

Resolution No.

## STOCKTON PLANNING COMMISSION

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**RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE A REZONE FOR THE PREVIOUSLY APPROVED CANNERY PARK MIXED USE PROJECT LOCATED ON MULTIPLE PARCELS AT 3827 PFC JESSE MIZENER STREET (APNs 122-020-32, -33, -38, and -60)(P21-0435)**

In 2004, the City approved the Cannery Park Cannery Park Mixed Use Project which consisted of an Environmental Impact Report (EIR), General Plan Amendment, Eight Mile Road Specific Plan Amendment, Annexation, Rezoning Development Agreement, and a Small and Large lot Tentative Map. These entitlements permitted Holman Investors, LLC, ("Applicant") to construct a mixed-use development on a 448-acre site planned for industrial, commercial retail and office, parks, schools, 1,100 single family and 210 multi-family residential units. Since the original Project approval, progress has been made to construct the single-family units; however, the industrial, retail, and office zones areas of the Project remain undeveloped; and

Citing a change in the retail and office economic markets and the State's current housing crisis, the Applicant is requesting a General Plan Amendment, Rezone, Development Agreement Amendment (extend existing by 10 years), and a Tentative Map to convert a 99.87-acre portion of the existing Cannery Park mixed use Project's commercially zoned areas into 334 additional single family homes and to relocate approximately 12-acres of high-density residential zoned areas adjacent to the commercial areas fronting Eight Mile Road. The proposed Tentative Map also includes retention of 16 commercial lots, a 3.34-acre detention basin, and a new ±4-acre neighborhood park (linear/tot lot); and

As the proposed Project amends a portion of the original EIR project area, an addendum to the original EIR (SCH # 2003042022), for the original Cannery Park mixed use Project was prepared in accordance with the California Environmental Quality Act (CEQA) State Guidelines Section 15164. The addendum analyzed the conversion of the regional commercial areas to single family homes and concluded that the proposal did not result in substantial changes or create new significant environmental effects beyond what was anticipated in the original EIR; and

On February 8, 2024, the Planning Commission held a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) section 16.116.040(D), to consider the proposed Amendments, at which all times all interested parties had the opportunity to be heard; now, therefore,

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

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:

#### Amendments to Zoning Map

Pursuant to SMC section 16.116.050(B)(1) and (B)(3), Findings of Fact, an amendment to the Stockton Zoning Map may be approved only if all of the findings of fact listed below, can be made.

- I. The project site is currently zoned CG (Commercial, General) for 88.61 acres and RH (Residential, High Density) for 11.27 acres. The proposed rezoning would reclassify to 19.76 acres of CG, 12.34 acres of RH and 67.78 acres of RL (Residential, Low Density). As the Project areas are surrounded by development, would be physically suitable to accommodate the change, is needed to comply with the General Plan amendment request, the rezone complies with City standards.
- II. The design of the proposed development will not cause serious public health or safety problems. The proposed commercial and high density residential was previously approved on the subject property. The layout is being requested to be revised. The proposed low density residential uses are compatible with the adjacent residential uses to the south and west surrounding the subject site and will not cause serious public health or safety problems. All on-site and off-site improvements to serve the development will be constructed as part of the Project, which provides a public benefit. Any potential health risks have been evaluated in the Addendum to the Cannery Park EIR and are as necessary, addressed.
- III. The proposed project site was previously certified for an EIR by the Cannery Park EIR [SCH # 2003042022]. The EIR Addendum was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA) section 15164, since the project is requesting a change of a previously certified EIR, and the proposal does not result in substantial changes or create new significant environmental effects beyond what was anticipated in the original EIR.
- IV. (Additional Finding for Zoning Map Amendments). The Project will install on-site and off-site improvements, including public streets, sidewalks, curbs, gutters, sidewalk, landscaping, and street lighting. All proposed utilities (e.g., water, sewer, storm drainage) will be extended to the subject site from the existing subdivision to the southwest and comply with the City's Standard Plans and Specifications.

#### Residential Density

Pursuant to Government Code section 65863, the City may not reduce the residential density for any parcel to a lower residential density unless it makes written findings supported by substantial evidence of both of the following:

- I. The reduction is consistent with the adopted General Plan, including the housing element.

Evidence: The City of Stockton 2015-2023 Housing Element included the Cannery Park project high- and low-density units but did not anticipate residential uses in the commercial zoned designations. Since the proposed amendment will maintain the high-density housing units and add 331 new low-density units, the map amendments will add residential capacity beyond what was anticipated in the Housing Element.

- II. The remaining sites identified in the housing element are adequate to meet the requirements of section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

Evidence: In addition, the "no net loss" provision of Government Code section 65683 requires that specific findings be made if the City reduces residential density on any property to a lower residential density. As indicated above, the proposed amendment to convert the regional commercial zones to new housing will add housing to the project and city in addition to maintaining neighborhood services retail uses along Eight Mile Road and a new 4-acre neighborhood park.

3. The Planning Commission recommends the City Council adopt a resolution to adopt an Ordinance amending the Stockton Citywide Zoning Map as described in Exhibit 1 and 1a.

PASSED, APPROVED, and ADOPTED February 8, 2024.

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WAQAR RIZVI, CHAIR  
City of Stockton Planning Commission

ATTEST:

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MICHAEL McDOWELL, SECRETARY  
City of Stockton Planning Commission