

STOCKTON CITY COUNCIL

RESOLUTION DENYING A REQUEST FOR PREZONING FOR THE BEAR CREEK EAST SPECIFIC PLAN PROJECT SITE (P10-225) TO RL, RESIDENTIAL LOW DENSITY; RLM, RESIDENTIAL LOW-MEDIUM DENSITY; RHM, RESIDENTIAL HIGH-MEDIUM DENSITY; RH, RESIDENTIAL HIGH DENSITY; CO, COMMERCIAL, OFFICE; CG, COMMERCIAL, GENERAL; IL, INDUSTRIAL, LIMITED; OS, OPEN SPACE; PF, PUBLIC FACILITIES,

The City of Stockton has heretofore formulated and adopted a General Plan for the physical development of the City, which General Plan contains each of the elements required by law to be part of it; and

Prezoning has been requested by MCD North Parcel, LLC and MCD South Parcel, LLC, relative to property located north of Bear Creek, east of West Lane, south of Eight Mile Road, and west of the Union Pacific Railroad; and

Following a public hearing, the Planning Commission approved a recommendation to the City Council, for denial of the request by MCD North Parcel, LLC and MCD South Parcel, LLC, for Prezoning to RL, Residential Low Density; RLM, Residential Low-Medium Density; RHM, Residential High-Medium Density; RH, Residential High Density; CO, Commercial, Office; CG, Commercial, General; IL, Industrial, Limited; OS, Open Space; PF, Public Facilities, for the Bear Creek East Specific Plan Project Site, located north of Bear Creek, east of West Lane, south of Eight Mile Road, and west of the Union Pacific Railroad; and

The City Council of the City of Stockton has reviewed and considered the Planning Commission's recommendation and all environmental documents necessary for the denial of the proposed Prezoning request at a duly noticed public hearing on February 25, 2014; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. In accordance with CEQA Guidelines Sections 15091 and 15093, the City finds that the significant and unavoidable adverse environmental effects identified in the Final Environmental Impact Report and related to the proposed Prezoning, are not outweighed by the anticipated economic and social benefits of the proposed Bear Creek East Specific Plan Project, and the City has denied the approval of the FEIR for this project.

2. The proposed Prezoning for the Bear Creek East Specific Plan would result in the addition of 1,557 to 2,122 residential units and approximately 230,800 square feet of non-residential construction on 317.3 acres of land area that is not presently in the City's jurisdiction and being served with City services. Thus, the Project

will increase the demand on City services, specifically Police and Fire services, which are presently strained in providing services to the existing City jurisdiction area and would jeopardize the public safety and general welfare of persons residing or working in the City.

3. Based upon the above findings, the City Council adopts the Planning Commission's recommendation and denies the proposed Rezoning, relative to the Bear Creek East Specific Plan Project Site.

PASSED, APPROVED, and ADOPTED February 25, 2014

ANTHONY SILVA, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE, City Clerk
of the City of Stockton