

### **City of Stockton**

Stockton Planning Commission

# Meeting Agenda - Final Planning Commission

Anne N. Mallett, Chair (District 4)
Jeff Sanguinetti, Vice Chair (District 3)
Gerardo Garcia, Commissioner (District 1)
Waqar Rizvi, Commissioner (District 2)
Xavier Mountain, Commissioner (District 5)
Brenda Jones, Commissioner (District 6)
Brando Villapudua., Commissioner (At-Large)

Thursday, September 23, 2021

5:30 PM

Council Chamber, City Hall, 425 N. El Dorado Street, Stockton CA

# The City of Stockton invites public participation in multiple forms. You provide your comments by using one of these methods:

- 1. e-Comment follow the e-comment link on the City's agenda page stockton.granicusideas.com/meetings
- 2. Email you may email your comments to city.clerk@stocktonca.gov
- 3. Voicemail you can leave a voice message by dialing (209) 937-8459.
- 4. WebEx if you wish to join the meeting virtually, you must email city.clerk@stocktonca.gov no later than 90 minutes prior to the meeting on the day of the meeting to request a WebEx link.
- 5. In-Person Comments -
- a) Speakers must submit "request to speak cards" to the Clerk prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment. Please redirect any inquiries to City.Clerk@stocktonca.gov.
- b) Address only issues over which the meeting body has jurisdiction.
- c) Each speaker will be limited to one 3-minute comment opportunity. Donating time is not authorized.
- d) Your time will be displayed on the speaker podium for convenience.
- 1. CALL TO ORDER/ROLL CALL
- 2. PLEDGE TO FLAG
- 3. ADOPTION OF CONSENT CALENDAR
- 3.1 <u>21-0613</u> REQUEST FOR A TWO-YEAR TIME EXTENSION FOR AN APPROVED TENTATIVE MAP FOR ELDERBERRY (TENTATIVE MAP APPLICATION NO. P21-0667)

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution approving a two-year time extension for the Elderberry project.

**Department:** Community Development

Attachments: Attachment A - Planning Commission Resolutions

Attachment B - Location Map and Aerial Photography

Attachment C - Approved Tentative Map

Attachment D - Applicant Request

Proposed Resolution - Recommending Approval

Exhibit 1 - Tentative Map

### 3.2 21-0653 APPROVAL OF PLANNING COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Approval for filing minutes of the July 22, 2021, and August 12, 2021,

Planning Commission meetings.

**Department:** Community Development

Attachments: Attachment A - 2021-07-22 Planning Commission Minutes

Attachment B - 2021-08-12 Planning Commission Minutes

- 4. PUBLIC COMMENT\*
- 5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS
- 6. NEW BUSINESS\*
- 7. UNFINISHED BUSINESS
- 8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS
- 8.1 <u>21-0665</u> CANNABIS REGULATORY PROGRAM 2021 POLICY PROJECT WORKSHOP/STUDY SESSION #2

Recommended Action: RECOMMENDATION

Discuss and provide feedback regarding Cannabis Policy related item:

1. Definition of "Religious Facilities/Places of Worship"

<u>Department:</u> Community Development

- 9. COMMISSIONERS COMMENTS
- 10. ADJOURNMENT

### **CERTIFICATE OF POSTING**

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on September 16, 2021, in compliance with the Brown Act.

Eliza R. Garza, CMC City Clerk

By:					
-					
		Den	outv		

A. The meeting will be conducted in accordance with Rosenberg's Rules of Order.

B. Each person wishing to address the Planning Commission is encouraged to fill out a speaker card located at the podium. Each speaker will then be called forward to the podium to speak in the order in which their speaker card was received. Speakers are encouraged but not required to provide their name and address when speaking before the Commission.

C. All questions from members of the audience to the Planning Commission and/or city staff members shall be directed to the Chairperson of the Planning Commission.

All questions from Planning Commission members to staff shall be addressed directly to staff from the member asking the question.

No personal comments and/or exchanges will be permitted between members of the audience and individual staff or Commission members. Rather, direction shall be given to staff to follow-up on any issues brought before the Commission. This rule applies to communications outside of the public hearing process.

D. Information presented to the Commission shall only pertain directly to the item under consideration. Character assassinations, personal feuds, irrelevant data or repetitions of matters already presented shall not be permitted.

E. All rules of Decorum pursuant to Council Policy 100-3- Rules for Conduct of City Council Meetings apply equally to this Commission.

Agendas, staff reports and minutes can be viewed on the City of Stockton web

site http://www.stocktongov.com/government/oMeetings/boardComMeetings.html

### DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:

State legislation requires disclosure of campaign contributions of \$250 or more, made to any Planning Commissioner, by any person who actively supports or opposes any application pending before the Planning Commission, and such person has a financial interest in the decision. Active support or opposition includes lobbying a Commissioner and/or testifying for or against such an application. Any person having made a \$250 or larger contribution within the preceding 12 months must disclose that fact during the public hearing or on said application.

The official City Planning Commission policy is that applications pending before this Commission should not be discussed with the Commission members outside of a public hearing. If any representations are made privately, they must be identified and placed in the public record at the time of the hearing.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

NOTE: All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8459, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

CONSENT ITEMS: Information concerning the consent items has been forwarded to the Planning Commission prior to the meeting. Unless a Commissioner or member of the audience has questions concerning a particular item and asks that it be removed from the Consent Calendar, the items are approved at one time by a roll call vote. Anyone wishing to speak on a consent item or public hearing item, please complete a "Request to Speak Card" and submit it to the Recording Secretary prior to the meeting.

\* For any person wishing to address the Planning Commission on any matter not on the printed agenda. Chairperson may set time limit for individual speakers/groups.



### City of Stockton

### **Legislation Text**

File #: 21-0613, Version: 1

# REQUEST FOR A TWO-YEAR TIME EXTENSION FOR AN APPROVED TENTATIVE MAP FOR ELDERBERRY (TENTATIVE MAP APPLICATION NO. P21-0667)

### RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution approving a two-year time extension for the Elderberry project.

### <u>Summary</u>

On October 10, 2019, the Planning Commission approved a Tentative Map (TM) ("Approved Map") for a project known as "Elderberry Senior Residential Development" (P18-0146) (Attachment A - PC Resolutions 2019-10-10-0501-01; -02; -03). The approval included a Tentative Map, Planned Development Permit, and Design Review that subdivided a 17.32-acre site into 43 parcels for the development of 42 single-family dwellings for a senior housing project under the provisions of the Planned Development (PD) Permit. The project site is located on the west side of Lower Sacramento Road and south of Eight Mile Road. (Attachment B - Location Map and Aerial Photography)

The original map approval is due to expire on October 10, 2021. The requested map time extension was submitted on July 1, 2021.

The Municipal Code was amended in 2020 to align map extensions with the State Subdivision Code to a maximum of six (6) years. Therefore, the Planning Commission can grant multiple extensions, for a maximum of six (6) years (Stockton Municipal Code (SMC) Section 16.188.100.C.1.a). With an original map expiration date of October 10, 2021, an additional two years would extend the map expiration date to October 10, 2023. This is the first requested map extension.

Staff recommends that the Commission approve the extension because all required findings can be made for approval.

### **DISCUSSION**

### Background

The Project approvals included a Tentative Map, Planned Development (PD) Permit, Design Review, and adoption of a Mitigated Negative Declaration (MND), prepared pursuant to the California Environmental Quality Act (CEQA).

The Tentative Map subdivides a 17.8-acre site into 43 residential lots, including 42 lots (Lots 1 through 42) for single-family homes on the south side of Villa Point and Lot 43 on the north side of Villa Point for the future multi-family development (Attachment C - Approved Tentative Map). The low

### File #: 21-0613, Version: 1

and high-density housing areas are separated and provided access to Lower Sacramento Road by Villa Point Drive. Access to the senior development occurs via a gated entry connecting to 34-footwide internal private streets. The project will also connect Villa Point Drive to the abutting 'Destination' residential project thereby providing access for both developments to Lower Sacramento Road.

### **Present Situation**

The applicant and property owner, Edward LeBaron, submitted\_an application requesting a two-year extension for the subject subdivision map (see Attachment D - Applicant Request).

In accordance with SMC 16.188.040(D)(3), the Development Review Committee (DRC) reviewed the requested time extension and concurs with the Community Development Director's recommendation, as presented to Planning Commission.

Staff recommends that the Planning Commission approve a two-year time extension, subject to the conditions in the Proposed Resolution. If approved, the map expiration date would extend to October 10, 2023.

### **Environmental Review**

The environmental consequences of this Tentative Map have been analyzed in accordance with the provisions of Section 15070 of the State California Quality Act (CEQA) Guidelines, the project shall be subject to all applicable mitigation measures identified in the city-adopted Final Initial Study/Mitigated Negative Declaration (P18-0146) and the "Findings, and Mitigation Monitoring/Reporting Program for the Elderberry Senior Housing Project. All mitigation measures for the approved Tentative Map remain applicable. No further environmental review is required in order to approve the requested time extension.

Attachment A - Planning Commission Resolutions
Attachment B - Location Map and Aerial Photography

Attachment C - Approved Tentative Map

Attachment D - Applicant Request

The staff report was prepared by June Cowles, Contract Planner, (209) 937-8446; june.cowles.ctr@stocktonca.gov.

# Resolution No. 2019-10-10-0501-01 STOCKTON PLANNING COMMISSION

RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORTING PROGRAM FOR THE ELDERBERRY SENIOR RESIDENTIAL DEVELOPMENT PROJECT LOCATED ON THE WEST SIDE OF LOWER SACRAMENTO ROAD AND SOUTH SIDE OF EIGHT MILE ROAD (P18-0146)

On February 28, 2018, Edward LeBaron, et al., submitted, an application for a Tentative Map, Planned Development Permit (PD), and Design Review for the development of a single-family senior housing project in the RL zone located at west side of Lower Sacramento Road and south of Eight Mile Road; and

On July 12, 2019, a Mitigated Negative Declaration (MND) was distributed for public review for a period of 20 days; and

On September 26, 2019, a public hearing notice was provided, in accordance with the California Environmental Quality Act (CEQA) section 15074, of the Planning Commission's consideration of the MND and Mitigation Monitoring Reporting Program (MMRP); and

On October 10, 2019, the Planning Commission considered adoption of the MND and MMRP prepared for the project, pursuant to CEQA; and

October 10, 2019, prior to acting on this application, the Planning Commission approved a Mitigated Negative Declaration (MND) via Resolution; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOW:

- The Planning Commission finds that the Mitigated Negative Declaration for the Elderberry Senior Housing Project has been completed in compliance with the CEQA, State CEQA, and Stockton Municipal Code (SMC) Section 16.88.040 (Environmental Determination).
- The Planning Commission finds the MND was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and CEQA guidelines, and constitutes an adequate, accurate, objective, and complete MND in full compliance with the requirements of CEQA ad CEQA guidelines.
- 3. The Planning Commission finds the MND has been presented to it, that the Planning Commission has reviewed and considered the information contained in the MND prior to acting on the proposed Project, and that the MND reflects the independent judgment and analysis of the City.

- 4. The Mitigation Monitoring and Reporting Program, attached as Exhibit 1, is adopted.
- 5. The Planning Commission hereby directs that, upon approval of the Project, the Community Development Department shall file a Notice of Determination with the County Clerk of San Joaquin County and State Office of Planning and Research pursuant to CEQA section 21152.
- 6. Pursuant to CEQA section 15091(e), the documents and other materials that constitute the record of proceedings upon the Planning Commission's decision may be obtained from the Office of the City Clerk at 425 N. El Dorado Street, 1st Floor, Stockton, CA 95202: the City Clerk is the custodian of records for all material.

PASSED, APPROVED, and ADOPTED

October 10, 2019

KIMBERLY A. WARMSLEY, CHAIR City of Stockton Planning Commission

ATTEST.

MICHAEL MCDOWELL, SECRETARY City of Stockton Planning Commission

# CITY OF STOCKTON FINDINGS AND MITIGATION MONITORING/REPORTING PROGRAM

FOR THE

### **ELDERBERRY RESIDENTIAL PROJECT**

Stockton, CA

City of Stockton

Project File No: P18-0146

August 2019

Prepared for:

CITY OF STOCKTON Community Development Department 345 N. El Dorado Street Stockton, CA 95202 209-937-8266

### CITY OF STOCKTON **FINDINGS AND** MITIGATION MONITORING/REPORTING PROGRAM

### FOR THE

# ELDERBERRY RESIDENTIAL PROJECT

Stockton, CA

City of Stockton Project File No: P18-0146

August 2019

Prepared for:

**CITY OF STOCKTON** Community Development Department 345 N. El Dorado Street Stockton, CA 95202 209-937-8266

Prepared by:

BASECAMP ENVIRONMENTAL, INC. 115 S. School Street, Suite 14 Lodi, CA 95240 209-224-8213

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### 1.0 INTRODUCTION

This document sets forth the findings of the City of Stockton Planning Commission and/or City Council (City) relating to the Elderberry Residential Project. This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project. The primary source document for the project findings and MMRP is the Final Initial Study/Mitigated Negative Declaration for the Elderberry Residential Project (P18-0146) (the "Final IS/MND").

The proposed project site is located in a developing area at the urban fringe of the City of Stockton in San Joaquin County, California. When referenced as such, the IS/MND includes both the Public Review Draft of the IS/MND (July 12, 2019) and the Final IS/MND (August 2019) for the project, as well as any documents, which have been incorporated into those documents by reference.

### 1.1 CEQA REVIEW OF PROPOSED PROJECT

The proposed project involves a request for City approval of a Tentative Subdivision Map and Planned Development Permit for subdivision of the southern 6.65 acres of the site into a gated low-density residential community; the subdivision would be agerestricted for persons 55 years of age and older. A total of 42 lots ranging from 3,500 sq. ft. to 7,500 sq. ft. in size would be created. Proposed front yard setbacks would be 18 feet and 20 feet, and side yards would be one foot and four feet, on adjacent lots. Each lot would have minimum 10-foot rear yard setbacks. The overall residential community also includes an entry area and private street access (Lot A), a community center (Lot B), a common open space area (Lot D), and a non-exclusive access lot (Lot E).

Villa Point Drive would be extended eastward from its existing terminus to Lower Sacramento Road as a part of the project; the extension would provide access for the proposed residential project as well as for future high-density residential development north of the site. The project would dedicate approximately 1.01 acres of land along the west side of Lower Sacramento Road to the City of Stockton for proposed and future street improvements. Extension of Villa Point Drive will include the installation of City wastewater, potable water and storm drain facilities, and installation of power, phone, gas and other regulated utilities to serve the proposed residential subdivision.

The City prepared an Initial Study/Mitigated Negative Declaration for the project, which was made available for public review between July 12 and July 31, 2019. Prior to public and agency review of the Draft IS/MND, the project applicant, on behalf of any future owners, applicants, developers and/or successors-in-interest, entered into a Mitigation Agreement with the City of Stockton. One agency comment was received on the IS/MND. This comment and other related CEQA matters are discussed in the Final IS/MND (August 2019), which will need to be adopted by the City, in conjunction with this document, prior to taking action on the project.

### 1.2 CEQA REQUIREMENTS REGARDING FINDINGS

When an Environmental Impact Report (EIR) has been prepared for a project, CEQA requires that, prior to project approval, the Lead Agency make specified findings related to each of the significant or potentially significant environmental effects considered in the EIR. Specific findings are not required by CEQA when the agency proposes to adopt a Negative Declaration. In the interest of public disclosure, however, it is the policy of the City of Stockton to make specific findings with respect to the environmental effects addressed in an Initial Study/Mitigated Negative Declaration.

The City's findings for Negative Declarations parallel the EIR findings requirements set forth in CEQA Guidelines Section 15091. All of the potentially significant effects of the project were reduced to less than significant by proposed mitigation measures.

CEQA findings must as a rule be based upon substantial evidence. The substantial evidence in this case consists of the information, analysis and mitigation measures described in the IS/MND, as well as any other information incorporated into these documents by reference. A copy of the Final IS/MND is available for review at the Stockton Permit Center, 345 North El Dorado Street, Stockton, CA. Specific references to supporting information for each finding are provided in Column 4 of the findings and mitigation monitoring table, following.

# 1.3 CEQA REQUIREMENTS REGARDING MITIGATION MONITORING AND REPORTING

To ensure that mitigation measures included in a Mitigated Negative Declaration are actually implemented, CEQA requires the adoption of a mitigation monitoring or reporting program (CEQA Guidelines Section 15074). Specifically, the Guidelines require that the lead agency:

"... adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects."

These requirements are met collectively by the Mitigation Monitoring/Reporting Table shown in Section 2.0 of this document. The table lists all of the potential environmental effects of the project that were identified in the Draft IS/MND, identifies all of the mitigation measures that address these effects, and identifies the entities that would be responsible for implementing, and monitoring implementation of, the mitigation measures.

### 1.4 ORGANIZATION OF THIS DOCUMENT

This document is divided into two chapters. Chapter 1.0 is this Introduction, which provides background information and summarizes CEQA requirements related to the project. Chapter 2.0 presents the Mitigation Monitoring/Reporting Program and findings

of fact for the project in the form of a table. The table lists all mitigation measures applicable to the project, identifies implementation responsibilities, sets forth the City's finding with regard to the disposition of each impact, and establishes the rationale for each finding. Section 3.0 sets forth the City's Mitigation Reporting Program for the project.

# 2.0 MITIGATION MONITORING/REPORTING PROGRAM AND FINDINGS

The following table summarizes the environmental effects that could result from approval of the proposed project. The table identifies 1) each environmental effect and its significance prior to mitigation, 2) how each significant environmental effect would be mitigated, 3) the responsibility for implementation of each mitigation measure, 4) the responsibility for monitoring of the mitigation measures, if the project is approved, 5) the City's finding with respect to each significant environmental effect, and 6) the City's rationale for that finding. The table follows the same sequence as the impact analysis in the IS/MND. Reporting actions required to ensure that the mitigation measures are implemented are described on the last page of the table.

The City's findings with respect to the project are listed in the last column of the table, for each of the significant effects identified by the IS/MND. Codes used to identify the significance of each environmental effect after mitigation measures are applied, and the City's finding with respect to each effect, are summarized on the first page of the table. For the purposes of this document:

- A "Significant" environmental effect is a substantial adverse change in the environment (CEQA Guidelines Section 15382),
- A "Potentially Significant" effect is one which is likely, but not certain, to cause future substantial adverse changes to the environment,
- A "Cumulatively Significant" effect is a substantial adverse change in the environment that is the result of cumulative development in the City of Stockton,
- A "Significant and Unavoidable" effect is one for which there is no known or feasible mitigation, and
- A "Not Significant" effect is one that may be adverse, but is not substantial, or has been rendered so as the result of mitigation measures.

#### CITY OF STOCKTON CEQA FINDINGS AND MITIGATION MONITORING/REPORTING PROGRAM (PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 21081 AND 21081.6)

PROJECT DATA

INITIAL STUDY FILE NO.: P18-0146

Property Owner(s): Wayne LeBaron Address: 2087 Grand Canal Blvd, Suite 5, Stockton, CA 95207

Project Applicant: Wayne LeBaron

Address: 2087 Grand Canal Blvd, Suite 5, Stockton, CA 95207

Project Title: Elderberry Residential Development Project

Requested entitlements include a Tentative Subdivision Map, Planned Development Permit (PDP), utility services, extension of Villa Point Drive to Lower Sacramento Road and associated frontage improvements along Lower Sacramento

The proposed Tentative Subdivision Map would provide for the subdivision of the southern 6.65 acres of the site for use as a gated single-family residential community, which would be age-restricted for seniors 55 years of age and older. A total of 42 lots would be created ranging in area from 3,500 sq. ft. to 7,500 sq. ft. The typical 41' by 88' lots would have reduced front yard setbacks of 18 to 20 feet, one-foot and four-foot side yards on adjacent lots, and 10-foot rear yards.

The overall residential community also would include an entry area and private street access (Lot A), a community center (Lot B), a common open space area (Lot D), and a non-exclusive access lot (Lot E). Lot C, located south of the proposed residential development, contains an existing cell tower. There are no new development plans for Lot C.

- The impacts are shaded and followed by related mitigation measures, implementation and monitoring provisions, and findings.
- 2. Abbreviations: N/A = (Not Applicable); COS = (City of Stockton); ODS = (Owners, Developers and/or Successors-in- Interest); CDD = (Community Development Department); CD-P = (Community Development-Planning Division); CD-B = (Community Development-Building Division); PW = (Public Works Department); CM = (City Manager); CA = (City Attorney); P&R = (Parks and Recreation Department); HR = (Housing and Redevelopment Department); MUD = (Municipal Utilities Department); FD = (Fire Department); PD = (Police Department); PC = (Planning) Commission); CC = (City Council); SJC = (San Joaquin County); ALUC = (Airport Land Use Commission).

#### FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

Findings for significant and potentially significant impacts identified in the Final EIR or Negative Declaration/Initial Study are listed as follows:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the Final EIR or Negative
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City of Stockton. Such changes have been adopted by such other agency, or can and should be adopted by such other agency, or
- The City of Stockton has previously adopted findings of specific economic, social, or other considerations which make infeasible the mitigation measures and project alternatives identified in the Final EIR or Negative Declaration/Initial Study.

The level of significance (LS) of each impact after mitigation is listed as: SU= (significant and unavoidable), PS=(potentially significant), or NS=(not significant). The basis for the Findings is provided in applicable sections of the Final EIR, Negative Declaration/Initial Study, or previously adopted Findings or Statement of Overriding Considerations, as referenced in the last (fourth) column on the following pages under "Rationale."

#### LEAD AGENCY:

CITY OF STOCKTON c/o Community Development Dept./Planning Division 345 North El Dorado Street, Stockton, CA 95202-1997 (209) 937-8266

8-21-19 DATE (FINDINGS/MONITORING PROGRAM ADOPTED)

Elderberry Residential Project, CEQA Findings and Mitigation Monitoring Program

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IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
3.1 AESTHETICS			
a) Effects on Scenic Vistas. There are no significant or potentially significant	ant impacts in this issue area.		
b) Effects on Scenic Resources. There are no significant or potentially sign	ificant impacts in this issue are	a.	
c) Effects on Visual Character and Quality;. There are no significant or pot	entially significant impacts in t	his issue area.	
d) Project Effects on Light and Glare. There are no significant or potentiall	y significant impacts in this iss	ue area.	
3.2 AGRICULTURE AND FORESTRY RESOURCES			
a) Agricultural Land Conversion. There are no significant or potentially sig	gnificant impacts in this issue an	rea.	
b) Agricultural Zoning and Williamson Act. There are no significant or pot	tentially significant impacts in t	this issue area.	
c,d) Forest Land Conversion and Zoning. There are no significant or potent	tially significant impacts in this	s issue area.	
e) indirect Conversion of Farmland and Forest Land. There are no significa	ant or potentially significant imp	pacts in this issue area.	
3.3 AIR QUALITY			
a,b) Air Quality Plan Consistency. There are no significant or potentially	ignificant impacts in this issue	area.	
c) Cumulative Emissions. There are no significant or potentially significan	t impacts in this issue area.		
d) Exposure of Sensitive Receptors. There are no significant or potentially	significant impacts in this issue	e area.	
e) Odors. There are no significant or potentially significant impacts in this	issue area.		
3.4 BIOLOGICAL RESOURCES			
a) Effects on Special-Status Species. This is a potentially significant impact	t.		
BIO 1: The owners, developers, or successors in Interest (ODS) shall mitigate for the proportionate loss of potential wildlife habitat from proposed residential	The ODS will be responsible for applying	The CDD will verify that ITMMs have been or will be implemented prior to the	1, NS

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IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
for SJMSCP participation and for implementation of any required ITMMS	issuance of a building permit.	Rationale: IS/MND Pages 3-11 – 3-12
ea.		
on Measure BIO-1		
unt impact.		
reporting any cultural or paleontological find to the CDD. The ODS will be responsible for retaining a paleontologist to evaluate paleontological resources or an archeologist to evaluate and report archeological or burial finds.		1, NS Rationale: IS/MND Pages 3-13 – 3-17
	responsible for reporting any cultural or paleontological find to the CDD. The ODS will be responsible for reporting any cultural or paleontologist to evaluate paleontological resources of an archeologist to evaluate and report archeological or burial finds.	for SJMSCP participation and for implementation of any required ITMMS  ant impact.  The ODS and contractor will be responsible for reporting any cultural or paleontological find to the CDD. The ODS will be responsible for retaining a paleontologist to evaluate and report archeological or burial finds.  MONITORING/REPORTING RESPONSIBILITY AND TIMING  issuance of a building permit.  The CDD will be responsible for overseeing archaeological and paleontological reports and recommendations.

### Attachment A

		Allacin	HOHL A
IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
Implement Mitigation Measure CULT-1			
Human Burials. This is a potentially significant impact.			- <b>I</b>
CULT-2: Project construction shall comply with the provisions of CEQA Guidelines Section 15064.5(e) regarding the treatment of any human burials encountered, including halting all work in the vicinity of the find and notifying the County Coroner.	The ODS will be responsible for all activities specified in CEQA Guidelines Section 15064.5 (e) and the documentation of these activities with the CDD.	The CDD will be responsible for monitoring ODS compliance with CEQA Guideline requirements.	1, NS Rationale: IS/MND Pages 3-13 - 3-17
3.6 ENERGY			
a,b) Project Energy Consumption and Consistency with Energy Plans. Ther	e are no significant or potential	ly significant impacts in this issue area.	
3.7 GEOLOGY AND SOILS			
a-i) Fault Rupture Hazards. There are no significant or potentially significant	nt impacts in this issue area.		
a-ii, iii) Seismic Hazards. There are no significant or potentially significant	impacts in this issue area.		
a-iv) Landslides. There are no significant or potentially significant impacts	in this issue area.		
b) Soil Erosion. There are no significant or potentially significant impacts in	n this issue area.		
e) Geologic Instability. There are no significant or potentially significant in	npacts in this issue area.		
d) Expansive Soils. This is a potentially significant impact.			
GEO-1: Prior to approval of public road and utility improvements, a geotechnical study shall be submitted to the City Engineer addressing potential adverse effects related to expansive soils. The Building Department shall review and approve grading plans, improvement plans and building design for private lands. The City Engineer and/or Building Department shall verify the implementation of geotechnical requirements in the field.	The ODS will be responsible for preparation of the geotechnical study and grading plans.	The Building Department shall review and approve grading plans, improvement plans and building design for private lands. The City Engineer and/or Building Department shall verify the implementation of geotechnical requirements in the field.	1, NS Rationale: IS/MND Pages 3-19 – 3-23
d) Expansive Soils. There are no significant or potentially significant impact	ets in this issue area.		

IMPACT/MITIGATION MEASURES IMPLEMENTATION	MONITORING/REPORTING RESPONSIBILITY AND	FINDINGS/LS
RESPONSIBILITY AND	TIMING	AFTER
TIMING/SCHEDULE	PHIMIT	MITIGATION

### 3.8 GREENHOUSE GAS EMISSIONS

a) Project GHG Emissions and Consistency with GHG Reduction Plans. There are no significant or potentially significant impacts in this issue area.

#### 3.9 HAZARDS AND HAZARDOUS MATERIALS

- a, b) Hazardous Materials Transportation, Use and Potential Release. There are no significant or potentially significant impacts in this issue area.
- c) Hazards Materials Release Near Schools. There are no significant or potentially significant impacts in this issue area.
- d) Hazardous Materials Sites. There are no significant or potentially significant impacts in this issue area.
- e, f) Airport and Airstrip Operations. There are no significant or potentially significant impacts in this issue area.
- g) Emergency Response and Evacuations. There are no significant or potentially significant impacts in this issue area.
- h) Wildland Fire Hazards. There are no significant or potentially significant impacts in this issue area.

### 3.10 HYDROLOGY AND WATER QUALITY

- a, f) Surface Waters and Water Quality. There are no significant or potentially significant impacts in this issue area.
- b) Groundwater Supplies. There are no potentially significant or significant impacts in this issue area.
- c, d, e) Drainage Patterns and Runoff. There are no potentially significant or significant impacts in this issue area.
- g, h) Residences and Other Structures in 100-Year Floodplain. There are no potentially significant or significant impacts in this issue area.
- i) Exposure to Flooding from Dam Failure. There are no potentially significant or significant impacts in this issue area.
- $j) \ Seiche, Tsunami \ or \ Mudflow \ Hazards. \ There \ are \ no \ potentially \ significant \ or \ significant \ impacts \ in this \ issue \ area.$

### 3.11 LAND USE AND PLANNING

a) Division of Established Community. There are no potentially significant or significant impacts in this issue area.

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IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
b) Conflict with Applicable Plans, Policies and Regulations. There are no po	otentially significant or signific	ant impacts in this issue area.	
c) Conflict with Habitat Conservation Plans. There are no potentially significant	cant or significant impacts in the	nis issue area.	
3.12 MINERAL RESOURCES			
a, b) Availability of Mineral Resources of State Value. There are no signific	ant or potentially significant in	npacts in this issue area.	
3.13 NOISE			
a) Exposure to Noise Exceeding Local Standards. This is a potentially significant	ficant impact		
NOISE-1: Site and building plans for any two-story or taller homes located along the eastern boundaries of the project site shall be reviewed by a qualified acoustical professional to ensure that City outdoor and indoor noise standards are met.	The ODS will be responsible for project design in accordance with the specified noise standards and submittal of plans for City review and approval.	The CDD will ensure that approved building plans reflect the specified noise standards.	1, NS Rationale: IS/MND Pages 3-39 – 3-49
NOISE-2: Air conditioning or other suitable mechanical ventilation shall be provided in all residential units to allow all residents to close windows and doors to reduce noise levels.			
b) Project Exposure to Groundborne Noise. There are no significant or poten	ntially significant impacts in th	is issue area.	•
c) Permanent Increase in Ambient Noise. There are no significant or potenti	ally significant impacts in this	issue area.	
d) Temporary or Periodic Increase in Ambient Noise. This is a potentially si	gnificant impact.		
NOISE-3: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation by noise-generating equipment to 7:00 a.m. to 10:00 p.m. Monday through Friday, and to 7:00 a.m. to 6:00 p.m. on Saturday and Sunday when such equipment is to be used near noise-sensitive land uses, and by requiring residential type mufflers where applicable.	The contractor will be responsible for implementing noise controls.	The CD-B will be responsible for monitoring controls on contractor activities.	1, NS Rationale: IS/MND Page 3-42
e, f) Public Airport and Private Airstrip Operations Noise. There are no sign	ificant or potentially significan	t impacts in this issue area.	

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IMPACT/MITIGATION MEASURES	IMPLEMENTATION	MONITORING/REPORTING RESPONSIBILITY AND	FINDINGS/LS
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	TIMING/SCHEDULE	DIMING	MITIGATION

### 3.14 POPULATION AND HOUSING

- a) Population Growth Inducement. There are no significant or potentially significant impacts in this issue area.
- b, c) Displacement of Housing or People. There are no significant or potentially significant impacts in this issue area.

### 3.15 PUBLIC SERVICES/FACILITIES

- a) Fire Protection. There are no significant or potentially significant impacts in this issue area.
- b) Police Protection Impacts. This is a potentially significant impact.
- SERV-1: The ODS shall coordinate with the Stockton Police Department as required during City review of site improvement and building plans to establish adequate security and visibility of the construction site.

The contractor will be responsible for obtaining plan approval for emergency access and landscaping/parking design and maintenance from the Stockton PD and PSD, and for construction security in the project plans and specifications.

The Stockton PD and PSD will verify adequate emergency access and landscaping/parking design. The MUD will verify that coordination requirements have been included for security, and that coordination activities are occurring as required. The CDD will verify collections of Public Facility Fees.

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Rationale:
IS/MND Pages
3-45 – 3-46

c) School. There are no significant or potentially significant impacts in this issue area.

### 3.16 RECREATION

a, b) Recreational Facilities. There are no significant or potentially significant impacts in this issue area.

### 3.17 TRANSPORTATION/CIRCULATION

- a) Consistency with Applicable Plans, Ordinances and Policies. There are no significant or potentially significant impacts in this issue area.
- b) Conflict With Congestion Management Program. There are no significant or potentially significant impacts in this issue area.

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY AND TIMING/SCHEDULE	MONITORING/REPORTING RESPONSIBILITY AND TIMING	FINDINGS/LS AFTER MITIGATION
c) Air Traffic Patterns. There are no significant or potentially significant im	pacts in this issue area.		
d) Traffic Hazards. There are no significant or potentially significant impact	s in this issue area.		
e) Emergency Access. There are no significant or potentially significant imp	pacts in this issue area.		
f) Conflict with Non-vehicular Transportation Plans. There are no significan	nt or potentially significant imp	pacts in this issue area.	
3.18 TRIBAL CULTURAL RESOURCES  a, b) Tribal Cultural Resources. This is a potentially significant issue.			
TCR-1: Mitigation Measures CULT-1 and CULT-2 shall also be	As specified for CULT-1	The CDD will be responsible for	1, NS
implemented to address potentially significant effects relating to Tribal Cultural Resources.	and CULT-2	overseeing and approving, monitoring and reporting activities.	Rationale:
TCR-2: If potential Tribal Cultural Resources are discovered during construction activities, work shall immediately cease within 100 feet of the find, and the ODS shall: (a) notify the City of Stockton and United Auburn Indian Community; and (b) retain a qualified cultural resources specialist to assess the significance of the find. If the discovery concerns human remains, Mitigation Measure CULT-2 shall apply.			IS/MND Pages 3-54 – 3-55
TCR-3: The assessment required by Mitigation Measure TCR-2 shall include full participation by the United Auburn Indian Community including, but not limited to, the tribe's ability to observe and participate in all on-site data-gathering activities.			
TCR-4: If the City of Stockton determines that a Tribal Cultural Resources are present and that the project would result a substantial adverse change to them, it shall consult the United Auburn Indian Community on appropriate mitigation measures. Said consultation shall include, but not be limited, consideration of those mitigation measures listed at CEQA §21084.3. The ODS shall, in turn, implement those measures to the satisfaction of the City of Stockton.			

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IMPACT/MITIGATION MEASURES	IMPLEMENTATION	MONITORING/REPORTING RESPONSIBILITY AND	FINDINGS/LS
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	TIMING/SCHEDULE	TIMING	MITIGATION

### 3.19 UTILITIES AND SERVICE SYSTEMS

- a, e) Wastewater Systems. There are no significant or potentially significant impacts in this issue area.
- b, d) Water Systems and Supply. There are no significant or potentially significant impacts in this issue area.
- c) Stormwater Systems. There are no significant or potentially significant impacts in this issue area.
- f, g) Solid Waste Services. There are no significant or potentially significant impacts in this issue area.

### 3.20 WILD FIRE

- a) Emergency Response and Emergency Evacuation Plans. There are no significant or potentially significant impacts in this issue area.
- b) Exposure of Project Occupants to Pollutants. There are no significant or potentially significant impacts in this issue area.
- c) Installation and Maintenance of Infrastructure. There are no significant or potentially significant impacts in this issue area.
- d) Risks from Runoff, Post-Fire Slope Instability, or Drainage Changes. There are no significant or potentially significant impacts in this issue area.

### 3.21 MANDATORY FINDINGS OF SIGNIFICANCE

- a) Findings on Biological and Cultural Resources. There are no significant or potentially significant impacts in this issue area.
- b) Findings on Individually Limited but Cumulatively Considerable Impacts. There are no significant or potentially significant impacts in this issue area.
- c) Findings on Adverse Effects on Human Beings. There are no significant or potentially significant impacts in this issue area.

### 3.0 MITIGATION REPORTING PROGRAM

This section describes the mitigation reporting program established for the above-described project pursuant to Section 21081.6 of the Public Resources Code. This program consists of the following steps:

- a. The Community Development Department shall utilize the above-listed Mitigation Implementation and Monitoring Program (Section I) as a checklist of mitigation measures to be implemented for the project. Implementation of the applicable measures shall be included as a condition of all applicable discretionary approvals, improvement plans and/or construction permits.
- b. The project applicant (i.e., owner, developer, originating City department, or other responsible agency, as applicable) and/or successors-in-interest shall file a written report with the Community Development Department, which will monitor the implementation of required mitigation measures. Similarly, any public agency having jurisdiction over natural resources affected by the project shall monitor and report upon the implementation of any mitigation measures incorporated at their request. Such written report(s) shall be submitted to the Community Development Department approximately once every twelve (12) months following approval of improvement plans and/or construction permits. The written report shall briefly state the status in implementing each adopted mitigation measure.
- c. The Community Development Department shall review the monitoring report(s) and determine whether there is any unusual and substantial delay in, or obstacle to, implementing the adopted mitigation measures. In reviewing the timeliness of implementation, the Community Development Department shall consider any timetable for the project and the required mitigation measures provided by the applicant and/or other responsible agency, as applicable. The Community Development Department and other City Departments may, to the extent deemed necessary, use scheduled inspections to monitor mitigation implementation.
- d. The result of the Community Development Department's review of the annual report(s) will be provided to the applicant in writing within thirty (30) calendar days after receipt of the annual report. If the Community Development Department determines that a required mitigation measure is not being properly implemented, it shall consult with the applicant and, if possible, agree upon additional actions to be taken to implement the mitigation measures.

The Community Development Department shall be limited to imposing reasonable actions as permitted by law that will implement the required mitigation measures. Any decision of the Senior Civil Engineer related to the annual monitoring report may be appealed to the City Planning Commission and/or City Council, as applicable, within ten (10) calendar days following said written determination.

e. Such monitoring and reporting shall continue until the Community Development Department, in consultation with the other applicable City departments, determines that compliance has been fully achieved or, for ongoing measures (e.g., maintenance of facilities), determines that existing enforcement procedures relating to conditions of approval will provide adequate verification of compliance.

## Resolution No. 2019-10-10-0501-02

### STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A TENTATIVE MAP FOR THE ELDERBERRY SENIOR RESIDENTIAL DEVELOPMENT PROJECT ON THE WEST SIDE OF LOWER SACRAMENTO ROAD AND SOUTH OF EIGHT MILE ROAD (APPLICATION NO. P18-0146)

On February 28, 2018, Edward LeBaron, et al., submitted a Tentative Map to, amongst other requests, subdivide a 17.8 acres site (APN #s 084-040-05, 07, and 08) into 43 lots for residential development in the RL (Residential, Low-Density) and RH (Residential, High-Density) zones at the west side of Lower Sacramento Road and south of Eight Mile Road; and

On January 23, 2019, pursuant to Stockton Municipal Code (SMC) Section 16.180.060, Table 6-1 (Review Authority for Subdivisions) and Section 16.212.050 (C), the Development Review Committee reviewed the proposed Tentative Map and forwarded an approval recommendation to the Director; and

On September 26, 2019, a public hearing notice of the Planning Commission's consideration of the Tentative Map was provided in accordance with Stockton Municipal Code Section 16.88.030; and

On October 10, 2019, the Planning Commission held a duly noticed public hearing, pursuant to SMC Section 16.88.030 (B), to consider the proposed Tentative Map at which all times all interested parties had the opportunity to be heard; and

On October 10, 2019, prior to acting on this application, the Planning Commission approved a Mitigated Negative Declaration (MND) via Resolution; and; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOW:

- A. The foregoing recitals are true and correct and incorporated by reference.
- B. Based on its review of the entire record herein, the Planning Commission makes the following findings:

### Stockton Municipal Code Section16.188.060(A)(1) (Approval Findings)

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan (Map Act § 66473.5), and any applicable specific plan, precise road plan, or master development plan.

The subject site is vacant and the single-family home development on the site

would be consistent with the general land uses, objectives, policies, and programs of the General Plan. The Tentative Map proposes single-family development consistent with the corresponding Low-Density, Residential designation of the 2040 General Plan Land Use Map. The subject development will also further the following General Plan policies:

- Policy LU-6.2: Prioritize development and redevelopment of vacant, underutilized, and blighted infill area.
- Goal and Policy, HE-2: Provide a range of housing types, densities, designs, and meet existing and projected housing needs for all economic segments of Stockton.

The residential development would consist of a gated with 42 single-family homes, a community center and other amenities. The project would provide a housing opportunity for senior (55 or older) residents. No specific plan, precise road plan, or master development plan applies to the subject site.

### Stockton Municipal Code Section 16.188.060(A)(2) (Supplemental Findings)

- 2. In addition to the above-noted findings required for approval of a Tentative Map by SMC Section16.188.060(A)(1), the Planning Commission shall make the following findings, when they are applicable to the specific proposal.
  - a. Construction of Improvements. The finding is not applicable because it applies to the recordation of parcel map of four (4) or fewer parcels where improvements are required.
  - b. Condominiums. Findings under SMC Section16.196.030 are not applicable since no conversion would occur.
  - c. Dedications or Exactions Pursuant to SMC Section 16.72.060 (A), the dedication of public utility easements (PUE) for water, storm and sanitary sewer are imposed as conditions on the Tentative Map. The dedication to allow all proposed utilities will be extended to the subject site from the existing subdivision to the west. There are no impacts from the development because all utility lines will be installed underground.
  - d. Waiver of Tentative Map A waiver of the Tentative Map is not applicable for the subject project.

The findings in SMC Section 16.188.060 (B) can be made as follows:

(1) Approval of the subdivision map is consistent with 2040 General Plan designated the site for Low-Density Residential land use;

- (2) The site is suitable for the type or proposed density of development with 6.3 units per net acre in the RL zone. A maximum of density requirement in the RL zone is 8.7 units per net acre;
- (3) The design of the subdivision is not likely to cause substantial environmental damage or injure fish or wildlife or their habitat. Although no biological resources have been identified on-site by a biological evaluation, potentially suitable habitat is present. Mitigation is identified to ensure no such resources are harmed through construction activities at the vacant site. The applicant has also agreed to participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP);
- (4) The design of the subdivision is not likely to cause serious public health or safety problems, because all on-site and off-site improvements will comply with the City's development standards and adequate capacity for all necessary infrastructure exists to serve the subdivision;
- (5) The design of the subdivision would not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision because no such easements exist within the subdivision boundary and those which are new and necessary will be acquired through conditions of approval of the map;
- (6) The discharge of sewage from the proposed subdivision into the regional sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the City's sanitary system operates in compliance with said requirements and has adequate capacity to serve the subdivision;
- There are no adverse soil or geological conditions affecting the subdivision. To support the project, a geotechnical study was completed and provided recommendations for foundations, bearing capacity, settlement, swell potential, grading, utility construction and pavement section. The site and its immediate vicinity are comparatively flat and devoid of steep slopes. Project construction will involve minimal site grading, cuts, and fills. All required soil reports will be submitted to Building and Life Safety Division with residential building permit, because the requirement is mandatory by the building code to ensure footings have adequate support and homes are built with adequate foundations; and
- (8) The proposed subdivision on the site is consistent with all applicable of the Development Code, Municipal Code, the City's standard specifications and plans and the Map Act, because the Project would comply with the Planned Development Permit to relax development standards relating to lot area (size) and width, as well as front and side yards setback.

### Stockton Municipal Code Section 16.90 (Floodplain Management Findings)

- 3. In accordance with SMC Section 16.90.020 (A)(2), the proposed development shall comply with the 200-year flood requirements under Senate Bill (SB) 5. The State legislation requires that the property be protected to the urban level of flood protection in urban and urbanizing areas. A technical memorandum for 200-Year Flood Impact has been prepared by A. R. Sanguinetti & Associates dated January 16, 2019, to confirm that building pads in the Project would be elevated to within 3 feet of the 200-year flood elevation that would bring the project within the shallow flood exemption and comply with an urban level of flood protection.
- 4. Based on its review of the entire record herein, including the September 12, 2019, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the requested Tentative Map (Exhibit 1), subject to the following conditions of approval:

### Standard Conditions of Approval

- 1. Comply with all applicable Federal, State, County and City codes, regulations, and adopted standards and pay all applicable fees.
- 2. Pursuant to section 15070 of the CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the city-adopted Final Initial Study/Mitigated Negative Declaration (P18-0146) and the "Findings, and Mitigation Monitoring/Reporting Program for the Elderberry Senior Housing Project."
- 3. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the establishment of covenants, conditions and restrictions (CC&Rs) for the maintenance of landscaping, structures and walls/fences on the private property common areas and front yards of residences within the subdivision area. The CC&Rs shall be subject to review and approval by the City Attorney and the Community Development Director prior to their recordation. The ODS shall be responsible for recordation of the CC&Rs and payment of recording expenses prior to or in conjunction with the recordation of any Final Map for this subdivision. The City shall be declared to be a third-party beneficiary of the CC&Rs and shall be entitled, without obligation, to take appropriate legal action to enforce the Stockton CC&Rs.
- 4. In order to minimize any adverse financial impact on the City of Stockton (COS) associated with development and/or use of the subject site, the ODS agrees that it will not challenge or protest any applicable fees associated with the development of the site, but if such fees are amended or modified, the ODS agrees to pay such fees as they may be amended or modified from time to time.

5. The ODS shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.

### Project-Specific Conditions of Approval

- 6. Upon Approval of the Tentative Map, the ODS shall annex into and comply with all requirements of the Citywide Services and Maintenance Community Facility District (CFD), in accordance with the City Council adopted resolution 2018-07-17-1301.
- 7. The Tentative Map area is primarily identified as a shallow flooding with the exception of a small depressed area that exceeds three (3) feet of flooding. The existing depressed areas within the subdivision shall be required an engineered fill placed to match proposed pad elevations that will be at or above existing ground elevation.
- 8. Prior to recordation of any Final Map, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2, and approve an assessment providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision. ODS may request to annex to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2 provided the subdivision is within the service area of a park for which a zone of the Stockton Consolidated Landscape Maintenance District 96-2 has already been formed.
- 9. Prior to recordation of any Final Map, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2 that includes the entire subdivision. The entire subdivision may be considered for annexation to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2, provided the type, intensity and amount of the improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall result in an assessment being approved that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportionate share of the costs of maintaining, in perpetuity, and if necessary replacement at the end of the useful life of, improvements including but not limited to publicly accessible common area landscaping, landscaping in the right-of-way, landscape medians and all "improvements" serving or for the special benefit of this subdivision.
- 10. All landscaped areas on the site shall comply with applicable requirements of the Stockton Municipal Code. Landscaping and irrigation plans for the entire subdivision area and public streets shall be submitted to the Community Development Department, Planning and Building Divisions for review and approval by the Community Development Director and the City Landscape Architect prior to the issuance of any residential building permits. Landscaped areas, including a timed/automatic irrigation system, shall be installed at the time that the masonry

walls along public streets are constructed and be maintained by the homeowners' association.

- 11. All walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for regular maintenance (i.e., graffiti removal) and shall include the width of the support footing as it extends from both sides of the wall.
- 12. Provide the associated 10-foot wide public utility easement through Lot C for the 8-inch waterline.
- 13. Provide public utility easements for water and sanitary sewer infrastructure along private streets, including Lot E.
- 14. The ODS shall abandon all existing driveways and dedicate access rights to the City of Stockton along the following streets, except at public street intersections:
  - a. Lower Sacramento Road, entire length except at approved opening for Lot C (Ex. Cell Tower) shall be a 16-20ft wide R-6 Fire type driveway and a potential Emergency Vehicle Access (EVA) serving the northeasterly corner of Lot 43 (High Density Site) to be approved by the City Engineer when development occurs.
  - b. Villa Point Drive, entire length except at approved openings.
- 15. The ODS shall participate in any applicable Transportation Systems Management (TSM) programs established by the City of Stockton and pay their proportionate share of the cost to provide an appropriate area for a park and ride facility.
- 16. The ODS shall dedicate 20 feet to 31 feet of right of way and improve Lower Sacramento Road to the ultimate width.

Note: Improvements identified below by an asterisk (\*) are included in the calculations for the current Public Facilities Fee (PFF) program. Installation of the project's frontage improvements and payment of the Public Facilities Fees constitutes the ODS proportionate share of participation. However, should the extent of identified PFF improvement(s) be revised, all or part of the PFF program repealed or suspended, or for other reasons/actions the improvement(s) become ineligible under the PFF program in effect at the time of development, the ODS shall be responsible for payment of their proportionate share of the cost of said improvement(s).

17. The ODS shall be responsible for their proportionate share, based on traffic loadings, of the design and construction costs for traffic signals

and intersection improvements at the following locations:

Interstate 5 SB Ramps/Eight Mile Road\* Interstate 5 NB Ramps/Eight Mile Road\* Eight Mile Road/Thornton Road\* Davis Road/Eight Mil Road\* Eight Mile Road/West Lane\* Eight Mile Road/SR 99 West Frontage Road\* Eight Mile Road/SR 99 East Frontage Road\* Eight Mile Road/Lower Sacramento Road\* Thornton Road/A.G. Spanos (north) Thornton Road/Whistler Way Thornton Road/A.G. Spanos (south) Thornton Road/Otto Drive Thornton Road/Wagner Heights Road Thornton Road/Pershing Avenue Thornton Road/Hammer Lane\* Lower Sacramento Road/Hammer Lane\* Hammer Lane/Interstate 5 SB Ramps\*

Hammer Lane/Interstate 5 NB Ramps\*

The traffic signals shall be installed when warranted or at the discretion of the Public Works Director. Payment of the ODS's proportionate share for the non-Public Facilities Fee projects above shall be deemed satisfied where the required improvements have been accepted by the City and constructed by others without formal request for, or establishment of a mechanism for partial reimbursement.

- 18. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of traffic signal modifications and intersection improvements, including but not limited to, additional turn pockets, through lanes, median, and frontage improvements at Lower Sacramento Road and Eight Mile Road.\*
- 19. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of the widening of Eight Mile Road to four lanes from Interstate 5 to West Lane.\*
- 20. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of the widening of Lower Sacramento Road to four lanes from Eight Mile Road to Royal Oaks Drive.\*
- 21. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for Project Study Reports (PSRs) and necessary improvements described in the PSRs for the State Route 99 mainline systems, the Eight Mile Road/State Route 99 overcrossing interchange, Morada Lane/State Route 99 overcrossing interchange, and the Eight Mile Road/Interstate 5

overcrossing interchange to provide the level of service that conforms to State Highway Standards.\*

- 22. The ODS shall be responsible for their proportionate share, based on traffic loadings, of the design and construction costs for the following roadway improvements:
  - a. Thornton Road widening to four lanes from Eight Mile Road to Wagner Heights Road\*
  - b. Thornton Road widening to six lanes from Davis Road to Pershing Avenue\*
  - c. Hammer Lane widening to six lanes from Thornton Road to Alexandria Place\*
- 23. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of a future grade separated railroad crossing on Eight Mile Road at the Union Pacific Railroad.\*
- 24. The ODS may develop Lower Sacramento Road Frontage Improvement in 2 Phases. Phase 1 shall be limited to the 42 lot single family subdivision with construction of Villa Point Drive, curb to curb and sidewalk on the southside adjacent to the 42 lot subdivision along with interim improvements at the intersection of Lower Sacramento Road, including an interim "Pork Chop" island to prevent northbound turning movements from Lower Sacramento Road onto Villa Point and eastbound turning movements from Villa Point onto Lower Sacramento Road. Proper deceleration and acceleration lanes shall also be provided on Lower Sacramento Road. No sidewalk will be required with the Phase 1 improvements of Lower Sacramento Road. Phase 2, the Ultimate Lower Sacramento Road 1/2 section shall be required with the development of Lot 43, including the northerly sidewalk along Point Villa Drive.
- 25. The ODS may Phase the undergrounding of existing overhead along Lower Sacramento Road with the phasing of Frontage Improvements for development of the 42-lot single family subdivision. However, with the development of Lot 43 (High Density Lot) and the Ultimate Lower Sacramento Road 1/2 section Frontage Improvements requires all existing overhead utility distribution facilities to be placed underground in accordance with Stockton Development Code, Section 16.72.230. Any relocation or undergrounding of existing overhead utility lines will be at the property owner's expense.
- 26. The installation of any above ground utility structures within the City right-of-way is subject to City approval.

- 27. Per SMC Section 16.188.070, the ODS shall be entirely responsible for the design and construction costs of on-site roadway and intersection improvements and public utilities identified on the Tentative Map and/or included in the project Initial Study/Mitigated Negative Declaration with mitigation measures. Improvements include but are not limited to all sewer, water and storm drain lines, traffic signals, street lighting, street paving, curb, gutter, and sidewalk.
- 28. Final Map to dedicate to the City of Stockton a 10' wide PUE along the perimeter of all streets of the subdivision.
- 29. The ODS shall install medians/turning restrictions at the intersection of Villa Point Drive and Lower Sacramento Road.
- 30. The ODS shall conduct an engineering analysis, acceptable to the Director of Municipal Utilities, that demonstrates that the water system improvements to be constructed within Lot 43 meet City Standard Specifications & Plan and the City fire flow requirements.
- 31. The ODS must design and construct storm drainage and potable water infrastructure in Lower Sacramento Road along the frontage of the project property according to the North Stockton-Phase 3 Master Plans.
- 32. The ODS shall design and construct the non-potable irrigation distribution system for the project area to the satisfaction of the Director of Public Works and the Director of Municipal Utilities.
- 33. This project shall comply with Section 16.72.070, Improvements, Stockton Municipal Code. The ODS shall submit detailed subdivision improvement plans. These plans shall show all on-site and off-site utilities necessary to provide water, storm, and sanitary sewer utility service. These plans shall be designed in accordance with the City's most recently adopted water, storm, and sanitary collection system master plans and the City's Public Works design standards.
- 34. This project shall comply with Section 16.72.080, Subdivision design and improvement requirements, of the Stockton Municipal Code. Any onsite wells and septic tanks shall be abandoned and destroyed prior to recordation of any final map. Standard for abandonment and destruction shall be as required by San Joaquin County Department of Environmental Health.
- 35. This project must comply with the Stockton Municipal Code Section 13.20.010, Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2007-0173). The Owners, Developers, and/or Successors-in-Interest (ODS) must create a zone within the Stockton Consolidated Storm Drainage Maintenance Assessment

District No. 2005-1, prior to the recordation of a Final Map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices. In addition, the ODS shall be responsible for the costs of forming the Assessment District, including, but not limited to, the City-selected Assessment District Council, Engineer's Report, Proposition 218 vote, and noticing requirements. Or may need to form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2.

- 36. This project shall comply with Section 13.16.150, Best Management Practices Industrial users and New Developments and Redevelopments, of the Stockton Municipal Code. The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires Waste Discharger's Identification Number (WDID) from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.
- 37. The ODS shall comply with any and all requirements, and pay all associated fees, as required by the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.

#### Fire Department: Project-Specific Conditions of Approval

38. Domestic water services shall be served by 1" minimum meter size to accommodate the residential fire sprinkler and domestic water demands.

#### Planning and Building and Life Safety Division: Project-Specific Conditions of Approval

- 39. A soils report shall be required prior to the issuance of a building permit.
  - 40. With this approval, the subject map shall expire on October 10, 2021, unless an extension is granted in conformance with SMC Section 16.188.100.

PASSED, APPROVED, and ADOPTED

October 10, 2019

KIMBERLY A. WARMSLEY, CHAIR City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission

## NOTES:

- 1. THIS SUBDIVISION CONTAINS APPROXIMATELY 17.8 GROSS ACRES WITH 42 SINGLE FAMILY RESIDENTIAL LOTS, 4 COMMON AREA LOTS (A, B, D & E), 1 LOT (LOT 43) TO BE SUBDIVIDED IN THE FUTURE FOR HIGH DENSITY RESIDENTIAL, AND LOT 'C' EXISTING CELL TOWER SITE. 48 TOTAL LOTS.
- 2. THIS TENTATIVE MAP WITH MINOR MODIFICATIONS REPRESENTS TM 25-06 WHICH EXPIRED 12/14/17.
- 3. THIS SUBDIVISION MAY BE DEVELOPED IN PHASES (UNITS).
- 4. PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED AS REQUIRED.
- 5. ALL PUBLIC IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF STOCKTON STANDARDS.
- 6. DOMESTIC WATER AND SANITARY SEWER IS PROVIDED & MAINTAINED BY THE CITY OF STOCKTON.
- 7. VILLA POINT DRIVE AT LOWER SACRAMENTO ROAD SHALL BE RIGHT-IN/RIGHT-OUT ONLY.
- 8. STORM DRAINAGE ALONG VILLA POINT DRIVE & LOWER SACRAMENTO ROAD IS PUBLIC. ALL OTHER STORM DRAINAGE IS PRIVATE AND SHALL BE MAINTAINED BY AN HOA (HOME OWNER'S ASSOCIATION) OR OTHER ACCEPTABLE ENTITY.
- 9. ACCESS SHALL BE RESTRICTED TO AND FROM LOWER SACRAMENTO ROAD & VILLA POINT DRIVE EXCEPT AT LOT A ENTRANCE & LOT 43 ENTRANCE AND FIRE ACCESS DRIVEWAY C.O.S. STANDARD DWG. NO. R-60 TO THE EXISTING CELL TOWER AT THE EXISTING DRIVEWAY LOCATION ON LOWER SACRAMENTO ROAD.
- 10. ALL REAR YARD SETBACKS SHALL BE 10' MINIMUM, UNLESS SHOWN OTHERWISE.
- 11. ALL PERIMETER SETBACKS ARE 10' MINIMUM, UNLESS SHOWN OTHERWISE.
- 12. LOWER SACRAMENTO ROAD IMPROVEMENTS TO BE PHASED.
- 13. LOT 'A' SHALL BE A P.U.E. IN ITS ENTIRETY.

#### -LANDSCAPE AREA-(2' MIN. & 4.5' MAX.) 66' → 5' WALL EASEMENT , VARIES ,2' , VARIES , LANDSCAPE AREA LANDSCAPE AREA-MEANDERING MEANDERING (2' MIN. & 7' MAX.) !(2' MIN. & 7' MAX.) SIDEWALK SIDEWALK ∸MASONRY WALL \_S=2% energy and $\frac{1}{\sqrt{2}} \left( \frac{1}{\sqrt{2}} \right) \right) \right) \right) \right) \right) \right) \right) \right)} \right) \right) \right) \right) \right) \right) \right) \right) \right)$ 6" THICK MEANDERING SIDEWALK (PER--VERTICAL CURB & GUTTER (PER C.O.S. DWG. NO. R-50 & R-55) (TYPICAL) C.O.S. DWG. NO. R-52 & R-55) (TYPICAL) -STREET SECTION PER C.O.S. STANDARDS MIN. 4" SAND OR A.B.— -MIN. 4" SAND OR A.B.

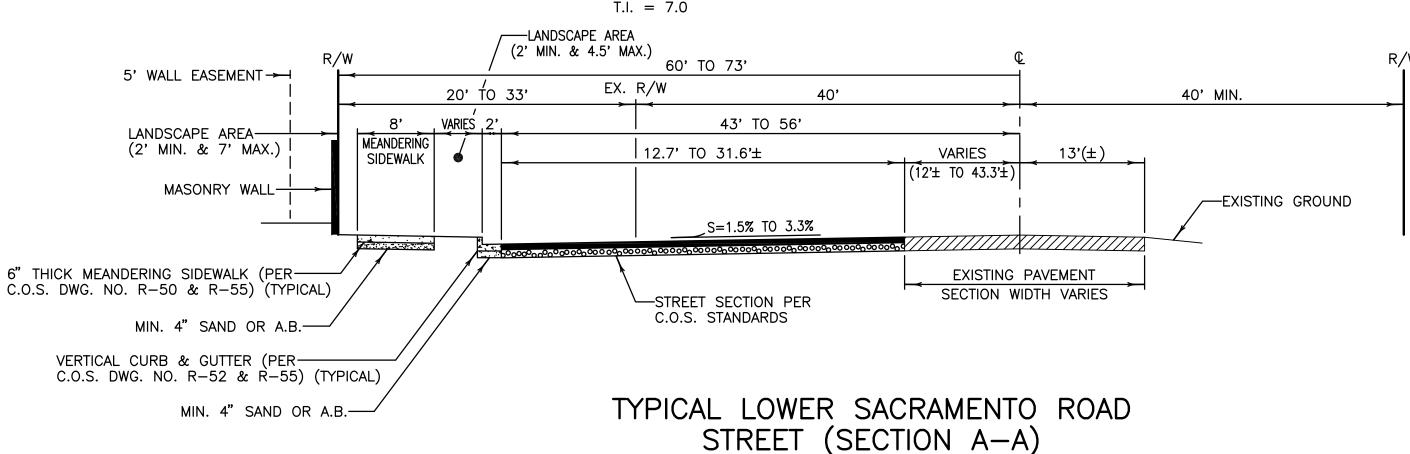
# TYPICAL 66' STREET (SECTION C-C)

NO SCALE

REFER TO TM 25-06 T.I. = 7.0—LANDSCAPE AREA—— (2' MIN. & 4.5' MAX.) → 5' WALL EASEMENT , VARIES ,2', 2', VARIES, LANDSCAPE AREA-ANDSCAPE AREA MEANDERING MEANDERING (2' MIN. & 7' MAX.) (2' MIN. & 7' MAX.) SIDEWALK MASONRY WALL A COLUMN TO THE PARTY OF THE PA 6" THICK MEANDERING SIDEWALK (PER--VERTICAL CURB & GUTTER (PER C.O.S. DWG. NO. R-50 & R-55) (TYPICAL) C.O.S. DWG. NO. R-52 & R-55) (TYPICAL) -STREET SECTION PER C.O.S. STANDARDS MIN. 4" SAND OR A.B.-—MIN. 4" SAND OR A.B.

# TYPICAL 56' STREET (SECTION B-B)

NO SCALE
REFER TO C.O.S. STD. DWG. R-7
T.I. = 7.0



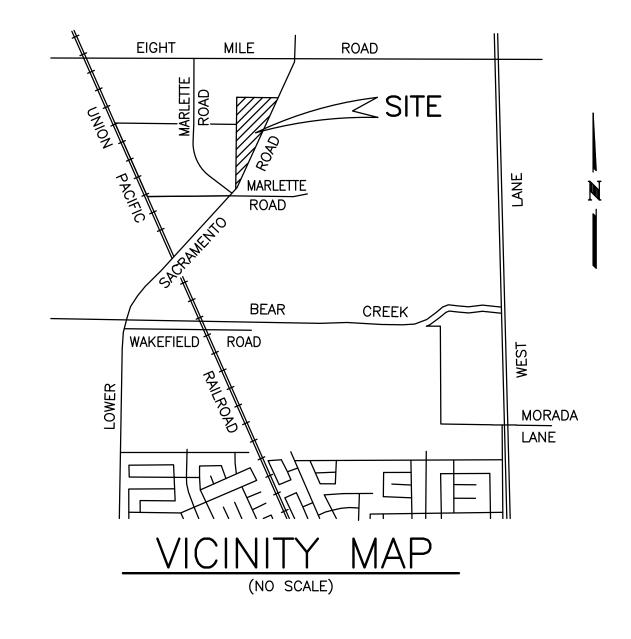
NO SCALE

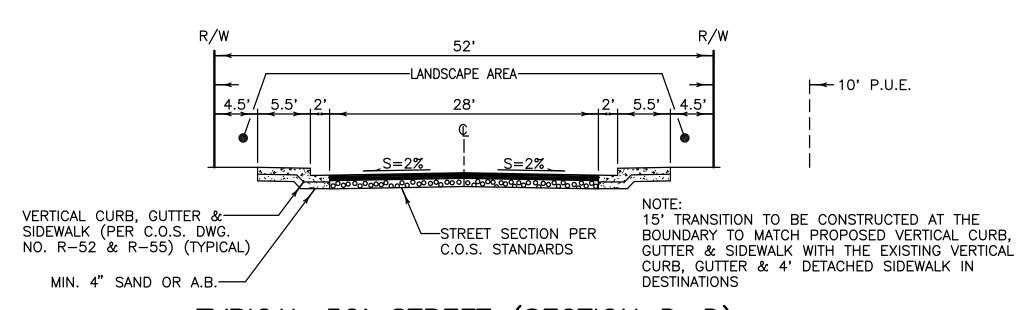
REFER TO C.O.S. STD. DWG. R-10

T.I. = 9.0

# TENTATIVE MAP ELDERBERRY

A.R. SANGUINETTI & ASSOCIATES CONSULTING CIVIL ENGINEERS STOCKTON, CALIFORNIA





# TYPICAL 52' STREET (SECTION D-D) NO SCALE REFER TO TM 25-06

T.I. = 7.0

MODIFIED ROLL TYPE

CURB & GUTTER (TYPICAL)

P

2'

24'

2'

5'

10' P.U.E.

MODIFIED ROLL TYPE CURB, GUTTER &

4' SIDEWALK (TYPICAL ISLAND SIDE ONLY)

CURB & GUTTER (TYPICAL)

MIN. 4" SAND OR A.B.

TYPICAL 34' PRIVATE STREET (SECTION E-E)

NO SCALE T.I. = 5.0

# **ENGINEER:**

A. R. SANGUINETTI & ASSOCIATES 1150 W. ROBINHOOD DR., SUITE 1C STOCKTON, CA, 95207 (209) 477-0899

### OWNER:

LEBARON RANCHES, L.P., A CALIFORNIA LIMITED PARTNERSHIP

EDWARD W. LEBARON

FEE: \$ \_\_\_\_\_

FILED AS A TENTATIVE MAP THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

CITY OF STOCKTON PLANNING COMMISSION

APPROVED BY THE CITY OF STOCKTON PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

CHAIRMAN

APPROVED BY THE CITY OF ENGINEER OF THE CITY OF STOCKTON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

CITY ENGINEER

# LEGEND:

MAINTENANCE HOLE

STORM PIPE SIZE AND DIRECTION

SEWER PIPE SIZE AND DIRECTION

<u>− 12"W</u> WATER PIPE SIZE

EXISTING GROUND ELEVATION (MARCH 2005)

—60db— NOISE CONTOUR

MASONRY WALL

TRACT NO. 2591 TENTATIVE MAP OF

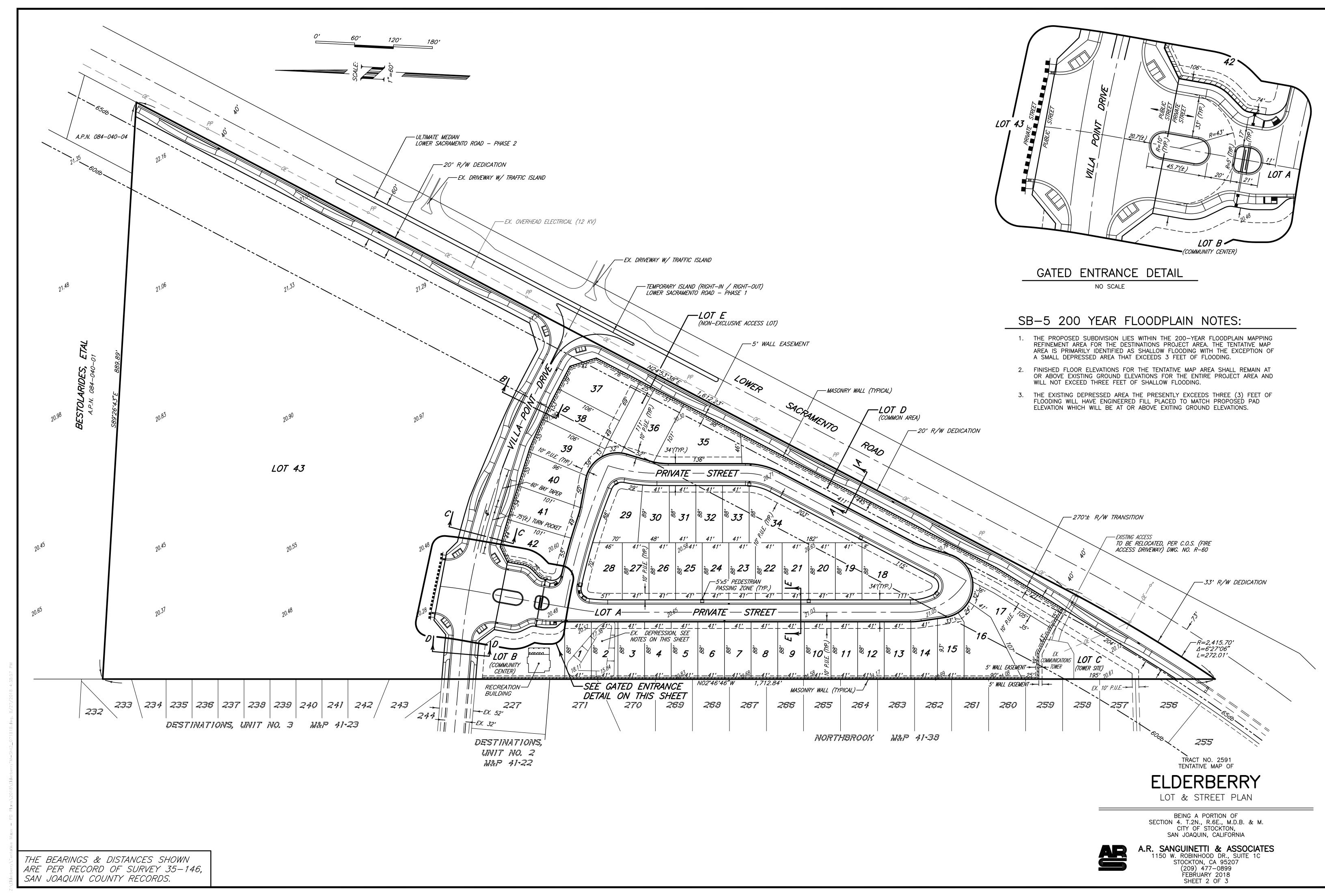
# **ELDERBERRY**

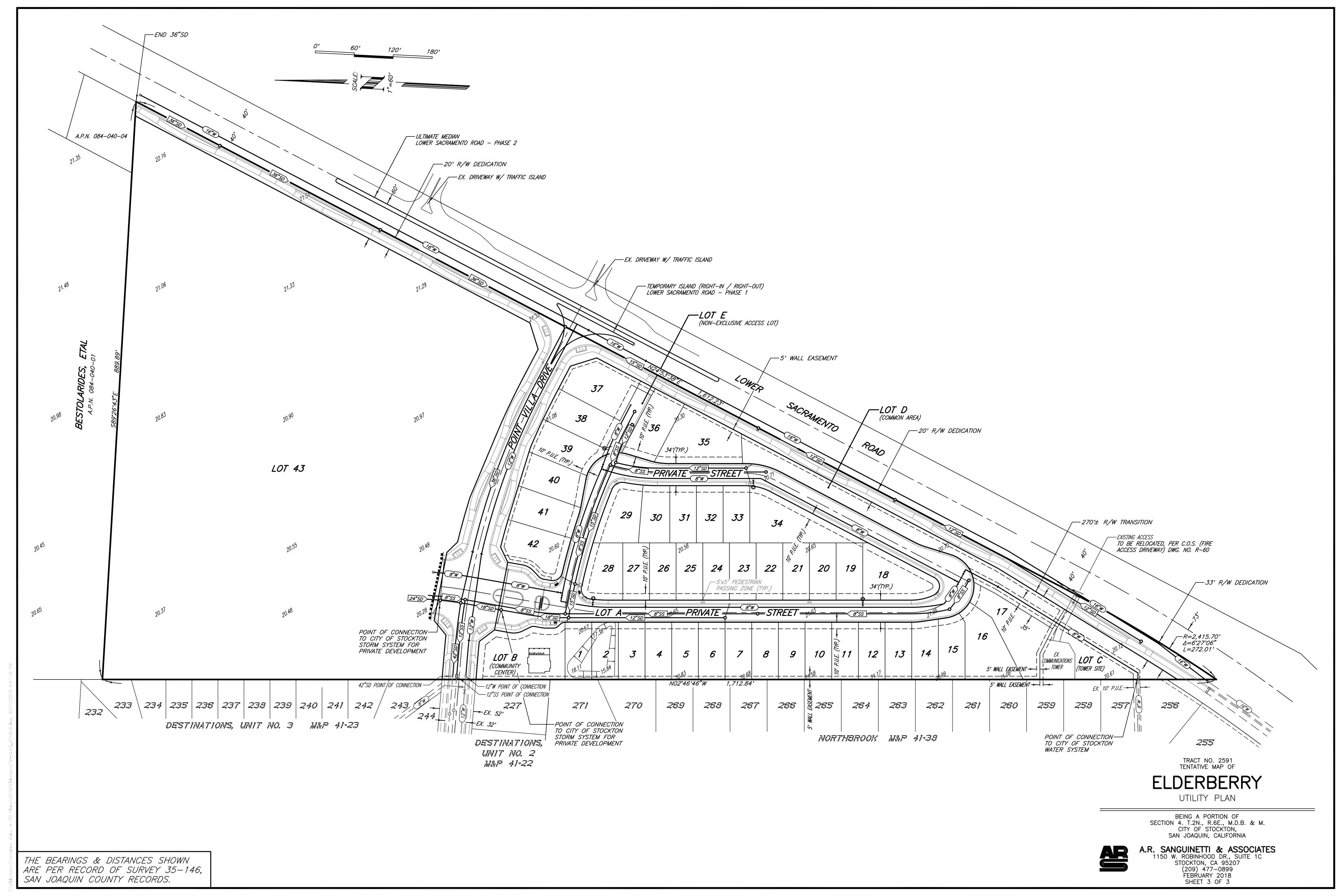
BEING A PORTION OF SECTION 4. T.2N., R.6E., M.D.B. & M. CITY OF STOCKTON, SAN JOAQUIN, CALIFORNIA



A.R. SANGUINETTI & ASSOCIATES

1150 W. ROBINHOOD DR., SUITE 1C
STOCKTON, CA 95207
(209) 477-0899
FEBRUARY 2018
SHEET 1 OF 3





# Resolution No. 2019-10-10-0501-03 STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A PLANNED DEVELOPMENT PERMIT AND DESIGN REVIEW FOR THE ELDERBERRY SENIOR RESIDENTIAL DEVELOPMENT PROJECT ON THE WEST SIDE OF LOWER SACRAMENTO ROAD AND SOUTH OF EIGHT MILE ROAD (APPLICATION NO. P18-0146)

On February 28, 2018, Edward LeBaron, et al., submitted an application includes a request for Planned Development Permit (PD) and Design Review approval, related to a proposal to develop 42 single-family homes for a senior housing in the RL (Residential, Low-Density) zone, Assessor's Parcel Number (APN #s 084-040-07, and 08 and a small portion of APN# 084-040-05), at the west side of Low Sacramento Road and south of Eight Mile Road; and

The PD is requested to relax development standards relating to lot area (size) and width, as well as front/side yard setbacks to accommodate the development of single-family homes. In exchange and in conformance with PD criteria, the PD is required to provide additional open space (at least 20% gross and at least one amenity). The PD provides approximately twenty-four (24%) percent of the project area that is used for a community center, private parks, play fields, and greenbelts; and

On April 11, 2018, the Architectural Review Committee (ARC) reviewed the Design Review aspect of the project and forwarded an approval recommendation to the Director; and

On January 23, 2019, pursuant to Stockton Municipal Code (SMC) Section 16.180.060, Table 6-1 (Review Authority for Subdivisions) and Section 16.212.050 (C), the Development Review Committee reviewed the proposed the PD Permit and forwarded an approval recommendation to the Director; and

On September 26, 2019, the City of Stockton provided a public hearing notice of the Planning Commission's consideration of the PD Permit and Design Review requests in accordance with SMC Section 16.88.030; and

On October 10, 2019, the Planning Commission held a duly noticed public hearing, pursuant to SMC Section 16.88.030 (B), to consider the proposed PD Permit and Design Review at which all times all interested parties had the opportunity to be heard; and

On October 10, 2019, prior to acting on this application, the Planning Commission approved a Mitigated Negative Declaration (MND) via Resolution; and; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOW:

- A. The foregoing recitals are true and correct and incorporated by reference.
- B. Based on its review of the entire record herein, the Planning Commission makes the following findings:

#### Required Findings for Planned Development Permit

- 1. The proposed development is:
  - (1) Allowed within the subject zoning district;
  - (2) Complies with all of the applicable provisions of this Development Code relating to both on- and off-site improvements that are necessary to accommodate maximum flexibility in site planning and property development and which are necessary to carry out the purpose, intent, and requirements of the respective zoning district, including prescribed development standards; and
  - (3) Consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan, precise road plan, or master development plan.

The proposed development will result in the construction of 42 single-family homes in the RL (Residential, Low-Density, south portion of Villa Point Drive) Zone. Single-family homes are a permitted use in the RL Zone). The project will be subject to the installation of on-site and off-site improvements, including streets, sidewalks, curbs, gutters, sidewalk, landscaping, pavement widening, and street lighting. The subject development will be consistent with the following General Plan policies:

- Policy LU-6.2: Prioritize development and redevelopment of vacant, underutilized, and blighted infill area.
- Goal and Policy, HE-2: Provide a range of housing types, densities, designs, and meet existing and projected housing needs for all economic segments of Stockton.

The subject site is vacant and the single-family home development on the site would be consistent with the general land uses, objectives, policies, and programs of the General Plan. The residential development would consist of a gated with 42 single-family homes, a community center and other amenities. The project would provide a housing opportunity for senior (55 or older) residents. No specific plan, precise road plan, or master development plan applies to the subject site.

2. There are adequate provisions for public utilities and services to ensure that the proposed development would not be detrimental to public health and safety,

because all on-site and off-site utilities (e.g., water, sewer, storm drainage) and improvement are adequate to accommodate and serve the propose development and comply with City's development standards that are not detrimental to public health and safety.

- 3. The establishment, maintenance, or operation of the proposed activity at the location proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, because based upon a search of the EnviroStor database, there are no records of active hazardous material at site or in the vicinity of the site to endanger the public health, safety or general welfare of persons residing in the project site. The project site is located adjacent to an existing residential community (North Stockton III) and would contribute to a planned expansion of the residential community to the east. The proposed residential use is consistent with existing and surrounding land uses and does not have impact to the established community.
- 4. The subject site would be:
  - (1) Physically suitable for the type and density/intensity of use and structure(s) being proposed including the provision of services (e.g., sanitation, utilities, and water), public access, and the absence of physical constraints (e.g., earth movement, flooding, etc.);
  - (2) Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this Development Code; and
  - (3) Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.

The site is suitable for single-family homes and complies with the Development Code standards relating to the density requirement (6.3 dwelling per net acre), utility services and access, lot coverage, building height, off-street parking, fences and wall around the perimeter with the exception of lot size/width as well as the front and side yard setbacks as modified by the PD Section 16.68. The PD provides over 20 percent open space (e.g. parks, play field, and greenbelts) and a community center. The street width and pavement in the community have been reviewed in compliance with the City's standards. The private street in the PD adequately carries traffic volumes from the development.

5. The proposed development would produce a comprehensive development of superior quality (e.g., appropriate variety of placement and orientation opportunities, appropriate mix of structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from

more traditional development applications. The PD relaxes development standards relating to minimum lot area/width and front/side yard setbacks to accommodate the single-family home development. The project complies with the citywide design guidelines and provides a high quality architectural design through exterior architectural design and treatments. Each residence is required to provide a two-car garage to meet the parking standards. In exchange and in conformance with PD criteria, the PD is required to provide additional open space (approximately 24% gross of the project) that creates a superior quality environment with the onsite private parks, play field, green belts, and community center to serve residents.

- 6. The proposed design and development is innovative and creative and in compliance with the standards identified in Chapter 16.68 (Planned Development Permit Standards). The PD deviates from the RL development standards to achieve a creative design that consists of reducing lot size from 5,000 square feet to 3,500 square feet, and the front yard setback from 20 feet to 18 feet, as well as zero lot line for one side yard. The PD is required to provide additional open space in the form of a community center, private parks, paly fields, and greenbelts.
- 7. The proposed design and development would be incompliance with provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, because a Mitigated Negative Declaration (MND) has been prepared for the project, in accordance with CEQA. The IS/MND identified potentially significant effects and feasible mitigation measures are identified to reduce them to less than significant levels.

#### Floodplain Management Finding:

8. In accordance with SMC Section 16.90.020 (A)(2), the proposed development shall comply with the 200-year flood requirements under Senate Bill (SB) 5. The State legislation requires that the property be protected to the urban level of flood protection in urban and urbanizing areas. A technical memorandum for 200-Year Flood Impact has been prepared by A. R. Sanguinetti & Associates dated January 16, 2019, to confirms that building pads in the Project would be elevated within 3 feet of the 200-year flood elevation that would bring the project within the shallow flood exemption and comply with an urban level of floor protection.

#### Findings for Design Review

1. The proposed development is consistent with all applicable provisions of this Development Code and other applicable City ordinances.

The project meets all applicable RL development standards (e.g., site coverage, building height, off-street parking, and residential density per net acre) with the exception of lot size/width and front and side yard setbacks which are modified by the PD. The project is in substantial compliance with provisions of the Stockton Citywide Design Guidelines Section 3.01, Single-Family Design Standards,

including the architectural treatments for the building elevations that are back up to and/or side onto an adjacent private street, parks, or open space.

 The general design considerations, including the character, quality, and scale of design are consistent with the purpose/intent of this chapter and the Guidelines and other design guidelines that may be adopted by the City.

The building elevations, materials, and design have been reviewed in comprehensive manor. The development will incorporate high quality, durable materials such as stone veneer, roof material, and color palettes in conformance with the design review guidelines.

3. The architectural design of structures and their materials and colors are visually compatible with surrounding development. Design elements (e.g., awnings, exterior lighting, screening of equipment, signs, etc.) have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development, and/or between the different types of uses in a mixed-use development.

The residential development is located in an area of the City predominately comprised of single-family homes in North Stockton. The proposed residential structures incorporate design elements such as front porches, covered entries with columns, window treatments, and different materials or colors. These elements are consistent with design themes for the North Stockton III residential development as a whole.

4. The location and configuration of structures are compatible with their sites and with surrounding sites and structures and do not unnecessarily block views from other structures or dominate their surroundings.

The PD is consistent with surrounding residential developments which generally include street landscaping, street lighting, landscaping in common area, and a community center in the subdivision. The site is generally flat and is developed a gated single-story residences. The project is not located between existing buildings and a scenic vista. Therefore, no view blockage would result.

5. The general landscape design, including the color, coverage, location, size, texture, and type of plant materials, provisions for irrigation, planned maintenance, and protection of landscape elements have been considered to ensure visual relief, to complement structures, and to provide an attractive environment.

The project has incorporated landscaping in the common areas, along private street and community center area. Use landscaping to highlight and enhance entrances into the overall design. A detailed irrigation plan will be reviewed and approved by the building department prior to the issuance of a Certificate of Occupancy. The homeowners' association and/or other maintenance entity will

maintain the project's streets, the masonry walls and all landscaped and common areas within the subdivision area.

6. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development and will not result in vehicular or pedestrian hazards.

The project does not interfere with the use and enjoyment of existing neighborhood, because the residential production homes offer an additional option for senior residents (55 years old or above) residing in the neighborhood. The design of the project includes future public street extension (Villa Point Drive) on the north side of the site, and private street/pedestrian access in the PD that have been reviewed in compliance with the City's standards and does not result in vehicular and pedestrian hazards.

7. The building design and related site plans, including on-site parking and loading, has been designed and integrated to ensure the intended use will best serve the potential users or patrons of the site.

The proposed site plan, building elevations and on-site parking requirement conform to all standards at SMC Chapter 16.24 (Zoning District Development Standards) with the exception of reducing lot size, width as well as front and side yard setbacks as modified by the PD. Single-story homes are appropriate to be built on lots by the design of zero lot line and reduction of front year setback. The project is best serving the senior residents who reside on the site.

8. Special requirements or standards have been adequately incorporated, when applicable, into the building and/or site design (e.g., American Disabilities Act regulations, historic preservation, mitigation measures, open space, utilities, etc.).

The development has been evaluated in a preliminary sense, for compliance with the PD standards and the Uniform Building Code. The construction documents submitted for purposes of obtaining a Building Permit will be subject to the mandatory standards of that code and compliance must be achieved before permit issuance. The project must comply with all mitigation measures listed on the Mitigation Motoring Reporting Program prior to or at the time of the issuance of building permits.

C. Based on its review of the entire record herein, including the September 12, 2019, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the requested Planned Development Permit (Exhibit 1) and Design Review (Exhibit 2), subject to the following conditions of approval:

//

#### Conditions of Approval

#### **Planned Development Permit**

#### **Standard Conditions of Approval**

- 1. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
- 2. The PD permit shall be effective after approval of the final subdivision map by the Council if the land is to be subdivided pursuant to SMC Section 16.144.100 (B). following approval by the Commission.

#### **Project - Specific Conditions of Approval**

- 3. Pursuant to SMC Section 16.104.040, any change to the final design plans for single-family residences and proposed masonry walls constructed within the project site shall be subject to review and approval by the Community Development Director for consistency with the approved P18-0146 and the Citywide Design Guidelines prior to the issuance of any building permit in the subdivision area.
- 4. The ODS shall be responsible for the establishment of a homeowners' association for the maintenance of landscaping, structures and walls/fences on the private property common areas and front yards of residences within the subdivision area.
- 5. All development under this approval shall comply with the development standards in the Residential, Low-Density (RL) zoning district pursuant to SMC Section 16.24.040, except that:
  - a. Setback Front setback from 18 feet to 20 feet, and one side yard setback from 0 to 5 feet.
  - b. Lot Size Typical lot size of 3,500 square feet, with larger lots on street corners.
  - c. Common Area At least 20 percent of the gross property area shall be reserved for and devoted to a private community center (Lot B), open space/common areas (Lots D and E) and a landscaped area at the main entry to the subdivision.
  - d Single-family homes shall be limited to a one-story design.
- 6. PD approval does not apply for Lot 43.

// //

#### Design Review

#### Standard Conditions of Approval

- 1. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
- 2. Compliance with these conditions is mandatory. Failure to comply with these conditions is unlawful, constitutes a public nuisance, and is subject to the remedies and penalties identified in the Stockton Municipal Code, including but not limited to, monetary fines and revocation or modification of said Design Review Approval.
- 3. This approval shall become void unless the required building permit is submitted within 12 months. An extension may be requested in conformance with SMC Section 16.96 (Expirations and Extensions); however, any extension shall be in compliance with the requirements of this Development Code and adopted design guidelines in effect at the time of the extension request.
- 4. The production homes approved by this action shall conform to the elevations and color/materials sheet included as Exhibit 2.

#### Project-Specific Conditions of Approval

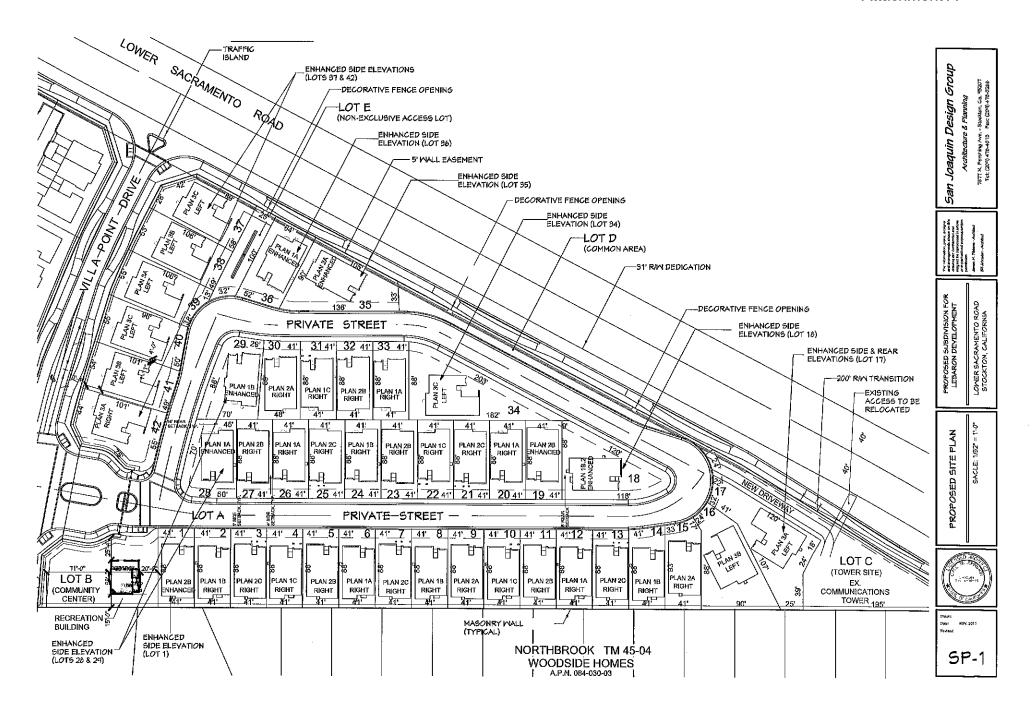
- 5. Changes to the approved plans shall be reviewed in accordance with SMC Chapter Section 16.04 (Changes to an Approved Project).
- 6. Plans submitted for purposes of obtaining building permit(s) shall reflect compliance with Development Code section 16.56.040 (Landscape Standards).
- 7. Plans submitted for purposes of building permit(s) shall reflect compliance with the Planned Development Standards (SMC Section 16.68.030) at Development Code. including all other aspects of Municipal Code Title 16 (Development Code), as applicable.

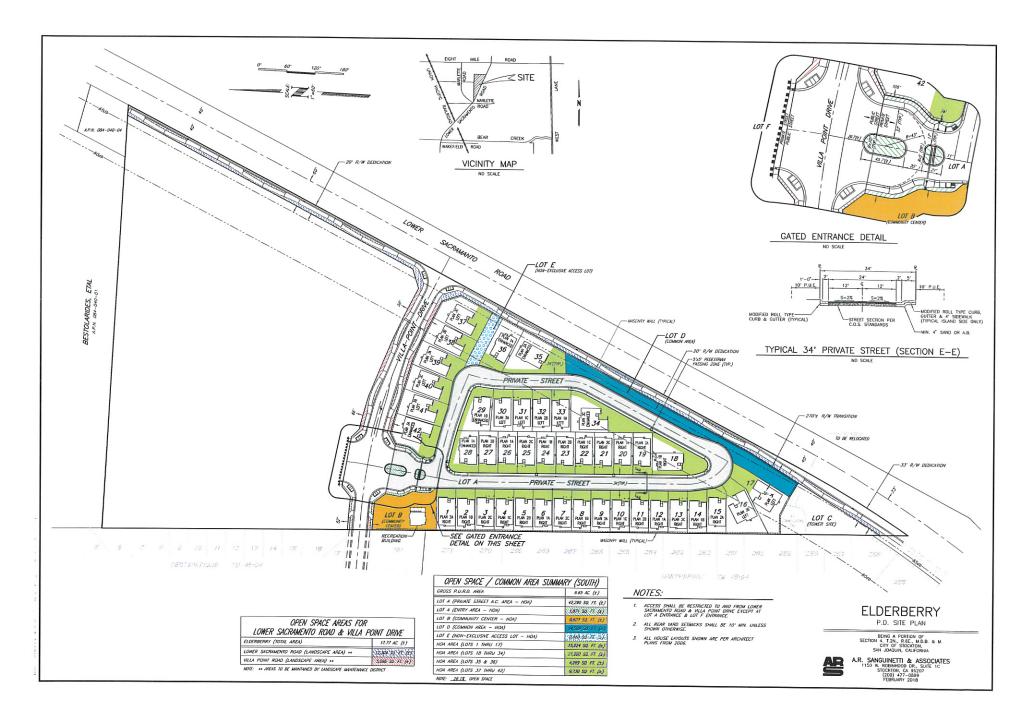
PASSED, APPROVED, and ADOPTED October 10, 2019

KIMBERLY A. WARMSLEY, CHAIR City of Stockton Planning Commission

ATTEST:

EŁL. SECRETARY City of Stockton Planning Commission







TYPICAL STREET ELEVATION

ELDERBERRY



TYPICAL STREET ELEVATION

ELDERBERRY

95207

San Joaquin Design Group

Architecture of 7877 N. Pershing Ave. -

ELDERBERRY SENIOR HOMES FOR LEBARON DEVELOPEMENT LOWER SACRAMENTO ROAD

TYPICAL STREETSCAPES

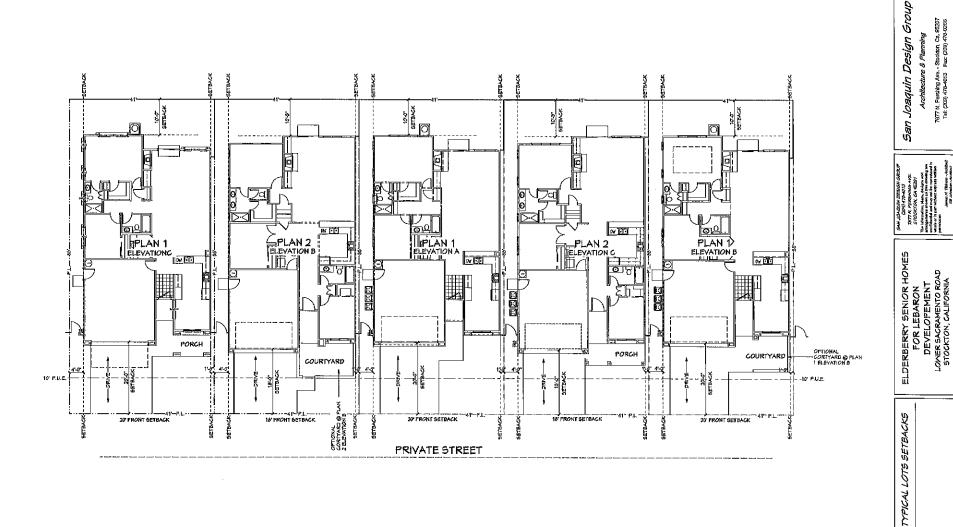
Draw:

Dela: NOVEMBER, 2017

Revised:

5-3

7877 N. Pershing Ave. - Stockton, Ca. 95207 Tel: (209) 478-4013 Fax (209) 478-0266



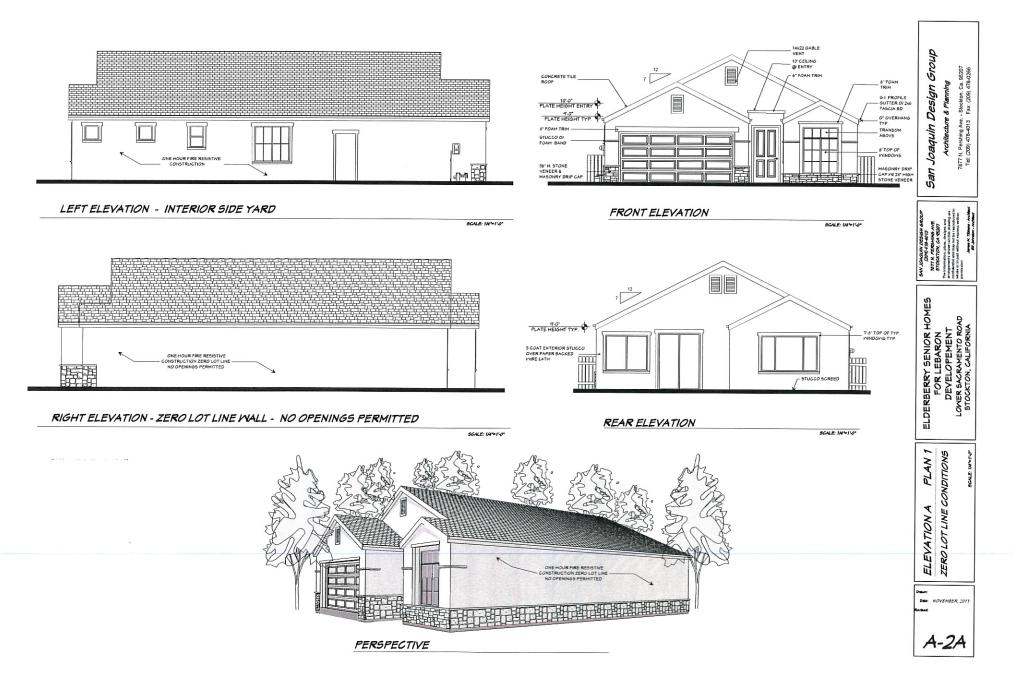
ELDERBERRY PLOT PLAN

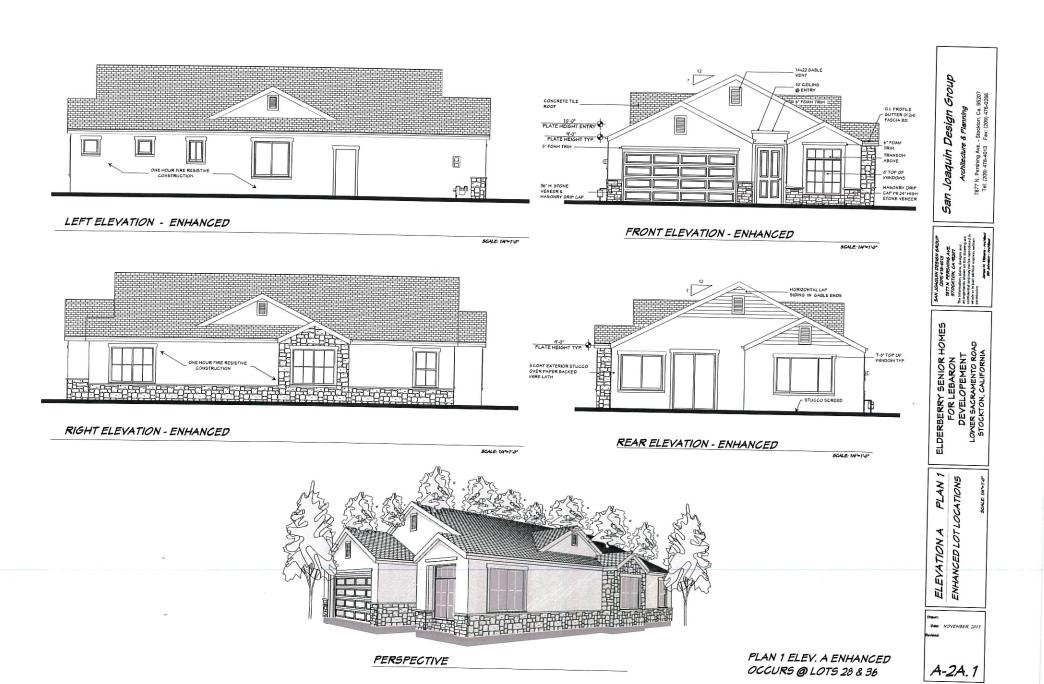
TYPICAL LOTS AND SETBACK'S

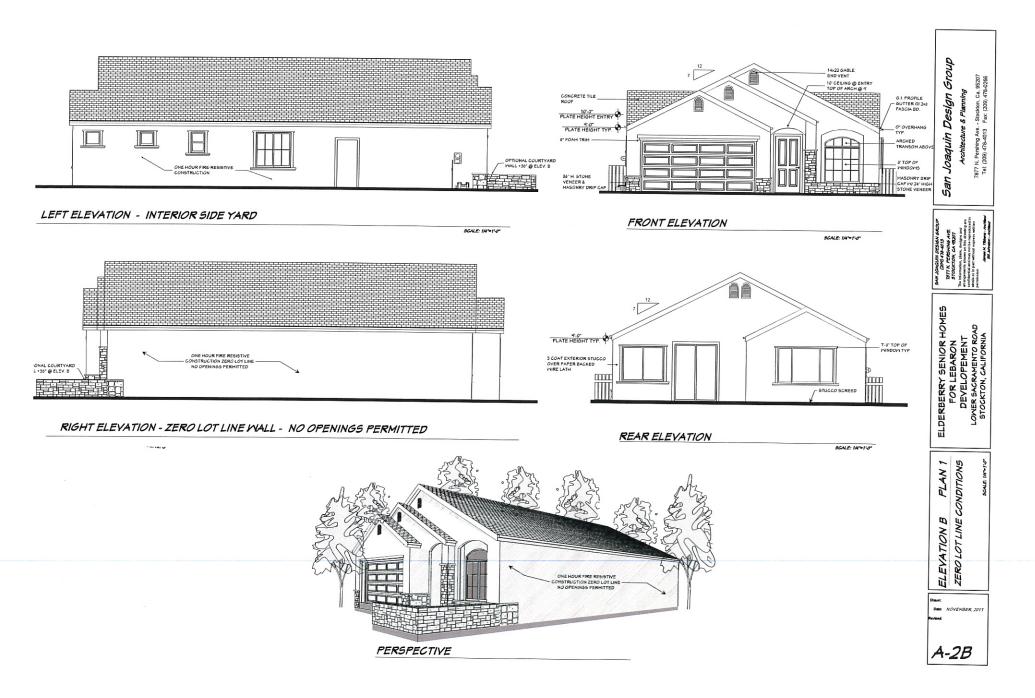
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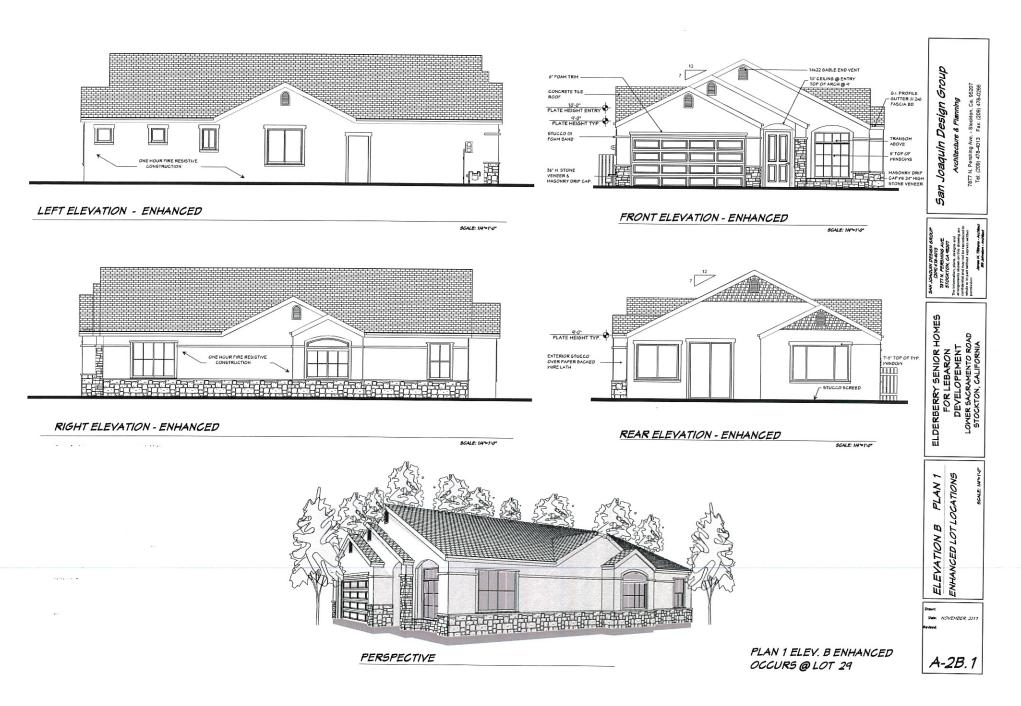
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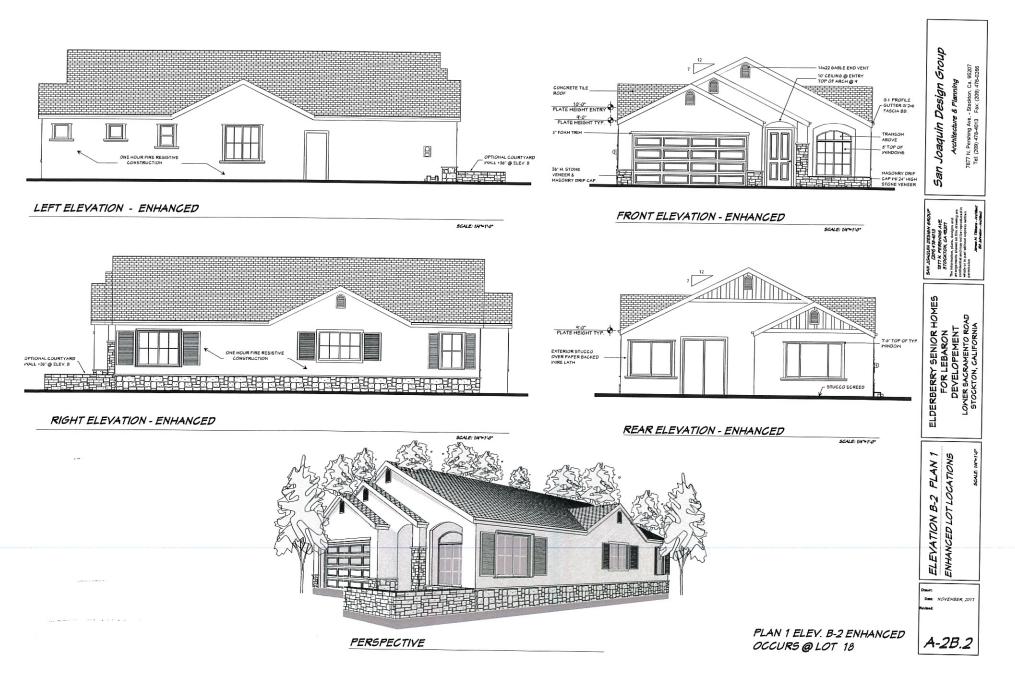
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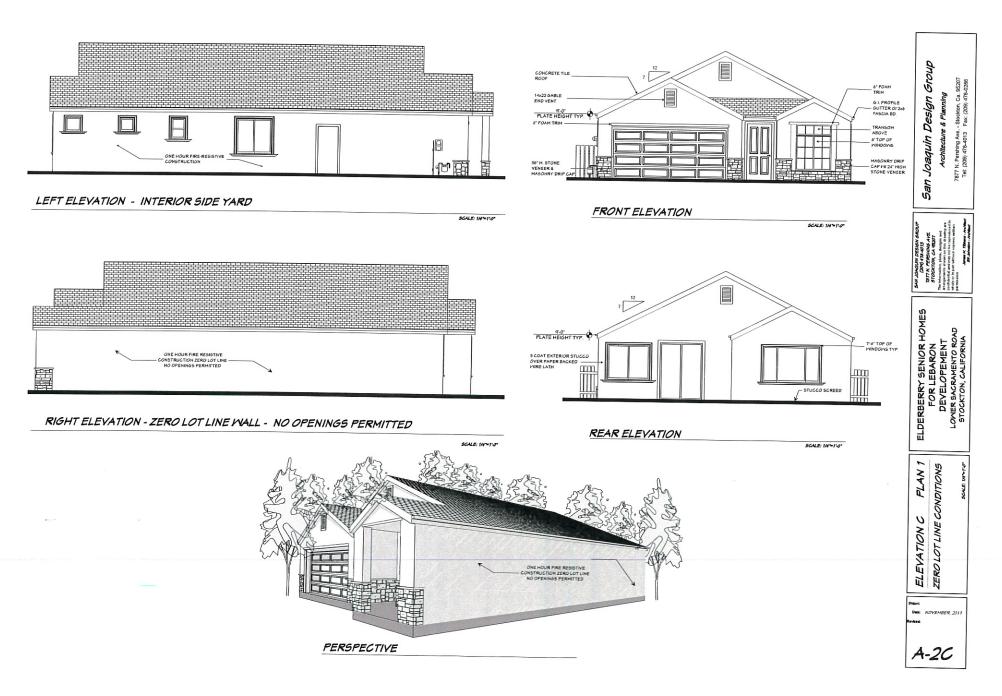


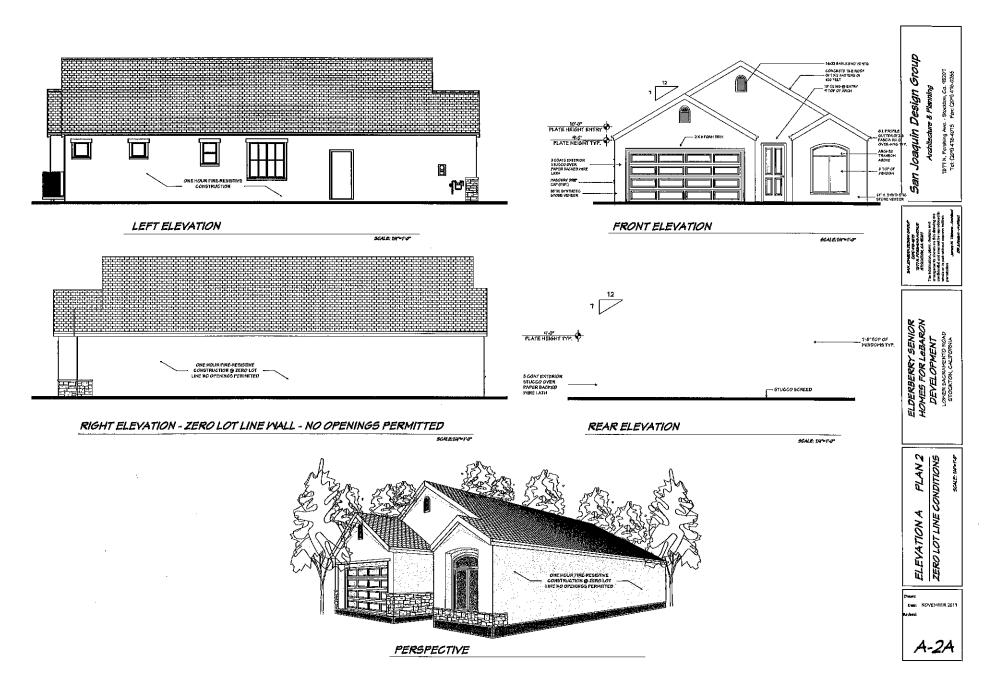


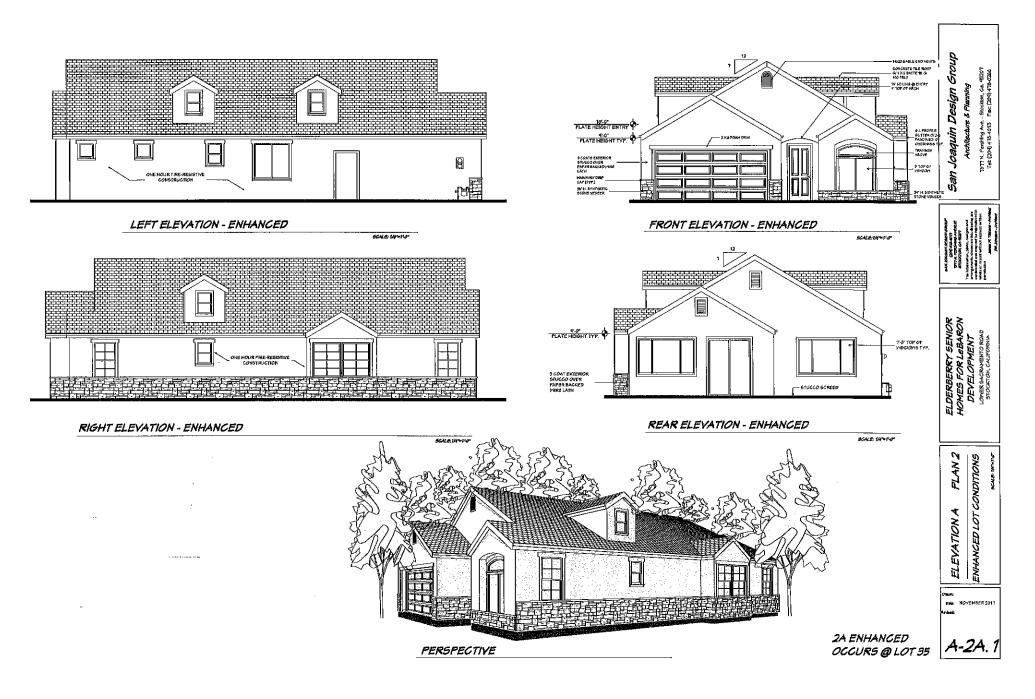


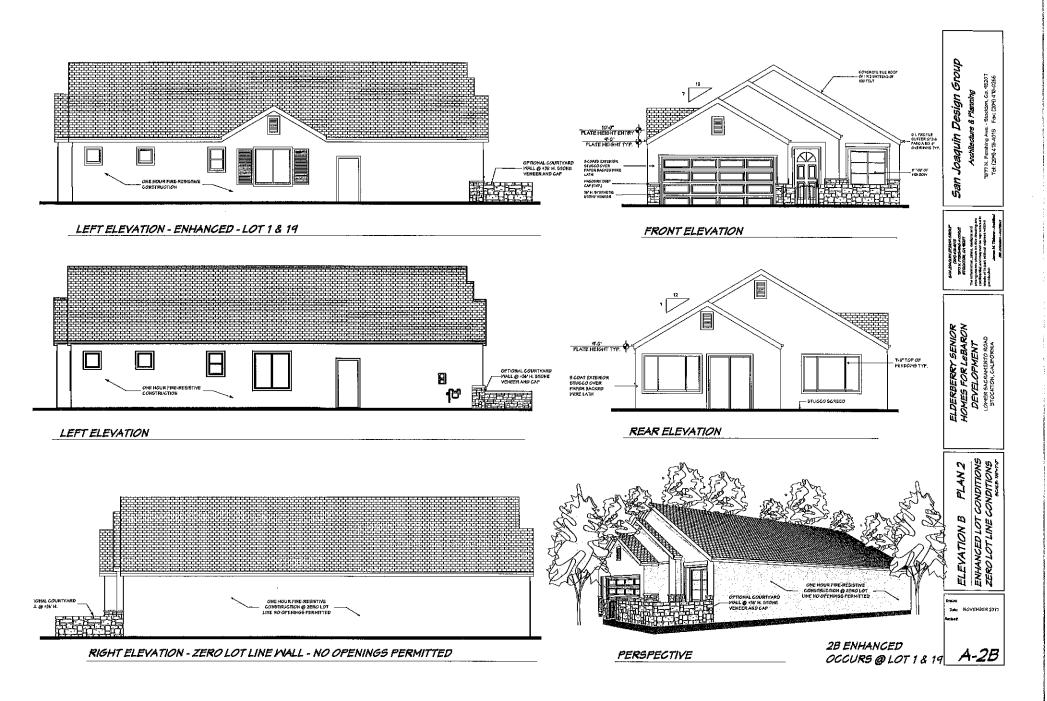


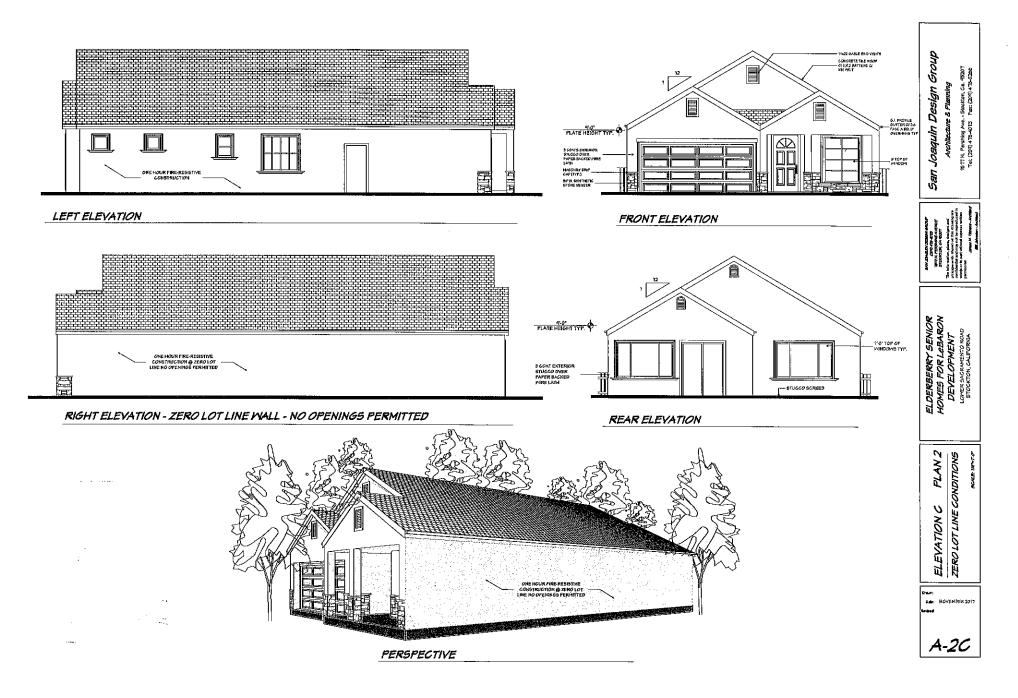


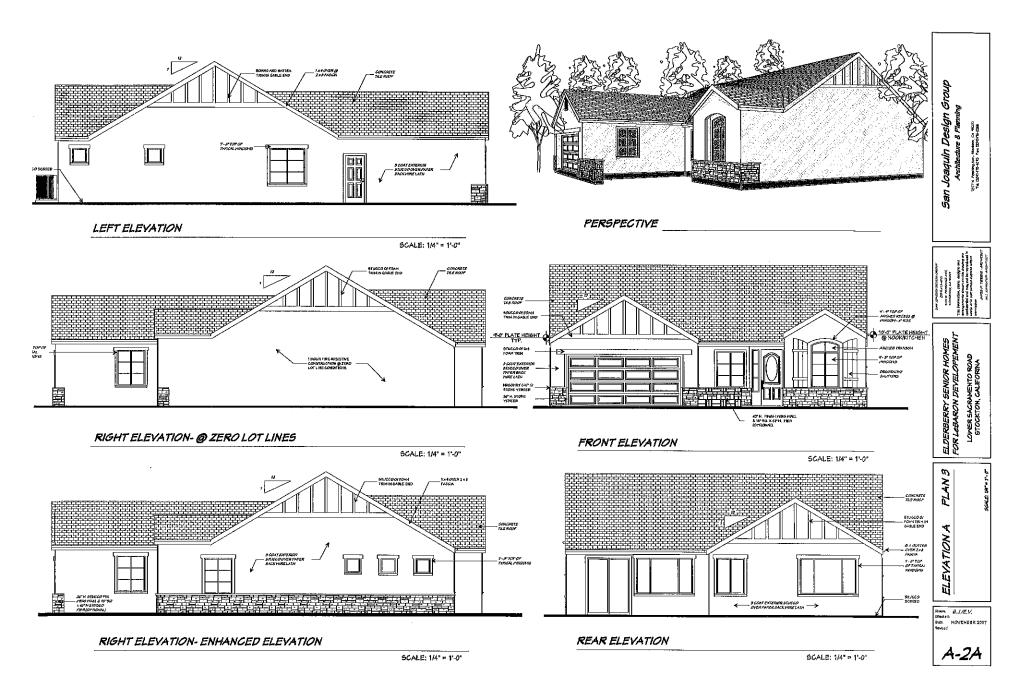


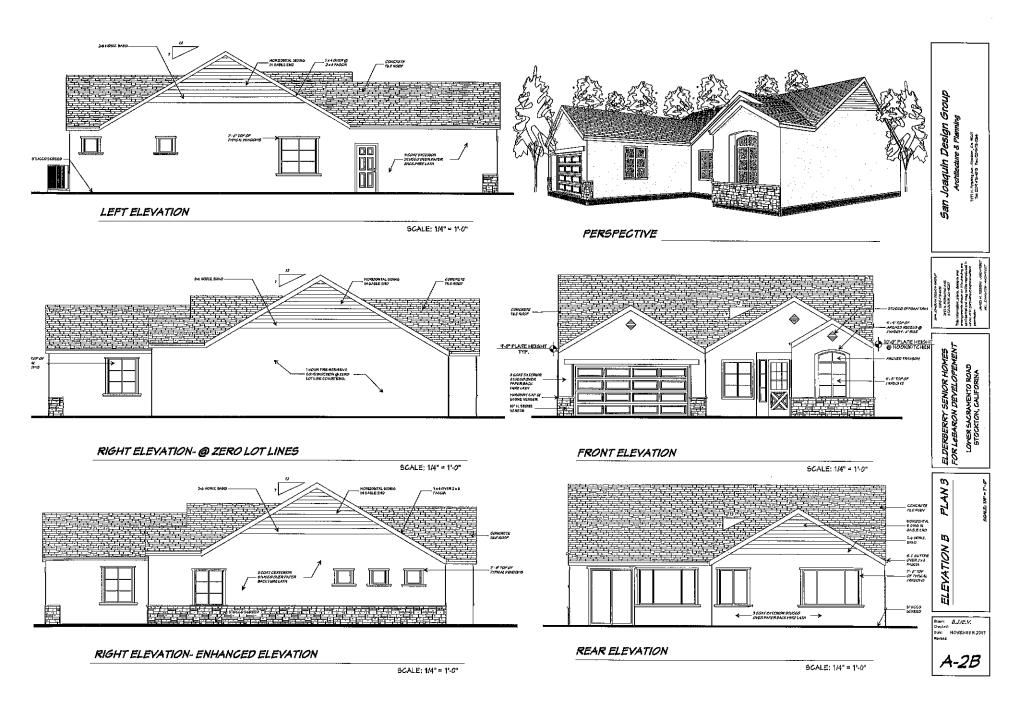


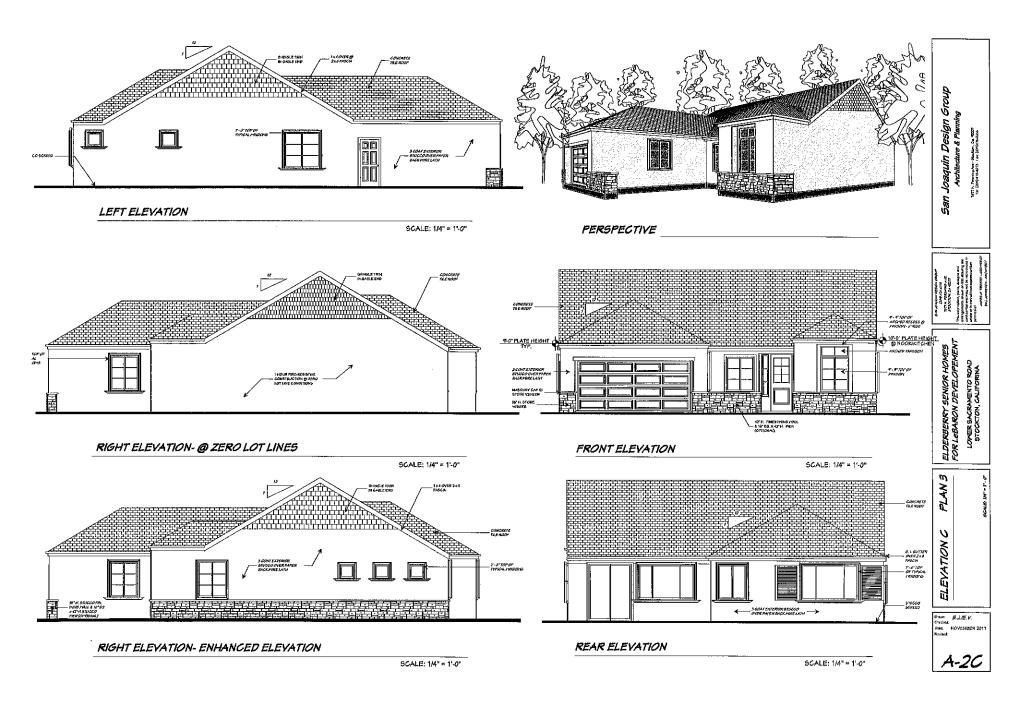




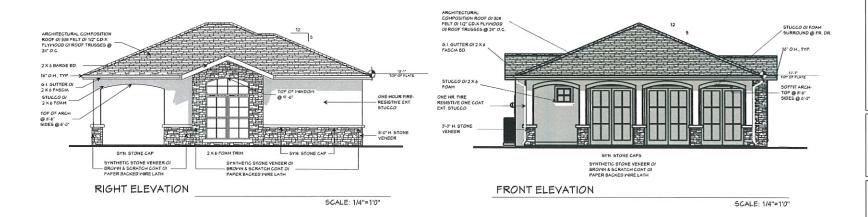


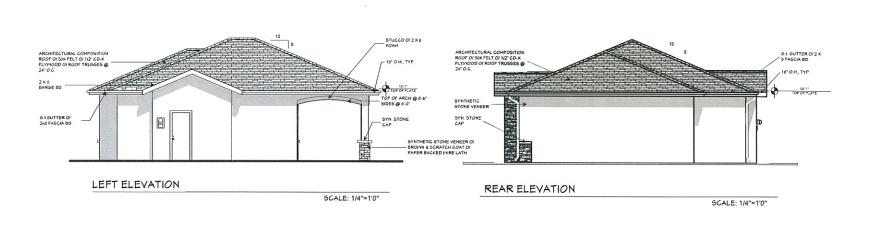






#### Attachment A





San Joaquin Design Group
Acclitecture & Pianning
TETTN Pership Ave. - Socten Ca. 45207
Tel (2014) Albolis - Fel (2

and prosperent in bloom or this drawing are conflicted at our may have a represented in their or in part until or express a written permission.

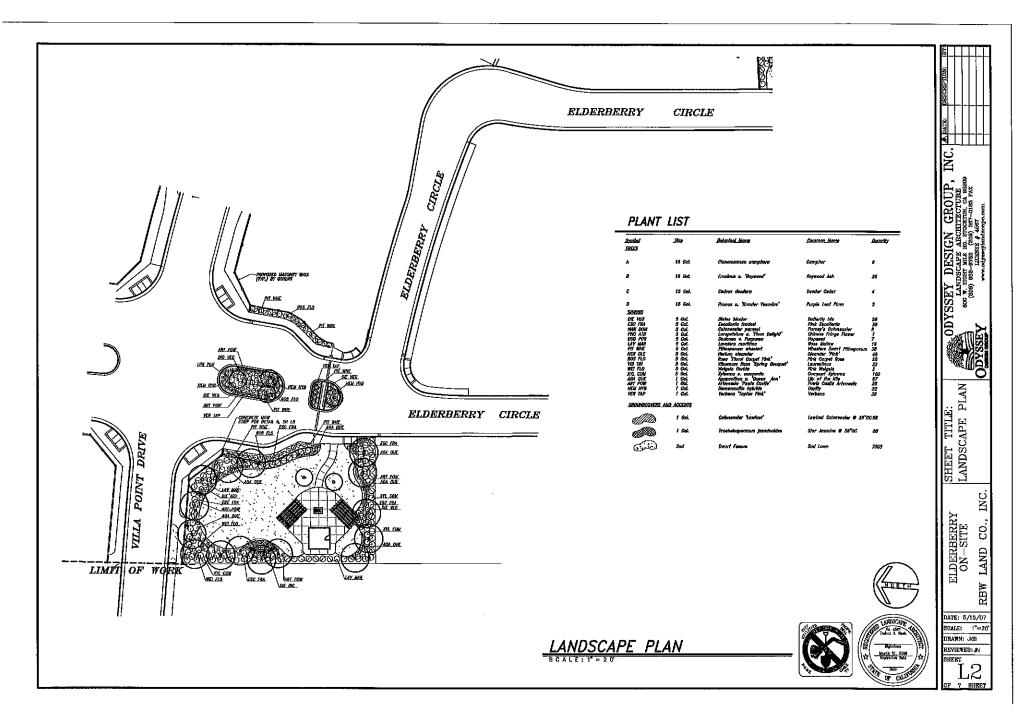
James M. Thorns - Auchited James M. Thorns -Cold Express.

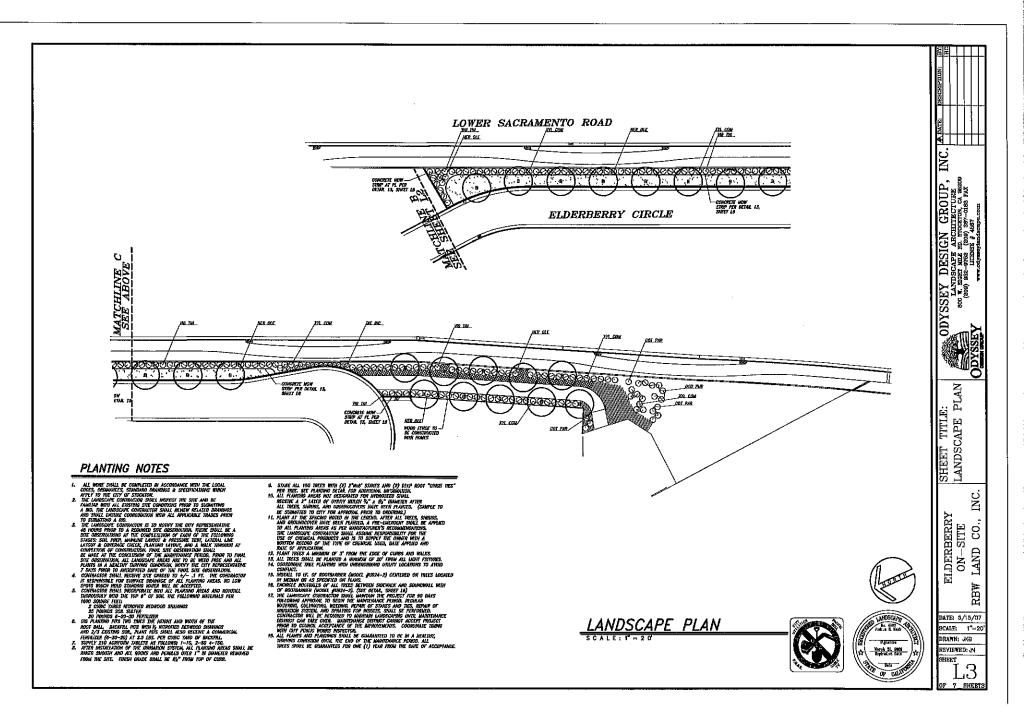
ELDERBERRY SENIOR HOMES FOR LEBARON
DEVELOPEMENT
LOMER SACRAMENTO ROAD
STOCKTON, CALIFORNIA

COMMUNITY BUILDING
ELEYATIONS
SCAR INC. 1:-0



Date: NOVEMBER, 2011
Revised:
A-2





Attachment B City of Stockton, CA

#### Attachment B - Location Map and Aerial Photography

August 23, 2021



#### Property Information

Location Owner

Property ID 08404005-110779

10789 N LOWER SACRAMENTO RD LE BARON, EDWARD ETAL



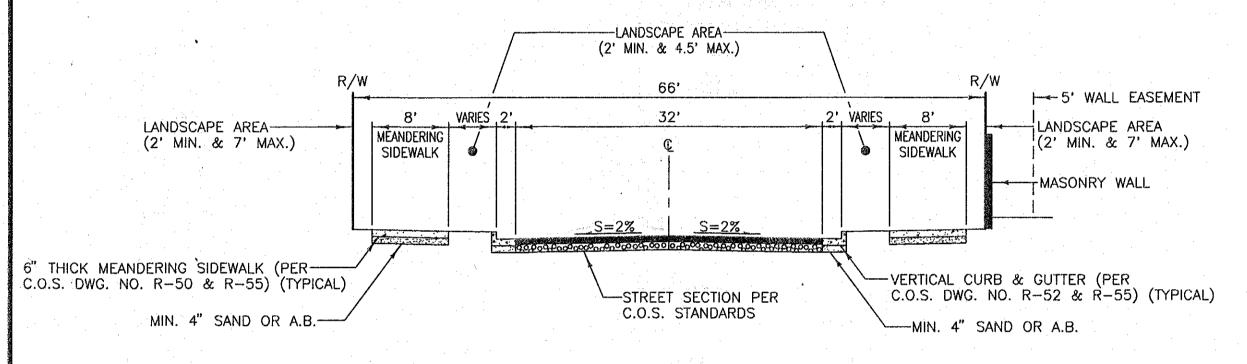
City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/11/2021 Data updated 08/02/2021

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

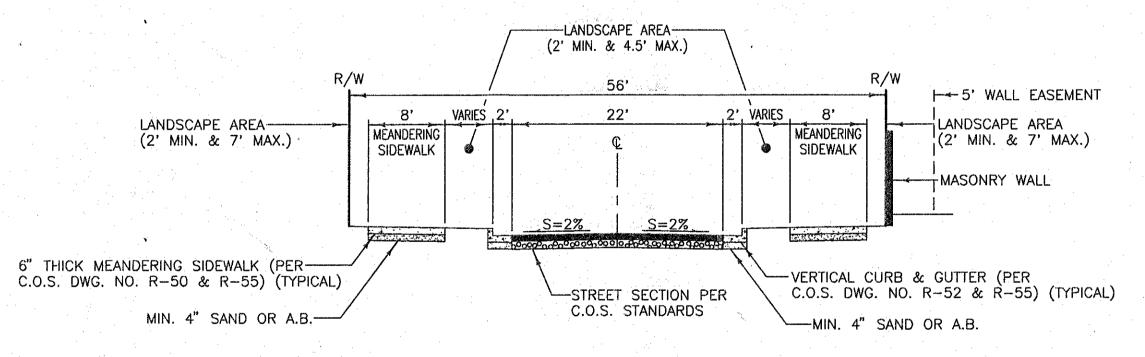
## NOTES:

- 1. THIS SUBDIVISION CONTAINS APPROXIMATELY 17.8 GROSS ACRES WITH 42 SINGLE FAMILY RESIDENTIAL LOTS, 4 COMMON AREA LOTS (A, B, D & E), 1 LOT (LOT 43) TO BE SUBDIVIDED IN THE FUTURE FOR HIGH DENSITY RESIDENTIAL, AND LOT 'C' EXISTING CELL TOWER SITE. 48 TOTAL LOTS.
- THIS TENTATIVE MAP WITH MINOR MODIFICATIONS REPRESENTS TM 25-06 WHICH EXPIRED 12/14/17.
- 3. THIS SUBDIVISION MAY BE DEVELOPED IN PHASES (UNITS).
- 4. PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED AS REQUIRED.
- 5. ALL PUBLIC IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF STOCKTON STANDARDS.
- 6. DOMESTIC WATER AND SANITARY SEWER IS PROVIDED & MAINTAINED BY THE CITY OF STOCKTON.
- VILLA POINT DRIVE AT LOWER SACRAMENTO ROAD SHALL BE RIGHT-IN/ RIGHT-OUT ONLY.
- STORM DRAINAGE ALONG VILLA POINT DRIVE & LOWER SACRAMENTO ROAD IS PUBLIC. ALL OTHER STORM DRAINAGE IS PRIVATE AND SHALL BE MAINTAINED BY AN HOA (HOME OWNER'S ASSOCIATION) OR OTHER ACCEPTABLE ENTITY.
- ACCESS SHALL BE RESTRICTED TO AND FROM LOWER SACRAMENTO ROAD & VILLA POINT DRIVE EXCEPT AT LOT A ENTRANCE & LOT 43 ENTRANCE AND FIRE ACCESS DRIVEWAY C.O.S. STANDARD DWG. NO. R-60 TO THE EXISTING CELL TOWER AT THE EXISTING DRIVEWAY LOCATION ON LOWER SACRAMENTO ROAD.
- 10. ALL REAR YARD SETBACKS SHALL BE 10' MINIMUM, UNLESS SHOWN OTHERWISE.
- 11. ALL PERIMETER SETBACKS ARE 10' MINIMUM, UNLESS SHOWN OTHERWISE.
- 12. LOWER SACRAMENTO ROAD IMPROVEMENTS TO BE PHASED.
- 13. LOT 'A' SHALL BE A P.U.E. IN ITS ENTIRETY.



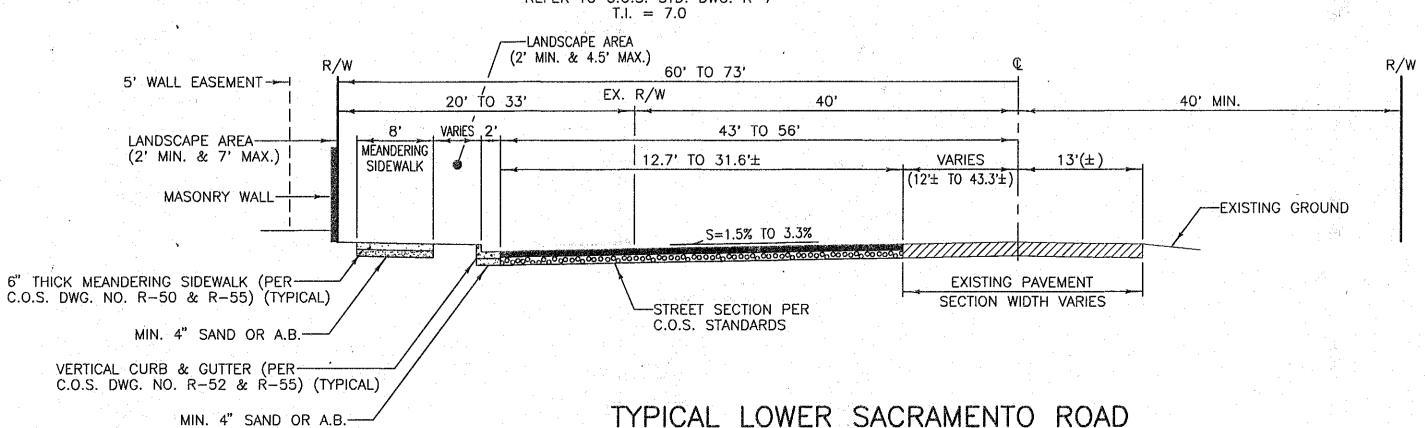
# TYPICAL 66' STREET (SECTION C-C)

NO SCALE REFER TO TM 25-06 T.1. = 7.0



## TYPICAL 56' STREET (SECTION B-B)

NO SCALE REFER TO C.O.S. STD. DWG. R-7



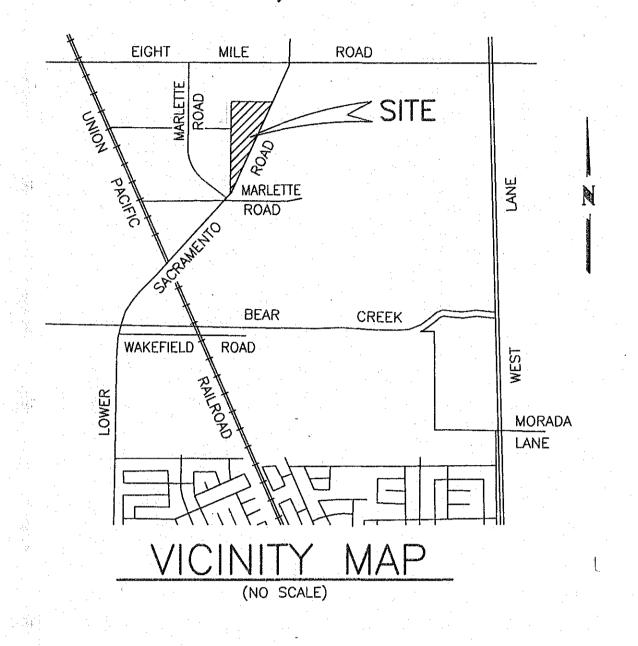
STREET

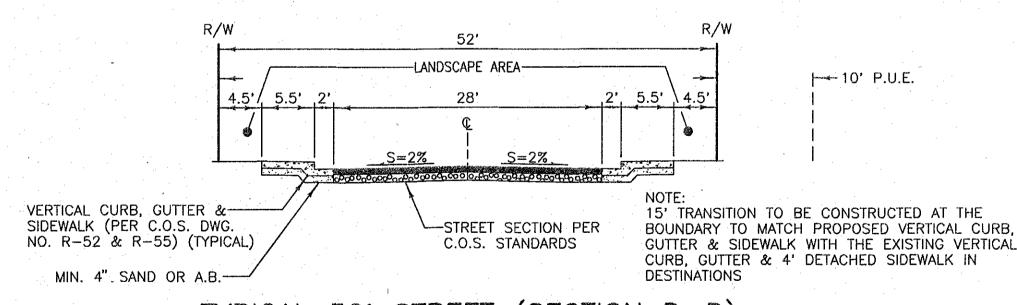
(SECTION A-A)

NO SCALE REFER TO C.O.S. STD. DWG. R-10

# TENTATIVE MAP

A.R. SANGUINETTI & ASSOCIATES CONSULTING CIVIL ENGINEERS STOCKTON, CALIFORNIA





#### TYPICAL 52' STREET (SECTION D-D) NO SCALE

REFER TO TM 25-06

T.I. = 7.0

34' -1'-0"<del>--≻-</del> S=2% S=2% -MODIFIED ROLL TYPE CURB, GUTTER & 4' SIDEWALK (TYPICAL ISLAND SIDE ONLY) MODIFIED ROLL TYPE--STREET SECTION PER CURB & GUTTER (TYPICAL) C.O.S. STANDARDS └─MIN. 4" SAND OR A.B.

TYPICAL 34' PRIVATE STREET (SECTION E-E) NO SCALE T.I. = 5.0

**ENGINEER:** 

A. R. SANGUINETTI & ASSOCIATES 1150 W. ROBINHOOD DR., SUITE 1C STOCKTON, CA, 95207 (209) 477-0899

OWNER:

LEBARON RANCHES, L.P., A CALIFORNIA LIMITED PARTNERSHIP

EDWARD W. LEBARON

FILED AS A TENTATIVE MAP THIS 28 DAY OF F-COVUALY, 2021-2018. FEE: \$ \$15,947.50

APPROVED BY THE CITY OF STOCKTON PLANNING COMMISSION THIS BY DAY of April

APPROVED BY THE CITY OF ENGINEER OF THE CITY OF STOCKTON THIS BE DA OF April

LEGEND:

MAINTENANCE HOLE

- 12"50 - STORM PIPE SIZE AND DIRECTION

SEWER PIPE SIZE AND DIRECTION

WATER PIPE SIZE

EXISTING GROUND ELEVATION (MARCH 2005)

MASONRY WALL

TRACT NO. 2591 TENTATIVE MAP OF

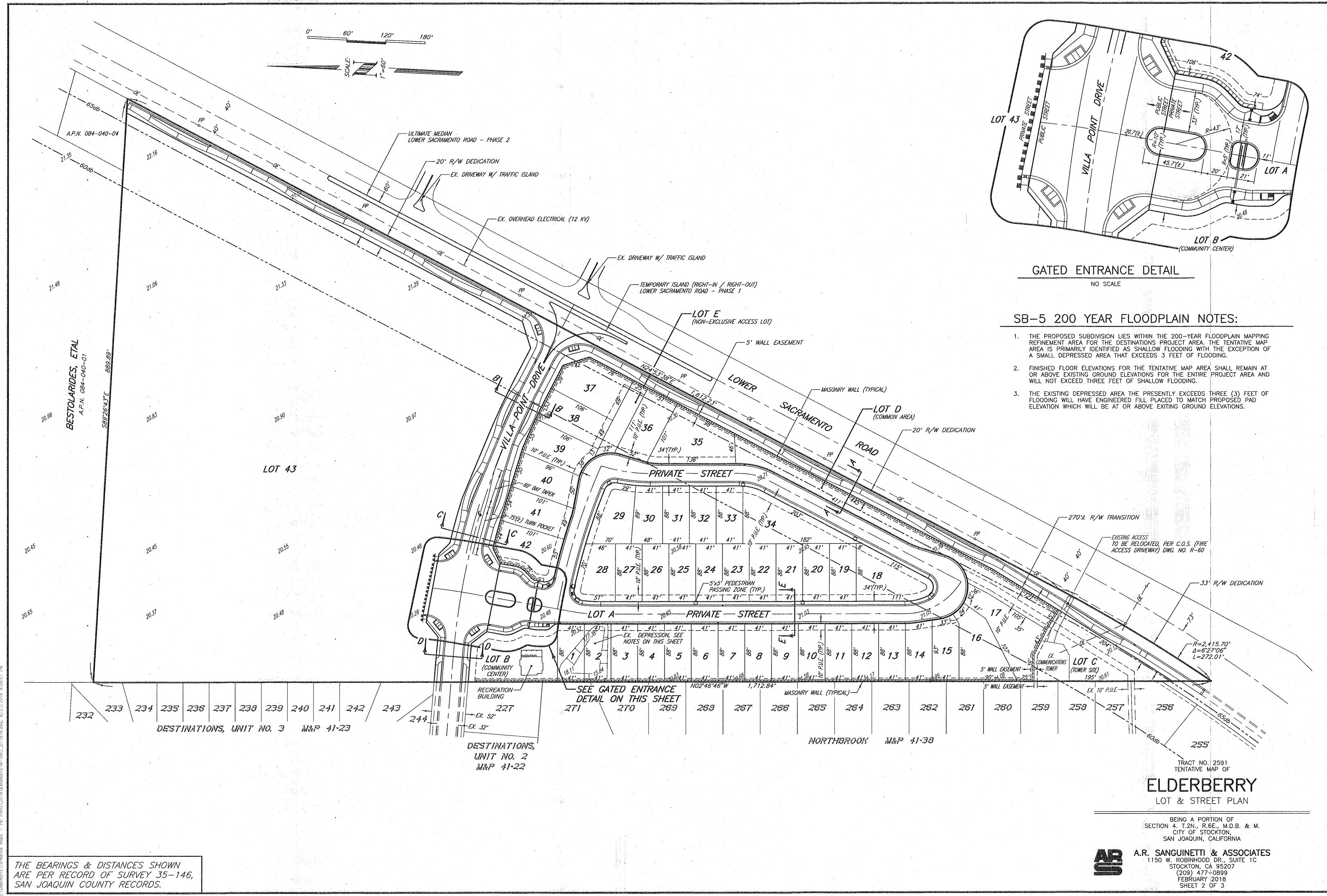
ELDERBERRY

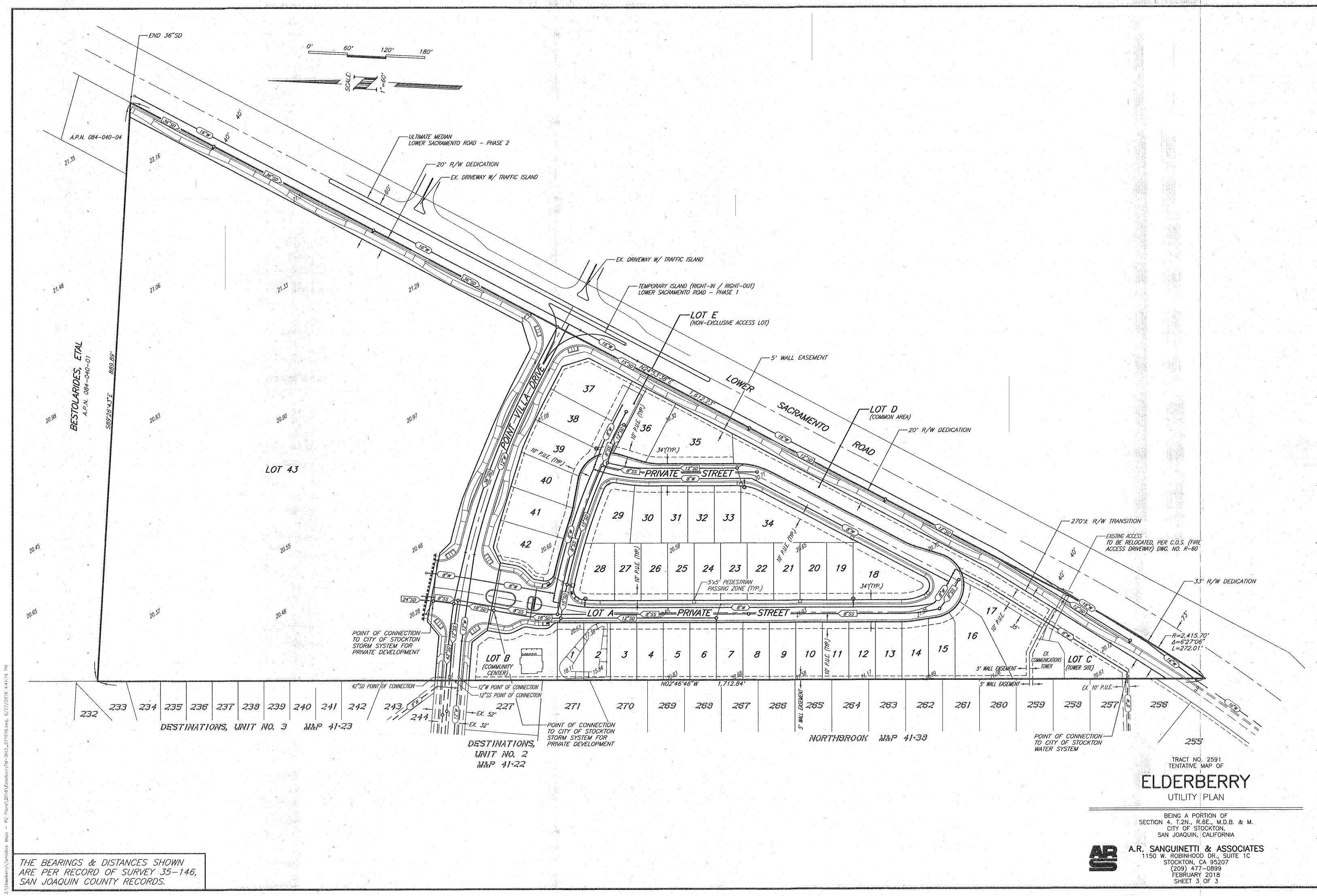
BEING A PORTION OF SECTION 4. T.2N., R.6E., M.D.B. & M. CITY OF STOCKTON, SAN JOAQUIN, CALIFORNIA



A.R. SANGUINETTI & ASSOCIATES
1150 W. ROBINHOOD DR., SUITE 1C STOCKTON, CA 95207 (209) 477-0899 FEBRUARY 2018 SHEET 1 OF 3

71





#### LeBaron Ranches L.P.

4719 Quail Lakes Dr. Suite G241 Stockton, CA 95207

RPhone: (209) 251-7008

JUL 13 2021

City of Stockton
Community Development

July 5, 2021

Mr. Will Crew Director, Planning & Engineering 345 N. El Dorado St. Stockton, CA 95202

Mr. Mike McDowell Deputy Director, Planning & Engineering 345 N. El Dorado St. Stockton, CA 95202

Re: Elderberry T.M. - P18-0146

Dear Sirs,

I am requesting a two year extension to the existing Tentative Map described above which was approved on October 10, 2019

Although both site improvement plans and the Final Map drawing for the first phase of the project have been substantially completed, we have encountered substantial delays in the past year and will not be able to submit the Final Map to the City and County for review and recordation along with completed improvement plans and associated review fees prior to the expiration of the existing T.M. described above. The stated expiration date on the current map is September 12, 2021

Please accept this request to extend the current T.M. and conditions for an additional two year term.

Thank you for your consideration of this extension request and if you require any additional information regarding this matter, I would be happy to provide the same.

Sincerely,

Wayne LeBaron

WleBan

Sent Om-Line

A

7-1-31



COMMUNITY DEVELOPMENT DEPAI

DN, CA 95202 • (209) 937-8266

SSS.WIT DEVELOT WENT DET	the entail.				JN, CA 33202 9 (203) 337-8200	
APPLICATION REQUEST	The state of the s					
Administrative Exception, Waive Interpretation Annexation Appeal to Planning Commission Certificate of Appropriateness Child Care Center Condominium Conversion Density Bonus Design Review Development Agreement Development Code Amendment	Master Dev Amendmer Planned De Pre-Applica Precise Ro	velopm nt evelopr ation ad Plai	ent Plan/ ment Perm	∐ Tei ⊠ Tin it □ Usi □ Vai ient □ Zoi	ecific Plan/Amendment eet Name Change mporary Activity Permit ntative Map/Tentative Parcel Map ntative Map Vesting ne Extension e Permit riance ning Compliance Letter ner	
PROPERTY LOCATION						
Address: 10789 &10601 N. Lower Sacramento Rd						
Zoning District: As	sessor's Parcel No.	:084	040	- 5, 7 Histori	ic Landmark (?):	
STATEMENT OF INTENT / PROJECT DESCRIPTION (Provide a detailed description of the project below or on a separate attachment.) Phase One - 42 s.f. units, single level, 55 and older adult gated community with Club House  Current T.M P18-0146 expires September 12, 2021						
APPLICANT						
Name: Edward LeBaron			_ E-mail:	wayne@lebaro	ondevelopment.com	
Address: 4719 Quail Lakes Dr. Suite G241				Phone 1: 209-	951-7008	
City: Stockton	State: <u>CA</u>	_ Zip: _	95207	Phone 2: <u>209-</u>	598-6614	
PROPERTY OWNER (if different to Name: Same	nan Applicant)		_ E-mail:			
Address:				Phone 1:		
City:	State:	Zip: _	<del></del>	Phone 2:		
OFFICE USE ONLY						
HABITAT PLAN  Not subject to  May be subject to	AIRPORT LAND USE COMMISSION  Review required?		MANAGE! Revie	AL CONGESTION MENT PROGRAM ew required?	Date Rec'd: Processed by:	
Commence of the Commence of th	YES NO		YE	S NO	1 77 ·	



# PLANNING APPLICATION



#### **CAMPAIGN CONTRIBUTION DISCLOSURE NOTICE**

If the applicant and/or property owner of the subject site has made a financial contribution to a Planning Commissioner within the past twelve (12) months, a signed disclosure of that contribution may be required in compliance with California Government Code Section 84308.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this application to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

#### **INDEMNIFICATION NOTICE**

As part of this application, applicant and real party in interest, if different, agrees to defend, indemnify, hold harmless, and release the City of Stockton, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application and/or the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the City of Stockton, its agents, officers, attorneys, or employees.

Executed at:	Stockton, CA	Dated:	07/01/2021		
	(City/State)				
Edward LeBaron	7-1-21	Edward LeBaron	7-1-21		
Applicant's Name	Date	Property Owner's / Real Party in Interest*	Date		
x Eles le Bonn		x Eder le Bour			
Applicant's Signature		Property Owner's / Real Party in Interest's S	Signature		
Owner		Owner			
Applicant Title		Property Owner's Title			

Real Party in Interest may be different than a listed property owner. If property is held by a trust, the real party in interest would be one or more individuals who benefit from the trust. In such a case, the actual beneficiary or real party in interest must sign

instead of property trustee.

## STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A TWO-YEAR TIME EXTENSION FOR AN APPROVED TENTATIVE MAP FOR THE ELDERBERRY SENIOR HOUSING PROJECT ON THE WEST SIDE OF LOWER SACRAMENTO ROAD AND SOUTH OF EIGHT MILE ROAD (APPLICATION NO. P21-0667)

On October 10, 2019, the Planning Commission approved a Tentative Map (TM)("Approved Map") for a project known as "Elderberry Senior Residential Development" (P18-0146). The approval included a Tentative Map, Planned Development Permit, and Design Review application to subdivide a 17.32-acre site into 43 parcels for the development of 42 single-family dwellings for a senior housing project under the provisions of the Planned Development (PD) Permit. The project site is located on the west side of Lower Sacramento Road and south of Eight Mile Road. Under that approval, the map was due to expire on October 10, 2021; and

On July 1, 2021, the applicant submitted an application for an additional two-year time extension; and

On September 23, 2021, the Planning Commission held a duly noticed public hearing, in accordance with Stockton Municipal Code (SMC) Section 16.88.050(C), to consider the time extension request, at which time all interested parties had the opportunity to be heard, now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON AS FOLLOWS:

- 1. The foregoing recitals are true and correct and incorporated by reference.
- 2. Based upon its review of the entire record herein, the Planning Commission makes the following findings:

#### SMC Section 16.188.100 (Tentative Map Processing, Post Approval Procedures)

- a. There have been no changes to the provisions of the General Plan or any applicable specific plan, precise road plan, or master development plan that would cause the Tentative Map to be inconsistent with the General Plan, because the site is still Low-Density, Residential designated on the 2040 General Plan Land Use.
- b. There have been no changes to applicable provisions of the Development Code that would cause the Tentative Map to be inconsistent with the Development Code. Fourty-three (43) parcels contained in the Tentative Map

- remain consistent with the lot standards at SMC Section 16.24.200, Table 2-3 (Zoning District Development Standards). (SMC § 16.188.100(C)(a)(ii).)
- c. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project. When the Tentative Map was approved in the 2010, the site was bounded by existing single-family homes to the west and vacant land to the north, south and east. These land uses remain unchanged. Approval of the Tentative Map extension will facilitate residential development that is consistent with the surrounding character. (SMC § 16.188.100(C)(a)(iii).)
- d. There have been no changes to the capacity of community resources, including roads, schools, sewage treatment or disposal facilities, or water supply, so that there is no longer sufficient remaining capacity to serve the project. Upon the review of the City's most recently adopted Sanitary Collection/Treatment Master Plan, Water system Master Plan and the Public Works Design Standards, all required infrastructure and public facilities, water supply, sewage treatment or disposal facilities as well as public streets have sufficient capacities to serve the project site. (SMC § 16.188.100(C)(a)(iv).)

#### SMC Section 16.90 (Floodplain Management Findings)

e. In accordance with SMC section 16.90.020 (A)(2), the proposed development shall comply with the 200-year flood requirements under Senate Bill (SB) 5. The State legislation requires that the property be protected to the urban level of flood protection in urban and urbanizing areas. A technical memorandum has been prepared by A. R. Sanguinetti & Associates confirms that building pads in the Project would be elevated. The 200-year flood depths at the structures would be reduced to less than three feet and have an urban level of flood protection.

#### California Environmental Quality Act

f. The environmental consequences of this Tentative Map have been analyzed in accordance with the provisions of Section 15070 of the State California Quality Act (CEQA) Guidelines, the project shall be subject to all applicable mitigation measures identified in the city-adopted Final Initial Study/Mitigated Negative Declaration (P18-0146) and the "Findings, and Mitigation Monitoring/Reporting Program for the Elderberry Senior Housing Project. All mitigation measures for the approved Tentative Map remain applicable. No further environmental review is required in order to approve the requested time extension.

#### Planning Commission Action

3. Based on its review of the entire record herein, including the September 23, 2021, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby

approves a request for another two-year time extension for the approved tentative map subject to the following conditions of approval:

#### Conditions of Approval

- 1. Comply with all applicable Federal, State, County and City codes, regulations, and adopted standards and pay all applicable fees.
- 2. Pursuant to section 15070 of the CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the city-adopted Final Initial Study/Mitigated Negative Declaration (P18-0146) and the "Findings, and Mitigation Monitoring/Reporting Program for the Elderberry Senior Housing Project."
- 3. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the establishment of covenants, conditions and restrictions (CC&Rs) for the maintenance of landscaping, structures and walls/fences on the private property common areas and front yards of residences within the subdivision area. The CC&Rs shall be subject to review and approval by the City Attorney and the Community Development Director prior to their recordation. The ODS shall be responsible for recordation of the CC&Rs and payment of recording expenses prior to or in conjunction with the recordation of any Final Map for this subdivision. The City shall be declared to be a third-party beneficiary of the CC&Rs and shall be entitled, without obligation, to take appropriate legal action to enforce the Stockton CC&Rs.
- 4. In order to minimize any adverse financial impact on the City of Stockton (COS) associated with development and/or use of the subject site, the ODS agrees that it will not challenge or protest any applicable fees associated with the development of the site, but if such fees are amended or modified, the ODS agrees to pay such fees as they may be amended or modified from time to time.
- 5. The ODS shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.

#### Project-Specific Conditions of Approval

- 6. Upon Approval of the Tentative Map, the ODS shall annex into and comply with all requirements of the Citywide Services and Maintenance Community Facility District (CFD), in accordance with the City Council adopted resolution 2018-07-17-1301.
- 7. The Tentative Map area is primarily identified as a shallow flooding with the exception of a small, depressed area that exceeds three (3) feet of flooding. The existing depressed areas within the subdivision shall be required an engineered fill placed to match proposed pad elevations that will be at or above

existing ground elevation.

- 8. Prior to recordation of any Final Map, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2 and approve an assessment providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision. ODS may request to annex to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2 provided the subdivision is within the service area of a park for which a zone of the Stockton Consolidated Landscape Maintenance District 96-2 has already been formed.
- 9. Prior to recordation of any Final Map, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2 that includes the entire subdivision. The entire subdivision may be considered for annexation to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2, provided the type, intensity and amount of the improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall result in an assessment being approved that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportionate share of the costs of maintaining, in perpetuity, and if necessary replacement at the end of the useful life of, improvements including but not limited to publicly accessible common area landscaping, landscaping in the right-of-way, landscape medians and all "improvements" serving or for the special benefit of this subdivision.
- 10. All landscaped areas on the site shall comply with applicable requirements of the Stockton Municipal Code. Landscaping and irrigation plan for the entire subdivision area and public streets shall be submitted to the Community Development Department, Planning and Building Divisions for review and approval by the Community Development Director and the City Landscape Architect prior to the issuance of any residential building permits. Landscaped areas, including a timed/automatic irrigation system, shall be installed at the time that the masonry walls along public streets are constructed and be maintained by the homeowners' association.
- 11. All walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for regular maintenance (i.e., graffiti removal) and shall include the width of the support footing as it extends from both sides of the wall.
- 12. Provide the associated 10-foot-wide public utility easement through Lot C for the 8-inch waterline.
- 13. Provide public utility easements for water and sanitary sewer infrastructure along private streets, including Lot E.
  - 14. The ODS shall abandon all existing driveways and dedicate

access rights to the City of Stockton along the following streets, except at public street intersections:

- a. Lower Sacramento Road, entire length except at approved opening for Lot C (Ex. Cell Tower) shall be a 16-20ft wide R-6 Fire type driveway and a potential Emergency Vehicle Access (EVA) serving the northeasterly corner of Lot 43 (High Density Site) to be approved by the City Engineer when development occurs.
- b. Villa Point Drive, entire length except at approved openings.
- 15. The ODS shall participate in any applicable Transportation Systems Management (TSM) programs established by the City of Stockton and pay their proportionate share of the cost to provide an appropriate area for a park and ride facility.
- 16. The ODS shall dedicate 20 feet to 31 feet of right of way and improve Lower Sacramento Road to the ultimate width.

Note: Improvements identified below by an asterisk (\*) are included in the calculations for the current Public Facilities Fee (PFF) program. Installation of the project's frontage improvements and payment of the Public Facilities Fees constitutes the ODS proportionate share of participation. However, should the extent of identified PFF improvement(s) be revised, all or part of the PFF program repealed or suspended, or for other reasons/actions the improvement(s) become ineligible under the PFF program in effect at the time of development, the ODS shall be responsible for payment of their proportionate share of the cost of said improvement(s).

17. The ODS shall be responsible for their proportionate share, based on traffic loadings, of the design and construction costs for traffic signals and intersection improvements at the following locations:

Interstate 5 NB Ramps/Eight Mile Road\*
Eight Mile Road/Thornton Road\*
Davis Road/Eight Mile Road\*
Eight Mile Road/West Lane\*
Eight Mile Road/SR 99 West Frontage Road\*
Eight Mile Road/SR 99 East Frontage Road\*
Eight Mile Road/Lower Sacramento Road\*
Thornton Road/A.G. Spanos (north)
Thornton Road/Whistler Way

Interstate 5 SB Ramps/Eight Mile Road\*

Thornton Road/A.G. Spanos (south)

Thornton Road/Otto Drive

Thornton Road/Wagner Heights Road

Thornton Road/Pershing Avenue
Thornton Road/Hammer Lane\*
Lower Sacramento Road/Hammer Lane\*
Hammer Lane/Interstate 5 SB Ramps\*
Hammer Lane/Interstate 5 NB Ramps\*

The traffic signals shall be installed when warranted or at the discretion of the Public Works Director. Payment of the ODS's proportionate share for the non-Public Facilities Fee projects above shall be deemed satisfied where the required improvements have been accepted by the City and constructed by others without formal request for, or establishment of a mechanism for partial reimbursement.

- 18. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of traffic signal modifications and intersection improvements, including but not limited to, additional turn pockets, through lanes, median, and frontage improvements at Lower Sacramento Road and Eight Mile Road.\*
- 19. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of the widening of Eight Mile Road to four lanes from Interstate 5 to West Lane.\*
- 20. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of the widening of Lower Sacramento Road to four lanes from Eight Mile Road to Royal Oaks Drive.\*
- 21. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for Project Study Reports (PSRs) and necessary improvements described in the PSRs for the State Route 99 mainline systems, the Eight Mile Road/State Route 99 overcrossing interchange, Morada Lane/State Route 99 overcrossing interchange, and the Eight Mile Road/Interstate 5 overcrossing interchange to provide the level of service that conforms to State Highway Standards.\*
- 22. The ODS shall be responsible for their proportionate share, based on traffic loadings, of the design and construction costs for the following roadway improvements:
  - a. Thornton Road widening to four lanes from Eight Mile Road to Wagner Heights Road\*
  - b. Thornton Road widening to six lanes from Davis Road to Pershing Avenue\*
  - c. Hammer Lane widening to six lanes from Thornton Road to Alexandria Place\*

- 23. The ODS shall pay their proportionate share, based on traffic loadings, of the cost for design and construction of a future grade separated railroad crossing on Eight Mile Road at the Union Pacific Railroad.\*
- 24. The ODS may develop Lower Sacramento Road Frontage Improvement in 2 Phases. Phase 1 shall be limited to the 42-lot single family subdivision with construction of Villa Point Drive, curb to curb and sidewalk on the southside adjacent to the 42 lot subdivision along with interim improvements at the intersection of Lower Sacramento Road, including an interim "Pork Chop" island to prevent northbound turning movements from Lower Sacramento Road onto Villa Point and eastbound turning movements from Villa Point onto Lower Sacramento Road. Proper deceleration and acceleration lanes shall also be provided on Lower Sacramento Road. No sidewalk will be required with the Phase 1 improvements of Lower Sacramento Road. Phase 2, the Ultimate Lower Sacramento Road 1/2 section shall be required with the development of Lot 43, including the northerly sidewalk along Point Villa Drive.
- 25. The ODS may Phase the undergrounding of existing overhead along Lower Sacramento Road with the phasing of Frontage Improvements for development of the 42-lot single family subdivision. However, with the development of Lot 43 (High Density Lot) and the Ultimate Lower Sacramento Road 1/2 section Frontage Improvements requires all existing overhead utility distribution facilities to be placed underground in accordance with Stockton Development Code, Section 16.72.230. Any relocation or undergrounding of existing overhead utility lines will be at the property owner's expense.
- 26. The installation of any above ground utility structures within the City right-of-way is subject to City approval.
- 27. Per SMC Section 16.188.070, the ODS shall be entirely responsible for the design and construction costs of on-site roadway and intersection improvements and public utilities identified on the Tentative Map and/or included in the project Initial Study/Mitigated Negative Declaration with mitigation measures. Improvements include but are not limited to all sewer, water and storm drain lines, traffic signals, street lighting, street paving, curb, gutter, and sidewalk.
- 28. Final Map to dedicate to the City of Stockton a 10' wide PUE along the perimeter of all streets of the subdivision.
- 29. The ODS shall install medians/turning restrictions at the intersection of Villa Point Drive and Lower Sacramento Road.
- 30. The ODS shall conduct an engineering analysis, acceptable to the Director of Municipal Utilities, that demonstrates that the water system improvements to be constructed within Lot 43 meet City Standard Specifications &

Plan and the City fire flow requirements.

- 31. The ODS must design and construct storm drainage and potable water infrastructure in Lower Sacramento Road along the frontage of the project property according to the North Stockton-Phase 3 Master Plans.
- 32. The ODS shall design and construct the non-potable irrigation distribution system for the project area to the satisfaction of the Director of Public Works and the Director of Municipal Utilities.
- 33. This project shall comply with Section 16.72.070, Improvements, Stockton Municipal Code. The ODS shall submit detailed subdivision improvement plans. These plans shall show all on-site and off-site utilities necessary to provide water, storm, and sanitary sewer utility service. These plans shall be designed in accordance with the City's most recently adopted water, storm, and sanitary collection system master plans and the City's Public Works design standards.
- 34. This project shall comply with Section 16.72.080, Subdivision design and improvement requirements, of the Stockton Municipal Code. Any onsite wells and septic tanks shall be abandoned and destroyed prior to recordation of any final map. Standard for abandonment and destruction shall be as required by San Joaquin County Department of Environmental Health.
- 35. This project must comply with the Stockton Municipal Code Section 13.20.010, Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2007-0173). The Owners, Developers, and/or Successors-in-Interest (ODS) must create a zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, prior to the recordation of a Final Map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices. In addition, the ODS shall be responsible for the costs of forming the Assessment District, including, but not limited to, the City-selected Assessment District Council, Engineer's Report, Proposition 218 vote, and noticing requirements. Or may need to form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2.
- 36. This project shall comply with Section 13.16.150, Best Management Practices Industrial users and New Developments and Redevelopments, of the Stockton Municipal Code. The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires Waste Discharger's Identification Number (WDID) from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion

Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.

37. The ODS shall comply with any and all requirements, and pay all associated fees, as required by the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.

#### Fire Department: Project-Specific Conditions of Approval

38. Domestic water services shall be served by 1" minimum meter size to accommodate the residential fire sprinkler and domestic water demands.

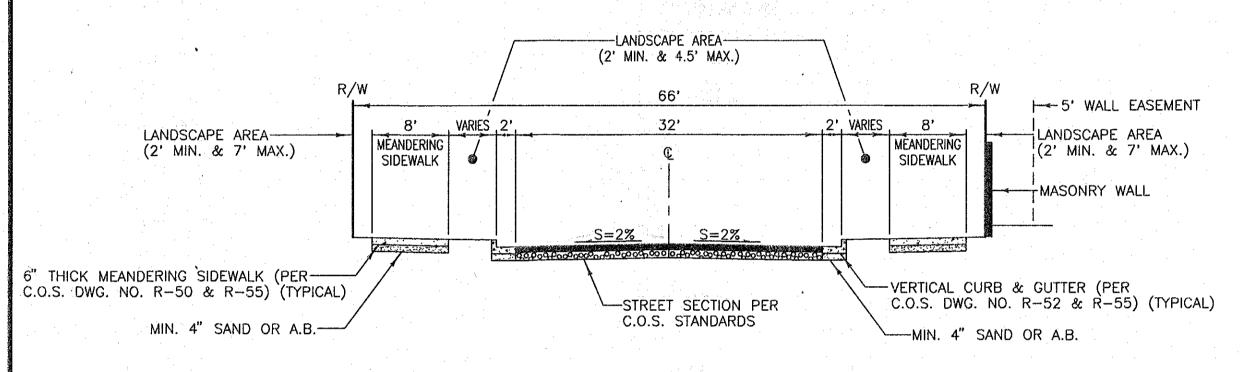
#### Planning and Building and Life Safety Division: Project-Specific Conditions of Approval

- 39. A soils report shall be required prior to the issuance of a building permit.
  - 40. With this approval, the subject map in Exhibit 1 shall expire on October 10, 2023.

PASSED, APPROVED, and ADOPT	ED September 23, 2021.
ATTEST:	ANNE MALLETT, CHAIR City of Stockton Planning Commission
WILLIAM CREW, SECRETARY City of Stockton Planning Commission	

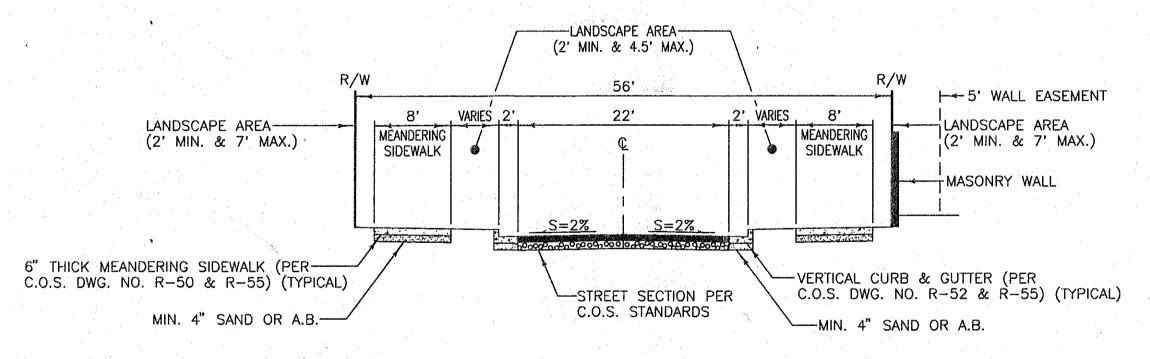
## NOTES:

- 1. THIS SUBDIVISION CONTAINS APPROXIMATELY 17.8 GROSS ACRES WITH 42 SINGLE FAMILY RESIDENTIAL LOTS, 4 COMMON AREA LOTS (A, B, D & E), 1 LOT (LOT 43) TO BE SUBDIVIDED IN THE FUTURE FOR HIGH DENSITY RESIDENTIAL, AND LOT 'C' EXISTING CELL TOWER SITE. 48 TOTAL LOTS.
- 2. THIS TENTATIVE MAP WITH MINOR MODIFICATIONS REPRESENTS TM 25-06 WHICH EXPIRED 12/14/17.
- 3. THIS SUBDIVISION MAY BE DEVELOPED IN PHASES (UNITS).
- 4. PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED AS REQUIRED.
- 5. ALL PUBLIC IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF STOCKTON STANDARDS.
- 6. DOMESTIC WATER AND SANITARY SEWER IS PROVIDED & MAINTAINED BY THE CITY OF STOCKTON.
- 7. VILLA POINT DRIVE AT LOWER SACRAMENTO ROAD SHALL BE RIGHT-IN/RIGHT-OUT ONLY.
- 8. STORM DRAINAGE ALONG VILLA POINT DRIVE & LOWER SACRAMENTO ROAD IS PUBLIC. ALL OTHER STORM DRAINAGE IS PRIVATE AND SHALL BE MAINTAINED BY AN HOA (HOME OWNER'S ASSOCIATION) OR OTHER ACCEPTABLE ENTITY.
- 9. ACCESS SHALL BE RESTRICTED TO AND FROM LOWER SACRAMENTO ROAD & VILLA POINT DRIVE EXCEPT AT LOT A ENTRANCE & LOT 43 ENTRANCE AND FIRE ACCESS DRIVEWAY C.O.S. STANDARD DWG. NO. R-60 TO THE EXISTING CELL TOWER AT THE EXISTING DRIVEWAY LOCATION ON LOWER SACRAMENTO ROAD.
- 10. ALL REAR YARD SETBACKS SHALL BE 10' MINIMUM, UNLESS SHOWN OTHERWISE.
- 11. ALL PERIMETER SETBACKS ARE 10' MINIMUM, UNLESS SHOWN OTHERWISE.
- 12. LOWER SACRAMENTO ROAD IMPROVEMENTS TO BE PHASED.
- 13. LOT 'A' SHALL BE A P.U.E. IN ITS ENTIRETY.



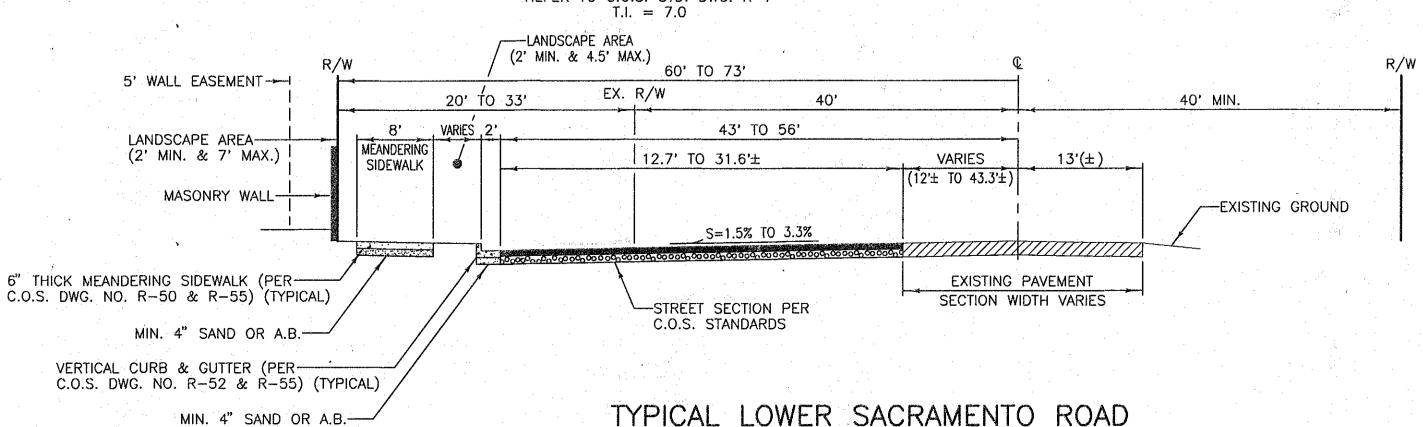
# TYPICAL 66' STREET (SECTION C-C)

NO SCALE
REFER TO TM 25-06
T.I. = 7.0



## TYPICAL 56' STREET (SECTION B-B)

NO SCALE REFER TO C.O.S. STD. DWG. R-7



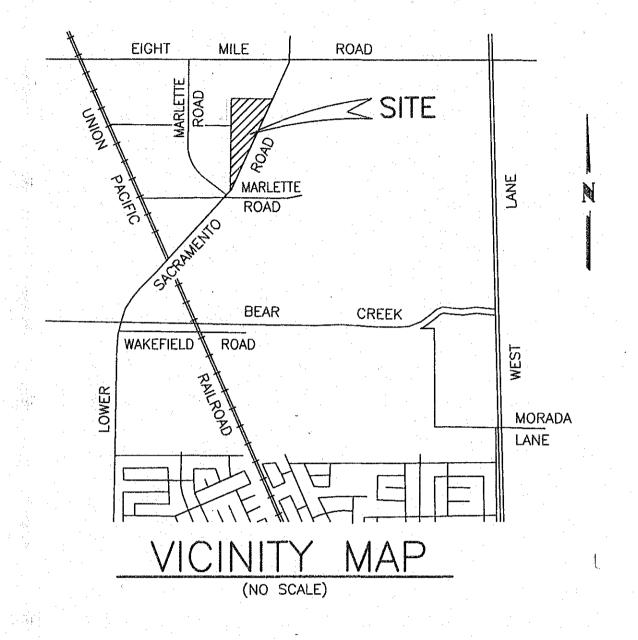
STREET

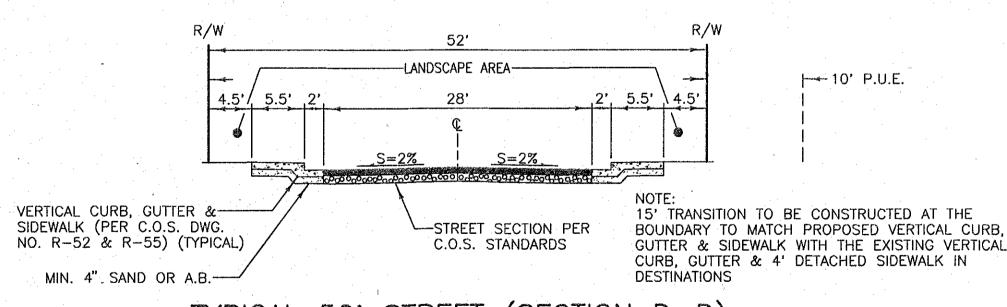
(SECTION A-A)

NO SCALE REFER TO C.O.S. STD. DWG. R-10

# TENTATIVE MAP ELDERBERRY

A.R. SANGUINETTI & ASSOCIATES CONSULTING CIVIL ENGINEERS STOCKTON, CALIFORNIA





# TYPICAL 52' STREET (SECTION D-D) NO SCALE

REFER TO TM 25-06

T.I. = 7.0

MODIFIED ROLL TYPE—
CURB & GUTTER (TYPICAL)

P. 34'

2' 24'

2' 5'

10' P.U.E.

MODIFIED ROLL TYPE CURB, GUTTER & 4' SIDEWALK (TYPICAL ISLAND SIDE ONLY)

STREET SECTION PER C.O.S. STANDARDS

MIN. 4" SAND OR A.B.

TYPICAL 34' PRIVATE STREET (SECTION E-E)

NO SCALE
T.I. = 5.0

ENGINEER:

A. R. SANGUINETTI & ASSOCIATES 1150 W. ROBINHOOD DR., SUITE 1C STOCKTON, CA, 95207 (209) 477-0899

OWNER:

LEBARON RANCHES, L.P., A CALIFORNIA LIMITED PARTNERSHIP

EDWARD W. LEBARON

FILED AS A TENTATIVE MAP THIS 28 DAY OF F-COMMAN, 20112018.

CITY OF STOCKTON PLANNING

APPROVED BY THE CITY OF STOCKTON PLANNING CAMMISSION THIS BY DAY OF April , 2021.

CHAIRMAN

APPROVED BY THE CITY OF ENGINEER OF THE CITY OF STOCKTON THIS 18 DE DE DE LA COLLEGIO DEL COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DEL COLLEGIO DE LA COLLEGIO DEL COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DEL COLLEGIO DE LA COLLEGIO DEL COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DEL COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DEL COLLEGIO DEL COLLEGIO DE LA COLLEGIO DE LA COLLEGIO DEL C

LEGEND:

MAINTENANCE HOLE

- STORM PIPE SIZE AND DIRECTION

SEWER PIPE SIZE AND DIRECTION

- WATER PIPE SIZE

(MARCH 2005)

NOISE CONTOUR

MASONRY WALL

ELDERBERRY

TRACT NO. 2591 TENTATIVE MAP OF

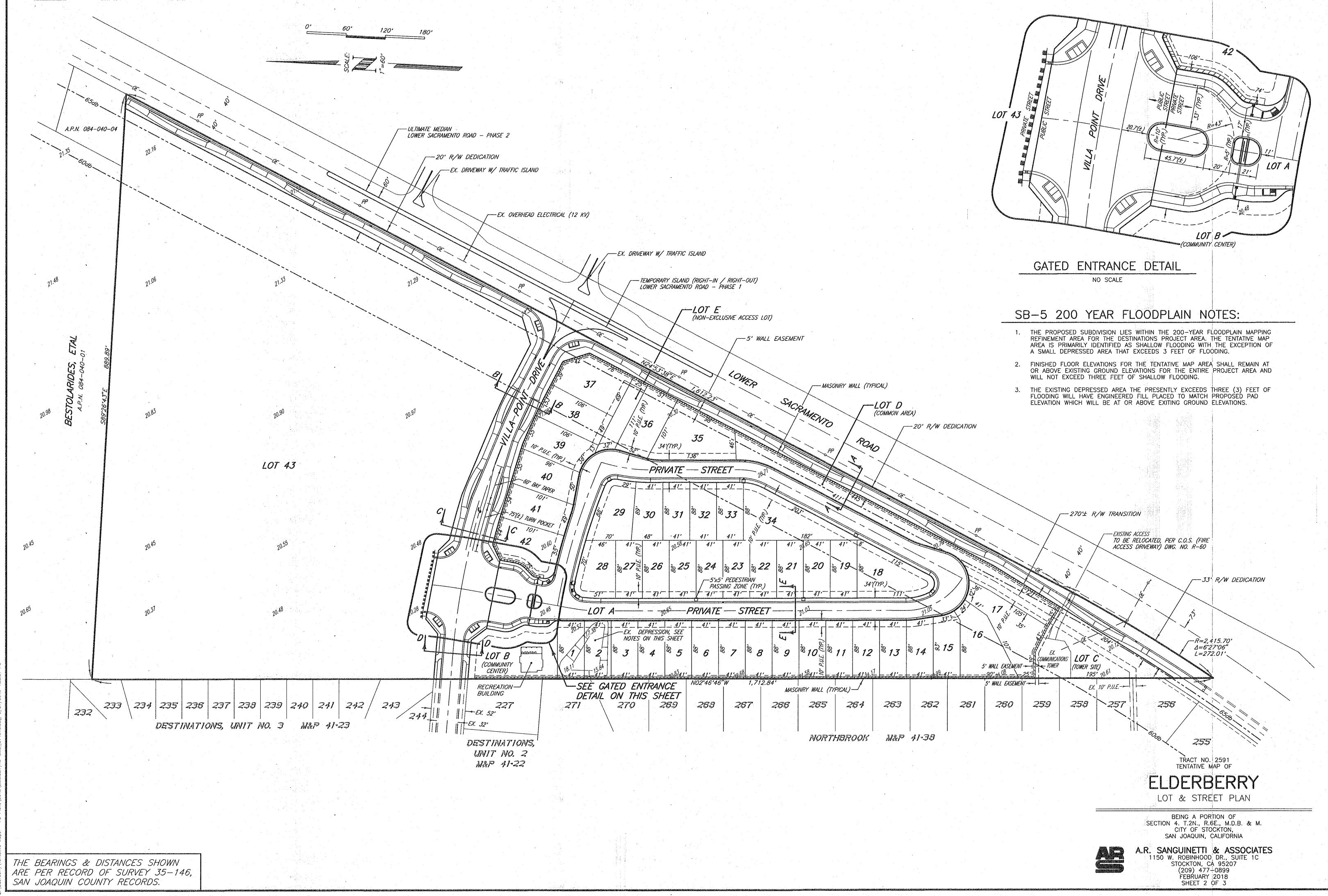
BEING A PORTION OF SECTION 4. T.2N., R.6E., M.D.B. & M. CITY OF STOCKTON, SAN JOAQUIN, CALIFORNIA

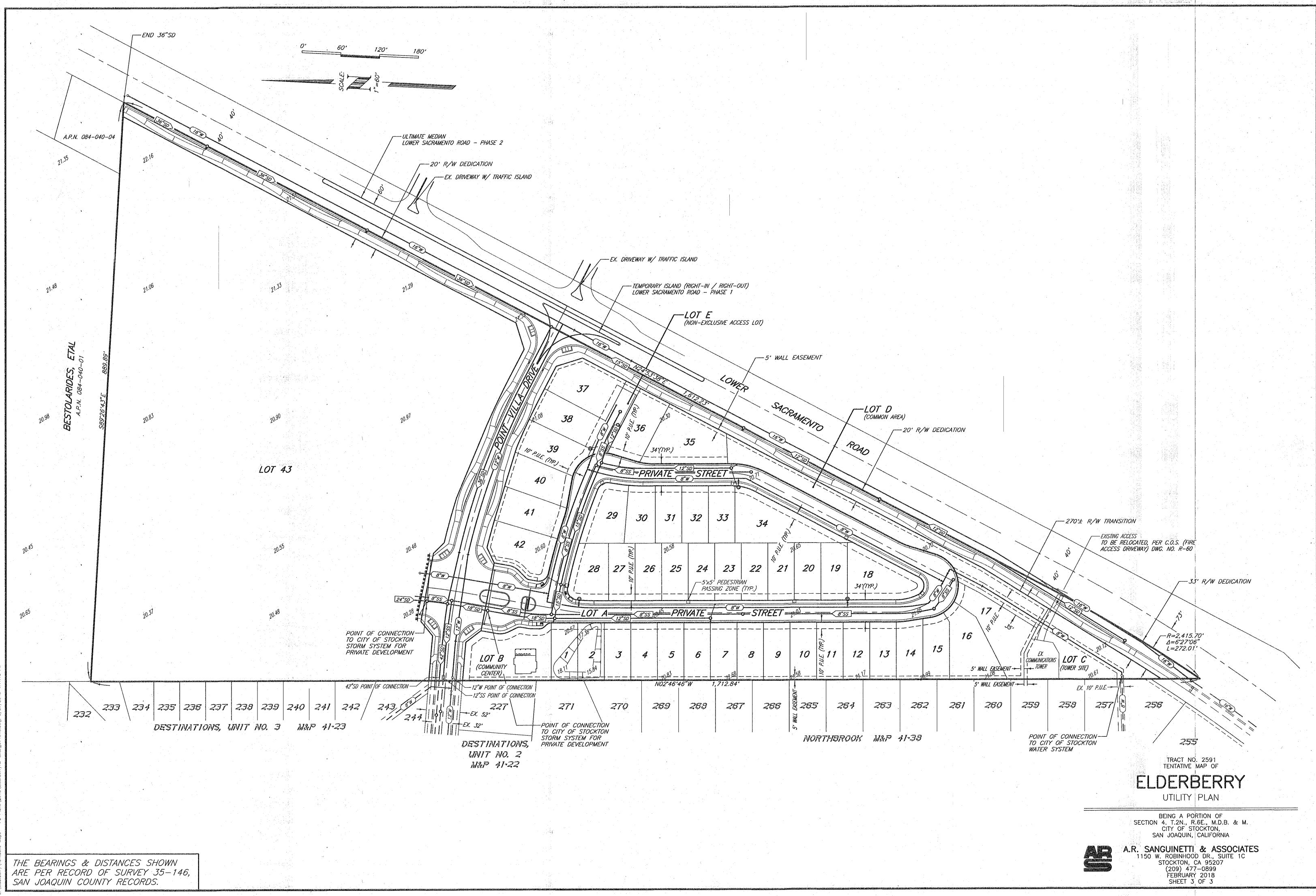


A.R. SANGUINETTI & ASSOCIATES

1150 W. ROBINHOOD DR., SUITE 1C
STOCKTON, CA 95207
(209) 477-0899
FEBRUARY 2018
SHEET 1 OF 3

86







## City of Stockton

#### **Legislation Text**

File #: 21-0653, Version: 1

#### **APPROVAL OF PLANNING COMMISSION MINUTES**

#### **RECOMMENDATION**

Approval for filing minutes of the July 22, 2021, and August 12, 2021, Planning Commission meetings.

Attachment A - 2021-07-22 Planning Commission Minutes Attachment B - 2021-08-12 Planning Commission Minutes

# MINUTES PLANNING COMMISSION MEETING OF JULY 22, 2021

Council Chamber - City Hall, 425 N. El Dorado Street, Stockton CA

#### CALL TO ORDER/ROLL CALL - 5:30 PM

Roll Call

Present:

Jeff Sanguinetti

**Brenda Jones** 

Wagar Rizvi

Brando Villapudua

Absent:

Anne Mallett, Gerardo Garcia, and Xavier Mountain.

Note: Chair Mallett's and Commissioner Garcia's absence were excused

#### 2. PLEDGE TO FLAG

The pledge was led by Commissioner Villapudua

#### 3. ADOPTION OF CONSENT CALENDAR

Approve the Consent Calendar with a single vote

Moved by: Wagar Rizvi, seconded by Brando Villapudua.

Vote: Motion carried 4-0

**Yes**: Jeff Sanguinetti, Brenda Jones, Waqar Rizvi, and Brando Villapudua. **Absent**: Anne Mallett, Gerardo Garcia, and Xavier Mountain.

3.1 21-0498 APPROVE A RESOLUTION WHICH REFLECTS THE PLANNING COMMISSION'S MAY 27, 2021 DENIAL OF A USE PERMIT AND DESIGN REVIEW TO ALLOW THE OPERATION OF A CREMATORIUM AT THE FRISBIE-WARREN & CARROLL FUNERAL HOME BUSINESS AT 809 NORTH CALIFORNIA STREET (APN 139-173-14) (P18-0500)

Resolution 2021-07-22-0301 reflecting the Commission's May 27, 2021 denial of a Commission Use Permit and Design Review to allow the operation of a crematorium at the Frisbie-Warren & Carroll Funeral Home business at 809 North California Street (APN 139-173-14) (P18-0500), in accordance with the findings conveyed on the record and captured in the

attached resolution.

**Legislation Text** 

Attachment A - Planning Commission Staff Report 5-27-21

Proposed Resolution - Recommending Denial

Approved Resolution 2021-07-22-0301

#### 4. PUBLIC COMMENT

The following persons provided electronic public comment: Xochitl Paderes

**Electronic Public Comment** 

#### 5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 21-0515 APPEAL OF THE DIRECTOR'S DETERMINATION TO DISAPPROVE A TIME EXTENSION REQUEST FOR TEMPORARY ACTIVITY PERMIT P20-0824 FOR A FOOD TRUCK PARK USE AT 2107 WEST LANE (APN 117-090-11)

#### **Legislation Text**

Attachment A - Temporary Activity Permit P20-0824

Attachment B - TAP Extension Determination P21-0383

Attachment C - Submitted Appeal

Attachment D - Public Comment Received

Proposed Resolution - Recommending Denial of Appeal

**Powerpoint** 

Commissioner Disclosures: none

Planning Commission Correspondence read into the record: James Branyan

#### Correspondence

Approve **Motion 2021-07-22-0501** directing staff to bring back a resolution granting the appeal and allowing a time extension for the temporary activity permit P20-0824 for a food truck park use at 2107 West Lane (APN-117-090-11) with appropriate findings and conditions

Moved by: Jeff Sanguinetti, seconded by Waqar Rizvi.

Vote: Motion carried 4-0

**Yes**: Jeff Sanguinetti, Brenda Jones, Waqar Rizvi, and Brando Villapudua. **Absent**: Anne Mallett, Gerardo Garcia, and Xavier Mountain.

#### 6. NEW BUSINESS

None

#### 7. UNFINISHED BUSINESS

None

Note: Meeting went into recess at 7:12 PM and reconvened at 7:21 PM

#### 8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

# 8.1 21-0413 CANNABIS REGULATORY PROGRAM - 2021 POLICY PROJECT WORKSHOP/STUDY SESSION

Reviewed and discussed data gathered to-date as well as draft code amendment language for the Cannabis Regulatory Program.

Legislation Text

Powerpoint

#### 9. COMMISSIONERS COMMENTS

Commissioner Rizvi - thanked to staff and the Commission; wished Vice Chair Sanguinetti well

Commissioner Villapudua - thanked staff; New Dominoes Pizza ribbon cutting ceremony; July 26, 2021 Pomp Suites ribbon cutting ceremony

Commissioner Jones - Edison pool, young man killed; Legendary Book Coffee Shop reopening July 31, 2021

Vice Chair Sanguinetti - thanked staff; wished all a good weekend

ADJOURNMENT - 8:34 PM

WILLIAM CREW DIRECTOR, COMMUNITY

DEVELOPMENT DEPARTMENT

# MINUTES PLANNING COMMISSION MEETING OF AUGUST 12, 2021

425 N. El Dorado Street, Stockton CA

#### CALL TO ORDER/ROLL CALL - 5:30 PM

Roll Call

Present:

**Anne Mallett** 

Jeff Sanguinetti

**Xavier Mountain** 

Wagar Rizvi

Brando Villapudua

Absent:

Gerardo Garcia, and Brenda Jones.

#### 2. PLEDGE TO FLAG

The Pledge of Allegiance was led by Commissioner Rizvi

#### 3. ADOPTION OF CONSENT CALENDAR

Approve the Consent Calendar with a single vote

Moved by: Wagar Rizvi, seconded by Brando Villapudua.

Vote: Motion carried 5-0

Yes: Anne Mallett, Jeff Sanguinetti, Xavier Mountain, Waqar Rizvi, and

Brando Villapudua.

Absent: Gerardo Garcia, and Brenda Jones.

#### 3.1 21-0551 APPROVAL OF PLANNING COMMISSION MINUTES

**Motion 2021-08-12-0301** approving the filing minutes of the July 8, 2021 Planning Commission meeting.

**Legislation Text** 

Attachment A - 2021-07-08 Planning Commission Minutes

#### 4. PUBLIC COMMENT

None

#### 5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 21-0527 INITIAL STUDY/ADDENDUM TO THE 2040 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, COMMISSION USE PERMIT, AND DESIGN REVIEW REQUESTS FOR THE PROPOSED RETAIL COMMERCIAL CENTER DEVELOPMENT AT 815 WEST EIGHTH STREET (APNS 163-140-12; -13; -14; -34; -35) (P19-0101)

**Legislation Text** 

Attachment A - Location Map and Aerial Photo

Attachment B - Zoning Map

Attachment C - General Plan Land Use Map

Attachment D - Project Plans

Attachment E - CRD Map and Calls for Service

Proposed Resolution - GP EIR Addendum and MMRP

Exhibit 1 - Addendum to the GP EIR

Proposed Resolution - Commission Use Permit

Exhibit 1 - Project Plans

Proposed Resolution - Design Review

Exhibit 1 - Project Plans

Approved Resolution 2021-08-12-0501-01

Approved Resolution 2021-08-12-0501-02

Approved Resolution 2021-08-12-0501-03

**Powerpoint** 

Commissioner Disclosures: None

Alex Cuevas, applicant - answered questions regarding the project

The following person provided public comment: Carolina Mendoza

Approve Resolution 2021-08-12-0501-01:adopting the Initial Study/Addendum to the previously certified 2040 General Plan Environmental Impact Report (SCH #2017052062) and corresponding Mitigation Monitoring and Reporting Program;

as amended **Resolution 2021-08-12-0501-02:** approving a Commission Use Permit, subject to conditions; and

**Resolution 2021-08-12-0501-03:** approving Design Review, subject to conditions.

Moved by: Xavier Mountain, seconded by Wagar Rizvi.

Vote: Motion carried 5-0

Yes: Anne Mallett, Jeff Sanguinetti, Xavier Mountain, Waqar Rizvi, and

Brando Villapudua.

Absent: Gerardo Garcia, and Brenda Jones.

#### 6. NEW BUSINESS

None

#### 7. UNFINISHED BUSINESS

None

#### 8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

# 8.1 21-0579 2021 CITY OF STOCKTON PLANNING COMMISSION TRAINING PROGRAM PRESENTED BY BURKE WILLIAMS SORENSEN

This item was informational only. No action was taken.

**Legislation Text** 

Powerpoint

#### 9. COMMISSIONERS COMMENTS

Commissioner Villapudua - stay safe; shop local

Commissioner Rizvi - stay safe, Salvation Army event; Celebration of Independence Day of Pakistan

Commissioner Sanguinetti - stay safe

ADJOURNMENT - 6:56 PM

WILLIAM CREW

DIRECTOR, COMMUNITY

DEVELOPMENT DEPARTMENT



## City of Stockton

### Legislation Text

File #: 21-0665, Version: 1

CANNABIS REGULATORY PROGRAM - 2021 POLICY PROJECT WORKSHOP/STUDY SESSION #2

#### **RECOMMENDATION**

Discuss and provide feedback regarding Cannabis Policy related item:

1. Definition of "Religious Facilities/Places of Worship"