A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(571). (ST. STANISLAUS CATHOLIC CHURCH)

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by St. Stanislaus Catholic Church on December 17, 2002, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(571), to allow a 27,200-square-foot church and 27,800-square-foot ministries building on 18.7 acres, property located on the south side of Maze Boulevard east of Carpenter Road, described as follows:

All that certain parcel of land being a part of Lots 26 and 27 of the Maze Ranch Subdivision, as shown on the map thereof filed March 19, 1909 in Volume 4 of Maps, at Page 18, Stanislaus County Records, located in the Northwest quarter of Section 31, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, being more particularly described as follows:

COMMENCING at a brass plate set in concrete that monuments the Northwest corner of said section 31; thence South 89°46'38" East along the section line between sections 30 and 31, said section line being the center line of Maze Boulevard, a distance of 1020.62 feet to THE POINT OF BEGINNING; thence continue along said section line South 89°46'38" East 1039.16 feet; thence leaving the said section line and center line of Maze Boulevard South 0°50'50" East a distance of 699.26 feet to a point on the north line of Lot 8 of Block 4131 of Willow Estate Unit No. 1 filed for record in Book 20 of Maps, at Page 13, Stanislaus County Records; thence along said north line of said Lot 8 South 88°06'08" West a distance of 20.23 feet to the northwest corner of said Lot 8; thence along the west line of said Lot 8 South 02°35'48" East a distance of 100.00 feet to the southwest corner of said Lot 8 and a point on none tangent curve having a central bearing of North 02°35'47" West and a radius of 975.00 feet and being a point on the north right of way line of Sandburg Avenue as shown on said map of Willow Estate Unit No. 1; thence along said north right of way and curve concave to the northwest having a central angle of 0°37'28" an arc distance of 10.63 feet to the northwest terminus of said Sandburg Avenue and having a central bearing of North 01°58'20" West; thence South 88°30'54" West a distance of
1001.21 feet; thence North 08°51'00" West a distance of 830.59 feet to THE POINT OF BEGINNING.

Containing a gross area of 19.38 acres, more or less.

WHEREAS, after a public hearing held on January 24, 2005, in the Tenth Street Place Chambers located at 1010 10th Street, Modesto, California, it was found and determined by the Planning Commission, by its Resolution No. 2005-03, that rezoning of the property as requested is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposed church is located in an appropriate area for a church, being on an Arterial street and well buffered from existing residential development in the area.

2. The church will enhance the western entrance into Modesto on State Highway 132.

3. The proposed rezoning is consistent with the General Plan as churches are permitted in the Residential General Plan Designation for the site and the environmental impacts of the project are within the scope of the General Plan Master EIR.

WHEREAS, said matter was set for a public hearing of the City Council to be held on March 8, 2005, in the Tenth Street Place Chambers located at 1010 10th Street, Modesto, California, at which date and time said duly noticed public hearing was held, and

WHEREAS, after said public hearing the Council found and determined that the application of St. Stanislaus Catholic Church for a Planned Development Zone to allow a 27,200-square-foot church and 27,800-square-foot ministries building on 18.7 acres, property located on the south side of Maze Boulevard east of Carpenter Road should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 2005-03 and quoted above, and
WHEREAS, the Council has introduced Ordinance No. 3379-C.S. on the 8th day of March, 2005, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(571).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(571), is hereby approved subject to the following conditions:

1. All development shall conform to the plot plan and floor plans titled "St. Stanislaus Catholic Church" as amended in red, stamped approved by the City Council on March 8, 2005.

2. The following street dedication consistent with Standard Specifications shall be made prior to the issuance of a building permit or at any time requested by the City Engineer or designee to alleviate a health, safety, or traffic problem in the area:
   a. Dedication of right-of-way on the project site frontage of Maze Boulevard to a Minor Arterial street mid-block standard (provide 50 feet of right-of-way from street centerline), in addition to right-of-way needed for any project-specific turn lanes required by the improvement plans as approved by the City Engineer and Caltrans.

3. The following interim street improvements as approved by the City Engineer or designee and Caltrans shall be provided prior to the occupancy of any structures or when requested by the City Engineer or designee to alleviate a health, safety, or traffic problem in the area:
   a. The construction of left-turn pockets and medians to provide for left turning movements for the driveway shared by the church and St. Stanislaus Elementary School.
   b. Restricting the westernmost driveway of St. Stanislaus Elementary School to right-in, right-out movements only.

4. Ultimate street improvements consistent with Standard Specifications to construct the project frontage of Maze Boulevard to a Minor Arterial street standard shall be secured prior to the
occupancy of any structures. The amount of the security shall be
determined pursuant to an engineer’s estimate provided by the
applicant as approved by the City Engineer or designee. The form
of the security shall be as approved by the City Engineer or
designee and the City Attorney or designee.

5. The easternmost driveway shared between the church and St.
Stanislaus Elementary School shall be widened to 36 feet.

6. Prior to the issuance of a building permit, the developer shall
submit a plan to provide on-site treatment of stormwater in
accordance with the City of Modesto Guidance Manual for New
Development Stormwater Quality Control Measures and the City’s
current NPDES Permit, as approved by the Public Works Director
or designee. Storm drain improvements shall be constructed in
accordance with the approved plans. Storm drainage for Maze
Boulevard shall be provided through roadside swales or other
methods as approved by the City Engineer or designee and
Caltrans until such time as the full frontage improvements are
installed on Maze Boulevard.

7. The water line serving the project shall be looped on-site as
approved by the City Engineer or designee.

8. Prior to issuance of a building permit, improvement plans for
required improvements shall be prepared by a Registered Civil
Engineer and approved by the City Engineer or designee.
Improvements shall be constructed in accordance with the
approved plans.

9. Prior to issuance of a building permit, the developer shall show on
the plans submitted to Building and Development Services all fire
hydrants as required by the Fire Chief. All hydrants required by
the Fire Chief shall be installed and operable prior to construction
of any structures. As required by Standard Specifications, Section
6.07, an additional fire hydrant will need to be installed near the
ministries building, in a location to be approved by the Fire
Marshal.

10. All-weather, hard-surfaced roadways shall be constructed and
maintained free of obstructions prior to and at all times during
construction. The bollards to pre-vent non-emergency access from
using the secondary emergency access to Maze Boulevard shall be
secured with KNOX pad-locks as approved by the Fire Marshal.
11. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be approved by the Parks, Recreation and Neighborhood Director or designee. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved plan.

12. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

13. Prior to issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the City Engineer or designee.

14. Irrigation lines shall be removed, relocated, or protected as required by the Modesto Irrigation District and the City Engineer or designee. Easements for irrigation lines to remain shall be dedicated.

15. All outdoor lighting shall be shielded from adjacent residential properties as required by the City Engineer or designee.

16. Trash bins shall be kept in enclosures in accordance with the approved plan and in accordance with plans approved by the Public Works Director or designee. Enclosures shall be constructed of building materials consistent with those used in the major buildings as approved by the Community and Economic Development Department Director or designee.

17. Ten-foot-wide public utility easements, and planting easements located within the ten-foot-wide public utility easements, as required by the City Engineer or designee shall be dedicated along all street frontages.

18. All signs shall comply with the sign requirements of the R-1 Zone.

19. The Capital Facilities Fees payable at the time of the issuance of a building permit for any construction in this development shall be based on the rates in effect at time of issuance of the building permit.

20. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys’ fees and costs, by reason of, or arising out of, this development.
approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

In addition, the following recommended conditions of approval are mitigation measures from the Modesto Urban Area General Plan Master EIR that should be applied to the project, pursuant to the Initial Study (Environmental Assessment No. EA/C&ED 2005-01) prepared for the project:

21. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

22. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

23. When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

24. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.

25. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

26. Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.

27. The City’s Noise Ordinance (Modesto Municipal Code Section 4-9.101) prohibits the “loud and raucous discharge into the open air
of the steam of any steam equipment or exhaust from any stationary internal-combustion engine."

The Noise Ordinance prohibits the loud and raucous operation or use of any of the following before 7:00 a.m. or after 9:00 p.m. daily (except Saturday and Sunday and State or Federal Holidays, when the prohibited time shall be before 9:00 a.m. and after 9:00 p.m.):

a. A hammer or any other device or implement used to pound or strike an object.

b. An impact wrench or other tool or equipment powered by compressed air.

c. A hand-powered saw.

d. Any tool or piece of equipment powered by an internal-combustion engine such as, but not limited to, chain saw, backpack blower, and lawn mower.

e. Any electrically powered (whether by alternating current electricity or by direct current electricity) tool or piece of equipment used for cutting, drilling, or shaping wood, plastic, metal, or other materials or objects, such as, but not limited to, a saw, drill, lathe, or router.

f. Any of the following: heavy equipment (such as but not limited to bulldozer, steam shovel, road grader, backhoe), ground drilling and boring equipment (such as but not limited to derrick or dredge), hydraulic crane and boom equipment, portable power generator or pump, pavement equipment (such as but not limited to pneumatic hammer, pavement breaker, tamper, compacting equipment), pile-driving equipment, vibrating roller, sand blaster, gunite machine, trencher, concrete truck, and hot kettle pump.

g. Any construction, demolition, excavation, erection, alteration, or repair activity. In the case of urgent necessity and in the interest of public health and safety, the Chief Building Official may issue a permit for exemption from these. Such period shall not exceed three (3) working days in length while the emergency continues but may be renewed for successive periods of three (3) days or less while the emergency continues. The Chief Building Official may limit such permit as to time of use and/or permitted action, depending upon the nature of the emergency and the type of action requested.
h. Construction equipment and vehicles should be equipped with properly operating mufflers according to the manufacturers' recommendations. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.

28. If archaeological resources are discovered at any time during construction, all activity shall cease until the site is surveyed by a qualified archaeologist. The survey shall include mitigation measures, which shall be implemented before construction resumes. The survey shall follow the criteria presented in Appendix K.

29. The developer shall implement pre- and post-construction best management practices (BMPs) to minimize pollutants entering the storm system.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(571):

The construction program be accomplished in two phases as follows:

1. Phase I – Church: Construction to begin on or before March 8, 2007 and completion to be not later than March 8, 2008.

2. Phase II – Ministries Building: Construction to begin on or before March 8, 2015 and completion to be not later than March 8, 2016.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above approved development plan shall be made in accordance with the provisions of Section 10-2.1709 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 17 of Title 10 of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.
SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned Development Zone, P-D(571), becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 2005, by Councilmember Marsh, who moved its adoption, which motion being duly seconded by Councilmember Hawn, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunbar, Hawn, Jackman, Keating, Marsh, O’Bryant
NOES: Councilmembers: None
ABSENT: Councilmembers: Mayor Ridenour

ATTEST: [Signature]
JEAN ZAHN, City Clerk

APPROVED AS TO FORM:
By: [Signature]
MICHAEL D. MILICH, City Attorney

APPROVED AS TO LEGAL DESCRIPTION
By: [Signature]
Community & Economic Development Department
Planning Division
A RESOLUTION FINDING THAT THE FOLLOWING PROJECT IS WITHIN THE SCOPE OF THE PROJECT COVERED BY THE MODESTO URBAN AREA GENERAL PLAN MASTER ENVIRONMENTAL IMPACT REPORT (SCH NO. 1999082041): AMENDING SECTION 31-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO PLANNED DEVELOPMENT ZONE, P-D(571), PROPERTY LOCATED ON THE SOUTH SIDE OF MAZE BOULEVARD EAST OF CARPENTER ROAD. (ST. STANISLAUS CATHOLIC CHURCH)

WHEREAS, on March 4, 2003, the City Council of the City of Modesto certified the Final Master Environmental Impact Report ("Master EIR") (SCH No. 1999082041) for the Modesto Urban Area General Plan, and

WHEREAS, St. Stanislaus Catholic Church has proposed that the zoning designation for the property located on the south side of Maze Boulevard east of Carpenter Road be amended to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(571), to allow a 27,200-square-foot church and 27,800-square-foot ministries building (the "project"), and

WHEREAS, Section 21157.1 of the Public Resources Code, relating to reviewing subsequent projects for a Master EIR, states that the lead agency shall prepare an Initial Study on any proposed subsequent project to analyze whether the subsequent project may cause any significant effect on the environment that was not examined in the master environmental impact report and whether the subsequent project was described in the master environmental impact report as being within the scope of the project, and

WHEREAS, the City’s Community & Economic Development Department by Environmental Assessment Initial Study EA/C&ED 2005-01 ("Initial Study") reviewed the proposed amendment to the Zoning Map and rezone to P-D(571) project to determine
whether the project is within the scope of the project covered by the Modesto Urban Area General Plan Master EIR ("Master EIR"), and concluded that the proposed project is within the scope of the Master EIR and will have no additional significant effect on the environment that was not identified in the Master EIR, and further, that no new additional mitigation measures or alternatives are required, and that, therefore, the proposed project is within the scope of the project covered by the Master EIR, and

WHEREAS, in accordance with CEQA guidelines beginning on February 11, 2005 the City caused to be published a 20-day notice of the City’s intent to make a finding that the proposed project conforms with the Master EIR, and

WHEREAS, said matter was considered by the City Council at a duly noticed public hearing which was held on March 8, 2005, at 5:30 p.m., in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council has reviewed and considered the Initial Study prepared for the proposed amendment to the Zoning Map and rezone to P-D(571) project, a copy of which is attached hereto as Exhibit “A”, and incorporated herein by reference, and based on the substantial evidence included in said Initial Study makes the following findings:

1. The type of project is described in Chapter II of the Master EIR (SCH No. 1999082041).

2. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

3. An Initial Study was prepared by the City of Modesto that analyzed whether the proposed subsequent project may cause any significant effect on the environment that was not examined in the MEIR and it has been determined that the project was described in the MEIR as being within the scope of the MEIR.
4. Based on the Initial Study, the City of Modesto finds and determines:

   a. The proposed subsequent project will have no additional significant effect as defined in CEQA Section 21158 that was not identified in the MEIR.

   b. No new or additional mitigation measures or alternatives are required.

   c. The project is within the scope of the MEIR.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the Community & Economic Development Director is hereby authorized and directed to file a notice of determination within five (5) business days with the Stanislaus County Clerk pursuant to Section 21152 of the Public Resources Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 2005, by Councilmember Marsh, who moved its adoption, which motion being duly seconded by Councilmember Hawn, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunbar, Hawn, Jackman, Keating, Marsh, O’Bryant

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Ridenour

ATTEST: Jean Zahr

JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By: Michael D. Milich, City Attorney
EXHIBIT A
Initial Study
EA/C&ED 2005-01
City of Modesto

Finding of Conformance to
General Plan Master EIR:

Initial Study C&ED No. 2005-01

For the proposed:

Rezoning from R-1 to P-D for Saint Stanislaus Catholic Church

Prepared by:
City of Modesto
Community & Economic Development Department
Planning Division

12/29/04
City of Modesto
Master EIR Initial Study Checklist

I. PURPOSE

CEQA allows for the limited environmental review of subsequent projects under the City’s Master EIR. This Initial Study Checklist is used in determining whether project, a church and ministries building for Saint Stanislaus Catholic Church, is “within the scope” of the project analyzed in the Modesto Urban Area General Plan Master EIR (SCH# 1999082041) (Public Resources Code section 21157.1). When the Initial Study supports this conclusion, the City will issue a finding of conformity.

A subsequent project is “within the scope” of the Master EIR when:

A. It will have no additional significant effects on the environment that were not addressed as significant effects in the Master EIR; and

B. No new or additional mitigation measures or alternatives are required.

"Additional significant effects” means a project-specific effect that was not addressed as a significant effect in the Master EIR. (Public Resources Code Section 21158(d))

The determination must be based on substantial evidence in the record. “Substantial evidence” means facts, reasonable assumptions predicated upon facts, or expert opinion based on facts. It does not include speculation or unsubstantiated opinion. (State CEQA Guidelines Section 15384)

II. PROJECT DESCRIPTION

A. Title: Rezoning R-1 to P-D, Saint Stanislaus Catholic Church

B. Address or Location: the south side of Maze Boulevard east of Carpenter Road.

C. Applicant: Saint Stanislaus Catholic Church, 709 J Street, Modesto, CA 95354

D. City Contact Person: Steve Mitchell, Principal Planner
Department: Community and Economic Development Department
Phone Number: (209) 577-5287
E-mail address: smitchell@modestogov.com

E. Current General Plan Designation(s): Residential (R)

F. Current Zoning Classification(s): Low-Density Residential (R-1)
G. Surrounding Land Uses:
- North: Single family homes
- South: Vineyard
- East: Vineyard and single family homes
- West: Saint Stanislaus Elementary School

H. Project Description, including the project type listed in Section II.C (Anticipated Future Projects) of the Master EIR (Attach additional maps/support materials as needed for complete record):

This is an application for a rezoning from R-1, Low-Density Residential Zone, to P-D, Planned Development Zone, to allow construction of a 27,200-square-foot church and a 27,800-square-foot ministries building on 18.7 acres located on the south side of Maze Boulevard east of Carpenter Road. The project proposes 189 parking spaces on site, and utilizing 136 existing parking spaces on the adjacent Saint Stanislaus Elementary School site. The project will access Maze Boulevard via a widened and improved existing driveway located at the east end of the school site.

I. Other Public Agencies Whose Approval is Required:

The project will require an encroachment permit from Caltrans for roadway work on Maze Boulevard (State Highway 132).
III. FINDINGS/DETERMINATION (SELECT ONE ON THE BASIS OF THE ANALYSIS IN SECTION IV)

A. **X** Within the Scope - The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. The following items are found to be true:

1. The type of project is described in Chapter II of the Master EIR.

2. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

3. An Initial Study was prepared by the City of Modesto that analyzed whether the proposed subsequent project may cause any significant effect on the environment that was not examined in the MEIR and it has been determined that the project was described in the MEIR as being within the scope of the MEIR.

4. Based on the Initial Study, the City of Modesto finds and determines:
   a) The proposed subsequent project will have no additional significant effect as defined in CEQA Section 21158 that was not identified in the MEIR.
   b) No new or additional mitigation measures or alternatives are required.

5. The criteria for currency of the Master EIR were reviewed (section 5 below) and it was determined that the Master EIR is current for all areas of the Initial Study.

B. **Mitigated Negative Declaration Required** - On the basis of the above determinations, the project is not within the scope of the Master EIR. A mitigated negative declaration will be prepared for the project. The following items are found to be true:

1. The type of project is described in Chapter II of the Master EIR.

2. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

3. The project will have one or more potential new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures are being required of the project that will reduce the effects to a less-than-significant level.

C. **Focused EIR Required** - On the basis of the above determinations, the project is not within the scope of the Master EIR. A Focused EIR will be prepared for the project. The following items are found to be true:

1. The type of project is described in Chapter II of the Master EIR.
2. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

3. The project will have one or more new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures or alternatives are required as a result.

Steve Mitchell
Project Manager

Principal Planner

January 24, 2005

Date
D. Within the Scope Analysis of this Document:

The Master EIR permits projects to be found within the scope of the MEIR if certain criteria are met. Basically, if the following statements are found to be true for all 20 sections of this Initial Study, then the project was covered by the MEIR analysis and is within the scope of the MEIR. Any "No" response must be discussed.

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<td>(1) The lead agency for subsequent projects shall be the City of Modesto or a responsible agency identified in the Master EIR.</td>
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<td>(2) City policies which reduce, avoid or mitigate environmental effects, will continue to be in effect and therefore would be applied to subsequent projects where appropriate. The policies are described in the list of policies in place and mitigation measures attached to the Initial Study template.</td>
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<td>(3) Federal, State, Regional and Stanislaus County regulations do not change in a manner that is less restrictive on development than current law (i.e., would not offer the same level of protection assumed under the Master EIR).</td>
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<td>(4) No specific information concerning the known or potential presence of significant resources is identified in future reports, or through formal or informal input received from responsible or trustee agencies or other qualified sources.</td>
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<td>(5) The development will occur within the boundaries of the City's planning area as established in this Urban Area General Plan.</td>
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<td>(6) Development within the project will comply with all mitigation measures identified in the General Plan Master EIR.</td>
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E. **Currency of the Master EIR Document**

The MEIR should be reviewed on a regular basis to determine its currency, and whether additional analysis/mitigation should be incorporated into the MEIR via a Supplemental or Subsequent EIR (CEQA Section 21157.6). Staff has reviewed sections 1 through 20 of this document in light of the criteria listed below to determine whether the MEIR is current. The analysis contained within the Master EIR is current as long as the following circumstances have not changed. Any "No" response must be discussed.

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Certification of the General Plan Master EIR occurred less than five years prior to the filing of the application for this subsequent project.

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This project was described in the Master EIR and its approval will not affect the adequacy of the Master EIR for any subsequent project because the City can make the following findings:

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No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified.

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No new information, which was not known and could not have been known at the time the Master EIR was certified as complete, has become available.

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Policies remain in place that require site-specific mitigation, and avoidance or other mitigation of impacts as a prerequisite to future development.
IV. ENVIRONMENTAL ANALYSIS

This Initial Study, in accordance with Section 21157.1(b) of the Public Resources Code, analyzes whether this project may cause any project-specific significant effect on the environment that was not examined in the Final Master EIR (MEIR) for the General Plan and whether new or additional mitigation measures or alternatives may be required as a result. The Initial Study thereby documents whether or not the project is "within the scope" of the Master EIR.

Pursuant to Public Resources Code Section 21157.1, no new environmental document or findings are necessary for projects that are determined to be within the scope of the MEIR. Adoption of a notice of conformity after completion of the Initial Study fulfills the City's obligation in that situation.

All environmental effects cited reflect year 2025 buildout of the Urban Area General Plan as identified in the MEIR.

The Master EIR for the General Plan organizes its analysis of environmental impacts into eighteen subject areas. The following analysis is based on the impact analyses contained in Chapter V of the Master EIR. For ease of cross-reference, the sections are numbered in the same order as the analyses in Chapter V.

In addition to the 18 Master EIR subject areas, the Initial Study checklist addresses the issues of land use/planning and aesthetics. The reason for including these additional issues is to ensure that consideration is being given to the full range of subjects of importance contained in Appendix G of the CEQA Guidelines. The format for the land use/planning and aesthetics sections differs from that of the other 18 subject areas since these two subjects were not addressed as distinct subjects in the Master EIR.

A. TRAFFIC AND CIRCULATION

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant and unavoidable traffic and circulation impacts:

Effect: Increased traffic will result in certain roadway segments operating at LOS D or worse.

Effect: The Substantial increase in traffic relative to the existing load and capacity of the street system will cause, violation, either individually or cumulatively, of an LOS standard established by the County CMP for designated roads and highways.

Effect: Creation of need for Capacity-enhancing modifications to existing facilities.

Effect: Increase in energy consumption associated with the operation of highway projects, rail improvements, and aviation facilities.

Effect: Severe contrast with existing neighborhood or area character caused by highway and transit projects.
2. Master EIR and/or New Mitigation Measures Applied to the Project

Traffic and Circulation mitigation measures that are pertinent to this project are found on MEIR pages V-1-15 through V-1-21. All feasible measures appropriate to the project – including any new measures - will be incorporated into or made conditions of approval of this project and will be listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

There are no specific traffic mitigation measures from the MEIR that are directly applicable to this project.

3. Project-Specific Effects

Section V-1.B of the MEIR provides analysis of Traffic and Circulation impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Significance Criteria:

A subsequent development project will have a new significant effect on the environment if it would exceed the following criteria:

YES NO

(a) The project would contribute one hundred (100) or more peak hour trips to or from the site during the adjacent roadway’s peak hour or the development’s peak hour, to adjoining roads and generates more trips than assumed for their general plan land use category and zoning in the MEIR.

Where a project exceeds an additional one hundred (100) or more peak hour trips contribution, a site access study may be conducted to determine to what extent the project would exceed the year 2025 level of service (LOS) expected for the adjoining roadways under the Master EIR. The site access study will recommend new, project-specific mitigation measures. Where the project also exceeds the Master EIR’s traffic generation assumption, as determined by Engineering & Transportation staff, a comprehensive traffic study will be required that will include off-site traffic impact analysis.

(b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment).

(c) Result in inadequate emergency access.

(d) Result in inadequate parking capacity.

Discussion:

(a) A site access study ("Supplemental Traffic Analysis, St. Stanislaus Catholic Church,
Modesto, California” dated October 27, 2004, attached) was prepared for this project by Dowling Associates, Inc.. Because church services have been held in an existing facility at the adjacent St. Stanislaus Elementary School for several years, the Analysis concludes that the increase in trips generated by the new church would be minimal, and consequently that there would be no new significant traffic impacts generated by the project. The Analysis further compared the projected 2025 traffic conditions of the General Plan MEIR with and without the project, and concluded that the project would not cause a drop in the Level of Service (LOS) of any nearby intersections or road segments beyond what was assumed in the MEIR. The Analysis has been reviewed by the City’s Traffic Engineering section, and they concur with its findings.

(b) Since the project will utilize an existing driveway for access, and will be required to improve that driveway to City standards, the project will not substantially increase hazards due to a design feature.

(c) The City’s Fire Marshall is requiring, and the applicant is providing, a secondary emergency-only access to the project from Maze Boulevard. This will ensure that the project has adequate emergency access.

(d) The project proposes 189 parking spaces on site, and utilizing 136 existing parking spaces on the adjacent Saint Stanislaus Elementary School site to meet City parking standards. Although the existing parking spaces are shared with the Elementary School, there will be adequate parking for both uses, as the church and school have operating hours that do not overlap.

B. AIR QUALITY

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to air quality:

Effect: Projected traffic levels will result in increased ambient carbon monoxide (CO) levels in the project area. This is a significant and unavoidable impact.

Effect: Projected traffic levels will result in increased ROG and NOX levels in the project area. This is a significant and unavoidable impact.

These are also cumulative impacts on air quality.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Air Quality mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-2-11 through V-2-18 MEIR. All feasible measures appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section IV, Mitigation Measures Applied to Project.
Discussion:

Mitigation Measures from the MEIR appropriate to this project are the relevant PM10 control measures listed in Section IV.

3. Project-Specific Effects

Section V-2.B of the MEIR provides analysis of Air Quality impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project exceeds the emissions thresholds established for CO and NOx by the San Joaquin Valley Unified Air Pollution Control District's (SJVUAPCD) adopted CEQA Guidelines.

(b) The project does not incorporate the best management practices for PM10 reduction established by the SJVUAPCD.

(c) The project does not comply with the air quality policies of the Modesto Urban Area General Plan.

(d) The project would expose sensitive receptors to substantial pollutant concentrations.

(e) The project would create objectionable odors affecting a substantial number of people.

Discussion:

(a) The project is within the scope of the Master EIR for traffic related impacts. Therefore, it should be within the scope of the Master EIR for CO and NOx emissions in that these pollutants are directly related to the traffic impacts of the project.

(b) This project does incorporate the best management practices for PM10 reduction established by the SJVUAPCD (see mitigations measures above).

(c) Applicable General Plan Policies will be applied to the project. Therefore, project-specific effects will be less than significant for this impact (see mitigations measures above).

(d) The project is not a significant contributor to pollution levels in that it is a church that operates only during times when the adjacent elementary school (which is a sensitive receptor) is not operating.

(e) Since the project is a church, it will not produce objectionable odors and is not in close proximity to residences.
C. NOISE

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant and unavoidable environmental impacts relative to noise:

Effect: Traffic noise levels for future conditions in the plan area have the potential to result in exceedances of the City’s Noise Significance Standards (see Table 3-3 MEIR).

Effect: Noise level projections based on the traffic levels anticipated in the General Plan indicate that noise will exceed the City’s General Plan and noise ordinance standards.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Noise policies and mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-3-10 through V-3-15 MEIR. All feasible measures appropriate to the project will be incorporated into or made conditions of approval of this project and any new measures are listed in Section IV, Mitigation Applied to Project.

Discussion:

Mitigation Measures appropriate to this project include: N-4, N-5 and N-6.

3. Project-Specific Effects

Section V-3.B of the MEIR provides analysis of noise impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project will exceed the standards for noise level and hours of operation established by the Modesto noise ordinance.

(b) The project will exceed the noise policies of or otherwise be inconsistent with the Modesto Urban Area General Plan.

(c) The project will result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

(d) The project will result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

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Discussion:

(a) The City's noise policy is incorporated into the conditions of approval as a mitigation measure.

(b) The project is consistent with the noise policies of the General Plan, and churches are a permitted use in the Residential General Plan designation for the site. The noise mitigation measures called for by the General Plan for projects within the baseline developed area, are incorporated into the conditions of approval for the project.

(c) Churches in of themselves do not result in a substantial permanent increase in ambient noise levels. The only permanent noise levels produced by the project would be associated with traffic. The increased traffic levels are within the scope of what the MEIR assumed for the site. Therefore, this project will not result in a substantial permanent increase in ambient noise levels.

(d) Since church services are already held at facilities on the adjacent elementary school site, which shares the access point with the proposed church, there would be no significant temporary increase in ambient noise levels in the project vicinity above levels existing without the project.

D. AGRICULTURAL LANDS

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to agricultural lands:

Effect: Development within the urbanized Baseline Developed Area and Redevelopment Area will have a less-than-significant impact on agricultural lands.

Effect: Conversion of agricultural land will occur as available developable land is occupied within the City. This is a significant and unavoidable impact.

Effect: Growth within Modesto's planning area would contribute considerably to the loss of agricultural land within Stanislaus County. This is a significant and unavoidable cumulative impact.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Agricultural Land mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-4-7 and V-4-8 MEIR. All feasible measures appropriate to the project and any new mitigation to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Applied to Project.
Discussion:

Since the project is located in the General Plan's Baseline Developed Area, the project is considered to have a minimal effect on the conversion of agricultural lands and no mitigation measure is required, pursuant to General Plan Policy AL-17.

3. Project-Specific Effects

Section V-4.B of the MEIR provides analysis of Agricultural Lands impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.
(b) The project will directly result in the development of land outside the March 2003 planning area boundaries.
(c) The project will conflict with existing zoning for agricultural use or a Williamson Act contract.
(d) The project will involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use.

Discussion:

(a) The project is consistent with the General Plan land use policies, as churches are a permitted use in the General Plan Residential Land Use Designation for the site.
(b) The project is within the General Plan's Baseline Developed Area and therefore will not result in the development of land outside the March 2003 planning area boundaries.
(c) The project site is not zoned for agriculture, nor is it under Williamson Act contract.
(d) Since the project and immediately-adjacent agricultural lands are located in the General Plan's Baseline Developed Area, the project is considered to have a minimal effect on the conversion of agricultural, pursuant to General Plan Policy AL-17.

E. WATER SUPPLY

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to water supply:

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Effect: Urban Area General Plan policies are established to limit groundwater extractions to the safe yield of the aquifer and thereby avoid aquifer over drafting. In addition, the UWMP requires that new urban development would proceed in conjunction with the availability of water supplies and distribution facilities. It is assumed that increased entitlement of surface water supplies such as a water transfer from another water purveyor would undergo independent environmental review pursuant to CEQA. This is a less-than-significant impact.

Effect: Development to the future projected City population would require expansion of the MRWTP to its full 60 mgd capacity, development of additional groundwater wells, and construction of additional water distribution and treatment facilities. Construction of some of the required facilities would most likely require site-specific environmental impact assessments to be conducted under CEQA. Consequently, the potential environmental impacts of the Urban Area General Plan are considered less-than-significant.

Effect: During drought years, despite available options, significant water shortages are forecast for the San Joaquin River basin by the year 2020. Modesto would make a cumulatively considerable contribution to the cumulative impact on water supply under drought conditions. This is a significant and unavoidable cumulative impact.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Water Supply mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-5-7 through V-5-8 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

There are no mitigation measure applicable to this project.

3. Project-Specific Effects

Section V-5.B of the MEIR provides analysis of Water Supply impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. 

(b) Sufficient water supplies are not available to serve the project from existing entitlements and resources, new or expanded entitlements are needed.

Discussion:

(a) As indicated above, the project is consistent with the Modesto Urban Area General Plan both in land use and intensity.
(b) The City's Public Works Department has analyzed the project and determined that sufficient water supplies are available to serve the project.

F. SANITARY SEWER SERVICES

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to sanitary sewer services:

Effect: The City has already begun to implement the provisions of the Wastewater Master Plan (WMP) to meet future demand for sanitary sewer services. As City wastewater treatment facilities are expanded to meet the needs of the Baseline Developed, Redevelopment, and Planned Urbanizing Areas, the City will obtain the necessary wastewater discharge and NPDES permits from the Central Valley RWQCB, as required under Urban Area General Plan Policy V-D.2(a). Implementing the WMP, requirement of Best Management Practices for post-construction activities, as well as the Urban Area General Plan policy cited above, will avoid violation of wastewater discharge requirements. As a result, this impact would be less-than-significant.

Effect: The City has adopted the WMP specifically to ensure that sewer capacity will match the level of growth projected by the Urban Area General Plan. Development within the Baseline Developed and the Planned Urbanizing Areas that is consistent with the Urban Area General Plan will not have a significant effect on capacity. Urban Area General Plan Policy III-D.1(d) will ensure that development in the Planned Urbanizing Area will fund the necessary improvements. This is a less-than-significant impact.

Note on the WMP Master EIR. The WMP Master EIR identified a number of impacts and mitigation measures. Its mitigation measures have been adopted by the City and are being implemented by the City under the WMP. Those impacts are being independently addressed under that Master EIR and do not need to be considered under this Initial Study. Refer to the WMP Master EIR for details.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Sewer Service mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-6-4 through V-6-7 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

There are no mitigation measure applicable to this project.

3. Project-Specific Effects

Section V-6.8 of the MEIR provides analysis of Sanitary Sewer Service impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.
Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. □ X

(b) The project will result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Discussion:

(a) The project is consistent with the Modesto Urban Area General Plan both in land use and intensity.

(b) The City's Public Works Department has analyzed the project and determined that sufficient sewer capacity is available to serve the project.

G. SENSITIVE WILDLIFE AND PLANT HABITAT

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to sensitive wildlife and plant habitat:

Effect: Although many sensitive species live in riparian habitats within the planning area, the policies of the plan will ensure that impacts of the Urban Area General Plan will be less-than-significant.

Effect: Requiring higher residential density than the suburban norm and a compact pattern of growth within the designated planning area to the year 2025 will minimize the City's contribution to the cumulative loss of habitat. Nonetheless, this is a significant and unavoidable impact.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Wildlife and Plant Habitat mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-7-19 through V-7-21. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

There are no mitigation measure applicable to this project. The project site is not a biologically sensitive site as defined by Figures V-7-1a through V-7-1e of the MEIR. The project is located in the General Plan's Baseline Developed Area, and General Plan Policy SWPH-20 states that for.
projects in the Baseline Developed Area outside of the Dry Creek and Tuolumne River CPD’s, no further biological study is warranted.

3. Project-Specific Effects

Section V-7.B of the MEIR provides analysis of Wildlife and Plant Habitat impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.

(b) Consultation with the California Department of Fish and Game or the U.S. Fish and Wildlife Service determines that the project would have a significant effect on special status species.

(c) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Discussion:

(a) The project is consistent with the Modesto Urban Area General Plan both in land use and intensity.

(b) The project site is not a biologically sensitive site as defined by Figures V-7-1a through V-7-1e of the MEIR. The California Department of Fish and Game and the U.S. Fish and Wildlife Service were consulted in the production of the MEIR.

(c) There is no conflict with any local policies or ordinances protecting biological resources.

H. ARCHAEOLOGICAL OR HISTORICAL SITES

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to archaeological or historical sites:

Effect: If a site-specific project involves the modification or demolition of a qualifying structure more than 50 years in age, then the impact will be significant.

Effect: Areas of high probability for archaeological resources are located within the riparian corridors along the Tuolumne River, Dry Creek, and the Stanislaus River. There, the potential impact comes from earthmoving activities that could result in disturbance of resources or human remains. There is a low probability that archaeological resources will be uncovered in areas outside of the riparian corridors.
Effect: The City Zoning Ordinance requires that when substantial changes to a structure are proposed, the development will be required to comply with other Zoning Ordinance provisions such as parking or landscaping requirements. This could result in modifications to the structure, which substantially reduce its historical significance. This would be a less-than-significant impact with the imposition of new mitigation measure Cultural-1.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Archaeological or Historic mitigation measures pertinent to the project being analyzed in this Initial Study are found on page V-8-13 and V-8-14 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Applied to Project.

Discussion:

Mitigation Measures applicable to this project include: AH-8.

3. Project-Specific Effects

Section V-8.B of the MEIR provides analysis of Archaeological/Historical impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.

(b) The project would adversely affect a cultural resource that is either listed or eligible for listing in the California Register of Historical Resources, or that is listed by the City of Modesto as a Designated Landmark Preservation Site.

Discussion:

(a) The project is consistent with the Modesto Urban Area General Plan in both land use and intensity.

(b) The project would not adversely affect a cultural resource that is either listed or eligible for listing in the California Register of Historical Resources, or that is listed by the City of Modesto as a Designated Landmark Preservation Site. The mitigation measure called for by the General Plan is incorporated into the conditions of approval for the project.
I. STORM DRAINAGE

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to storm drainage:

Effect: The potential impacts on storm water drainage that could occur from the project were qualitatively evaluated with respect to several factors including: extent of the projected increase in urban surface area compared to undeveloped ground; magnitude of projected changes to hydrologic and physical site characteristics of the study area compared to existing conditions; regulatory criteria and guidelines; and professional judgment. Because the Urban Area General Plan includes policies that require new development in all three sections of the planning area to install approved drainage facilities, the potential impacts of the Urban Area General Plan on storm water drainage are considered less-than-significant.

Effect: The population of Stanislaus County is projected to increase in a fashion similar to that of Modesto, resulting in additional urban development and associated increases in impervious areas and associated urban storm water drainage. Cumulative hydrologic impacts of storm water flows from Modesto urban areas and other areas of the County could occur due to the fixed capacity of MID and TID irrigation canals to convey drainage west to the San Joaquin River. If drainage channels in some areas prove insufficient to handle the increased drainage discharges, existing storm water runoff from urban and agricultural areas during large storm events would have to be interrupted until water levels receded to a point allowing the resumption of discharges to the channel. Ceasing discharges to drainage channels could cause inundation in and around the drainage conveyance pipeline systems, surface drainage channels, detention basins, and other urban areas. This cumulative impact is considered significant and unavoidable.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Storm Drainage mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-9-4 through V-9-8. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

Mitigation measures appropriate to this project include: SD-5. This mitigation measure is addressed by the conditions of approval requiring that storm drainage be provided on-site and in accordance with the City's stormwater management guidelines.

3. Project-Specific Effects

Section V-9.B of the MEIR provides analysis of Storm Drainage impacts of development of the General Plan; the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.
Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.  
(b) The project would substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite.  
(c) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

Discussion:

(a) The project is consistent with the Modesto Urban Area General Plan in both land use and intensity.  
(b) The project proposes to increase the impervious surface. However, the stormwater system for the project will be required to be designed to meet the standards contained in the “Guidance Manual for New Development-Storm Water Quality Control Measures,” adopted by the City and applied to the project as a Mitigation Measure. With the application of the appropriate mitigation, the effect will be less than significant.  
(c) The project will be required to provide for treatment, storage and disposal of all stormwater runoff from the project on site, in accordance with the “Guidance Manual for New Development-Storm Water Quality Control Measures”, and therefore will not contribute runoff water that would exceed the capacity of existing storm water drainage systems.

J. FLOODING AND WATER QUALITY

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to flooding and water quality:

Effect: Increased runoff can accelerate soil erosion, stream channel scouring, and sedimentation of channels, and also increase pollutant transport to waterways. The potential impacts of the project on flooding are considered less-than-significant because the Urban Area General Plan Update includes policies to restrict development in the floodplain and therefore would avoid exposing persons and property to flood hazards. In addition, new development under the Urban Area General Plan is required to install storm water drainage facilities that restrict the amount of post-development runoff from exceeding pre-development conditions.

Effect: The potential impacts of the project on surface-water quality are considered less-than-significant because the City policies and capital improvement projects for storm water drainage facilities would minimize discharges of urban pollutants to natural waterways. The City drainage program policies require new development to prepare drainage plans and implement
urban runoff control measures; larger Specific Plan developments must have storm drainage systems designed to control pollutant runoff. The City’s implementation policies for the municipal NPDES storm water permit require new development to implement an appropriate selection of permanent pollution control measures. Permanent erosion control measures such as seeding and planting vegetation for new cut-and-fill slopes, directing runoff through vegetation, or otherwise reducing the offsite discharge of particulates and sediment are the most effective method of controlling offsite discharges of urban pollutants.

Effect: The City’s future development will contribute to cumulative water quality effects. EPA regulations for NPDES storm water permits and new proposed regulatory additions to the rules have become much more comprehensive in recent years and are being implemented to reduce pollutant runoff from both large- and small-scale activities. Implementation of NPDES-permitting programs throughout the county will reduce potential water-quality impacts to a less-than-significant level.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Flooding and Water Quality mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-10-7 through V-10-10 MEIR. All feasible measures appropriate to the project will be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Applied to Project.

Discussion:

Mitigation measures appropriate to this project include: FWQ-14. This mitigation measure is addressed by the conditions of approval requiring that storm drainage be provided on-site and in accordance with the City’s stormwater management guidelines.

3. Project-Specific Effects

Section V-10.B of the MEIR provides analysis of Flooding and Water Quality impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. □ X

(b) The project does not comply with the regulatory requirements of the federal Clean Water Act or the State Porter-Cologne Act. □ X

(c) The project does not comply with Modesto’s Guidance Manual for New Development Storm water Quality Control Measures. □ X

(d) The project would create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. □ X
Discussion:

(a) The project is consistent with the General Plan Designation for the site both in land use and intensity.

(b) The project will comply with the Federal Clean Water Act and the Porter Cologne Act requirements, as implemented through the City’s stormwater management standards.

(c) The project will be required by conditions to comply with the Guidance Manual for New Development Storm Water Quality Control Measures.

(d) The project will be required to provide for treatment, storage and disposal of all stormwater runoff from the project on site, in accordance with the “Guidance Manual for New Development-Storm Water Quality Control Measures”, and therefore will not contribute runoff water that would exceed the capacity of existing storm water drainage systems.

K. PARKS AND OPEN SPACE

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to parks and open space:

Effect: Within the Baseline Developed and Redevelopment Areas, the Urban Area General Plan does not propose any elimination of existing park and/or open space land. Impacts on parks and open space will be less-than-significant.

Effect: The projected population of the Planned Urbanizing Area is 148,600, requiring 149 acres of neighborhood parks and 298 acres of community parks. The required minimum acreages can be met through the application of existing policies and regulations, including Government Code Section 66474, which require developers to pay Parks Capital Facilities Fees to fund the acquisition of appropriate parkland acreage. This impact is less-than-significant.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Parks and Open Space Mitigation Measures pertinent to the project being analyzed in this Initial Study are found on pages V-11-4 through V-11-19 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Applied to Project.

Discussion:

There are no mitigation measure applicable to this project. It is not on or adjacent to any park sites, nor is it near any of the riparian area identified by Figures V-7-1a through V-7-1e of the MEIR.
3. Project-Specific Effects

Section V-11.B of the MEIR provides analysis of Parks and Recreation impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

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<thead>
<tr>
<th>YES</th>
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(a) The project is inconsistent with the Modesto Urban Area General Plan. X

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

L. SCHOOLS

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to schools:

Effect: The estimated increase in population over 1994/1995 would generate an additional 29,200 elementary school students, 7,330 middle school students, and 14,640 high school students above those enrollments. Assuming that existing facilities cannot sufficiently accommodate this increase and that all of the new students would require new school facilities, build out of the General Plan would result in the need for approximately 37 elementary schools, 8 middle schools, and 7 high schools beyond 1994/1995 levels. This would result in a significant impact on schools in that it would exceed current capacity. By statute, this impact is considered to be mitigated below a level of significance by payment of school impact fees and exercise of any or all of the financing options set out in Government Code Section 65997.

2. Master EIR and/or New Mitigation Measures Applied to the Project

The Master EIR did not identify any new mitigation measures. Mitigation relies upon the implementation of the policies in place under the Modesto Urban Area General Plan. As long as all anticipated subsequent projects apply these policies, no new mitigation is necessary. Further, payment of school impact fees and compliance with SB 50 is statutorily deemed to be full mitigation of school impacts (Government Code Section 65995). The proposed additional school policy will address the situation that would arise should AB 50 be repealed. It will authorize impact fees or other methods to finance additional school facilities.

The following schools mitigation measures are pertinent to the project being analyzed in this Initial Study. See pages V-12-4 through V-12-7 MEIR. All feasible measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section IV, Mitigation Applied to Project.
Discussion:

There are no mitigation measure applicable to this project.

3. Project-Specific Effects

Section V-12.B of the MEIR provides analysis of Schools impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.

(b) The project does not comply with SB 50/Proposition 1A funding provisions, or succeeding measures which provide that compliance results in less-than-significant impacts on schools.

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

(b) The project will be required by the conditions of approval to comply with the provisions of SB 50.

M. POLICE SERVICES

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to police services:

Effect: The 1995 Master EIR identified two impacts on the demand for police services; however, it concluded that no significant impact, based on the mitigation measures identified in the 1995 Master EIR, would occur. Those mitigation measures are now policies of the Urban Area General Plan. The impact is less-than-significant.

Effect: Within the Planned Urbanizing Area, complying with the Urban Area General Plan policies, particularly the policy that requires a long-range financing strategy for each Comprehensive Plan Area, will allow the City to provide the resources necessary to extend service to the newly growing Planned Urbanizing areas. These policies reduce the impact to a less-than-significant level.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Police Services mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-13-3 and V-13-4 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.
Discussion:

No mitigation measures are applicable to this project.

3. Project-Specific Effects

Section V-13.B of the MEIR provides analysis of police services impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. □ YES X NO

(b) The project would result in the need for construction of new or significantly altered facilities which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives. □ YES X NO

Discussion:

(1) The project is consistent with the General Plan in both land use and intensity.

(2) The project would not result in the need for construction of new or significantly altered facilities which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives. The project meets City Standards for emergency services access.

N. FIRE SERVICES

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to fire services:

Effect: The Baseline Developed Area and Redevelopment Area are already developed. Impacts on fire services of development in these areas will be less-than-significant.

Effect: In the Planned Urbanizing Area, the Urban Area General Plan would result in the need for additional fire protection services due to increases in the number of employees, permanent population, and associated improvements. City policy requires that fire protection be in place concurrent with construction in the Planned Urbanizing Area. This policy will be implemented with the adoption of future Comprehensive Plans in the Planned Urbanizing Area. This impact would be less-than-significant.
2. Master EIR and/or New Mitigation Measures Applied to the Project

The Master EIR did not identify any new mitigation measures. Mitigation relies upon the implementation of the policies in place under the Modesto Urban Area General Plan. These are identified and described in the list of policies in place and MEIR mitigation measures attached to the Initial Study template.

Fire Services mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-14-3 through V-14-5 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

No mitigation measures are applicable to this project.

3. Project-Specific Effects

Section V-14.B of the MEIR provides analysis of fire services impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. □ YES □ NO  
X
(b) The project would result in the need for construction of new or significantly altered facilities which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives.

Discussion:

(1) The project is consistent with the General Plan in both land use and intensity.

(2) The project would not result in the need for construction of new or significantly altered facilities which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives. The project meets City Standards for emergency services access.

O. SOLID WASTE

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to solid waste:

Effect: Since the project would exceed available landfill capacity, it is identified as a significant impact. The Fink Road Landfill may be closed by the time the City reaches build out, unless an...
expansion is approved by the County and the Integrated Waste Management Board. As the waste stream generated increases with population, additional landfills and methods for diversion would have to be utilized. The project will also generate the need for additional collection and transfer facilities. This impact is significant and unavoidable. The impact would be less-than-significant at such time as the Fink Road Landfill expansion is approved.

Effect: The project makes a considerable contribution to the cumulative impact on landfill capacity of development in Stanislaus County. This impact is significant and unavoidable.

2. Master EIR and/or New Mitigation Measures Applied to the Project

Solid Waste Mitigation Measures pertinent to the project being analyzed in this Initial Study are found on pages V-15-5 and V-15-6 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Applied to Project.

Discussion:

No mitigation measures are applicable to this project.

3. Project-Specific Effects

Section V-15.B of the MEIR provides analysis of solid waste impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. □ X

(b) The County is unable to expand its solid waste disposal capacity and the project would result in waste stream levels that exceed disposal capacity. □ X

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

(b) The City's Solid Waste Division has indicated that there currently exists adequate solid waste disposal capacity to serve new development proposals.

P. HAZARDOUS MATERIALS

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to hazardous materials:
Effect: The impacts of the project relative to hazardous materials are less-than-significant, based on the existing regulatory framework. New development will be required to comply with regulations monitoring and controlling the handling and use of hazardous and toxic materials.

2. Master EIR and/or New Mitigation Measures Applied to the Project

The Master EIR did not identify any new mitigation measures. Mitigation relies upon the implementation of the policies in place under federal, state and county policies and regulations, and the Modesto Urban Area General Plan. These are identified and described in the list of policies in place and MEIR mitigation measures attached to the Initial Study template.

Hazardous Materials Mitigation Measures pertinent to the project being analyzed in this Initial Study are found on pages V-16-9 through V-16-12 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

No mitigation measures are applicable to this project.

3. Project-Specific Effects

Section V-16.B of the MEIR provides analysis of hazardous materials impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

<table>
<thead>
<tr>
<th>(a)</th>
<th>The project is inconsistent with the Modesto Urban Area General Plan.</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>(b)</td>
<td>The project does not comply with all applicable federal, state, and county standards and regulations relative to the handling, storage, disposal, and transport of hazardous or toxic materials or wastes.</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>(c)</td>
<td>The project contains a contaminated site not identified as of March 2003.</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>(d)</td>
<td>The project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>(e)</td>
<td>The project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment.</td>
<td>☐</td>
<td>X</td>
</tr>
</tbody>
</table>
Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

(b) As a church, the project will not generate significant amounts of hazardous waste. Nevertheless, the project will be required to comply with all applicable federal, state, and county standards and regulations relative to the handling, storage, disposal, and transport of hazardous or toxic materials or wastes.

(c) The project site is not known to contain any contaminants.

(d) As a church, the project will not emit hazardous waste or handle hazardous materials.

(e) The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would not create a significant hazard to the public or the environment.

Q. LANDSLIDES AND SEISMIC ACTIVITY

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to landslides and seismic activity:

Effect: There are areas of known sand and gravel resources within the Baseline Developed Area and Redevelopment Area. Future development will be subject to SMARA requirements, therefore, the project impact will be less-than-significant.

Effect: There are areas of known sand and gravel resources within the Planned Urbanizing Area. Future development will be subject to SMARA requirements, therefore, the project impact will be less-than-significant.

2. Master EIR and/or New Mitigation Measures Applied to the Project

The Master EIR did not identify any new mitigation measures. Mitigation relies upon the implementation of the policies in place under the Modesto Urban Area General Plan. These are identified and described in the list of policies in place and MEIR mitigation measures attached to the Initial Study template.

Landslide and Seismic Activity Mitigation Measures pertinent to the project being analyzed in this Initial Study are found on pages V-17-6 and V-17-7 MEIR. All feasible measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section IV, Mitigation Measures Applied to Project.

Discussion:

No mitigation measures are applicable to this project.
3. Project-Specific Effects

Section V-17.B of the MEIR provides analysis of landslides and seismic impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan. YES NO

(b) The project would be located on soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

(b) The project would not be located on soil that is unstable, or that would become unstable as a result of the project. No unstable soils have been identified in the project vicinity.

R. ENERGY

1. Significant Effects Identified in the Master EIR

The Master EIR identified the following significant environmental impacts relative to energy:

Effect: The Baseline Developed Area and Redevelopment Area are already developed. New development within the Redevelopment Area will comply with Title 24 standards as well as City Urban Area General Plan policies. Impacts on energy by development in these areas (i.e., changes in levels of use above the current baseline) will be less-than-significant.

Effect: Build out under the Urban Area General Plan will utilize an estimated 1,400 million cubic feet per month of natural gas, 1,300 million kilowatt hours (kwh) of electricity per year and 650,000 gallons of gasoline per day. PG&E has indicated that they have at the current time sufficient supplies of natural gas to serve the increased natural gas demands of the project. At present, gasoline supplies are apparently sufficient to serve the gasoline demands of the project. Title 24 of the California Code of Regulation, which ensures that the project will not exceed local, state, and federal energy standards. The impact is less-than-significant.

2. Master EIR and/or New Mitigation Measures Applied to the Project

The following energy mitigation measures are pertinent to the project being analyzed in this Initial Study. See page V-18-3 MEIR. All feasible measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section IV, Mitigation Applied to Project.
Discussion:

No mitigation measures are applicable to this project.

3. **Project-Specific Effects**

Section V-18.B of the MEIR provides analysis of energy impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the MEIR.

Determination of project effects will be based on the following thresholds. The project-specific effects will be less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.  

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

S. **PLANNING AND LAND USE**

The Master EIR was certified for the Modesto Urban Area General Plan. The significant effects described in the 18 subject areas contained in the Master EIR are based on the planning policies and diagrams adopted as part of the General Plan. Planning and land use were not among the 18 subject areas analyzed in the Master EIR because they essentially defined the project being evaluated in the EIR.

1. **Project-Specific Effects**

Determination of project effects will be based on the following threshold. A project-specific effect is less-than-than significant unless:

(a) The project is inconsistent with the Modesto Urban Area General Plan.  

(b) The project includes a substantive amendment to the Modesto Urban Area General Plan.  

(c) The project would physically divide an established community

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity. Church’s are a permitted use in the General Plan Residential Land Use Designation for the site.

(b) No amendment to the General Plan is required by this project.

(c) The project is not located in an area that would divide an established community, being surrounded by agricultural lands on three sides.
T. AESTHETICS

The Master EIR was certified for the Modesto Urban Area General Plan. The significant effects described in the 18 subject areas contained in the Master EIR, are based on the planning policies and diagrams adopted as part of the General Plan. At that level of detail, no significant effects on aesthetics were identified.

2. Project-Specific Effects

Determination of project effects will be based on the following threshold. A project-specific effect is less-than-than significant unless:

- (a) The project is inconsistent with the Modesto Urban Area General Plan.
- (b) The project would have a substantial adverse effect on a scenic vista.
- (c) The project would substantially degrade the existing visual character or quality of the project site and its surroundings.
- (d) The project would create a new source of substantial light and glare, which would adversely affect day or nighttime views in the area.

Discussion:

(a) The project is consistent with the General Plan in both land use and intensity.

(b) Although located on agricultural lands, these agricultural lands are surrounded by urban development, so the construction of a church would significantly impact any scenic vistas.

(c) The project is located on existing agricultural land. However, the church buildings are of high architectural quality, and are located well back from both Maze Boulevard and adjacent development, and surrounded by generous landscaping. Therefore, no substantial degradation of existing visual character or quality of the project site and its surroundings will occur.

(d) The only potential source of additional light and glare would be from lighting required for the proposed parking areas. However, the parking areas are located to the rear of the building and a substantial distance from adjacent residential areas. Further, City standards require that the parking lot lighting be shielded from residential areas.
V. MITIGATION MEASURES APPLIED TO THE PROJECT

1. Master EIR Mitigation Measures Applied to the Project

Pursuant to CEQA Section 21157.1(c), in order for a Finding of Conformance to be made, all feasible measures from the Master EIR appropriate to the project shall be incorporated into the project. The following adopted General Plan Policies and Master EIR Mitigation Measures shall be made part of the project prior to approval by means of conditions of project approval or incorporation into the appropriate document or plan.

All applicable and appropriate mitigation measures have been applied to the project.

Traffic and Circulation Measures:

None applicable.

Air Quality Measures:

a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

b. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

c. When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

d. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)

e. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

f. Within urban areas,.trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.

Noise Measures:

a. The City’s noise ordinance (Modesto Municipal Code Section 4-9.101) prohibits the “loud and raucous discharge into the open air of the steam of any steam equipment or exhaust from any stationary internal-combustion engine.”
The noise ordinance prohibits the loud and raucous operation or use of any of the following before 7:00 a.m. or after 9:00 p.m. daily (except Saturday and Sunday and State or federal holidays, when the prohibited time shall be before 9:00 a.m. and after 9:00 p.m.):

i. A hammer, or any other device or implement used to pound or strike an object.

ii. An impact wrench, or other tool or equipment powered by compressed air.

iii. A hand-powered saw.

iv. Any tool or piece of equipment powered by an internal-combustion engine such as, but not limited to, chain saw, backpack blower, and lawn mower.

v. Any electrically powered (whether by alternating current electricity or by direct current electricity) tool or piece of equipment used for cutting, drilling, or shaping wood, plastic, metal, or other materials or objects, such as, but not limited to, a saw, drill, lathe, or router.

vi. Any of the following: heavy equipment (such as but not limited to bulldozer, steam shovel, road grader, back hoe), ground drilling and boring equipment (such as but not limited to derrick or dredge), hydraulic crane and boom equipment, portable power generator or pump, pavement equipment (such as but not limited to pneumatic hammer, pavement breaker, tamper, compacting equipment), pile-driving equipment, vibrating roller, sand blaster, gunite machine, trencher, concrete truck, and hot kettle pump.

vii. Any construction, demolition, excavation, erection, alteration, or repair activity. In the case of urgent necessity and in the interest of public health and safety, the Chief Building Official may issue a permit for exemption from these. Such period shall not exceed three (3) working days in length while the emergency continues but may be renewed for successive periods of three (3) days or less while the emergency continues. The Chief Building Official may limit such permit as to time of use and/or permitted action, depending upon the nature of the emergency and the type of action requested.

viii. Construction equipment and vehicles should be equipped with properly operating mufflers according to the manufacturers’ recommendations. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.

**Agricultural Land Measures:**

None applicable.
**Water Supply Measures:**
None applicable.

**Sanitary Sewer Service Measures:**
None applicable.

**Sensitive Wildlife and Plant Habitat Measures:**
None applicable.

**Archaeological or Historic Sites Measures:**

a. If archaeological resources are discovered at any time during construction, all activity shall cease until the site is surveyed by a qualified archaeologist. The survey shall include mitigation measures, which shall be implemented before construction resumes. The survey shall follow the criteria presented in Appendix K.

**Storm Drainage Measures:**

a. Prior to the issuance of a building permit, the developer shall submit a plan for approval by the Operations and Maintenance Director to provide on-site treatment of storm water in accordance with the guidance manual for new development stormwater quality control measures. Storm drain improvements shall be constructed in accordance with the approved plans.

b. The developer shall implement pre- and post-construction best management practices (BMPs) to minimize pollutants entering the storm system.

**Flooding and Water Quality Measures:**

a. Prior to the issuance of a building permit, the developer shall submit a plan for approval by the Public Works Director to provide on-site treatment of storm water in accordance with the guidance manual for new development stormwater quality control measures. Storm drain improvements shall be constructed in accordance with the approved plans.

b. The developer shall implement pre- and post-construction best management practices (BMPs) to minimize pollutants entering the storm system.

**Parks and Open Space Measures:**
None applicable.

**Schools Measures:**
None applicable.
Police Services:
None applicable.

Fire Services:
None applicable.

Generation of Solid Waste
None applicable.

Generation of Hazardous Materials
None applicable.

Potential for Landslides and Seismic Activity
None applicable.

Energy
None applicable.

Planning and Land Use
None applicable.

Aesthetics
None applicable.

2. Project-Specific Mitigation Measures
None applicable.
Supplemental Traffic Analysis

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MODESTO, CALIFORNIA

October 27, 2004

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Oakland, CA 94612
(510) 839-1742
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1. INTRODUCTION

This traffic analysis evaluates the traffic impacts of the proposed St. Stanislaus Catholic Church Master Plan project. The proposed project site is located on the south of Maze Boulevard and east of Carpenter Road, in the City of Modesto. This report is supplemental to previous analysis presented in a Draft Traffic Study dated December 13, 2003. In addition to the incorporation of various corrections and additional data, this report addresses a modified project less intensive overall and to be completed in one stage.

As currently proposed the development is to take place on a 10.58 acre portion of an 18.71 acre parcel. The project consists of a new church building with 27,612 square feet of floor area and 1300 seats and a 27,608 sq. ft. ministries building. The site includes space for parking. Access to the site is provided from existing driveways on Maze Boulevard. Figure 1 shows the project site.

Note that the project has no connection with the Central Catholic High School. The project traffic does not have significant impacts on access to the high school and no traffic from the high school can travel though the project site. The project does not include any expansion of the existing elementary school or modification of the existing driveways. The project purpose is simply to house existing ongoing Sunday congregations that currently take place in the Elementary School gymnasium in a modern and adequate facility and to move existing ministries taking place at the school site activities into a dedicated facility. The only contribution of the project to traffic will be due to the inclusion of 8 new staff members at the proposed ministries building. Figure 1 shows the project site and immediate vicinity.

No modifications to Maze Boulevard or any off site roadways are contemplated as part of this project or this analysis. In the short term, through completion of the project, Maze Boulevard is expected to remain a two-lane facility. In the long term General Plan Build-Out scenario (2025), Maze Boulevard is to be built as a four lane minor arterial and Carpenter Road is expected to be a six-lane Class C expressway.

The project is not expected to participate in either of these projects because there is no "nexus" between the project and the road widening envisioned in the General Plan. Furthermore, it is unclear whether Maze Road will be widened by 2025 or within the foreseeable future for two reasons: (1) the need to widen Maze Blvd. is primarily triggered by the urban development proposed west of Carpenter Road in Modesto's 1995 General Plan. Since the adoption of the General Plan, no such urban development has occurred or has been proposed and such development appears very unlikely. Also, the City will soon revise its General Plan and staff has indicated that the land uses west of Carpenter might be substantially revised to reduce or eliminate such urban uses. (2) The 132 expressway/by-pass proposed along the Kansas Avenue alignment approximately 1/2 mile north of Maze Road, while not currently funded, is a high priority for the City of Modesto and Stanislaus County, which will significantly reduce the traffic counts on Maze Road.
1.1 Summary

A review of the project site plan revealed that access for the site would continue to be from the elementary school driveways as under existing conditions. The connection between the proposed site and these driveways shall be adequate with minor modification. No off-site impacts have been identified.

On site, a potential impact was identified at the connection between the proposed church circulation system and the existing elementary school circulation system. Another potential impact was anticipated at the intersection of the northernmost existing parking bay and the existing driveway with the increase in traffic. Mitigation measures have been identified in both cases involving minor improvements to the elementary school parking lot.

In the general plan build-out scenario (Year 2025) background growth in traffic causes the intersection of California Avenue and Carpenter Road to meet peak hour warrants for signalization during all peak periods. This is not a project impact.

In the existing condition, left turn volumes from Maze Boulevard onto the adjacent school site reach the level where a left turn pocket is recommended to serve left turns into the East School driveway. This is a baseline condition and project traffic does not materially alter this finding.
Figure 1 – Project Location

INTERSECTIONS:
1) Maze Boulevard and Carpenter Road
2) California Avenue and Carpenter Road
3) California Avenue and Emerald Avenue
4) Maze Boulevard and Emerald Avenue
5) West Elementary School Driveway and Maze Blvd.
6) East Elementary School Driveway and Maze Blvd.

Legend
- Signalized Intersection
- Unsignalized Intersection

St. Stanislaus Catholic Church - Traffic Analysis

Page 3
2. EXISTING TRAFFIC CONDITIONS

It must be reiterated that the propose project is intended to serve existing activity on site. Therefore the level of traffic that exists now is expected to persist with completion of the project. What changes do occur will result form a very low level of weekday peak hour trip generation and from minor changes in the pattern of use of existing driveways.

Weekday traffic in the project vicinity is generated by the existing St. Stanislaus Elementary School, which is attended by 286 students. The proposed project does not change the school or substantially modify access to the school. The proposed project does not generate substantial weekday traffic as compared to the City of Modesto’s thresholds for traffic impact analysis. The project is expected to generate 16 AM and PM peak hour trips (which does not even meet the threshold for performing a Traffic Impact Study according to the City of Modesto’s impact analysis criteria). Furthermore it is expected that no encroachment permit shall be required because no changes are proposed along the frontage of Maze Boulevard (S.R. 132)

Figure 2 shows the weekday peak hour intersection existing traffic lane configurations at the vicinity intersections and the existing traffic controls for each intersection. The intersections analyzed in this study are also identified in this figure.

- During the AM peak hour the school generates 367 trips or 1.28 trips per student. The counts revealed 190 entering trips and 177 existing trips. In the AM peak hour 59 percent of the inbound traffic enters from the west while 89 percent exits to the east. This is an indication that entering vehicles are circumnavigating the site to enter by making right turns to avoid queues in the westbound direction waiting to enter by making a left turn.

- During the PM peak hour the school and community center generate 71 trips.

- During the Sunday peak hour the Spanish worship service generates 476 trips for an estimated attendance of 1051. The average attendance for the Spanish worship service was reported by the proponent to be 852 persons. This is the peak service each week.

Traffic counts at the key intersections were taken in the morning and afternoon peak traffic periods on Thursday, December 5, 2002. Twenty-four hour machine counts were taken to identify the Sunday peak hour. Sunday turning counts were again taken on Sunday, January 12, 2003. Existing school driveway counts were conducted on December 14, 2003, to observe peak church mass traffic.

AM Driveway counts at the elementary school access were taken on Thursday, February 5, 2004. The elementary school adjourns prior to the background PM peak hour so existing afternoon driveway volumes were estimated based on ITE Trip generation.
Figure 2 shows the existing weekday traffic volume levels in the project vicinity for the morning and afternoon peak hours with lane configurations, and the existing Sunday volume levels for the highest hour of background traffic activity in the 4:30 to 5:30 PM period.

24-hour average daily traffic counts were also taken at four roadway locations in the study area from Wednesday, December 4, to Tuesday, December 10, 2002. These were used to determine the existing Level of Service of the roadway segments. It was also found that peak hour volumes counted at Carpenter/California were significantly lower than concurrent indicated by 24-hour daily traffic counts taken on the southbound and westbound approaches. As a result, the existing intersection turning movement volumes were factored up to match the 24-hour counts also taken on Thursday, December 5.

2.1 Existing Mass Traffic Generation

Existing church related activities take place at the St. Stanislaus Elementary School and in the community center/gymnasium. These facilities use the same driveways as the project and with respect to off-site impacts can be regarded as the same site. Traffic generated from activities that relocate to the new church and ministries buildings from the existing elementary school and the community center shall be considered as existing traffic and will not be considered as project trip generation.

Existing Sunday Mass Trip Generation

On Sundays, the community center currently holds a morning mass in Spanish from 10:00 to about 11:30 a.m., a Spanish Service mass from 1:00 to about 2:30 p.m. and an evening mass in English from 5:30 to 7:00 p.m. These times include other activities related to the service.
### Figure 2 – Existing Weekday and Sunday Peak Hour Turning Movements and Lane Configurations

#### Weekday Peak Hour Turning Movements & Lane Configurations

<table>
<thead>
<tr>
<th>Maze Blvd &amp; Carpenter Road</th>
<th>California Ave &amp; Carpenter Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Signal] 49(142) 48(151) 46(67)</td>
<td>56(103) 32(116) 77(76)</td>
</tr>
<tr>
<td>9(12) 7(11) 3(11)</td>
<td>113(52) 9(6) 32(52)</td>
</tr>
<tr>
<td>[Unsignalized] 34(44) 447(231) 40(65)</td>
<td>188(118) 165(100)</td>
</tr>
<tr>
<td>14(18) 66(70) 22(30)</td>
<td>[Signal] 34(44) 447(231) 40(65)</td>
</tr>
<tr>
<td>California Ave &amp; Emerald Ave</td>
<td>Maze Blvd &amp; Emerald Ave</td>
</tr>
<tr>
<td>[Signal] 67(90) 397(967) 32(5)</td>
<td>544(343) 00(0) 00(0)</td>
</tr>
<tr>
<td>0(0) 408(916) 77(9)</td>
<td>640(343) 78(14)</td>
</tr>
<tr>
<td>[Unsignalized] 619(151) 129</td>
<td>[Unsignalized] 619(151) 129</td>
</tr>
</tbody>
</table>

#### Sunday Peak Hour Turning Movements

<table>
<thead>
<tr>
<th>1 Maze Blvd &amp; Carpenter Road</th>
<th>2 California Ave &amp; Carpenter Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>85 552 125</td>
<td>22 520 72</td>
</tr>
<tr>
<td>52</td>
<td>51 8</td>
</tr>
<tr>
<td>227</td>
<td>245 0</td>
</tr>
<tr>
<td>36</td>
<td>15 3</td>
</tr>
<tr>
<td>72 532 54</td>
<td>4 600 21</td>
</tr>
<tr>
<td>3 California Ave &amp; Emerald Ave</td>
<td>4 Maze Blvd &amp; Emerald Ave</td>
</tr>
<tr>
<td>67 0 50</td>
<td>38 120 39</td>
</tr>
<tr>
<td>40</td>
<td>87 15</td>
</tr>
<tr>
<td>80</td>
<td>78 279</td>
</tr>
<tr>
<td>12</td>
<td>21</td>
</tr>
<tr>
<td>10 78 43</td>
<td>6 East School Driveway/Maze</td>
</tr>
<tr>
<td>5 West School Driveway/Maze</td>
<td>6 East School Driveway/Maze</td>
</tr>
<tr>
<td>0 0 0</td>
<td>0 0 0</td>
</tr>
<tr>
<td>406 308</td>
<td>406 308</td>
</tr>
<tr>
<td>71</td>
<td>16</td>
</tr>
<tr>
<td>86 0 10</td>
<td>14 0 123</td>
</tr>
</tbody>
</table>

- Signalized Intersection
- Unsignalized Intersection
- xx(xx) - am/pm turning movements
- ABC St./XYZ St. - Vertical Street Name/Horizontal Street Name
The largest mass each Sunday is the Spanish worship service with an average attendance of about 852 persons. During two years, the highest recorded mass for this service reached 1,047 persons. During traffic counts the trip generation of the Spanish Mass was found to be 476 trips spread over a two-hour period with no overlap between consecutive services. The parking occupancy was found to be 258 vehicles. Using an assumption of one vehicle per four congregants (as per the City’s Parking ordinance), this would correspond to a mass of about 1,016 persons. The demographic character of the largest service of the Church, the 1:00 PM Spanish Worship Service is such that vehicle occupancies between 4 and 5 persons are typical.

Existing Weekday Activities

Currently, the elementary school and community center generate trips from church staff, small group functions, meetings, music rehearsals, social events/dinners, wedding receptions, and a children’s faith formation program. This traffic does not typically occur during peak hours.

2.2 Intersection Level of Service (LOS) Analysis

Using the peak hour volumes of Figure 2, a Level of Service analysis was prepared for the study intersections. The results of the intersection LOS analysis are presented in Table 1. Standards of significance, LOS methodologies and calculation worksheets for each intersection are presented in the Technical Appendix. A truck traffic percentage of 12 percent was used in all calculations for all time periods and scenarios for east west traffic on Maze Boulevard. This is consistent with the data contained in the Caltrans report: 2002 Annual Average Daily Truck Traffic on the California State highway System. Note that this assumption is conservative when applied to Sunday Traffic.
Table 1 – Existing Conditions Levels of Service

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Control</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Sunday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LOS² Delay² (secs/veh)</td>
<td>LOS² Delay² (secs/veh)</td>
<td>LOS² Delay² (secs/veh)</td>
</tr>
<tr>
<td>1. South Carpenter Rd &amp; Maze Blvd</td>
<td>Signal (8-phase)</td>
<td>C 28.6 D</td>
<td>D 41.5 C</td>
<td>C 26.0</td>
</tr>
<tr>
<td>2. South Carpenter Rd &amp; California Ave</td>
<td>2-Way STOP</td>
<td>A 6.7 A 9.7 A 2.5</td>
<td>A 10.0 A 8.7</td>
<td>A 2.5</td>
</tr>
<tr>
<td>NB Left</td>
<td>A 8.4 A 9.8 A 9.3</td>
<td>E 55.6 E 112.0 E 40.4</td>
<td>E 52.7 E 112.0 E 40.4</td>
<td></td>
</tr>
<tr>
<td>SB Left</td>
<td>E A 9.8</td>
<td>F 55.6</td>
<td>A 112.0</td>
<td>E 40.4</td>
</tr>
<tr>
<td>EB Approach</td>
<td>F 55.6</td>
<td>F 112.0</td>
<td>E 40.4</td>
<td></td>
</tr>
<tr>
<td>WB Approach</td>
<td>F 52.7</td>
<td>F 112.0</td>
<td>E 40.4</td>
<td></td>
</tr>
<tr>
<td>3. Emerald Ave &amp; California Ave</td>
<td>All-Way STOP</td>
<td>B 10.9 A 10.0 A 8.5</td>
<td>A 10.1 A 8.6</td>
<td>A 8.6</td>
</tr>
<tr>
<td>SB Approach</td>
<td>A 10.0 B 10.1</td>
<td>B 10.5 B 8.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EB Approach</td>
<td>B 11.0 B 10.5</td>
<td>B 8.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WB Approach</td>
<td>B 11.1 A 9.3</td>
<td>A 8.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Emerald Ave &amp; Maze Blvd</td>
<td>Signal (2-phase)</td>
<td>A 15.3 C 22.8 B 14.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. West Elementary School Access (Maze Boulevard)</td>
<td>1-Way STOP</td>
<td>A 1.1 A 0.9 B 12.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NB Approach</td>
<td>C 15.9 E 39.5 F 75.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. East Elementary School Access (Maze Boulevard)</td>
<td>1-Way STOP</td>
<td>A 5.0 A 1.0 B 10.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NB Approach</td>
<td>E 39.7</td>
<td>E 41.7</td>
<td>E 44.3</td>
<td></td>
</tr>
<tr>
<td>WB Left</td>
<td>A 9.3 B 10.1 A 9.9</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Sig = signalized  
2 LOS = Level of Service  
3 Weighted average delay  
4 OVFL = Overflow Delay in excess of 120 seconds

As shown in Table 4 all intersections operate acceptably overall. Minor movements at the intersection of Carpenter Road/California Way and the northbound approaches to the East and West Elementary School Driveways on Maze operate at LOS E or F; however this does not constitute unacceptable intersection LOS because the overall average LOS is not unacceptable.

2.3 Signal Warrant Analysis

Signal warrant checks were performed at unsignalized intersections in the study area. It was found that the existing volumes do not meet the peak hour volume criteria at any location.
3. BACKGROUND (Existing + Approved) TRAFFIC CONDITIONS

The majority of the development in the area is occurring adjacent to Carpenter Road, north of the site, within the City of Modesto. This area already has experienced much commercial development. The area west of the site is not anticipated to experience much development in the near future according to Stanislaus County planners.

At the time existing traffic counts were collected there were several approved or pending developments in the vicinity of the project site. The trip generation from these projects must be considered as part of the background traffic conditions.

3.1 Approved Developments

Approved (but not yet built at the time of existing traffic counts) projects include those in the following list. Trip generation for each facility was estimated based on the Institute of Transportation Engineers (ITE) trip generation rates and is summarized in Table 2.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Size (krs)</th>
<th>Pass-by trips (red.)</th>
<th>Daily</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Sunday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-Tek Glass Center</td>
<td>7.09</td>
<td>N/A</td>
<td>164</td>
<td>33</td>
<td>11</td>
<td>18</td>
</tr>
<tr>
<td>Social Security Office Building</td>
<td>26.55</td>
<td>N/A</td>
<td>1830</td>
<td>131</td>
<td>217</td>
<td>0</td>
</tr>
<tr>
<td>Mexican Restaurant</td>
<td>4</td>
<td>50%</td>
<td>521</td>
<td>22</td>
<td>13</td>
<td>40</td>
</tr>
<tr>
<td>Totals:</td>
<td></td>
<td></td>
<td>2515</td>
<td>367</td>
<td>58</td>
<td></td>
</tr>
</tbody>
</table>

1. A-Tek Glass Center
   This 38,000 sq. ft. site will be located at 1133 N. Carpenter Rd (between Torrid & Woodland Avenue). The store will have about 7,000 sq. ft. of floor space.

2. Government social security office building:
   This will be located on a parcel of land on the south side of Cummins Rd at N. Carpenter Rd, with about 26,550 sq. ft. of floor space.

3. Mexican restaurant:
   This project has not yet been approved, but it is anticipated to be located on North Carpenter Road at Torrid Avenue, with several thousand square feet of floor space. The facility is expected to generate pass-by trips (i.e. patrons who stop at the restaurant during other trip purposes), and a pass-by trip reduction of 50 percent (based on the Trip Generation Handbook, ITE) was applied to the trips estimated for this project using the ITE rates.

Trips for each facility were assigned to study intersections based on analysis of existing traffic patterns and census information. The resulting background (existing + approved) turning movement traffic volumes at study intersections are shown in Figure 3.
Figure 3 – Background Weekday and Sunday Peak Hour Turning Movements and Lane Configurations

Weekday Peak Hour Turning Movements & Lane Configurations

<table>
<thead>
<tr>
<th>Maze Blvd &amp; Carpenter Road</th>
<th>California Ave &amp; Carpenter Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="Diagram" /></td>
<td><img src="image2" alt="Diagram" /></td>
</tr>
</tbody>
</table>

Sunday Peak Hour Turning Movements

<table>
<thead>
<tr>
<th>Maze Blvd &amp; Carpenter Road</th>
<th>California Ave &amp; Carpenter Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>85 553 126</td>
<td>22 530 72</td>
</tr>
<tr>
<td><img src="image3" alt="Diagram" /></td>
<td><img src="image4" alt="Diagram" /></td>
</tr>
</tbody>
</table>

- Signalized Intersection
- Unsignalized Intersection
xx(xx) - am(pm) turning movements
ABC St./XYZ St. - Vertical Street Name/Horizontal Street Name

St. Stanislaus Catholic Church - Traffic Analysis
The results of background traffic analysis indicate that the approved developments along Carpenter Road will not have a great impact on the site because of the site's location relative to those developments, and the fact that there are several major roads north of Maze that would attract this traffic.

3.2 Intersection Level of Service (LOS) Analysis

The LOS for each intersection was again estimated using the procedures discussed earlier. The results of this analysis are presented in the Table 3. The calculation worksheets for this level of service analysis are also presented in the Appendix.

Table 3 – Background Conditions Levels of Service

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Control</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Sunday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LOS² Delay²</td>
<td>LOS² Delay²</td>
<td>LOS² Delay²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(secs/veh)</td>
<td>(secs/veh)</td>
<td>(secs/veh)</td>
</tr>
<tr>
<td>1. South Carpenter Rd &amp; Maze Blvd</td>
<td>Signal</td>
<td>C 29.0</td>
<td>D 41.9</td>
<td>C 26.1</td>
</tr>
<tr>
<td></td>
<td>(8-phase)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. South Carpenter Rd &amp; California Ave</td>
<td>2-Way STOP</td>
<td>A 6.9</td>
<td>B 10.3</td>
<td>A 2.6</td>
</tr>
<tr>
<td>NB Left</td>
<td>A 8.4</td>
<td>B 10.0</td>
<td>A 9.7</td>
<td>A 9.3</td>
</tr>
<tr>
<td>SB Left</td>
<td>F 57.1</td>
<td>F 118.3</td>
<td>E</td>
<td>40.6</td>
</tr>
<tr>
<td>EB Approach</td>
<td>F 54.8</td>
<td>F OVFL(4)</td>
<td>D</td>
<td>27.8</td>
</tr>
<tr>
<td>WB Approach</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Emerald Ave &amp; California Ave</td>
<td>All-Way STOP</td>
<td>B 10.9</td>
<td>A 10.0</td>
<td>A 8.5</td>
</tr>
<tr>
<td>SB Approach</td>
<td>A 10.0</td>
<td>B 10.1</td>
<td>A 8.6</td>
<td></td>
</tr>
<tr>
<td>EB Approach</td>
<td>B 11.0</td>
<td>B 10.4</td>
<td>A 8.6</td>
<td></td>
</tr>
<tr>
<td>WB Approach</td>
<td>B 11.1</td>
<td>A 9.3</td>
<td>A 8.2</td>
<td></td>
</tr>
<tr>
<td>4. Emerald Ave &amp; Maze Blvd</td>
<td>Signal</td>
<td>B 15.3</td>
<td>C 22.9</td>
<td>B 14.1</td>
</tr>
<tr>
<td></td>
<td>(2-phase)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. West Elementary School Access</td>
<td>1-Way STOP</td>
<td>A 1.1</td>
<td>A 1.0</td>
<td>B 12.2</td>
</tr>
<tr>
<td>(Maze Boulevard)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NB Approach</td>
<td>C 16.0</td>
<td>E 42.1</td>
<td>F 76.5</td>
<td></td>
</tr>
<tr>
<td>6. East Elementary School Access</td>
<td>1-Way STOP</td>
<td>A 5.1</td>
<td>A 1.0</td>
<td>B 10.3</td>
</tr>
<tr>
<td>(Maze Boulevard)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NB Approach</td>
<td>E 41.1</td>
<td>E 44.7</td>
<td>E 44.9</td>
<td></td>
</tr>
<tr>
<td>WB Left</td>
<td>A 9.4</td>
<td>B 10.1</td>
<td>A 10.0</td>
<td></td>
</tr>
</tbody>
</table>

1 Sig = signalized
2 LOS = Level of Service
3 Weighted average delay
4 OVFL = Overflow Delay in excess of 120 seconds

Due to additional traffic generated by the approved developments, the delay for almost all movements would increase, however, the Level of Service designations would not change and there would be no significant impacts at study intersections.
4. PROJECT TRAFFIC

The project's traffic impacts are estimated in this section by considering the amount of traffic to be generated by the project and the directional distribution of that traffic. The study analyzed the weekday AM peak hour, PM peak hour, and Sunday peak hour.

4.1 Trip Generation

The project's potential trip generation was estimated from information made available from the St. Stanislaus Catholic Church and its architects. Weekday trip generation has been developed. Note that the church is to house existing services, no additional Sunday traffic will be generated by the project.

Weekday Trip Generation

Weekday peak hour trip generation would consist mainly of the relocation of various activities from the existing elementary school and community center to the new church and ministries buildings. These trips would utilize the same driveways as they do now and would not constitute project induced trip generation. As discussed in section 2.1 under existing conditions this would include church staff, small group functions, meetings, music rehearsals, social events/dinners, wedding receptions, and a children's faith formation program. Trips made by church staff and some small group functions will occur as they currently do, so no additional project trip generation is attributed to these activities.

What weekday project peak hour trip generation will occur will result from eight (8) staff persons who will be moved to the new ministries building from the parish hall in Downtown Modesto. Table 4 presents the trip generation rates and the resulting peak hour trips to be generated by this project. The peak hours are the hours of peak traffic activity on adjacent streets, and generally occur in the 7:00 to 9:00 a.m. period and the 4:00 to 6:00 p.m. period. A trip is defined as a one-way vehicle movement that either begins or ends within the project site.

Sunday Peak Hour Trip Generation

The project will generate NO net increase in Sunday traffic above the existing conditions. This is because all of the activities proposed to take place on the project site currently take place at the elementary school and community center. The project involves no change in the scheduling of masses. On average, the existing church attendance patterns would substantially fill the new church. The proposed church includes no ‘extra’ capacity to serve new congregants but simply serves existing fluctuation in attendance more adequately.

Trip Generation Summary

The sole source of new peak hour traffic attributable to the proposed project is the addition of eight (8) new staff members at the ministries building. It is assumed that each
of these persons would generate one inbound and one outbound trip end during the weekday AM and PM peak hours. Trip Generation is summarized in Table 4.

**Table 4 – Site Trip Generation Estimate**

<table>
<thead>
<tr>
<th>Facility</th>
<th>Size</th>
<th>AM Peak Hour Trips</th>
<th>PM Peak Hour</th>
<th>Sunday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministries Building</td>
<td>8 New Staff</td>
<td>IN 8 OUT 8 Total 16</td>
<td>IN 8 OUT 8 Total 16</td>
<td>- - -</td>
</tr>
</tbody>
</table>

4.2 **Directional Distribution**

The directional distribution of site-related traffic was estimated using a population density map of the St. Stanislaus church coverage area (diocese). Anticipated trips were apportioned to study area gates based on the size and density of the area from which they originate. The distribution was then reviewed and revised by City of Modesto Engineering Staff.

It is assumed that this distribution applies to all peak periods and it applies to all site facilities. The proportional distribution of traffic to major “gates” is shown in Figure 4.

**Figure 4 – Directional Distribution of Site Traffic, All Peak Periods**

[Diagram showing directional distribution of traffic with various percentages indicated at each gate.]
4.3 Traffic Assignment

Using the directional distribution patterns estimated above, the project's traffic generation was assigned to the vicinity street system. Generally, the shortest, most direct travel path was used in the assignment process. The assignment of church traffic between the two driveways is based on observations of existing traffic.
5. **2003 BACKGROUND PLUS PROJECT TRAFFIC CONDITIONS**

The project's traffic impacts are estimated in this section by adding Project traffic to background (existing plus approved) traffic conditions at study intersections and roadways and performing level of service analysis. Figure 5 shows the background plus project turning movement volumes for all peak periods.

### 5.1 Intersection Level of Service (LOS) Analysis

The results of Background plus Project LOS analysis are presented in Table 5. The calculation worksheets for this level of service analysis are also presented in the Appendix. With the additional site traffic, all existing intersections operating at acceptable levels of service overall would continue to operate acceptably.

<table>
<thead>
<tr>
<th>Table 5 – Background Plus Project Levels of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intersection</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>1. South Carpenter Rd &amp; Maze Blvd</td>
</tr>
<tr>
<td>2. South Carpenter Rd &amp; California Ave</td>
</tr>
<tr>
<td>NB Left</td>
</tr>
<tr>
<td>SB Left</td>
</tr>
<tr>
<td>EB Approach</td>
</tr>
<tr>
<td>WB Approach</td>
</tr>
<tr>
<td>3. Emerald Ave &amp; California Ave</td>
</tr>
<tr>
<td>SB Approach</td>
</tr>
<tr>
<td>EB Approach</td>
</tr>
<tr>
<td>WB Approach</td>
</tr>
<tr>
<td>4. Emerald Ave &amp; Maze Blvd</td>
</tr>
<tr>
<td>5. West Elementary School Access (Maze Boulevard)</td>
</tr>
<tr>
<td>NB Approach</td>
</tr>
<tr>
<td>6. East Elementary School Access (Maze Boulevard)</td>
</tr>
<tr>
<td>NB Approach</td>
</tr>
<tr>
<td>WB Left</td>
</tr>
</tbody>
</table>

1. Sig = signalized  
2. LOS = Level of Service  
3. Weighted average delay  
4. OVFL = Overflow Delay in excess of 120 seconds

### 5.2 Signal Warrant Analysis

A signal warrant analysis was performed at the unsignalized intersections in the study area. The signal-warrant worksheets are presented in Appendix A. None of the unsignalized facilities meets peak hour warrants for signalization.
Figure 5 - Background Plus Project Weekday and Sunday Peak Hour Turning Movements and Lane Configurations

Weekday Peak Hour Turning Movements & Lane Configurations

<table>
<thead>
<tr>
<th>Maze Blvd &amp; Carpenter Road</th>
<th>California Ave &amp; Carpenter Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>69(117) 321(168) 77(76)</td>
<td>113(52) 32(25)</td>
</tr>
<tr>
<td>58(156) 247(876) 43(67)</td>
<td>[SIGNAL]</td>
</tr>
<tr>
<td>[UNIGNALIZED]</td>
<td>[ALL-WAY STOP]</td>
</tr>
<tr>
<td>69(130) 165(100)</td>
<td>34(44) 440(507) 49(00)</td>
</tr>
<tr>
<td>[ALL-WAY STOP]</td>
<td>[SIGNAL]</td>
</tr>
<tr>
<td>69(130) 165(100)</td>
<td>34(44) 440(507) 49(00)</td>
</tr>
<tr>
<td>[ALL-WAY STOP]</td>
<td>[SIGNAL]</td>
</tr>
<tr>
<td>69(130) 165(100)</td>
<td>34(44) 440(507) 49(00)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>California Ave &amp; Emerald Ave</th>
<th>Maze Blvd &amp; Emerald Ave</th>
</tr>
</thead>
<tbody>
<tr>
<td>150(100) 165(100)</td>
<td>34(44) 440(507) 49(00)</td>
</tr>
<tr>
<td>[ALL-WAY STOP]</td>
<td>[SIGNAL]</td>
</tr>
<tr>
<td>150(100) 165(100)</td>
<td>34(44) 440(507) 49(00)</td>
</tr>
<tr>
<td>[ALL-WAY STOP]</td>
<td>[SIGNAL]</td>
</tr>
<tr>
<td>150(100) 165(100)</td>
<td>34(44) 440(507) 49(00)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>West School Driveaway/Maze</th>
<th>East School Driveaway/Maze</th>
</tr>
</thead>
<tbody>
<tr>
<td>0(0) 0(0)</td>
<td>0(0) 0(0)</td>
</tr>
<tr>
<td>0(0) 0(0)</td>
<td>0(0) 0(0)</td>
</tr>
<tr>
<td>40(505) 35(28)</td>
<td>410(224) 78(2)</td>
</tr>
<tr>
<td>[SIGNAL]</td>
<td>[SIGNAL]</td>
</tr>
<tr>
<td>40(505) 35(28)</td>
<td>410(224) 78(2)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>California Ave &amp; Emerald Ave</th>
<th>Maze Blvd &amp; Emerald Ave</th>
</tr>
</thead>
<tbody>
<tr>
<td>67 7 90</td>
<td>38 120 29</td>
</tr>
<tr>
<td>46 87</td>
<td>15 35</td>
</tr>
<tr>
<td>96 76</td>
<td>280 348</td>
</tr>
<tr>
<td>12 31</td>
<td>10 78 43</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>California Ave &amp; Emerald Ave</th>
<th>Maze Blvd &amp; Emerald Ave</th>
</tr>
</thead>
<tbody>
<tr>
<td>407 398</td>
<td>407 398</td>
</tr>
<tr>
<td>71</td>
<td>16 156</td>
</tr>
<tr>
<td>86 0 123</td>
<td>14 0 123</td>
</tr>
</tbody>
</table>

- Signalized Intersection
- Unsignalized Intersection
xx(x) - am(pm) turning movements
ABC St./XYZ St. - Vertical Street Name/Horizontal Street Name
6. 2025 NO PROJECT TRAFFIC CONDITIONS

Cumulative 2025, No Project analysis assumes background traffic conditions based on the forecasts generated by the City of Modesto’s General Plan travel demand model. The traffic volumes in this model are projected without the proposed project, but do include other approved or pending projects. Included in these traffic conditions is traffic growth due to local and regional development, specific proposed or pending developments that would add traffic to the vicinity streets and intersections, and planned roadway and intersection improvements.

The forecast 2025 intersection approach and departure volumes were used along with the existing turning movement volumes to estimate the 2025 No Project peak hour turning volumes. This process was carried out for the weekday morning and afternoon peak hour volumes. Sunday peak hour volumes were not available from the 2025 model results so an overall growth factor was calculated from the difference between the existing and 2025 weekday PM peak hour volumes. This factor was then applied to the existing Sunday peak period volumes to estimate the Sunday 2025 volumes. The PM peak hour volumes were used because the Sunday peak hour occurs in the late afternoon. Figure 7 shows the future estimated 2025 traffic volumes without the project for all periods analyzed.

6.1 Assumed Roadway Improvements

It is assumed that by 2025 several improvements will have been made to the roadway network. The improvements are based on the City of Modesto’s “Draft Master Environmental Impact Report Update for the Urban Area General Plan.” The project is not expected to participate in any of these projects.

General-Plan Improvements

The following roadway and intersection improvements in the project study area were recommended in the General Plan.

- Carpenter Road between Maze Boulevard and the site boundaries: upgrade to a 6-lane Principal arterial from a 2-lane undivided arterial.
- Maze Boulevard throughout study area: upgrade from 2-lane State arterial to a 4-lane Principal Arterial.

1 This estimation process is known as a Furness calculation and produces balanced turning movement volumes that reflect as much as possible the actual turning patterns of the existing counts and that match the approach departure volumes of the future year forecasts.
The roadway improvements above impact the intersections of Carpenter Road/Maze Blvd, Carpenter Road/California Avenue, and Maze Blvd/Emerald Avenue. At major intersections, 6-lane principal arterials widen to include three through-lanes, two left-turn lanes, and one right-turn lane.
Figure 7 – 2025 No Project Weekday and Sunday Peak Hour Turning Movements and Lane Configurations

Weekday Peak Hour Turning Movements & Lane Configurations

<table>
<thead>
<tr>
<th>Maze Blvd &amp; Carpenter Road</th>
<th>California Ave &amp; Carpenter Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>117 645 43</td>
<td>398 2243 217</td>
</tr>
<tr>
<td>75 73 43</td>
<td>205 211 193</td>
</tr>
<tr>
<td>395 395 150 395 150</td>
<td>32 111 53</td>
</tr>
<tr>
<td>32 32</td>
<td>32 111 53</td>
</tr>
<tr>
<td>ABC St./XYZ St.</td>
<td>ABC St./XYZ St.</td>
</tr>
</tbody>
</table>

- Signalized Intersection
- Unsignalized Intersection

am/pm turning movements

ABC St./XYZ St. - Vertical Street Name/Horizontal Street Name
The installation of a median on Maze Boulevard would prevent left turns in and out of the existing school driveways. As a result all turn to and from these driveways will be right turns. Volumes were derived by adding all inbound and outbound traffic and assigning the former to the eastbound right turn movement and the latter to the northbound right turn. This also results in U turns at Emerald Avenue and Carpenter Avenue as follows:

- At Carpenter Avenue the westbound left turn volume would increase to include:
  - 78 AM peak hour U-turns,
  - 14 PM peak hour U-turns, and
  - 156 Sunday peak hour U-turns

- At Emerald Avenue the eastbound left turn volume would increase to include:
  - 20 AM peak hour U-turns,
  - 12 PM peak hour U-turns, and
  - 87 Sunday peak hour U-turns

### 6.2 Intersection Level of Service (LOS) Analysis

The results of intersection LOS analysis for the 2025 base case are presented in Table 6. The intersection of South Carpenter Road and California Avenue operates unacceptably, with substantial delay on all minor movements.

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Control</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Sunday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LOS2</td>
<td>Delay³</td>
<td>LOS2</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------</td>
<td>------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>1. South Carpenter Rd &amp; Maze Blvd</td>
<td>Signal (8-phase)</td>
<td>C</td>
<td>30.4</td>
<td>D</td>
</tr>
<tr>
<td>2. South Carpenter Rd &amp; California Ave</td>
<td>2-Way STOP</td>
<td>F</td>
<td>OVFL(4)</td>
<td>F</td>
</tr>
<tr>
<td>NB Left</td>
<td></td>
<td>F</td>
<td>112.8</td>
<td>E</td>
</tr>
<tr>
<td>SB Left</td>
<td></td>
<td>F</td>
<td>62.5</td>
<td>F</td>
</tr>
<tr>
<td>EB Approach</td>
<td></td>
<td>F</td>
<td>OVFL(4)</td>
<td>F</td>
</tr>
<tr>
<td>WB Approach</td>
<td></td>
<td>F</td>
<td>OVFL(4)</td>
<td>F</td>
</tr>
<tr>
<td>3. Emerald Ave &amp; California Ave</td>
<td>All-Way STOP</td>
<td>C</td>
<td>15.1</td>
<td>C</td>
</tr>
<tr>
<td>SB Approach</td>
<td></td>
<td>B</td>
<td>10.9</td>
<td>B</td>
</tr>
<tr>
<td>EB Approach</td>
<td></td>
<td>C</td>
<td>15.6</td>
<td>C</td>
</tr>
<tr>
<td>WB Approach</td>
<td></td>
<td>C</td>
<td>16.3</td>
<td>C</td>
</tr>
<tr>
<td>4. Emerald Ave &amp; Maze Blvd</td>
<td>Signal (2-phase)</td>
<td>B</td>
<td>17.4</td>
<td>B</td>
</tr>
<tr>
<td>5. West Elementary School Access (Maze Boulevard)</td>
<td>1-Way STOP</td>
<td>A</td>
<td>0.3</td>
<td>A</td>
</tr>
<tr>
<td>NB Approach</td>
<td></td>
<td>B</td>
<td>11.8</td>
<td>B</td>
</tr>
<tr>
<td>6. East Elementary School Access (Maze Boulevard)</td>
<td>1-Way STOP</td>
<td>A</td>
<td>1.0</td>
<td>A</td>
</tr>
<tr>
<td>NB Approach</td>
<td></td>
<td>B</td>
<td>13.4</td>
<td>B</td>
</tr>
</tbody>
</table>

1. Sig = signalized
2. Weighted average delay
3. LOS = Level of Service
4. OVFL = Overflow Delay in excess of 120 seconds
6.3 **Signal Warrant Analysis**

A signal warrant analysis was performed at the unsignalized intersections in the study area and the results of the analysis indicate that the intersection of Carpenter Road/California Ave (intersection #2) would meet warrants during all peak periods. This is a background condition and is not a project impact.
7. **2025 WITH PROJECT TRAFFIC CONDITIONS**

For the 2025 with project scenario, project traffic generation was added to the base 2025, No Project volumes identified in Section 6. The cumulative traffic volumes estimated for each peak period are shown in Figure 8.

7.1 **Intersection Level of Service (LOS) Analysis**

Table 7 presents a summary of intersection LOS for the 2025 scenario, with project traffic added to the build out traffic volumes. The intersection of California Avenue and Carpenter Road would continue to operate unacceptably with the addition of project traffic. This is not a project impact. All other intersections would continue to operate acceptably during the 2025 plus Project scenario.

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Control¹</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Sunday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LOS² Delay³</td>
<td>LOS² Delay³</td>
<td>LOS² Delay³</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(secs/veh)</td>
<td>(secs/veh)</td>
<td>(secs/veh)</td>
</tr>
<tr>
<td>1. South Carpenter Rd &amp; Maze Blvd</td>
<td>Signal (8-phase)</td>
<td>C 30.7 D 53.0 C 26.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. South Carpenter Rd &amp; California Ave</td>
<td>2-Way STOP</td>
<td>F 113.5 E 41.3 F 43.6</td>
<td>F OVFL(4) E OVFL(4) F OVFL(4)</td>
<td></td>
</tr>
<tr>
<td>NB Left</td>
<td>F OVFL(4)</td>
<td>F</td>
<td>F OVFL(4)</td>
<td>F OVFL(4)</td>
</tr>
<tr>
<td>SB Left</td>
<td>F OVFL(4)</td>
<td>F</td>
<td>F OVFL(4)</td>
<td>F OVFL(4)</td>
</tr>
<tr>
<td>EB Approach</td>
<td>F OVFL(4)</td>
<td>F</td>
<td>F OVFL(4)</td>
<td>F OVFL(4)</td>
</tr>
<tr>
<td>WB Approach</td>
<td>F OVFL(4)</td>
<td>F</td>
<td>F OVFL(4)</td>
<td>F OVFL(4)</td>
</tr>
<tr>
<td>3. Emerald Ave &amp; California Ave</td>
<td>All-Way STOP</td>
<td>C 15.2 C 17.2 B 10.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SB Approach</td>
<td>B 10.9 B 12.2 A 9.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EB Approach</td>
<td>C 15.7 C 17.6 B 10.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WB Approach</td>
<td>C 16.5 C 19.1 B 11.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Emerald Ave &amp; Maze Blvd</td>
<td>Signal (2-phase)</td>
<td>B 17.4 B 17.6 B 19.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. West Elementary School Access (Maze Boulevard)</td>
<td>1-Way STOP</td>
<td>A 0.3 A 0.2 A 0.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NB Approach</td>
<td>B 11.8 B 12.7 B 10.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. East Elementary School Access (Maze Boulevard)</td>
<td>1-Way STOP</td>
<td>A 1.0 A 0.2 A 1.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NB Approach</td>
<td>B 13.6 B 12.8 B 10.3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Sig = signalized
2. LOS = Level of Service
3. Weighted average delay
4. OVFL = Overflow Delay in excess of 120 seconds

7.2 **Signal Warrant Analysis**

A signal warrant analysis was conducted for the 2025 With Master Plan project Scenario. As with the 2025 No Project cumulative scenario at the intersection of Carpenter Road/California Avenue (intersection #2) meets peak hour signal warrants. This is not a project impact.
Figure 8 – 2025 plus Project Weekday and Sunday Peak Hour Turning Movements and Lane Configurations

<table>
<thead>
<tr>
<th>Weekday Peak Hour Turning Movements &amp; Lane Configurations</th>
<th>Sunday Peak Hour Turning Movements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maze Blvd &amp; Carpenter Road</strong></td>
<td><strong>1 Maze Blvd &amp; Carpenter Road</strong></td>
</tr>
<tr>
<td>163(223) 488(204) 426(306)</td>
<td>118 164 44</td>
</tr>
<tr>
<td><strong>California Ave &amp; Carpenter Road</strong></td>
<td><strong>2 California Ave &amp; Carpenter Road</strong></td>
</tr>
<tr>
<td>209(134) 191(220) 136(249)</td>
<td>392 2244 217</td>
</tr>
<tr>
<td>247(195) 143(206) 135(189)</td>
<td></td>
</tr>
</tbody>
</table>

**Maze Blvd & Emerald Ave** | **3 California Ave & Emerald Ave** |
| 160(147) 248(236) | 82 0 80 |
| | 32 111 53 |

**California Ave & Emerald Ave** | **4 Maze Blvd & Emerald Ave** |
| 156(100) 327(361) | 85 75 93 67 |
| | 150 266 357 715 |
| | 12 98 |

**West School Driveway/Maze** | **5 West School Driveway/Maze** |
| 71(912) | 396 752 396 752 |
| | 71 172 |

**East School Driveway/Maze** | **6 East School Driveway/Maze** |
| 749(226) | 96 137 |

- Signalized Intersection
- Unsignalized Intersection
\[ xx(xx) - am(pm) turning movements \]

ABC St./XYZ St. - Vertical Street Name/Horizontal Street Name
8. Roadway Segments Analysis

The results of the daily roadway LOS analysis for each scenario are presented in Table 8. Under existing conditions the link on Carpenter Road south of Maze Boulevard operates unacceptably at LOS E. The project would not add five percent to the volume and therefore would not add 0.05 to the v/c ratio so there is no project impact. With build-out of general plan improvements, no link would operate in the cumulative 2025 scenarios with or without the project.

Table 8 – Daily Roadway LOS

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Where</th>
<th>Classification</th>
<th>Lanes</th>
<th>Daily Volume</th>
<th>Change in V/C</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Conditions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpenter Rd</td>
<td>North of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>4</td>
<td>23,788</td>
<td>-</td>
<td>D</td>
</tr>
<tr>
<td>Carpenter Rd</td>
<td>South of Maze Blvd.</td>
<td>Uninterrupted Highway</td>
<td>2</td>
<td>22,637</td>
<td>-</td>
<td>E</td>
</tr>
<tr>
<td>California Ave</td>
<td>East of Carpenter Rd</td>
<td>Other signalized Roadway</td>
<td>2</td>
<td>3,288</td>
<td>-</td>
<td>C</td>
</tr>
</tbody>
</table>

Background Conditions

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Where</th>
<th>Classification</th>
<th>Lanes</th>
<th>Daily Volume</th>
<th>Change in V/C</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpenter Rd</td>
<td>North of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>4</td>
<td>24,288</td>
<td>2.1%</td>
<td>D</td>
</tr>
<tr>
<td>Carpenter Rd</td>
<td>South of Maze Blvd.</td>
<td>Uninterrupted Flow Highway</td>
<td>2</td>
<td>22,863</td>
<td>1.0%</td>
<td>E</td>
</tr>
<tr>
<td>California Ave</td>
<td>East of Carpenter Rd</td>
<td>Other signalized roadway</td>
<td>2</td>
<td>3,354</td>
<td>2.0%</td>
<td>C</td>
</tr>
</tbody>
</table>

Background plus Project Conditions

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Where</th>
<th>Classification</th>
<th>Lanes</th>
<th>Daily Volume</th>
<th>Change in V/C</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpenter Rd</td>
<td>North of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>4</td>
<td>24,308</td>
<td>Less than 0.1%</td>
<td>D</td>
</tr>
<tr>
<td>Carpenter Rd</td>
<td>South of Maze Blvd.</td>
<td>Uninterrupted Flow Highway</td>
<td>2</td>
<td>22,867</td>
<td>Less than 0.1%</td>
<td>E</td>
</tr>
<tr>
<td>California Ave</td>
<td>East of Carpenter Rd</td>
<td>Other signalized roadway</td>
<td>2</td>
<td>3,354</td>
<td>Less than 0.1%</td>
<td>C</td>
</tr>
</tbody>
</table>

2025 No Project Conditions

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Where</th>
<th>Classification</th>
<th>Lanes</th>
<th>Daily Volume</th>
<th>Change in V/C</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpenter Rd</td>
<td>North of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>6</td>
<td>41,054</td>
<td>-</td>
<td>D</td>
</tr>
<tr>
<td>Carpenter Rd</td>
<td>South of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>6</td>
<td>45,218</td>
<td>-</td>
<td>D</td>
</tr>
<tr>
<td>California Ave</td>
<td>East of Carpenter Rd</td>
<td>Other signalized roadway</td>
<td>2</td>
<td>8,747</td>
<td>-</td>
<td>D</td>
</tr>
</tbody>
</table>

2025 plus Project Conditions

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Where</th>
<th>Classification</th>
<th>Lanes</th>
<th>Daily Volume</th>
<th>Change in V/C</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpenter Rd</td>
<td>North of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>6</td>
<td>41,074</td>
<td>Less than 0.1%</td>
<td>D</td>
</tr>
<tr>
<td>Carpenter Rd</td>
<td>South of Maze Blvd.</td>
<td>Major Non-State Roadway</td>
<td>6</td>
<td>45,222</td>
<td>Less than 0.1%</td>
<td>D</td>
</tr>
<tr>
<td>California Ave</td>
<td>East of Carpenter Rd</td>
<td>Other signalized roadway</td>
<td>2</td>
<td>8,747</td>
<td>Less than 0.1%</td>
<td>D</td>
</tr>
</tbody>
</table>

Maze Boulevard east of Carpenter Road is evaluated using the 2000 HCM Arterial LOS methodology. Table 9 summarizes the results of this analysis for each scenario. Under all scenarios the arterial segment on Maze Boulevard from Carpenter Road to Emerald Avenue operates acceptably except in the Cumulative No Project and With Project Conditions in the PM peak hour. This is a background condition and is not considered a project impact. Note that in the General Plan build-out, 2025 scenarios, Maze Boulevard is assumed to be a four lane minor arterial.
<table>
<thead>
<tr>
<th>Scenario</th>
<th>Eastbound</th>
<th>Westbound</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Travel Speed</td>
<td>Arterial LOS</td>
</tr>
<tr>
<td></td>
<td>(mph)</td>
<td></td>
</tr>
<tr>
<td>Existing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AM</td>
<td>26.7</td>
<td>C</td>
</tr>
<tr>
<td>PM</td>
<td>24.0</td>
<td>C</td>
</tr>
<tr>
<td>Sunday</td>
<td>27.9</td>
<td>C</td>
</tr>
<tr>
<td>Background</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AM</td>
<td>26.7</td>
<td>C</td>
</tr>
<tr>
<td>PM</td>
<td>24.0</td>
<td>C</td>
</tr>
<tr>
<td>Sunday</td>
<td>27.9</td>
<td>C</td>
</tr>
<tr>
<td>Background plus Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AM</td>
<td>27.9</td>
<td>C</td>
</tr>
<tr>
<td>PM</td>
<td>24.7</td>
<td>C</td>
</tr>
<tr>
<td>Sunday</td>
<td>27.9</td>
<td>C</td>
</tr>
<tr>
<td>2025 No Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AM</td>
<td>25.6</td>
<td>C</td>
</tr>
<tr>
<td>PM</td>
<td>24.8</td>
<td>C</td>
</tr>
<tr>
<td>Sunday</td>
<td>24.0</td>
<td>C</td>
</tr>
<tr>
<td>2025 plus Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AM</td>
<td>25.6</td>
<td>C</td>
</tr>
<tr>
<td>PM</td>
<td>24.8</td>
<td>C</td>
</tr>
<tr>
<td>Sunday</td>
<td>24.0</td>
<td>C</td>
</tr>
</tbody>
</table>
9. Left Turn Warrant Analysis

Previous proposals for the project site included provisions for installation of exclusive left turn pockets at the existing east school driveway and at a future driveway to serve the new building. The current proposal does not include any changes along the frontage with Maze Boulevard and so no turn pockets are contemplated as part of the project. Caltrans has asked that an analysis be conducted to see whether a left-turn pocket is warranted at the intersection of the existing East School Driveway and Maze Boulevard. This is presented in Table 10, based on the guidelines suggested by the American Association of State Highway Officials (AASHTO).

Table 10 - Left Turning Volumes & Pocket Recommendation Guidelines

<table>
<thead>
<tr>
<th>SCENARIO</th>
<th>Opposing Volume</th>
<th>Through Volume</th>
<th>Left Turning Volume</th>
<th>Percent Left Turning</th>
<th>Left Turn Pocket Recommended?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing AM</td>
<td>397</td>
<td>640</td>
<td>78</td>
<td>12%</td>
<td>YES</td>
</tr>
<tr>
<td>Existing PM</td>
<td>797</td>
<td>343</td>
<td>14</td>
<td>4%</td>
<td>YES</td>
</tr>
<tr>
<td>Existing SUN</td>
<td>406</td>
<td>296</td>
<td>156</td>
<td>53%</td>
<td>YES</td>
</tr>
<tr>
<td>Background AM</td>
<td>410</td>
<td>649</td>
<td>78</td>
<td>12%</td>
<td>YES</td>
</tr>
<tr>
<td>Background PM</td>
<td>824</td>
<td>355</td>
<td>14</td>
<td>4%</td>
<td>YES</td>
</tr>
<tr>
<td>Background SUN</td>
<td>407</td>
<td>298</td>
<td>156</td>
<td>52%</td>
<td>YES</td>
</tr>
<tr>
<td>Background plus Project AM</td>
<td>410</td>
<td>649</td>
<td>84</td>
<td>13%</td>
<td>YES</td>
</tr>
<tr>
<td>Background plus Project PM</td>
<td>824</td>
<td>355</td>
<td>20</td>
<td>6%</td>
<td>YES</td>
</tr>
<tr>
<td>Background plus Project SUN</td>
<td>407</td>
<td>298</td>
<td>156</td>
<td>52%</td>
<td>YES</td>
</tr>
</tbody>
</table>

Source: A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials

As shown in Table 10 the guidelines recommend that a left turn pocket be installed to serve the existing conditions. Background and project traffic generation do not materially affect that finding. This is a baseline condition and not a project impact.
10. Site Circulation

Access to the proposed site would be through the existing St. Stanislaus elementary school driveways. The proposed project site design introduces a number of potentially significant impacts.

Impact T1 – The proposed vehicle connection between the new church site circulation system and the existing east elementary school parking lot imposes potentially awkward turning movements.

The connection to the new site would be at the southeast corner of the existing elementary school parking lot. The site plan indicates that the proposed major perimeter circulation aisle would terminate at near the existing convent. To continue from the church perimeter aisle to the existing eastern school driveway vehicles would need make a quick left and right turn to complete a “dog-leg” or “jog” roughly 40 feet to the west before proceeding north. Given the amount of traffic that may be making such a maneuver this constitutes a potentially significant impact.

Mitigation T1 – the landscape and gravel road between the northern terminus of the new Church circulation aisle and the existing driveway shall be improved so that vehicles can travel between the existing east elementary school driveway and the church circulation aisle without making any turning movements. A raised crosswalk shall connect the pedestrian paths fronting the west side of the existing convent and the proposed church landscaped areas to moderate the speed of vehicles traveling between the existing school parking lot and the proposed church circulation system.

This improvement would not require any modifications to the existing curb cuts along Maze Boulevard.

Impact T2 – the aisle serving the northernmost bay of parking on the existing elementary school parking is set back by less than 50 feet from the eastbound lane of Maze Boulevard. This may create congestion at the point of entry for church traffic that may cause queues to spill onto Maze Boulevard.

Mitigation T2 – A concrete barrier strip (such as a concrete curb) shall divide the two (2) northernmost parking bays from the major north-south aisle serving the east elementary school driveway. This will create an uninterrupted driveway stem extending over 100 feet south from the existing curb cut on Maze Boulevard. The northernmost existing parking aisle shall be re-striped to allow only eastbound travel with corresponding diagonal stalls on both sides. The existing northern two aisles shall be connected just west of the barrier strip allowing clockwise circulation between the two locations.

This will result in the loss of roughly five parking stalls. Parking loss may be offset by extending the southernmost two parking bays to form the west edge of the new church circulation aisle (i.e. as it extends into the existing school parking lot).
Mitigation measures T1 and T2 are illustrated in Figure 9. These measures constitute minor improvements to the existing elementary school parking lot. Neither of these mitigation measures requires changes to the existing curb cut on Maze Boulevard.

**Figure 9 – On-site Circulation mitigation Measures**

- Connect two northernmost bays for clockwise circulation.
- Convert to one-way eastbound diagonal parking bay.
- Install concrete barrier between driveway and parking bays.
- Improve landscaping and gravel as part of existing driveway stem.
- Extend parking bay stops as part of circulation edge. May use to offset loss of parking.
MODESTO CITY COUNCIL
RESOLUTION NO. 2005-128


WHEREAS, on February 25, 2003, the City Council of the City of Modesto adopted a Mitigated Negative Declaration for the General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (“Mitigated Negative Declaration”) (SCH No. 2002122117), and

WHEREAS, Shelter Cove Community Church has proposed a Development Agreement in conjunction with development of the northeast corner of Coffee Road and Claratina Avenue for a 106,415-square-foot church, said Development Agreement containing provisions relating to the obligation of the church to participate in the CFD to be formed for the future Hetch Hetchy Comprehensive Planning District and other provisions related to the provision of future infrastructure to the area, and

WHEREAS, Section 15162 of the CEQA Guidelines states that no new environmental review is required for a project that has been the subject of a previously approved Mitigated Negative Declaration providing certain findings can be made, and

WHEREAS, the City’s Community & Economic Development Department by Environmental Assessment Initial Study EA/C&ED 2005-02 (“Initial Study”) reviewed the proposed Development Agreement to determine whether the project is within the scope of the Mitigated Negative Declaration, and concluded that the proposed project is within the scope of the Mitigated Negative Declaration and will have no additional
significant effect on the environment that was not identified in the Mitigated Negative Declaration, and further, that no new circumstances surrounding the project have occurred that will require major revisions in the Mitigated Negative Declaration, and further that no new information has become available that will require major revisions in the Mitigated Negative Declaration, and

WHEREAS, said matter was considered by the City Council at a duly noticed public hearing which was held on March 8, 2005, at 5:30 p.m., in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council has reviewed and considered the Initial Study prepared for the proposed Development Agreement, a copy of which is attached hereto as Exhibit “A”, and incorporated herein by reference, and based on the substantial evidence included in said Initial Study makes the following findings:

1. The Project is within the scope of the Mitigated Negative Declaration for the General Plan Amendment, Specific Plan Amendment, and Annexation for the Claratina Golf Course and Driving Range Site.

2. No substantial changes are proposed in the project which will require major revisions to the Mitigated Negative Declaration for the General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (SCH No. 2002122117).

3. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the Mitigated Negative Declaration for the General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site.

4. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Mitigated
Negative Declaration for the General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site was adopted, has become available.

5. The Initial Study, Environmental Assessment No. EA/C&ED 2005-02, provides the substantial evidence to support findings noted above.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the Community & Economic Development Director is hereby authorized and directed to file a notice of approval or determination within five (5) business days with the Stanislaus County Clerk pursuant to Section 21152 of the Public Resources Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 2005, by Councilmember Hawn, who moved its adoption, which motion being duly seconded by Councilmember Marsh, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunbar, Hawn, Jackman, Keating, Marsh, O’Bryant
NOES: Councilmembers: None
ABSENT: Councilmembers: Mayor Ridenour

ATTEST: [Signature]
JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By: [Signature]
MICHAEL D. MILICH, City Attorney
EXHIBIT A

Initial Study

EA/C&ED 2005-02
City of Modesto

An Initial Study to Determine if the Proposed Project is Consistent with the Mitigated Negative Declaration for a General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (SCH No. 2002122117)

Initial Study C&ED No. 2005-02

For the proposed:

Development Agreement and Final Development Plan for Shelter Cove Community Church

Prepared by:
City of Modesto
Community & Economic Development Department
Planning Division

1/14/05
City of Modesto
Initial Study Checklist

I. PURPOSE

On February 25, 2003, the Modesto City Council adopted a Mitigated Negative Declaration for a General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (SCH No. 2002122117). The project that was analyzed for this Mitigated Negative Declaration was a proposed 69,000-square-foot sanctuary and offices for Shelter Cove Community Church.

Subsequent to annexation of the site, Shelter Cove Community Church has applied for a Development Agreement and Final Development Plan to construct the church. The project is now proposed to be in two phases totaling 106,400 square feet at buildout, larger than was originally analyzed in the Mitigated Negative Declaration.

Section 15162 of the CEQA Guidelines states that no new environmental review will be required for a project if a Mitigated Negative Declaration has previously been prepared (in this instance, the Mitigated Negative Declaration for a General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site) provided the following findings can be made:

A. No substantial changes are proposed in the project which will require major revisions of the Mitigated Negative Declaration for a General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (SCH No. 2002122117).

B. No substantial changes are occurring with respect to the circumstances under which the project is being undertaken which will require major revisions in the Mitigated Negative Declaration.

C. No new information, which was not known and could not have been known at the time the Mitigated Negative Declaration was adopted, becomes available.

The purpose of this Initial Study is to provide the substantial evidence for the above findings for the current proposal for Shelter Cove Community Church.

II. PROJECT DESCRIPTION

A. Title: Development Agreement and Final Development Plan for Shelter Cove Community Church

B. Address or Location: the northeast corner of Coffee Road and Claratina Avenue.

C. Applicant: Shelter Cove Community Church, P.O. Box 586, Salida, CA 95368

D. City Contact Person: Steve Mitchell, Principal Planner
E. Current General Plan Designation(s): Residential (R)

F. Current Zoning Classification(s): Specific Plan-Overlay (SP-O)

G. Surrounding Land Uses: North: Agriculture  
   South: Agriculture  
   East: Agriculture  
   West: Miniature golf course

H. Project Description:

This is an application for a Development Agreement and Final Development Plan to allow construction of a 106,415-square-foot church, with offices and Sunday-school classrooms on 17.4 gross acres located at the northeast corner of Coffee Road and Claratina Avenue. The project is proposed to be constructed in two phases: Phase One will be a 60,147-square-foot building housing a sanctuary, offices and Sunday-school classrooms, and Phase Two will consist of a larger sanctuary added to this building, bringing the total size to 106,415 square feet. The project proposes 406 parking spaces with Phase One, and an additional 243 spaces with Phase Two. The project proposes two driveways to Coffee Road, and an additional access to Claratina Avenue.

The Development Agreement contains the following provisions:

- The church's obligation to participate in the formation of the CFD for the Hetch Hetchy CPD;
- A prohibition on school uses without further environmental review and City approval;
- Future connections to master storm drainage and sewer facilities;
- Project fees;
- Well site dedication and reimbursement;
- Project contribution and reimbursement for the Coffee/Claratina traffic signal;
- Access from the property to the property to the east;

I. Other Public Agencies Whose Approval is Required: none.
III. FINDINGS/DETERMINATION (SELECT ONE ON THE BASIS OF THE ANALYSIS IN SECTION IV)

A. **X** Within the Scope - The project is within the scope of the Mitigated Negative Declaration for a General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (SCH No. 2002122117) and no new environmental document is required, per Section 15162 of the CEQA Guidelines. The following items are found to be true:

1. No substantial changes are proposed in the project which will require major revisions of the Mitigated Negative Declaration for a General Plan Amendment, Specific Plan Amendment and Annexation for the Claratina Golf Course and Driving Range Site (SCH No. 2002122117).

2. No substantial changes are occurring with respect to the circumstances under which the project is being undertaken which will require major revisions in the Mitigated Negative Declaration.

3. No new information, which was not known and could not have been known at the time the Mitigated Negative Declaration was adopted, has become available which would require revisions to the Mitigated Negative Declaration.

B. ____ Mitigated Negative Declaration Required - On the basis of the above determinations, the project is not within the scope of the previous Mitigated Negative Declaration. A mitigated negative declaration will be prepared for the project.

C. ____ EIR Required - On the basis of the above determinations, the project is not within the scope of the previous Mitigated Negative Declaration. An EIR will be prepared for the project.

[Signatures and dates]
IV. ENVIRONMENTAL ANALYSIS

This Initial Study, in accordance with Section 15162 of the CEQA Guidelines, analyzes whether this project may cause any project-specific significant effect on the environment that was not examined in the previous Mitigated Negative Declaration, whether circumstances under which the project is being undertaken have changed and whether new information has arisen since the Mitigated Negative Declaration was adopted, any of which might require revisions to the Mitigated Negative Declaration. The Initial Study thereby documents whether or not the project is “within the scope” of the Mitigated Negative Declaration.

Pursuant to CEQA Guidelines Section 15162, no new environmental document are necessary for projects that are determined to be within the scope of the previous Mitigated Negative Declaration.

The previous Mitigated Negative Declaration organizes its analysis of environmental impacts into twenty one subject areas. The following analysis is based on the impact analyses contained in Mitigated Negative Declaration. For ease of cross-reference, the sections are numbered in the same order as the analyses in the Negative Declaration.

A. TRAFFIC AND CIRCULATION

1. Significant Effects Identified in the Mitigated Negative Declaration

Traffic and Circulation effects are analyzed on pages 7-9 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified the following significant traffic and circulation impacts that were mitigated to less than significant with mitigation incorporated in the project:

Effect: Increased traffic which is substantial in relation to the existing traffic load and capacity of the street system.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

The following Traffic and Circulation mitigation measures were identified in the Mitigated Negative Declaration for the development of the project site:

a. Concurrent with redevelopment of the project site as a church, the Coffee Road/Claratina Expressway intersection signal will be funded by the project.

b. At the time of any redevelopment of the project site, dedication of right-of-way to City standards shall be provided, in the event the previously dedicated right-of-way does not meet the current adopted City standard for Coffee Road and the Claratina Expressway. Along Coffee Road, improvement to City standards will also be provided.

c. At the time of preparation of a site plan for review and processing on the project site, a Site Access Study, consistent with the General Plan requirement contained in Chapter V(B)(7)(c) shall be prepared. The Site Access Study will also evaluate how to provide adequate pedestrian and vehicular access to the balance of the Hetch
Hetchy CPD, which may include the reservation of road right-of-way and/or granting of vehicular/pedestrian cross access rights, to make certain that the project properly integrates with the balance of the Hetch Hetchy CPD, at the time of its development.

Discussion:

a. The City of Modesto will be installing a traffic control devise (an interim traffic signal or interim roundabout) at the Coffee Road/Claratina Avenue intersection in conjunction with the extension of Claratina Avenue to Oakdale Road. The City Public Works Department have analyzed the impacts of these interim traffic control measures, and have determined that they will provide an equivalent Level of Service as the permanent traffic signal for the first phase of the project. The City expects that the permanent traffic signal will be installed prior to the second phase of the project, but if that has not occurred, the Development Agreement contains a provision that would require the installation of the permanent traffic signal, unless a supplemental CEQA analysis is provided that demonstrates that the permanent traffic signal is not required and/or the required LOS may be achieved through alternate means.

b. This mitigation measure will be applied as a condition of approval of the Final Development Plan.

c. The applicant has submitted a Site Access Study prepared by KD Anderson Transportation Engineers (“Traffic Access Assessment for Shelter Cove Community Church Master Plan Modesto, CA” dated June 22, 2004, copies of which are available in the offices of the Community and Economic Development Department), that satisfies this mitigation measure. The City's Public Works Department has reviewed the Assessment and agrees with its conclusions.

3. Changes in the Proposed Project

As noted in the project description, the current proposal is larger (106,415 square feet vs. the 69,000 square feet analyzed in the Mitigated Negative Declaration). The applicant has submitted a Site Access Study prepared by KD Anderson Transportation Engineers (“Traffic Access Assessment for Shelter Cove Community Church Master Plan Modesto, CA” dated June 22, 2004, copies of which are available in the offices of the Community and Economic Development Department), in accordance with Mitigation Measure 2.a. above. In addition to addressing the provisions of this mitigation measure, the Site Access Assessment analyzed the potential for increased traffic impacts due to the increased size of the project. The Assessment concludes that the current project would add only 19 P.M. peak-hour trips over what was analyzed in the Mitigated Negative Declaration, and concludes that the resulting Levels of Service on surrounding intersections would remain at or above LOS “D”, which is the City’s standard for significant traffic impacts, with a right-in access to Claratina Avenue. The Analysis has been reviewed by the City’s Traffic Engineering section, and they concur with its findings.
4. Changes in Circumstances Surrounding the Project

The City's Public Works Department has been in the process of preparing the engineering work for extending Claratina Avenue from Coffee Road to Oakdale Road. In conjunction with that work, it has came to light that a major natural gas transmission line in Claratina Avenue would prevent the installation of the traffic signal at Coffee Road and Claratina Avenue in its permanent location, until arrangements are made to move the line, which the Public Works Department estimates will take several years.

Consequently, the City will be installing either an interim roundabout or an interim traffic signal at the intersection until such time as the gas line is relocated. The interim signal or roundabout would be installed by the City in conjunction with the extension of Claratina Avenue from Coffee Road to Oakdale Road, which is scheduled to begin sometime this year. This will relieve the church from their obligation to install the traffic signal, at least for the first phase of their development.

The Public Works Department has conducted an LOS analysis, and has concluded that either interim traffic control devise will provide an equivalent LOS, at least until the church constructs their second phase.

By then, the Public Works Department expects that the gas main will be relocated, allowing for the installation of the permanent traffic signal. However, if that has not occurred, then the Development Agreement provides that the permanent traffic signal will need to be installed, unless additional traffic and CEQA analyses may be conducted to determine whether alternative or lesser improvements to the intersection will achieve an acceptable LOS, given the conditions at that time. Therefore, no significant changes are required in the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

See Section 4, above.

B. AIR QUALITY

1. Significant Effects Identified in the Mitigated Negative Declaration

Air Quality effects are analyzed on pages 14-15 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant Air Quality impacts.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No Air Quality mitigation measures were identified by the Mitigated Negative Declaration for the project beyond those required by the General Plan Master EIR.
3. Changes in the Proposed Project

As noted above, the current proposal is larger (106,415 square feet vs. the 69,000 square feet analyzed in the Mitigated Negative Declaration). However, because the traffic impacts are not significantly greater, there would be no significant increase in air quality impacts due to the larger project.

4. Changes in Circumstances Surrounding the Project

Since the time that the Mitigated Negative Declaration was adopted, the San Joaquin Valley Air Pollution Control District's non-attainment status for ozone has been downgraded from "severe" to "extreme". The General Plan MEIR, which the Mitigated Negative Declaration was tiered off of, identified that buildout of General Plan would result in significant, unavoidable impacts to air quality, and the City Council adopted a statement of overriding considerations in certifying the MEIR. At this time no new control measures have been adopted by the APCD as a result of this redesignation, and consequently no new measures are available to impose on the project beyond those required by the MEIR. Therefore, the changes in circumstances would not result in any significant changes in the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

See Section 4, above.

C. NOISE

1. Significant Effects Identified in the Mitigated Negative Declaration

Noise impacts are analyzed on pages 15-17 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified the following significant noise impacts that were mitigated to less than significant with mitigation incorporated in the project:

Effect: Exposure of persons or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Effect: A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

The following Noise mitigation measures were identified in the Mitigated Negative Declaration for the development of the project site:

a. At the time of submittal of a site plan, a noise study prepared by a qualified acoustical consultant shall be prepared if any church structures are proposed within
the future 70 Ldn noise contour. The acoustical study shall provide measures to reduce the interior noise levels to 55 Ldn or below for any church structures falling within the 70 Ldn noise contour, consistent with the Master EIR requirements (Table 3-2 on page IV-3-8).

b. All construction contracts shall require construction equipment, fixed and mobile, to be equipped with properly operating and maintained mufflers and that no single piece of equipment shall produce a noise level exceeding 85 DBA at any point outside the Specific Plan area.

Discussion:

a. The 70 Ldn contour is located 74 feet from the centerline of Claratina Avenue, per Table V-3-5 of the General Plan MEIR. The project does not propose to locate any buildings within this distance, so no acoustic study is needed.

b. This mitigation measure will be applied as a condition of approval of the Final Development Plan.

3. Changes in the Proposed Project

Since the increased size of the project will not result in any significant increases in traffic impacts, there will be no significant increase in noise impacts resulting from the project that would require major revisions in the Mitigated Negative Declaration. As noted above, the mitigation measures imposed by the Mitigated Negative Declaration will be applied to the project.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to noise impacts.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to noise impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

D. AGRICULTURAL LANDS

1. Significant Effects Identified in the Mitigated Negative Declaration

Agricultural land impacts are analyzed on pages 17-18 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified the following significant agricultural land impacts that were mitigated to less than significant with mitigation incorporated in the project:
Effect: Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

The following agricultural land mitigation measures were identified in the Mitigated Negative Declaration for the development of the project site:

a. The project should be prepared to accept the inconveniences associated with the adjacent agricultural operations, such as noise, odors, flies, dust or fumes. Stanislaus County has determined that such inconveniences shall not be considered a nuisance if agricultural operations are consistent with accepted customs and standards.

Discussion:

a. This mitigation measure will be applied as a condition of approval of the Final Development Plan.

3. Changes in the Proposed Project

Since the project will not involve any additional land not already analyzed by the Mitigated Negative Declaration, there are no additional agricultural impacts resulting from the project that would require revisions in the Mitigated Negative Declaration. As noted above, the mitigation measures imposed by the Mitigated Negative Declaration will be applied to the project.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to agricultural impacts.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to agricultural impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

E. WATER SUPPLY

1. Significant Effects Identified in the Mitigated Negative Declaration

Water supply effects are analyzed on page 19 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant water supply impacts.
2. **Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration**

No water supply mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. **Changes in the Proposed Project**

Public Works has analyzed the increased size of the project, and has determined that the project will not create any significant increase in the demand for water supplies. Therefore, there are no changes needed to the Mitigated Negative Declaration.

4. **Changes in Circumstances Surrounding the Project**

Recent Water Supply Assessments prepared by the City of Modesto indicate that the City has a sufficient guaranteed water supply to serve new development only until approximately 2020. However, the church's contribution to this impact is insignificant (less than 1%). Therefore, no further changes are needed to the Mitigated Negative Declaration.

5. **New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration**

See Section 4, above.

6. **SANITARY SEWER SERVICES**

1. **Significant Effects Identified in the Mitigated Negative Declaration**

Sanitary sewer supply effects are analyzed on page 20 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant sanitary sewer supply impacts.

2. **Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration**

No sanitary sewer supply mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. **Changes in the Proposed Project**

Public Works has analyzed the increased size of the project, and has determined that the project will not create any significant increase in the demand for sanitary sewer service. Therefore, there are no changes needed to the Mitigated Negative Declaration.

4. **Changes in Circumstances Surrounding the Project**
The City has recently determined that wastewater flow volumes may exceed at certain times of year the City's ability to dispose of them through discharge into the San Joaquin River or by land disposal. The City is working to address this issue with both short-term and long-term solutions. The project's contribution to this impact, however, is insignificant (less than 1%), so no changes are needed to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

See Section 4, above.

G. SENSITIVE WILDLIFE AND PLANT HABITAT

1. Significant Effects Identified in the Mitigated Negative Declaration

Wildlife and plant habitat effects are analyzed on pages 21-22 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant wildlife and plant habitat impacts.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No wildlife or plant habitat mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

Since the project will not involve any additional land not already analyzed by the Mitigated Negative Declaration, there are no additional wildlife or plant habitat impacts resulting from the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to wildlife or plant habitat impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to wildlife or plant habitat impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.
H. ARCHAEOLOGICAL OR HISTORICAL SITES

1. Significant Effects Identified in the Mitigated Negative Declaration

Archaeological and historic site effects are analyzed on pages 14-15 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant archaeological or historic site impacts.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No archaeological or historic site mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

Since the project will not involve any additional land not already analyzed by the Mitigated Negative Declaration, there are no additional archaeological or historic site impacts resulting from the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to archaeological or historic site impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to archaeological or historical site impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

I. FLOODING AND WATER QUALITY

1. Significant Effects Identified in the Mitigated Negative Declaration

Flooding and water quality impacts are analyzed on pages 23-25 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified the following significant flooding and water quality impacts that were mitigated to less than significant with mitigation incorporated in the project:

Effect: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

The following flooding and water quality mitigation measures were identified in the Mitigated Negative Declaration for the development of the project site:

a. On-site stormwater storage shall be provided consistent with City standards for a Commercial Site.

b. The project storm drainage facilities shall provide for an outfall connection in the Claratina Expressway, to be connected at such time as the Master Storm Drainage facilities become available for use.

Discussion:

a. This mitigation measure will be applied as a condition of approval of the Final Development Plan.

b. This mitigation measure will be applied as a condition of approval of the Final Development Plan.

3. Changes in the Proposed Project

Although the larger project will result in an increase in impermeable surfaces and a consequent increase in runoff, this will be adequately dealt with in the on-site storm drainage facilities that will be required to conform to City standards. Therefore, no revisions are required in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to flooding and water quality impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to flooding and water quality impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

J. STORM DRAINAGE

1. Significant Effects Identified in the Mitigated Negative Declaration

Storm drainage impacts are analyzed on pages 25-26 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified the following significant
storm drainage impacts that were mitigated to less than significant with mitigation incorporated in the project:

**Effect:** Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effect.

2. **Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration**

The following storm drainage mitigation measures were identified in the Mitigated Negative Declaration for the development of the project site:

Same as mitigation measures for flooding and water quality.

**Discussion:**

These mitigation measures will be applied as a condition of approval of the Final Development Plan.

3. **Changes in the Proposed Project**

Although the larger project will result in an increase in impermeable surfaces and a consequent increase in runoff, this will be adequately dealt with in the on-site storm drainage facilities that will be required to conform to City standards. Therefore, no revisions are required in the Mitigated Negative Declaration.

4. **Changes in Circumstances Surrounding the Project**

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to storm drainage impacts that would require revisions to the Mitigated Negative Declaration.

5. **New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration**

No new information has become available related to storm drainage impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

K. **PARKS AND OPEN SPACE**

1. **Significant Effects Identified in the Mitigated Negative Declaration**

Parks and open space effects are analyzed on pages 26-27 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant parks or open space impacts.
2. **Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration**

No parks or open space mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. **Changes in the Proposed Project**

Since churches do not create impacts to parks, and no designated open-space lands are being utilized by the church, there are no additional parks or open space impacts resulting from the project that would require revisions in the Mitigated Negative Declaration.

4. **Changes in Circumstances Surrounding the Project**

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to parks or open space impacts that would require revisions to the Mitigated Negative Declaration.

5. **New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration**

No new information has become available related to parks or open space impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

**L. SCHOOLS**

1. **Significant Effects Identified in the Mitigated Negative Declaration**

Increased demand for school effects are analyzed on pages 27-28 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant increased demand for schools due to the project.

2. **Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration**

No increased demand for schools mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. **Changes in the Proposed Project**

Since churches do not create impacts to schools, there are no additional impacts to schools resulting from the project that would require revisions in the Mitigated Negative Declaration.
4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to demand for schools impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to demand for schools impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

M. POLICE SERVICES

1. Significant Effects Identified in the Mitigated Negative Declaration

 Increased demand for police services are analyzed on page 28 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant increased demand for police services due to the project.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No increased demand for police services mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional significant impacts to police services resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to police services impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to police services impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.
N. FIRE SERVICES

1. Significant Effects Identified in the Mitigated Negative Declaration

Increased demand for fire services are analyzed on pages 28-29 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant increased demand for fire services due to the project.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No increased demand for fire services mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional significant impacts to fire services resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to fire services impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to fire services impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

O. SOLID WASTE

1. Significant Effects Identified in the Mitigated Negative Declaration

Solid waste effects are analyzed on page 29 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant solid waste effects.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No solid waste mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional significant solid waste impacts resulting from the increased size
of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to solid waste impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to solid waste impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

P. HAZARDOUS MATERIALS

1. Significant Effects Identified in the Mitigated Negative Declaration

Hazardous materials effects are analyzed on pages 30-31 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant hazardous materials effects.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No hazardous materials mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional significant hazardous materials impacts resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration, as churches are not a significant generator of hazardous wastes.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to hazardous materials impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to hazardous materials impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.
Q. LANDSLIDES AND SEISMIC ACTIVITY

1. Significant Effects Identified in the Mitigated Negative Declaration

Landslides and seismic activity effects are analyzed on pages 31-32 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant landslide or seismic activity effects.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No landslide or seismic activity mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional landslide or seismic activity impacts resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to landslide or seismic activity impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to landslide or seismic activity impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

R. ENERGY AND MINERAL RESOURCES

1. Significant Effects Identified in the Mitigated Negative Declaration

Energy and mineral resources effects are analyzed on pages 32-33 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant energy or mineral resources effects.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No energy or mineral resources mitigation measures were identified by the Mitigated Negative Declaration for the project.
3. Changes in the Proposed Project

There are no additional significant energy or mineral resources impacts resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to energy or mineral resources impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to energy or mineral resources impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

S. PLANNING AND LAND USE

1. Significant Effects Identified in the Mitigated Negative Declaration

Planning and land use effects are analyzed on pages 33-34 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant planning or land use effects.

2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No planning or land use mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional significant planning or land use impacts resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to planning or land use impacts that would require revisions to the Mitigated Negative Declaration.
5. **New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration**

No new information has become available related to planning or land use impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

### T. POPULATION AND HOUSING

1. **Significant Effects Identified in the Mitigated Negative Declaration**

   Population and housing effects are analyzed on pages 34-35 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant population or housing effects.

2. **Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration**

   No population or housing mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. **Changes in the Proposed Project**

   There are no additional significant population or housing resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration, as churches do not impact housing or population.

4. **Changes in Circumstances Surrounding the Project**

   There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to population or housing impacts that would require revisions to the Mitigated Negative Declaration.

5. **New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration**

   No new information has become available related to population or housing impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.

### U. AESTHETICS

1. **Significant Effects Identified in the Mitigated Negative Declaration**

   Aesthetics effects are analyzed on pages 35-36 of the Mitigated Negative Declaration. The Mitigated Negative Declaration identified no significant aesthetics effects.
2. Mitigated Negative Declaration Mitigation Measures From the Mitigated Negative Declaration

No aesthetics mitigation measures were identified by the Mitigated Negative Declaration for the project.

3. Changes in the Proposed Project

There are no additional significant aesthetics impacts resulting from the increased size of the project that would require revisions in the Mitigated Negative Declaration.

4. Changes in Circumstances Surrounding the Project

There have been no significant changes to circumstances under which the project is being undertaken have occurred in relation to aesthetics impacts that would require revisions to the Mitigated Negative Declaration.

5. New Information Not Known at the Time of Adoption of the Mitigated Negative Declaration

No new information has become available related to aesthetics impacts that was not known at the time of adoption of the Mitigated Negative Declaration that would require revisions to the Mitigated Negative Declaration.
V. MITIGATION MEASURES APPLIED TO THE PROJECT

1. Mitigated Negative Declaration Mitigation Measures Applied to the Project

The following Mitigation Measures from the previously adopted Mitigated Negative Declaration shall be made part of the project prior to approval by means of conditions of project approval or incorporation into the appropriate document or plan.

Traffic and Circulation Measures:

a. At the time of any redevelopment of the project site, dedication of right-of-way to City standards shall be provided, in the event the previously dedicated right-of-way does not meet the current adopted City standard for Coffee Road and the Claratina Expressway. Along Coffee Road, improvement to City standards will also be provided.

Air Quality Measures: (from General Plan Master EIR)

a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

b. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

c. When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

d. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. *(the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)*

e. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

f. Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.

Noise Measures:

a. All construction contracts shall require construction equipment, fixed and mobile, to be equipped with properly operating and maintained mufflers and that no single piece of equipment shall produce a noise level exceeding 85 DBA at any point outside the Specific Plan area.
**Agricultural Land Measures:**

a. The project should be prepared to accept the inconveniences associated with the adjacent agricultural operations, such as noise, odors, flies, dust or fumes. Stanislaus County has determined that such inconveniences shall not be considered a nuisance if agricultural operations are consistent with accepted customs and standards.

**Water Supply Measures:**

None.

**Sanitary Sewer Service Measures:**

None.

**Sensitive Wildlife and Plant Habitat Measures:**

None.

**Archaeological or Historic Sites Measures:**

None.

**Flooding and Water Quality Measures:**

a. On-site stormwater storage shall be provided consistent with City standards for a Commercial Site.

b. The project storm drainage facilities shall provide for an outfall connection in the Claratina Expressway, to be connected at such time as the Master Storm Drainage facilities become available for use.

**Storm Drainage Measures:**

See Flooding and Water Quality Measures

**Parks and Open Space Measures:**

None.

**Schools Measures:**

None.

**Police Services:**

None.
Fire Services:
None.

Generation of Solid Waste
None.

Generation of Hazardous Materials
None.

Potential for Landslides and Seismic Activity
None.

Energy and Mineral Resources
None.

Planning and Land Use
None.

Population and Housing
None.

Aesthetics
None.

2. Project-Specific Mitigation Measures

None.
A RESOLUTION APPROVING SPECIFIC PLAN AMENDMENT NO. 19 TO THE VILLAGE ONE SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION OF A PORTION OF PRECISE PLAN AREA NO. 1 FROM VERY LOW DENSITY RESIDENTIAL TO OFFICE AND HIGH SCHOOL AND TO ALLOW CITY COUNCIL APPROVAL OF A FINAL DEVELOPMENT PLAN CONCURRENT WITH APPROVAL OF PRECISE PLAN AREA NO. 1, PROPERTY LOCATED AT THE NORTHEAST CORNER OF SYLVAN AVENUE AND ROSELLE AVENUE. (SYLVAN VETERINARY HOSPITAL)

WHEREAS, Government Code Section 65450 et. seq. permits cities and counties to adopt specific plans for the systematic implementation of the General Plan and to provide for a greater level of detail in planning sites or areas of special interest or value, and

WHEREAS, on October 16, 1990, the City Council by Resolution No. 90-828A adopted the Village One Specific Plan, to guide the development of 1,780 acres located in northeast Modesto, and

WHEREAS, Government Code Section 65453 permits the amendment of specific plans as often as deemed necessary by the legislative body, and

WHEREAS, the City Council on June 18, 1991, by Resolution No. 91-405, adopted Specific Plan Amendment No. 1 to the Village One Specific Plan to adopt an amended Affordable Housing Program, and

WHEREAS, the City Council on May 5, 1992, by Resolution No. 92-222, adopted Specific Plan Amendment No. 2 to the Village One Specific Plan to improve technical correctness, readability, and comprehension, and
WHEREAS, the City Council on February 1, 1994, by Resolution No. 94-72, adopted Specific Plan Amendment No. 3 to the Village One Specific Plan to rewrite and reorganize the Plan to be more implementation oriented, and

WHEREAS, the City Council on May 24, 1994, by Resolution No. 94-297, certified the Final Supplemental EIR for Village One (SCH No. 90020181) which provided environmental analysis for the revisions in Specific Plan Amendment No. 4, and

WHEREAS, the City Council on May 24, 1994, by Resolution No. 94-298, adopted Specific Plan Amendment No. 4 to the Village One Specific Plan to widen Floyd Avenue from three-to-five lanes, realign the Claus/Sylvan intersection, delete the non-potable water supply for public landscaping, and integrate mitigation monitoring into the Specific Plan, and

WHEREAS, the City Council on June 28, 1994, by Resolution No. 94-372, adopted Specific Plan Amendment No. 5 to the Village One Specific Plan to revise the Residential Design Policies for cul-de-sacs, alleys, garage orientation, and plan processing, and

WHEREAS, the City Council on June 28, 1994, by Resolution No. 94-373, adopted Specific Plan Amendment No. 6 to the Village One Specific Plan to revise the school and park sites within the Specific Plan and redistribute residential units among the Village One Precise Plan Areas, and

WHEREAS, the City Council on October 10, 1995, by Resolution No. 95-487, adopted Specific Plan Amendment No. 7 to the Village One Specific Plan to reduce costs and to implement recommendations to increase the marketability of development within the Village One area, and
WHEREAS, the City Council on May 14, 1996, by Resolution No. 96-245, adopted Specific Plan Amendment No. 7.1 to the Village One Specific Plan to delete the multiple-family development designation from Precise Plan Areas Nos. 8 and 33, and Resolution No. 26-246 to amend the Design Standard portion of the Village One Specific Plan pertaining to single-family dwelling setbacks and three-car garages, limited to Precise Plan Areas Nos. 8, 32, and 33, and

WHEREAS, the City Council on June 4, 1996, by Resolution No. 96-295, adopted Specific Plan Amendment No. 8 to the Village One Specific Plan to incorporate changes previously approved in Specific Plan Amendment No. 7 into the Specific Plan document itself, to make minor editorial changes to the Specific Plan, and to incorporate changes resulting from development of a revised Village One Facilities Master Plan, and

WHEREAS, the City Council on August 13, 1996, by Resolution No. 96-453, adopted Specific Plan Amendment No. 9 to the Village One Specific Plan to modify the standards for dwelling setbacks and three-car garages for the entire Specific Plan area, and

WHEREAS, the City Council on May 6, 1997, by Resolution No. 97-225, adopted Specific Plan Amendment No. 10 to the Village One Specific Plan to eliminate redundancy with the General Plan Housing Element policies and to eliminate language that was too restrictive, and
WHEREAS, the City Council on June 3, 1997, by Resolution No. 97-300, adopted Specific Plan Amendment No. 11 to the Village One Specific Plan to exempt public facilities from precise plan requirements, to streamline the Specific Plan amendment process, and to provide minor clarification to various policies and diagrams, and

WHEREAS, the City Council on October 21, 1997, by Resolution No. 97-602, adopted Specific Plan Amendment No. 12 to the Village One Specific Plan to allow changes in public service providers, delete the requirement for a business park market study, revise Amtrak station language, revise the business park precise plan diagram, and allow regional commercial uses in the business park, and

WHEREAS, the City Council on February 17, 1998, by Resolution No. 98-97, adopted Specific Plan Amendment No. 13 to the Village One Specific Plan to redesignate 9.8 acres in Precise Plan Area No. 3 from Multi-Family Residential to Village Residential, and

WHEREAS, the City Council on August 17, 1999, by Resolution No. 99-416, adopted Specific Plan Amendment No. 14 to the Village One Specific Plan to modify the mix of land uses allowed in the southeast quadrant of Precise Plan Area No. 20, and

WHEREAS, the City Council on September 26, 2000, by Resolution No. 2000-507, adopted Specific Plan Amendment No. 15 to the Village One Specific Plan to reduce the noise setback along Claus Road, and
WHEREAS, the City Council on May 7, 2002, by Resolution No. 2002-230, adopted Specific Plan Amendment No. 16 to the Village One Specific Plan to move 4.1 acres from Precise Plan Area No. 6 to Precise Plan Area No. 7, and

WHEREAS, the City Council on April 1, 2003, by Resolution No. 2003-177, adopted Specific Plan Amendment No. 17 to the Village One Specific Plan to allow for a revised infrastructure financing plan for Village One, including the formation of a new community facilities district for the remaining undeveloped, unvested property in Village One, and

WHEREAS, the City Council on December 7, 2004, by Resolution No. 2004-650, adopted Specific Plan Amendment No. 18 to the Village One Specific Plan to change the land use designations of Precise Plan Areas 23 and 24 from Commercial, Village Residential, and Multi-Family Residential to Village Residential and Medium-Density Residential and to amend some of the Village One design and development standards, and

WHEREAS, Sylvan Veterinary Hospital filed an application to amend the Village One Specific Plan to change the land use designation of a portion of Precise Plan Area No. 1 from Very Low Density Residential to Office and High School and to allow City Council approval of a Final Development Plan concurrent with approval of Precise Plan Area No. 1, and
WHEREAS, on January 24, 2005, at 7:00 p.m. the Planning Commission held a
duly noticed public hearing in the Tenth Street Place Chambers located at 1010 Tenth
Street, Modesto, California, at which hearing evidence both oral and documentary was
received and considered concerning the proposed Village One Specific Plan amendment,
and

WHEREAS, after said public hearing, the Modesto City Planning Commission by
Resolution No. 2005-07, recommended to the City Council approval of an amendment to
the Village One Specific Plan to change the land use designation of a portion of Precise
Plan Area No. 1 from Very Low Density Residential to Office and High School and to
allow City Council approval of a Final Development Plan concurrent with approval of
Precise Plan Area No. 1, and

WHEREAS, said matter was considered by the City Council at a duly noticed
public hearing on March 8, 2005, at 5:30 p.m., in the Tenth Street Place Chambers
located at 1010 Tenth Street, Modesto, California, at which hearing evidence both oral
and documentary was received and considered, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby finds and determines that the proposed Amendment No. 19 to the Village
One Specific Plan to change the land use designation of a portion of Precise Plan Area
No. 1 from Very Low Density Residential to Office and High School is consistent with
the Modesto Urban Area General Plan and the Village One Specific Plan and to allow the
City Council to consider and approve a Final Development Plan concurrent with the
Specific Plan Amendment and Precise Plan Area No. 1 approvals is hereby amended to
read as shown on Exhibit "A" attached hereto and incorporated herein by reference.
BE IT FURTHER RESOLVED by the Council that the City Clerk is hereby authorized and directed to send certified copies of this resolution and said amendment to the Village One Specific Plan to the Board of Supervisors of the County of Stanislaus.

BE IT FURTHER RESOLVED that the project applicant shall indemnify, defend, and hold harmless the City of Modesto, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Modesto, its agents, officers, and employees to attack, set aside, void, or annul, any approval by the City of Modesto and its advisory agency, appeal board, or a legislative body concerning this Specific Plan Amendment (File No. SPA-04-005). The City of Modesto shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter be responsible to defend, indemnify, or hold City harmless.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 2005, by Councilmember Hawn, who moved its adoption, which motion being duly seconded by Councilmember Marsh, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmembers: Dunbar, Hawn, Jackman, Keating, Marsh, O'Bryant

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Mayor Ridenour

ATTEST: [Signature]

APPROVED AS TO FORM:

By: [Signature]

MICHAEL D. MILICH, City Attorney
EXHIBIT "A"
VILLAGE ONE SPECIFIC PLAN AMENDMENT NO. 19

Included in the City Council Packet
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    Figure III-2, Page III-11 (Current & Proposed) ........................................................... 3

_Hawkins & Associates Engineering_
I. DESCRIPTION OF AMENDMENT

This proposed amendment to the Village One Specific Plan to change the land use designations and parallel zoning classification to 12.3 acres within Sub-area A located at the northeast corner of Sylvan Avenue to Roselle Avenue. The Land Use Intensity of the south 8.3 acres of Sub-area A would change from Very Low Density Residential to Office. The Underlying Zone would change from R-I, Low Density Residential to P-O, Professional Office. This amendment would allow the owners of the existing Veterinary Clinic to expand the facility and existing residences to convert to office uses in the future.

The north 4 acres of Sub-area A would move into Sub-area B where the Land Use Intensity would change from Very Low Density Residential to High School and the Underlying Zone would remain R-I, Low Density Residential. This change is to reflect the high school site.

II. PRESENTATION OF NEED FOR AMENDMENT

Sylvan Avenue and Roselle Avenue are designated as Village One Minor Arterials. Currently along Roselle Avenue within Precise Plan Area No. 1 Sub-Area “A”, are Sylvan Veterinary Clinic and seven single family residences on large deep lots (approximately 275 feet in depth).

The remaining area within PPA No. 1, Sub-Areas “B” and “C”, are designated for a High School and Community Park.

The designated uses proposed for Sub-areas “B” and “C”, prevent the consolidation of Sub-Area “A” with adjoining parcels for future residential development.

Reclassification of Sub-Area “A” to Office Zoning will allow the Veterinary Clinic to expand and existing residential units to convert to office uses in the future. These proposed uses would be more compatible along the minor arterials than the very Low Density Residential Units.

III. CRITERIA FOR ANALYSIS OF AMENDMENT

A. Conformance with Specific Plan Guiding Principles

The designation of this property for office uses would provide activities and services that are common to the Village as a whole.

B. Consistency with Comprehensive Policies

The Circulation Plan for Village One establishes a hierarchy of streets that serves as a conduit for through traffic around the community as well as locate access to individual neighborhoods. The hierarchy is established on the basis of roadway treatment as well as function. The function of the expressways and arterial streets is to carry through traffic, while the neighborhood connections and residential streets serve local movement within and through neighborhoods.

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Roselle Avenue is designated as a minor arterial and the proposed office land use would be more consistent with the Village One Community Design Policies.

C. Compatibility with Existing Planned Land Uses

Given the proposed development of Village One High School and Community Park in PPA No. 1 prevents the consolidation of existing business and residential uses along Roselle Avenue.

These parcels will be more compatible as office uses along the minor arterial.

D. Traffic Impacts

Limited shared access openings onto Roselle Avenue and reciprocal on-site access between properties shall be provided to lessen the adverse traffic impacts generated by individual residential driveways to the minor arterial. Site plans for specific properties should include graphic demonstrations that consideration has been given to the potential for development and/or compatibility on adjoining properties.

E. Visual Impact

Development of the parcels along Roselle Avenue as Office Uses instead of existing very Low Density Residential Uses, should not create any visual impacts either on site or off site that were not anticipated by the Village One Specific Plan.

F. Preservation of Open Space

The proposed rezone would not result in or change any of the open space policies of the Village One Specific Plan.

G. Public Utilities / Facility Master Plans

The proposed rezone would not result in or change any of the public utilities or facility master plans associated with the Village One Specific Plan.
ATTACHMENTS

Comprehensive Policies

B. Land Use Designations (Page II-2a)
G. Land Use and Community Design Policies (Page II-38a)

Figure II-1, Page II-47 (Current & Proposed)

Precise Plan Area 1, Figure III-2, Pages III-9 & III-10 (Current & Proposed)

Figure III-2, Page III-11 (Current & Proposed)
B. LAND USE DESIGNATIONS

2. Adoption of Land Use Designations

(J) Professional Office

This designation is applied to allow for Veterinary Hospital and Clinic, Medical Offices, Urgent Care Center and other Professional Office Uses permitted and defined in the City’s P-O Zoning District.

1. Development Standards

Development Standards as described in the P-O Zone within the Modesto Municipal Code Title 10.


- Final Development Plan review and approval by the City Planning Commission as described within Chapter 4 of the Village One Specific Plan.

- Final Development Plan may be reviewed concurrently with the approval of Precise Plan 1 if adequate development information is submitted with the Precise Plan. The Final Development Plan is to be approved by the City Council.
CHAPTER II
COMPREHENSIVE POLICIES

G. LAND USE AND COMMUNITY DESIGN POLICIES

14. Office – Overview

Provide a location within Village One to provide locations for Business and Professional Office, Institutions and related services on collector and major street.

15. Office – Land Use Policy

Uses consistent with the City’s P-O Zone shall be permitted.
Village One
Specific Plan Amendment
Attachments

See Figure 11-2 and Precise Plan Area #20 for Detail.

Figure 11-1
LAND USE DIAGRAM
(CURRENT)

Very Low Density
Village Residential
Multi-Family
Industrial/Business Park
Community Facilities
General Commercial
School
Public Park
Expressway
Arterial
Connector
Residential
Bike Trail & Landscape Setback Area

Note: School/Park sites are illustrative and may be reconfigured.

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Figure II-1
LAND USE DIAGRAM
(PROPOSED)

- Office
- Very Low Density
- Village Residential
- Multi-Family
- Industrial/Business Park
- Community Facilities
- General Commercial
- School
- Public Park
- Expressway
- Arterial
- Connector
- Residential
- Bike Trail & Landscape Setback Area

Note: School/Park sites are illustrative and may be reconfigured.

II-47
PRECISE PLAN AREA #1
(Figure III-2)

1. **Acreage**
   - 108.5 Acres (of which 0.0 acres are devoted to noise setback area)

2. **Land Use Intensity**
   a. Very Low Density Residential
      - 7.5 Acres (of which 0.0 acres are devoted to noise setback area)
   b. High School
      - 62.0 Acres
   c. Community Park
      - 39.0 Acres

3. **Special Considerations**

   The Precise Plan shall incorporate the following policies:

   a. Within Sub-area “A”, development regulations shall be established to accommodate up to 15 residential lots with ½-acre minimum lot size. This area may also be used for the future expansion of the adjacent high school.
   b. Within Sub-area “B”, a high school site and buffer area shall be allowed.
   c. Within Sub-area “C” a community park site and buffer area shall be allowed.
   d. Within Sub-areas “B” and “C”, a Master Plan for the high school and/or community park shall suffice for a Precise Plan. Precise boundaries shall be determined upon adoption of each respective Master Plan.
   e. “Prior to development of the proposed High School/Community Park, the City of Modesto shall establish a buffer area (open space easement or similar restriction) on the site for a distance of at least 350 feet from the property line in order to protect the health of the high school students and park users. Uses permitted within the buffer area shall be determined prior to the issuance of permits for construction. Requirements of this buffer area shall not conflict with Division 6 – Section 11501.1 and Division 7 of the California Food and Agricultural Code, as judged by the Stanislaus County Agricultural Commissioner.”
The High School Master Plan shall incorporate features to minimize potential conflicts between residential lots located along Roselle Avenue and the south side of Sylvan Avenue. These features may include but are not limited to setbacks, service roads, or other means to separate school activity areas and residential structures.

The High School Master Plan shall indicate conformance with Section IIE(2) regarding School standards and Section III(2) regarding Park standards.

4. **Principal Underlying Zone(s)**

a. Sub-area “A” – R-1 Low Density Residential, (school facilities permitted per Policy II, C, 4) ½-acre minimum lot size.

b. Sub-area “B” – R-1, Low Density Residential.

c. Sub-area “C” – R-1, Low-Density Residential
Village One
Specific Plan Amendment
Attachments

PROPOSED

PRECISE PLAN AREA #1
(Figure III-2)

1. **Acreage**
   - 126.3 Acres (of which 0.0 acres are devoted to noise setback area)

2. **Land Use Intensity**
   - a. Office: 8.3 Acres (of which 0.0 acres are devoted to noise setback area)
   - b. High School: 73.0 Acres
   - c. Community Park: 45.0 Acres

3. **Special Considerations**

The Precise Plan shall incorporate the following policies:

a. Within Sub-area “A”, future development of existing Business and Residential Units to Business/Office Development via the City of Modesto P-O Zoning Regulations.

b. Within Sub-area “B”, a high school site and buffer area shall be allowed.

c. Within Sub-area “C” a community park site and buffer area shall be allowed.

d. Within Sub-areas “B” and “C”, a Master Plan for the high school and/or community park shall suffice for a Precise Plan. Precise boundaries shall be determined upon adoption of each respective Master Plan.

e. “Prior to development of the proposed High School/Community Park, the City of Modesto shall establish a buffer area (open space easement or similar restriction) on the site for a distance of at least 350 feet from the property line in order to protect the health of the high school students and park users. Uses permitted within the buffer area shall be determined prior to the issuance of permits for construction. Requirements of this buffer area shall not conflict with Division 6 – Section 11501.1 and Division 7 of the California Food and Agricultural Code, as judged by the Stanislaus County Agricultural Commissioner.”

III-9

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f. The High School Master Plan shall incorporate features to minimize potential conflicts between residential lots located along Roselle Avenue and the south side of Sylvan Avenue. These features may include but are not limited to setbacks, service roads, or other means to separate school activity areas and residential structures.

g. The High School Master Plan shall indicate conformance with Section IIE(2) regarding School standards and Section IIF(2) regarding Park standards.

h. Principal Underlying Zone(s)

i. Sub-area “A” – P-O, Office Professional

j. Sub-area “B” – R-1, Low Density Residential

k. Sub-area “C” – R-1, Low-Density Residential
Figure III - 2
Precise Plan Area #1
(CURRENT)
Figure III - 2
Precise Plan Area #1
(PROPOSED)
MODESTO CITY COUNCIL
RESOLUTION NO. 2005-130

A RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR AN OFFICE DEVELOPMENT ON A PORTION OF PRECISE PLAN FOR AREA NO. 1, PROPERTY LOCATED AT THE NORTHEAST CORNER OF SYLVAN AVENUE AND ROSELLE AVENUE. (SYLVAN VETERINARY HOSPITAL)

WHEREAS, the City Council adopted the Village One Specific Plan, a 1,780-acre area of land adjoining the northeast portion of the City of Modesto, on October 16, 1990, and

WHEREAS, an application for a Final Development Plan for office development on the Sylvan Veterinary Hospital parcel at 3500 Roselle Avenue (APN 084-002-041) incorporated within Precise Plan Area No. 1, at the northeast corner of Sylvan and Roselle Avenues, was filed by Sylvan Veterinary Hospital, and

WHEREAS, the Planning Commission, by Resolution Nos. 2005-07, adopted on January 24, 2005, and City staff, by a report dated January 24, 2005, from the Community Development Department, recommended to the City Council approval of a Final Development Plan for a portion of Precise Plan Area No. 1, and

WHEREAS, said matter was considered by the City Council at a duly noticed public hearing which was held on March 8, 2005, at 5:30 p.m., in the Tenth Street Place Chambers located at 1010 10th Street, Modesto, California at which hearing evidence both oral and documentary was received and considered, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Final Development Plan for office development on the Sylvan Veterinary Hospital parcel at 3500 Roselle Avenue (APN 084-002-041) conforms with the Village One Specific Plan and, Precise Plan Area No. 1

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as adopted by the City Council, and establishes suitable development regulations and
design guidelines consistent with the Specific Plan.

BE IT FURTHER RESOLVED by the City Council that the proposed Final
Development Plan for office development on the Sylvan Veterinary Hospital parcel at
3500 Roselle Avenue (APN 084-002-041) be approved subject to the following
conditions:

1. All development shall be consistent with the approved Final Development Plan as stamped approved by the City Council on the effective date of the SP-O Zoning for the project site. Except as amended herein, or by reference, all development shall be in accordance with the Village One Specific Plan and Precise Plan Area No. 1.

2. All street dedication and easements shall be provided and improvements shall be constructed in accordance with City of Modesto Standard Specifications and the Village One Specific Plan as required by the Public Works Director or designee pursuant to improvement plans.

3. Improvement plans for required improvements shall be prepared by a Registered Civil Engineer and submitted for approval by the Public Works Director or designee. All improvements shall be constructed in accordance with the approved plans. Street improvements on Sylvan Avenue and Roselle Avenue include but are not limited to street, paving, curb, gutter, sidewalk, and street lights along its entire street frontage.

4. The developer shall implement pre- and post-construction best management practices (BMPs) to minimize pollutants entering the storm system. The developer shall conform to the erosion and sediment control pro-visions of the City.

5. The developer shall submit a plan for approval by the Public Works Director or designee to provide for storm drainage in accordance with the updated Village One Facilities Master Plan dated May 2003. If the City storm drain system is not available at the time of development, stormwater will have to be retained on site per City standards.
6. A temporary septic system may be allowed if the City sewer system is not within 100 feet of the property at the time of development.

7. The State Water Control Board and City of Modesto require a Storm Water Pollution Prevention Plan (SWPPP) to be developed prior to construction activity. A copy of the notice of intent (NOI) and SWPPP shall be required to obtain a grading permit if required by the Public Works Director or designee.

8. The developer shall show all fire hydrants on the improvement plans as required by the Fire Chief. All hydrants required by the Fire Chief shall be installed and operable prior to construction of any structures.

9. A landscaping and irrigation plan for all public area landscaping shall be approved by the Parks, Recreation, and Neighborhood Director or designee. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved plan.

10. Ten-foot-wide public utility easements and planting easements located within the ten-foot-wide public utility easements shall be dedicated along all street frontages as required by the Public Works Director or designee.

11. Prior to or concurrent with issuance of a building permit, irrigation, electrical, gas, sanitary sewer and domestic water lines shall be removed, relocated, or protected as required by the Public Works Director or designee and/or the utility companies, and easements for utility lines to remain shall be dedicated.

12. Prior to issuance of a building permit, the developer shall take all actions reasonably necessary to secure and establish a City Mello-Roos Community Facilities District ("CFD") for the Village One Specific Plan for the capital improvements and ongoing maintenance set forth in the Village One Specific Plan to be financed by said CFD or, if said CFD has been established for the Village One Specific Plan, subdivider shall take all actions reasonably necessary to annex its subdivision to said CFD, which shall actually result in annexation of its subdivision to said CFD at the tax rate for the zone of said CFD to which the subdivision is ultimately annexed; or alternatively, in the event complete annexation does not occur for any reason, subdivider may provide a funding mechanism for said capital improvements and ongoing maintenance to the same
general standard as other similar capital improvements and ongoing maintenance financed by said CFD, subject to approval of the funding mechanism by the City, such approval not to be unreasonably withheld.

13. To the extent allowed by State law, annexation to the appropriate schools Community Facilities District will be required as a Condition of Approval. If this requirement cannot be enforced due to the status of State law, then prior to issuance of the first building permit or final map approval, whichever is earlier, the developer shall provide written verification from the affected school districts that a determination has been made as to whether the developer will pay the school fees in effect or annex to the appropriate Community Facilities District.

14. The Capital Facilities Fees payable at the time of the issuance of a building permit for any construction shall be based on the rates in effect at time of issuance of the building permit.

15. Except as amended herein, or by reference, all development shall be in accordance with the Village One Specific Plan and Precise Plan Area No. 1.

16. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys’ fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

17. All-weather, hard-surfaced roadways shall be constructed and maintained free of obstructions prior to and at all times during construction.

18. All landscaping in the public right-of-way must be maintained by a CFD.

19. All signs shall comply with the sign requirements of the P-O Zone.
20. All outdoor lighting shall be shielded from adjacent residential uses as required by the City Engineer or designee.

21. Trash bins shall be kept in enclosures in accordance with the approved plan and in accordance with plans approved by the Public Works Director or designee. Enclosures shall be constructed of building materials consistent with those used in the major buildings as approved by the Community and Economic Development Department Director or designee.

22. Prior to issuance of building permits, access and maintenance agreements relative to all driveways on Roselle Avenue and the 40-foot-wide access driveway along the east side of Sub-area A shall be provided for office uses in Sub-area A. Said access and maintenance agreement shall contain provisions for the perpetual access and maintenance and repair of the driveway and shall be in a form to be approved by the City Attorney.

23. No animals shall be kept outside of the building.

In addition, the following mitigation measures from the approved Village One Specific Plan Program EIR as amended by the Village One Supplemental EIR should be included as conditions of approval:

24. The Precise Plan shall contain the following statements:

Construction noise is regulated by the City’s Noise Ordinance, Section 4.9 - 103. Construction noise is generally permitted during the hours of 7:00 a.m. to 9:00 p.m. To avoid complaints from nearby residents, and possible citations, the full text of the ordinance should be reviewed by builders prior to construction. City construction projects will be monitored by Construction Inspection for conformance with the City’s Noise Ordinance.

During construction activities, Building Inspection Division shall verify that contractors observe the requirements of City of Modesto Standard Specification 2.07(A)(5), Dust Control, and when necessary, Regulation VIII of the San Joaquin Valley Unified Air Pollution Control District to control the generation of PM 10 from construction related dust and emissions.
BE IT FURTHER RESOLVED by the City Council that the construction of this Final Development Plan shall begin on or before March 8, 2007, and to be completed not later than March 8, 2008.

BE IT FURTHER RESOLVED by the City Council that this Final Development Plan approval shall not become effective until the related Ordinance No. 3381-C.S adopting Precise Plan No. 1 and Ordinance No. 3382-C.S. approving the rezone of the Property from Very Low Density Residential to Office and High School become effective. In the event that Ordinance No. 3381-C.S. or Ordinance No. 3382-C.S. are challenged in any way by referendum, initiative, legal or administrative action prior to the effective date of said Ordinances, then the approval of the Final Development Plan provided hereby, shall immediately and automatically be deemed null and void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 2005, by Councilmember Marsh, who moved its adoption, which motion being duly seconded by Councilmember Hawn, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunbar, Hawn, Jackman, Keating, Marsh, O'Bryant

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Ridenour

ATTEST: Jean Zahr, City Clerk

APPROVED AS TO FORM:

By: Michael D. Milich, City Attorney