

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT AMENDMENT 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) Chapter 16.88, 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:

Pursuant to SMC section 16.128.080 "Findings and decision," an amendment to the Development Agreement may be approved only if all of the findings of fact listed below, can be made.

- I. The Development Agreement is in the best interest of the City, as it would promote commercial and residential development and employment opportunities associated with those uses.
- II. The Development Agreement complies with the City Development Code and other applicable ordinances and regulations, particularly the regulations of Chapter 16.128 pertaining to development agreements.
- III. The Development Agreement is consistent with the general land uses, objectives, policies, and programs of the General Plan, any applicable specific plan or master development plan. The Development Agreement provides commercial and housing development opportunities in Stockton, consistent with the General Plan goals and policies, including the creation of new housing and jobs.
- IV. The Development Agreement will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare in that projects constructed pursuant to it are required to comply with all health and safety regulations, zoning requirements, infrastructure provision, and General Plan policies.
- V. The Development Agreement complies with the conditions, requirements, restrictions, and terms of section 16.128.060(B) (Preparation and Content - Proposed Development Agreement).
- VI. The Development Agreement complies with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines in that evaluation of potential impacts have been completed and mitigation measures have been maintained to mitigate all identified impacts to a less-than-significant level.

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3. The Planning Commission recommends the City Council adopt an Ordinance amending the Cannery Park Development Agreement as described in Exhibit 1 and 1a, based on the findings and evidence detailed above.

PASSED, APPROVED, and ADOPTED February 8, 2024.

WAQAR RIZVI, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL McDOWELL, SECRETARY
City of Stockton Planning Commission