

Resolution No.

## STOCKTON PLANNING COMMISSION

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### **RESOLUTION RECOMMENDING THE CITY COUNCIL PREZONE FOR THE PROPOSED O'REILLY PROJECT ASSESSOR'S PARCEL NUMBER 080-290-39 (P20-0793) TO COMMERCIAL, GENERAL (CG) ZONE.**

O'Reilly Auto Enterprises, LLC (hereafter "Applicant") proposes to develop a retail commercial project on a vacant parcel (APN 080-290-39) located at 9147 Thornton Road (the "Project"). The proposed Project consists of the southern half of an existing 1.70-acre parcel fronting Thornton Road and Waudman Avenue. The proposed 7,022 square foot auto parts retail store will include accompanying drive aisles and parking stalls, landscaping, pedestrian access, and utility services; and

Since the project site is presently located within the County of San Joaquin, Annexation must occur and be preceded by "Prezoning" it through a Zoning Map Amendment; and

Since the 2040 General Plan Land Use Map designates the project site as Commercial, the Project includes a request to Prezone the site to Commercial, General (CG) Zone, pursuant to Table 2-1 (General Plan Relationship to Development Code) of the General Plan; and

The proposed project qualifies for California Environmental Quality Act (CEQA) streamlining and/or tiering provisions under CEQA Guidelines Section 15183, which provides for streamlined review when a project is consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its sites; and

The project is consistent with the General Plan EIR (SCH #2017062058). The GPEIR analyzed the environmental impacts associated with adoption and implementation of the General Plan Update. The proposed CG Zone is compatible with the Commercial General Plan Land Use Map designation of Commercial. All city departments and responsible agencies have reviewed the Project for compliance with applicable federal, state, and local requirements. Given the project's consistency with the General Plan, the City is not required to examine environmental impacts that were already evaluated in the previously certified General Plan EIR and finds the project satisfies the requirements of CEQA Guidelines Section 15183; and

On November 18, 2021, the Planning commission held a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) Section 16.116.040(D), to consider the proposed Prezoning, 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 FOLLOWS:

1. Pursuant to SMC Section 16.116.050(B):

a. The proposed Prezone action ensures and maintains internal consistency with the general land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance. The 2040 General Plan Land Use Map designates the subject site Commercial. Pursuant to Table 2-1 (General Plan Relationship to Development Code) of the General Plan, the CG Zone is compatible with the Commercial General Plan Land Use Map designation of Commercial.

b. The proposed Prezone action would not create any inconsistencies with SMC Title 16 (Development Code) since it pertains to the Zoning Map only. The text of Title 16 (Development Code) would remain unchanged under this action.

c. The proposed Prezone action would further the following General Plan policies:

- i. Goal LU-4: Attract and retain companies that offer high-quality jobs with wages that are competitive with the region and state.
- ii. Policy LU-4.2: Attract employment- and tax-generating businesses that support the economic diversity of the city.
- iii. Policy LU-6.2: Prioritize development and redevelopment of vacant, underutilized, and blighted infill areas.

d. The proposed Prezone action will 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 City because the CG Zone designation will, as noted above, be compatible with General Plan Land Use Map designation applicable to the site.

e. The proposed Prezone action complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, because the project satisfies the requirements of CEQA Guidelines Section 15183, demonstrating no significant environmental effects would result from either the Prezone action or other related actions constituting the project.

f. Based on the information included in the General Plan EIR, the subject site would be physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested

zoning designation and anticipated land use development.

**SECTION II. PREZONE CLASSIFICATION**

2. The Planning Commission hereby recommends the City Council adopt the attached Ordinance for a Zoning Map Amendment, attached hereto as Exhibit 1, to Prezone Assessor's Parcel Number 080-290-39, presently located in the County of San Joaquin, State of California, is hereby reclassified, upon annexation to the City of Stockton, to Commercial, General (CG) Zone.

PASSED, APPROVED, and ADOPTED November 18, 2021.

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ANNE MALLETT, CHAIR  
City of Stockton Planning Commission

ATTEST:

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WILLIAM CREW, SECRETARY  
City of Stockton Planning Commission