

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Monterey
Planning, Engineering, & Environmental Compliance Division
City Hall, Monterey, CA 93940
(Address)

County Clerk
County of Monterey
240 Church Street
Salinas, CA 93901

Project Title: St. John's Greek Orthodox Church

Project Location - Specific:
3051 Monterey Salinas Highway

Project Location - City: Monterey Project Location - County: Monterey

Description of Nature, Purpose and Beneficiaries of Project:

New Church on a presently vacant 2.69 acre parcel. Proposed are two buildings with one building being a 3,400 square foot, 200 seat sanctuary and the other building being a 4,900 square foot office, classroom, and assembly hall building. 40 parking spaces are proposed to be provided on site. Access to the building is proposed off of Highway 68 over the existing Design Professional Insurance Company driveway.

Name of Public Agency Approving Project: Monterey City Council

Name of Person or Agency Carrying Out Project: John Scourkes, Architect for St. John the Baptist Greek Orthodox Church

- Exempt Status: (check one)
[X] Ministerial (Sec. 21080(b)(1); 15268); Evaluation of the Environmental Impact of Projects
[ ] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[ ] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[ ] Categorical Exemption. State type and section number:
[ ] Statutory Exemptions. State code number:

Reasons why project is exempt:

The proposed action is an exempt project (Article IV, Section 2.o). The City filed a Negative Declaration for this project in 2002, and the project's environmental review period has been completed. The Notice of Determination was filed on December 30, 2002. The statute of limitations to challenge the Engineer's decision and the environmental review expired in 2003 and this issue is a dispute between neighbors.

Lead Agency
Contact Person: Kimberly Cole Area Code/Telephone/Extension: 831-646-3759

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [ ] Yes [ ] No

Signature: [Handwritten Signature] Date: 11/16/08 Title: Principal Planner

- [X] Signed by Lead Agency
[ ] Signed by Applicant
Date received for filing at OPR:



SCH No. 2002061060

RECEIVED

MAR 11 2003

CITY OF MONTEREY  
PLANNING DIVISION

FILED

JAN 09 2003

STEPHEN LAVAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY  
#2003-0003

NOTICE OF FINAL DETERMINATION  
COMMUNITY DEVELOPMENT DEPARTMENT

Project Title: St. John's Greek Orthodox Church

Contact Person: Haywood Norton Telephone Number: (831) 646-3885

Project Location: 3051 Monterey Salinas Highway, Monterey, CA 93940

Project Description: New Church on a presently vacant 2.69 acre parcel. Proposed are two buildings with one building being a 3,400 square foot, 200 seat sanctuary and the other building being a 4,900 square foot office, classroom, and assembly hall building. 40 parking spaces are proposed to be provided on site. Access to the building is proposed off of Highway 68 over the existing Design Professional Insurance Company driveway.

This is to advise that the City of Monterey (lead agency) has approved the project above on August 13, 2002, and has made the following determinations regarding the project:

1. The project    will    will not have a significant effect on the environment.
2.    An Environmental Impact Report was prepared for this project pursuant to the provision of CEQA.  
  X   A Negative Declaration was prepared for this project pursuant to the provision of CEQA.
3. Mitigation measures   X   were    were not made a condition of approval of the project.
4. A Statement of Overriding Considerations    was   X   was not adopted for this project.
5. Findings   X   were    were not made pursuant to the provisions of CEQA.

This is to certify that the    Final Environmental Impact Report   X   Negative Declaration with comments and responses and record of project approval is available to the general public in the City of Monterey, Community Development Department, Pacific and Madison Streets, Monterey, CA.

Haywood Norton  
Signature

Senior Planner December 30, 2002  
Title/Date

Note: The filing and posting of this Notice of Determination starts a 30 calendar-day statute of limitations on court challenges to the project's approval under CEQA. For more information, please contact the City of Monterey's Community Development Department (831/646-3885).

Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

County Clerk  
County of Monterey  
240 Church Street  
Salinas, CA 93908

Note: Fish and Game (  X   Certificate of Fee Exemption/   Fee) is attached to County Clerk's copy.

POSTED 30 DAYS

**City of Monterey  
Environmental Checklist Form**

- 1. **Project title:** St John's Greek Orthodox Church
- 2. **Lead agency name and address:** City of Monterey, City Hall, Monterey, CA 93940
- 3. **Contact person and phone number:** Haywood Norton (831) 646-3885
- 4. **Project location:** 3051 Monterey Salinas Highway
- 5. **Project sponsor's name and address:** Harry Dilizonna, 111 W. Saint John Street, Suite 888, San Jose, CA 95113

- 6. **General plan designation:** Industrial
- 7. **Zoning:** "C-O-D-2"

- 8. **Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**

New Church on a presently vacant 2.69 acre parcel. Proposed are two buildings with one building being a 3,400 square foot, 200 seat sanctuary and the other building being a 4,900 square foot office, classroom, and assembly hall building. 40 parking spaces are proposed to be provided on site. Access to the building is proposed off of Highway 68 over the existing Design Professional Insurance Company driveway.

- 9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**

The project site fronts on Monterey Salinas Highway. The rear of the property adjoins Monterey Peninsula Airport Property. Adjoining the property to the west is the existing Calvary Chapel Church.

- 10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

Review by Monterey County Airport Land Use Commission.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

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

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

**Public Review Period**

Begins: June 8, 2002  
Ends: July 9, 2002

**Public Meeting**

Date: July 9, 2002  
Time: 4:00 or 7:00 pm  
Location: City of Monterey Council Chambers  
Few Memorial Hall of Records  
Reviewing Body: Planning Commission

Anyone interested in this matter is invited to comment on the document by written response or by personal appearance at the hearing.

Signature Will Tell for Date: 7 June 02

**Printed name** Haywood Norton

**Title** Senior Planner

**Address:** City of Monterey, Community Development Department, Monterey, CA 93940

**Phone Number:** (831) 646-3885

**Fax Number:** 831-646-3408

- Attachments:
1. April 30, 2002 Site Plan, Floor Plan, and Elevations
  2. April 22, 2002 Computer Renderings
  3. July 27, 2000 Biological Assessment
  4. September, 2001 Forest Management Plan
  5. November 5, 2001 Updated Traffic Study

c: City Council  
Planning Commission  
Architectural Review Committee  
**POST** (Outside City Clerk's Office)  
AMBAG, P. O. Box 809, Marina, CA 93933-0809  
State Clearing House (15 copies), Office of Planning and Research, P.O. Box 3044,  
Sacramento, CA 95812-3044  
County Clerk, 240 Church Street, Salinas, CA 93901  
California Native Plant Society, Mary Ann Matthews, P. O. Box 381, Carmel Valley, CA 93924  
Sierra Club Janie Figen, Ventana Chapter, 1443 Deer Flat Road, Monterey, CA 93940  
League of Women Voters, Jean Esary, 4078 El Bosque Drive, Pebble Beach, CA 93953  
Department of Fish and Game, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940  
Calif. Regional Water Quality Control, 81 Higuera Street, Suite 200, San Luis Obispo, CA  
93401-5427  
City of Seaside, 440 Harcourt Avenue, P.O. Box 810, Seaside, CA 93955-0810  
City of Del Rey Oaks, 650 Canyon Del Rey Road, Del Rey Oaks, CA 93940  
Molly Erickson, P.O. Box 2448, Monterey CA 93942-2448  
Monterey District Superintendent, Department of Parks and Recreation, 2211 Garden Road,  
Monterey, CA 93940  
Harry Delizonna, 111 W. Saint John Street, Suite 888, San Jose, CA 95113  
Charles Martin, 73733 Highway 111, Palm Desert, CA 92260  
John Scourkes, P.O. Box 52090, Pacific Grove, CA 93950  
Father John Roll, Saint John the Baptist Greek Orthodox Church, 326 Park Street, Salinas, CA  
93901

SUBJECT AREA:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	SUPPORTING INFORMATION
with wildlands?					
<p>Discussion, where applicable:</p> <p>a-c) The project site will be developed for church use. These businesses are not anticipated to handle any hazardous materials.</p> <p>d) The site is undeveloped and is not known to contain any hazardous materials.</p> <p>e) The project site is located within the two miles of Monterey Peninsula Airport. All habitable spaces have been located outside the airport flight path.</p> <p>f) The project site is not located in the vicinity of a private airstrip.</p> <p>g) The project will not interfere with any emergency response plan.</p> <p>h) The project site is located in a wildland fire area. However, fire sprinklers are required to provide additional fire protection. The fire sprinklers reduce this concern to less than significant.</p>					
<b>VIII. HYDROLOGY AND WATER QUALITY – Would the project::</b>					
a) Violate any water quality standards or waste discharge requirements?				X	City of Monterey Public Works Department
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	City of Monterey Public Works Department
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X	City of Monterey Public Works Department
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X	City of Monterey Public Works Department
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X	City of Monterey Public Works Department
f) Otherwise substantially degrade water quality?				X	City of Monterey Public Works Department
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood				X	Flood Insurance Rate Map

SUBJECT AREA:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	SUPPORTING INFORMATION
hazard delineation map?					
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	Flood Insurance Rate Map
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	City of Monterey Public Works Department
j) Cause inundation by seiche, tsunami, or mudflow?				X	Flood Insurance Rate Map Community Panel #0602000007B, July 2, 1981
Discussion, where applicable :					
a) The proposed project is an infill development. Therefore, no degradation in water quality is expected.					
b) There will be no impact on groundwater recharge or supply.					
c-e)The drainage system in Ryan Ranch Industrial Park was designed to accommodate the entire area at buildout. The proposed project can hook up to the existing system and no upgrades are required.					
f) No degradation in water quality is expected.					
g-j) The project site is not located in a flood hazard area according to the Flood Insurance Rate Map.					
<b>IX. LAND USE AND PLANNING - Would the project:</b>					
a) Physically divide an established community?				X	City of Monterey Community Development Department
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	City of Monterey General Plan ; Ryan Ranch Plan City of Monterey Zoning Ordinance
c) Conflict with any applicable habitat conservation or natural community conservation plan?				X	City of Monterey Community Development Department
Discussion, where applicable:					
a) The project is an infill development and will not divide an established community.					
b) The project is consistent with the City's General Plan and meets "C-O" Zoning.					
c) The project does not conflict with any applicable habitat conservation or natural community conservation plan.					
<b>X. MINERAL RESOURCES- Would the project:</b>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	City of Monterey Community Development Department
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	City of Monterey Community Development Department
Discussion, where applicable:					
a-b) No mineral resources exist on the project site.					
<b>XI. NOISE -- Would the project result in:</b>					
a) Exposure of persons to or generation of noise levels in			X		City of Monterey General Plan, Environmental Resource Management

SUBJECT AREA:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	SUPPORTING INFORMATION
increase in traffic levels or a change in location that results in substantial safety risks?					
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	City of Monterey Public Works Department, Traffic Division
e) Result in inadequate emergency access?				X	City of Monterey Fire and Police Departments
f) Result in inadequate parking capacity?				X	City of Monterey Community Development Department
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X	City of Monterey General Plan, Transportation Element, Pages H-1 through H-13
<p>Discussion, where applicable:</p> <p>a-b) The project is an infill development and the church as proposed will have an insignificant contribution to cumulative traffic on Highway 68.</p> <p>c) The project will not change air traffic patterns.</p> <p>d) The project will not increase hazards due to design features or incompatible uses.</p> <p>e) The project will have adequate emergency access from Highway 68.</p> <p>d) The project provides the required parking on site.</p> <p>g) The project will not conflict with adopted policies or programs supporting alternative transportation.</p>					
<b>XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:</b>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X	City of Monterey Public Works Department
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	City of Monterey Public Works Department
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	City of Monterey Public Works Department
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X	City of Monterey Community Development Department
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	City of Monterey Public Works Department
f) Be served by a landfill with				X	Monterey Peninsula Waste Management

SUBJECT AREA:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	SUPPORTING INFORMATION
sufficient permitted capacity to accommodate the project's solid waste disposal needs?					District
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X	City of Monterey Community Development Department
<p>Discussion, where applicable:  a-c, e-g) No significant impact to sewer, wastewater, drainage facilities or landfill capacities will occur. Existing systems can accommodate the proposed project.  d) The project site is subject to the City of Monterey Water Allocation Program and no building permits will be issued if water is not available to the project.</p>					
<b>XVII. MANDATORY FINDING OF SIGNIFICANCE --</b>					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	City of Monterey Community Development Department
b) Does the project have impacts that are individually limited, but cumulatively considerable? Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).				X	City of Monterey Community Development Department
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	City of Monterey Community Development
<p>Discussion, where applicable:  a) The project will not substantially degrade the quality of the environment as documented in this initial study.  b) All project impacts have been mitigated. There is no individual or cumulative impacts which are significant.  c) The project does not have impacts which will adversely effect human beings either directly or indirectly.</p>					