

Community Development Department
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CITY COUNCIL

Anthony Cannella, Mayor
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March 2, 2009

Randy Baysinger
Turlock Irrigation District
333 East Canal Drive
Turlock, CA 95381

DOCKET

09-AFC-6

DATE MAR 02 2009

RECD DEC 01 2009

Subject: Predevelopment Proposal 09-03; Proposal for an almond power plant consisting of three natural turbine generators and related equipment, adjacent to the existing TID Almond Power Plant. Zoning: PC-50 (Planned Community 50).

Dear Mr. Baysinger:

Summarized below are the comments made during the predevelopment meeting of February 11, 2009. Also included for your convenience, and categorized by department, are some of our standard conditions that would be applied to the project.

The purpose of the predevelopment meeting is to provide you with comments and identify important issues early in the review process to allow time for adjustments before either a formal application or building plan is submitted. It is important to recognize the comments provided in this letter are preliminary and are not necessarily a complete list of City comments or issues. Staff makes every attempt to address all known issues as soon as possible in the process. However, as the project changes or as additional information regarding the project is received, staff may identify other issues or have additional requirements and recommendations. Therefore, the more specific information that can be provided initially, the more specific and definitive the City can make its preliminary comments.

PROJECT SPECIFIC CONDITIONS

1. The applicant shall be required to apply for a General Plan Amendment (GPA), a Service Road Industrial Master Plan Amendment, and an Architectural and Site Plan Approval (ASPA) entitlement for the project, which generally takes approximately 12-16 weeks to process. The applicable filing fees include:
 - A filing fee of \$883 for processing the Architectural and Site Plan Approval (ASPA) entitlement to allow the height of the proposed turbines per Zoning Ordinance Section 18.08.120(G) and the remaining project improvements to the site.

- A deposit of \$2,000 + actual costs for processing the General Plan Amendment from "General Industrial, (GI)" to "Community Facilities, (CF)". The fee is based on fully burdened hourly rate of personnel involved in the review of the project. The deposit is applied to review costs and the applicant is required to keep the account current. Any unused portion of the deposit will be returned to the applicant. Additionally, a filing fee of \$1,768 for processing the Service Road Industrial Master Plan Amendment from "General Industrial, (M-2)" to "Community Facilities, (CF)".

Although a project of this nature might be consistent in both the (M-2) and (CF) zone districts, staff has determined at some point, a General Plan Amendment and Master Plan Amendment will be needed. Therefore, staff is willing to give TID the option of either paying the fees now and at some future date staff will include this site when the City decides to take action to amend its General Plan for other properties (as permitted four times per year); or you may allow the City to take the project through the Amendment processes in conjunction with the required ASPA entitlement which may include a longer review period for the proposal.

- A filing fee of \$1,150 might be required for the preparation of a Mitigated Negative Declaration (MND) as part of the environmental review process for this project to comply with the California Environmental Quality Act (CEQA).
- A filing fee of \$2,050 might be required for the review of the MND by the Department of Fish & Game.
- A filing fee of \$97 for the future microfilming of project application files to the City's historical records.

The applications shall also be required to contain all requirements listed in the application packets.

2. An inquiry was made at the meeting if the height of the turbines would be an issue. The Community Facilities (CF) zone district permits projections (such as towers or similar structures) above the maximum height limit (35 feet) when approved by the Planning Commission, provided that the such projections may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. Since the turbines would be considered as towers and are located away from view of residential zoned properties, staff would recommend to the Planning Commission to approve the height of turbines as proposed (80 feet). This would occur during the ASPA review process.
3. Since the proposal involves the adjustment of property lines, approval of a Lot Line Adjustment will also be required. The process will need to be approved by the City Council and the applicant shall pay the necessary fees.

4. The potential noise generated from the turbines may be an issue. It was indicated at the meeting that noise generated from the turbines is estimated at 82db at 4 feet away. Please submit detailed information (with the project entitlements) about the noise levels that may be generated from the turbines, which indicate the expected noise contours from the turbines.
5. Although there are no landscaping requirements for the proposal, staff recommends that the proposal incorporate some landscaping improvements along the perimeter of the property.
6. It was indicated that the facility will be using recycled water (wastewater), which would then be recirculated back into nearby waste water ponds. The Public Works Department may want to know the amount of recycled water that is anticipated to be used for the operation versus what will be discharged back into the ponds. Please contact Phil Scott (Public Works Director, 209-538-5748) in case there are any issues that need to be addressed.
7. The question was asked if temporary construction signs required any permits from the City. For work being conducted in the City right-of-way area, encroachment permits may be required. However, for work conducted out of the right-of-way area, no permits are required to display temporary construction signs. The City would be willing to review the applicant's traffic control plan if this is a concern for the applicant.

STANDARD DEVELOPMENT CONDITIONS

Community Development Department

The additional comments provided below may be incorporated as conditions for the project. However, it is important to recognize that this is not the complete list of conditions that would be imposed on the project. Please note that as the project changes or as additional information about the project is received, staff may identify other issues or impose additional requirements and recommendations.

Planning Division (538-5774)

1. The applicant shall comply with all applicable sections of the Municipal Code.
2. The applicant shall pay all applicable fees, including but not limited to: City of Ceres Public Facility Fees, Stanislaus County Public Facility Fees, and Ceres Unified School District fees. These fees are adjusted annually. The applicant shall pay the fee in place at the time the building permit is issued.

Building Division (538-5753)

1. The future development shall meet the 2007 California Building Code and disability accessibility as approved by the Building Division at the time of building permit issuance.

2. A sprinkler system shall be required for any construction over 5,000 square feet; or a two hour fire wall separation for each area shall be developed, which shall not exceed 5,000 square feet. The applicant shall mark the location of fire walls on the exterior of the building.
3. The applicant shall provide on-site restroom facilities during construction.

Engineering Division (538-5792)/Public Works Department (538-5732)

1. The applicant shall submit a grading and drainage plan and shall obtain the necessary permit.
2. The applicant shall demonstrate that surface water runoff from the proposed structures, including new roadways and loading areas, is conveyed to on-site storm water retention facilities and that the facilities are adequately sized for the proposed changes.
3. The applicant shall comply with the State Water Regional Control Board Storm water Best Management Practices during construction. The applicant shall obtain coverage under the statewide NPDES General Construction permit and shall prepare a storm water pollution prevention plan (SWPPP) and submit a Notice of Intent (NOI) and fee to the Regional Water Quality Control Board and have both on-site for reference and inspection.
4. The applicant shall comply with San Joaquin Valley Air Pollution Control District regulations for the construction phase of this project.

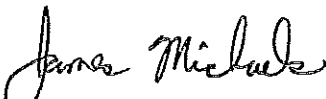
Public Safety/Emergency Services Department (538-5701)

The applicant shall comply with all fire protection measures imposed by the Emergency Services Division including, but not limited to:

1. All Emergency Vehicle Access shall be constructed of an all weather material approved by the Ceres Emergency Services.

We hope you have found the pre-development process helpful in planning your project. If I can be of further assistance, please feel free to contact me at (209)538-5789 or by email james.michaels@ci.ceres.ca.us.

Sincerely,



James Michaels
Associate Planner