

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL CERTIFY THE ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATION, AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROPOSED SANCHEZ-HOGGAN PROJECT ASSESSOR'S PARCEL NUMBERS 181-100-09 AND 179-200-27 (P19-0691)

CT Realty (hereafter "Applicant") proposes to establish an industrial and warehouse uses on the subject parcels (APN 181-100-09 and 179-200-27). A tentative parcel map and site plan has been proposed for the Sanchez parcel (APN 181-100-09) at the northwest corner of Arch Road and South Austin Road. The proposed industrial center would be integrated and similar to the adjacent NorCal Logistics Industrial Center (P12-110) that abuts the two proposed project parcels. The industrial and warehouse uses would consists of a pad for future building construction, parking lot areas, landscaping, lighting, drainage facilities, with loading and service areas. While the design and size of the industrial buildings will be determined during the subsequent Design Review process required prior to construction, at full buildout, these facilities could total approximately 3,000,000 million square feet and could employee between 1,200 and 1,500 employees: and

A Draft EIR was prepared for the project, in accordance with the California Environmental Quality Act (CEQA). The Draft EIR identified potentially significant environmental impacts which could occur from development of the project, and, where feasible, application of mitigation measures that would reduce the impacts to a level of less than significant; and

The Draft EIR addressed environmental impacts associated with the proposed project that are known to the City, were raised during the Notice of Preparation (NOP) process or raised during preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases and climate change, hazards, hydrology and water quality, land use, population and housing, noise, public services and recreation, transportation and circulation, and utilities. After analysis, the mitigation measure were applied to lessen any significant impacts that resulted from the annexation, prezone, or tentative parcel map request; and

Additionally, the traffic generated from the Market Driven Analysis indicates there is a potentially significant environmental impact where mitigation measures were deemed not to be feasible. This results in the creation of potentially significant environmental impacts and will require a Statement of Overriding Considerations (SOC). A Statement of Overriding Considerations is needed to accommodate the Market Driven Analysis (MDA). The MDA reflects current industrial market patterns and goes beyond typical anticipated traffic patterns of the surrounding industrial uses identified in the Institute of

<i>Affiliation</i>	<i>Affiliation</i>	<i>Individual or Signatory</i>	<i>Topic(s)</i>
April 21, 2020	State Clearinghouse	N/A (submittal worksheet)	Documents close of review period, notification of State agencies submitting comments
April 9, 2020	CA Department of Toxic Substances Control	Gavin McCreary	General list of subjects that should be addressed in the EIR. No comment specific to project.
April 16, 2020	State Water Resources Control Board	Nicholas White	General description of SWRCB regulatory authority and subjects that should be addressed in the EIR. No comment specific to project.
March 11, 2020	San Joaquin Valley Air Pollution Control District	Sharla Yang	Request for further information on EIR air quality analysis.
March 13, 2020	United Auburn Indian Community	Anna Starkey	Tribal Cultural Resources should be addressed in a standalone chapter of the EIR.
March 5, 2020	Northern Valley Yokuts Tribe	Katherine Perez	Request to participate in project planning and analysis, request for cultural resource documents and statement of sensitivity to treatment of Tribal Cultural Resources if encountered during construction.
April 24, 2020	CA Air Resources Board	Stanley Armstrong	Potential new pollution in disadvantaged communities, technical questions regarding EIR air quality analysis, request that Health Risk Assessment be performed.
April 24, 2020	San Joaquin Valley Air Pollution Control District	Sharla Yang	Concern for heavy truck emissions and mitigation, emissions from off-road equipment, VERA mitigation agreement, Ambient Air Quality Analysis, and request for Health Risk Assessment, compliance with District rules.

No new significant environmental impacts or issues, beyond those already covered in the Sanchez-Hoggan Project DEIR, were raised during the comment 45-day period. Responses to comments received during the comment period do not involve any new significant impacts or add “significant new information” that would require recirculation of the DEIR pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15088.5. Pursuant to CEQA Guidelines section 15088, all substantive comments are

responded to in the Final EIR; and

Each of the comments has been responded to by the City's environmental consultant as part of the Final EIR, and, where, appropriate, modifications have been made to the Draft EIR. All impact issue areas will be less than significant with mitigation. For this a Mitigation Monitoring and Reporting Program has also been prepared; and

In accordance with CEQA Guidelines section 15092, the Planning Commission must consider the EIR before acting on the Project. An approval recommendation to certify the EIR and statement of overriding consideration is presented, including the adoption of a corresponding Mitigation Monitoring and Reporting Program (MMRP). The Planning Commission is requested to make a recommendation to the City Council to certify the EIR and adopt the Statement of Overriding Considerations per the CEQA findings; and

On May 18, 2020, a public notice for the subject application was published in local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030; and

On May 28, 2020, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.88.040, at which point all persons wishing to be heard were provided such opportunity; 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 are incorporated by this reference.
2. Based on its review of the entire record herein, the Planning Commission makes the following recommended findings to City Council.
 - a. A Draft EIR was prepared for the project, in accordance with the California Environmental Quality Act (CEQA).
 - b. The Draft EIR identified potentially significant environmental impacts which could occur from development of the project, and, where feasible, application of mitigation measures that would reduce the impacts to a level of less than significant.
 - c. Potentially significant environmental impacts identified where mitigation measures were not feasible, resulting in the creation of potentially significant environmental impacts, including in the areas of:
 - i. Aesthetics
 - ii. Agricultural Resources
 - iii. Air Quality

All potentially significant effects were identified and paired with feasible mitigation measures to reduce them to less than significant levels.

- d. A Statement of Overriding Considerations is needed to accommodate the Market Driven Analysis (MDA). The MDA reflects current industrial market patterns and goes beyond typical anticipated traffic patterns of the surrounding industrial uses identified in the Institute of Transportation Engineers (ITE) Trip Generation Manual. The MDA is to attract new industrial uses that will benefit the economic wellbeing and insure industrial and employment market demands are met in the region. Although SOC is for a market driven analysis to attract a tenant, no significant environmental effects would result from Annexation or Prezone action or other related actions constituting the Project.
3. Based on its review of the entire record herein, including the May 28, 2020, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission recommends that the City Council certify the Sanchez-Hoggan Project Environmental Impact Report and adopt a Statement of Overriding Consideration and Mitigation Monitoring and Reporting Program.

PASSED, APPROVED, and ADOPTED May 28, 2020.

WAQAR RIZVI, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission