the offer of dedication of street right-of-way and authorizing the Mayor and the City Clerk to execute said agreement.

Resolution No. 89-138 stating its intent and ordering the annexation of the Marchick Parcel Map to the landscape and lighting district.

Resolution No. 89-139 approving proposed master plan 89-01 within the established PC (21) zone district. (3517 Mitchell Road- Applicant Jim Wyatt).

Resolution No. 89-140 amending Resolution No. 87-41 and Resolution No. 88-03 providing for a Memorandum of Understanding between the City of Ceres and employee members of the Operating Engineers Local Union No. 3.

Resolution No. 89-141 amending Resolution No. 87-42 and Resolution No. 88-04 providing for a Memorandum of Understanding between the City of Ceres and the Police Sergeants unit of the Operating Engineers Local Union No. 3.

Resolution No. 87-142 authorizing the destruction of certain City records and documents.

PUBLIC HEARINGS

Public Hearing - general plan amendment #89-01; request to amend the land use and circulation element, land use designation of approximately 7.07 acres located at the southeast corner of Hatch Road and Richland Avenue (APN 40-86-1, 40-86-66, and a portion of 40-12-16). Multiple family medium density residential, 7-15 units per net acre to community commercial. City of Ceres/Arco Products, applicants. Negative declaration filed.

Report given by Director of Planning and Community Development, Jake Raper.

Vice-Mayor McBride opened the public hearing at 7:54 p.m.

Tom Barkhowsen, 3134 Auburn, #A, Sacramento, CA, representing the applicant, offered additional information.

Scott Johnson, 1741 Joel Way, Ceres, spoke in opposition.

Vice-Mayor McBride closed the public hearing at 8:07 p.m.

Councilmember McKay moved, seconded by Councilmember Hinton to refer the matter back to the Planning Commission regarding the 7.07 acres. Vote 4/0/1.

AYES: COUNCILMEMBERS: Hinton, McKay, Caruso, Vice-Mayor McBride.

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: Mayor Arrollo

Public Hearing - zone change application #89-02; from R-1, single family residential to PC (44), planned community zone district. The project site is located at the southeast corner of Hatch Road and Richland Avenue (APN's 40-86-66, 40-86-01, and a portion of 40-12-16), 7.07 acres. Arco products/City of Ceres, applicants. Negative declaration filed.

Report given by Director of Planning and Community Development, Jake Raper.

Vice-Mayor McBride opened the public hearing at 7:54 p.m.

Tom Barkhowsen, 3134, Auburn, #A, Sacramento, CA representing applicant, offered additional information.

Scott Johnson, 1741 Joel Way, Ceres, CA spoke in opposition.

Vice-Mayor McBride closed the public hearing at 8:07 p.m.

Councilmember McKay moved, seconded by Councilmember Caruso to refer the matter back to the Planning Commission regarding the 7.07 acres. Vote 4/0/1.

AYES: COUNCILMEMBERS: McKay, Caruso, Hinton, Vice-Mayor McBride

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Mayor Arrollo

Public Hearing - planned community master plan #89-02; proposing master plan for an AM/PM mini-market, R-1 zone, proposed PC (44) zone. The project site is located at the southeast corner of Hatch Road and Richland Avenue (APN 40-86-01, 1.91 +/- acres. Bargenhausen Engineering for Arco Products, applicant. Negative declaration filed.

Report given by Director of Planning and Community Development, Jake Raper.

Vice-Mayor McBride opened the public hearing at 7:54 p.m.

Tom Barkhowsen, 3134, Auburn, #A, Sacramento, CA, representing the applicant, offered additional information.

Scott Johnson, 1741 Joel Way, Ceres, spoke in opposition.

Vice-Mayor McBride closed the public hearing at 8:07 p.m.

Councilmember Hinton moved, seconded by Councilmember McKay to prepare a Resolution to be presented to the Council at the regular meeting of 7-24-89. Vote 4/0/1.

AYES: COUNCILMEMBERS: Caruso, Hinton, McKay, Vice-Mayor McBride

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Mayor Arrollo

AB6499

Public Hearing - review and certification of environmental impact report for general plan amendment and Mitchell Road corridor specific plan.

Public Hearing - general plan amendment to land use and circulation element.

Public Hearing - Mitchell Road corridor specific plan and design guidelines.

Report was given by Director of Planning and Community Development, Jake Raper, on the above public hearings.

Presentation was given by Melanie Traxler of Planning Center.

Vice-Mayor McBride opened the public hearings at 8:55 p.m.

Joseph Holland, Transportation Planner for the City of Modesto, spoke in opposition to the EIR.

Ann Johnson, 2216 South Bentley, #8, Los Angeles, CA 90064, offered additional information.

Max Garcia, 3641 Mitchell Road, Ceres, CA offered additional information and spoke in favor.

Larry Dommi, 2355 Lehi, Ceres, CA, spoke in favor.

Vice-Mayor McBride closed the public hearing at 9:47 p.m.

The above public hearings are continued to the next regular meeting of July 24, 1989.

#### REPORTS:

Mayor - Report on City/County meeting by Vice-Mayor McBride.  
Appointments to Historical Committee - Leona Garrison, Caryl Fowler, Ruth Jorgensen and Shirley Rogers.  
Appointment to Public Relations Committee - Alicia Cool.  
Appointment to Parks and Recreation Commission continued to 7-24-89 meeting.

City Council - Councilmember Hinton reported on Concert in the Park dance on 8-12-89 to raise money for Public Address system and availability of T-shirts. Councilmember Caruso commented on street overlay on Moffet and Domestic Water Committee meeting on 7-17-89.

City Manager - Request for closed session pursuant to Government Code Section 54957.6 to discuss management and confidential employee salaries and benefits.

Planning Commission - None.

Parks and Recreation Commission - Report on vandalism to Ceres High School swimming pool and report on Ceres Recreational Basketball Program at Mae Hensley Junior High.

Public Works Director - CIP Committee meeting, 7-20-89 at 4:30.

City Attorney - None.

Councilmember Caruso moved, seconded by Councilmember McKay to adjourn to Closed Session pursuant to the above Government Code. Vote 4/0/1.

AYES: COUNCILMEMBERS: McKay, Hinton, Caruso, Vice-Mayor McBride

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Mayor Arrollo

Adjourned to closed session at 7:15 p.m.

Reconvened at 7:45 p.m.

No action taken.

The meeting was adjourned at 10:03 p.m. to July 11, 1989, 6:30 p.m. for the Concert in the Park and 8:00 for Budget Meeting at Ceres American Legion Memorial Building; and July 18, 1989, 6:30 p.m., for Concert in the Park.

The next regular meeting will be held on Monday, July 24, 1989.

APPROVED:

\_\_\_\_\_  
Richard McBride, Vice-Mayor

ATTEST:

  
\_\_\_\_\_  
Patricia E. Laffoon, City Clerk

ABG499

OFFICE OF DETERMINATION

County Clerk  
County of Stanislaus  
Modesto, CA

FILED

'89 SEP 12 AM 1:24

FROM: City of Ceres  
Planning and Community  
Development Department  
P O Box 217  
Ceres, CA 95307-0217

DATE FOR USE BY COUNTY CLERK  
BY \_\_\_\_\_

SUBJECT: Filing of NOTICE OF DETERMINATION in compliance with Section 21108 or 21152 of the Public Resources Code.

NAME OF APPLICANT: CITY OF CERES  
ASSESSOR'S PARCEL NO: SEE ATTACHED LEGAL DESCRIPTION STATE CLEARINGHOUSE NO: 88051307  
PLANNING AREA: MITCHELL ROAD CORRIDOR SECTION: NA TOWNSHIP: NA RANGE: NA  
NEAREST CITY OR COUNTY ROAD INTERSECTION: MITCHELL RD FROM HATCH RD TO HIGHWAY 99

☒ GENERAL PLAN AMENDMENT ☐ REZONING FROM \_\_\_\_\_ TO \_\_\_\_\_

☐ TENTATIVE PARCEL MAP ☐ SUBDIVISIONS TO SPLIT \_\_\_\_\_ ACRES INTO \_\_\_\_\_ LOTS

SUBDIVISION NAME: \_\_\_\_\_

☐ CONDITIONAL USE PERMIT TO ALLOW: \_\_\_\_\_

☐ PUBLIC WORKS PROJECT: \_\_\_\_\_

☒ OTHER: ESTABLISHING NEW LAND USE DESIGNATION & DEVELOPMENT REGULATIONS FOR MITCHELL RD CORRIDOR FROM HATCH TO

The CITY OF CERES CITY COUNCIL Department ☒ approved ☐ disapproved this project on 8/28/89  
and made the following determinations: SR 99  
DATE

1) Project ☒ will ☐ will not have a significant effect on the environment.

2)\* ☒ An environmental impact report was prepared pursuant to provisions of CEQA.

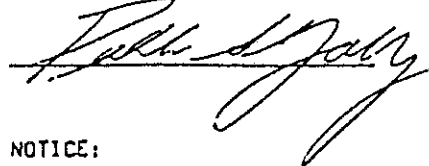
\* ☐ A negative declaration was prepared pursuant to provisions of CEQA.

3) Mitigation measures ☒ were ☐ were not adopted for this project.

A statement of overriding considerations ☒ was ☐ was not adopted. SEE ATTACHED

\* The environmental impact report or negative declaration and record of project approval may be reviewed at the  
CITY OF CERES PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT, 2720 Second Street, Ceres, California.

Prepared by:



9/11/89  
Date

NOTICE:

Public Resources Code Section 21152 (A) and Section 15075 of the CEQA Guidelines requires local agencies to submit this information to the County Clerk. The filing of the Notice starts a 30-day Statute of Limitations on court challenges to the approval of the project under Public Resources Code Section 21167. Failure to file the notice results in the Statute of Limitations being extended to 180 days after the City decides to carry out or has approved the project, Section 15075.