

Resolution No.

## **STOCKTON PLANNING COMMISSION**

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### **RESOLUTION RECOMMENDING THE PLANNING COMMISSION ADOPT THE MITIGATED NEGATIVE DECLARATION FOR AN AGAVE RESIDENTIAL PROJECT LOCATED AT 9473 WEST LANE (APN 084-060-10) (APPLICATION NO. P23-0112)**

On April 20, 2023, Bright Development, submitted a request to develop residential uses on a legal parcel totaling approximately 13.57-acres located at 9473 West Lane (Project). The proposed project intends to develop the site with 93 residential homes, landscaped common area, private streets, and lighting; and

The Initial Study with Proposed Mitigated Negative Declaration for the Agave Residential Development Project (MND) addresses environmental impacts associated with the proposed Project that are known to the City, and that were raised during the review process. The MND discussed impacts associated with; Aesthetics and Visual Resources; Agricultural Resources; Air Quality; Biological Resources; Cultural Resources/Tribal Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Noise; and Transportation. After analysis, mitigation measures were applied to lessen any significant impacts that resulted from the development request; and

On December 17, 2024, a Notice of Availability (NOA) was distributed for public review and comment, to evaluate the Mitigated Negative Declaration for the Project. The City's NOA period closed on January 6, 2025. There were no comments from the public received; and

In accordance with CEQA Guidelines sections 15071 through 15075 the Planning Commission must consider the Mitigated Negative Declaration before acting on the Project. An approval recommendation is presented and the Planning Commission is requested to adopt the Mitigated Negative Declaration; and

On February 3, 2025, a public notice for the subject application was published in the local newspaper in accordance with the Stockton Municipal Code (SMC) Section 16.88.030; and

On February 13, 2025, the Planning Commission continued the public hearing on the application to February 27, 2025, in compliance with SMC Section 16.88.040, at which point all persons wishing to be heard were provided such opportunity; and

On February 27, 2025, the Planning Commission held the continued public hearing, and prior to acting on this request, the Planning Commission considered and recommended adoption of a Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA); now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF

STOCKTON, AS FOLLOWS:

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 approval findings.
  - a. A Mitigated Negative Declaration was prepared for the Project, in accordance with the California Environmental Quality Act (CEQA).
  - b. The Mitigated Negative Declaration identified 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. The Planning Commission finds that the Mitigated Negative Declaration for the Project has been completed in accordance with the requirements of the California Quality Act (CEQA), CEQA Guidelines, and Stockton Municipal Code (SMC) Section 16.88.040 (Environmental Determination).
  - d. The Planning Commission finds the Mitigated Negative Declaration was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and CEQA Guidelines, and constitutes an adequate, accurate, objective, and complete Mitigated Negative Declaration in full compliance with the requirements of CEQA and CEQA Guidelines.
  - e. The Planning Commission finds that the Mitigated Negative Declaration has been presented to it, that the Planning Commission has reviewed the Mitigated Negative Declaration and has considered the information contained in the Mitigated Negative Declaration prior to acting on the proposed Project, and that the Mitigated Negative Declaration reflects the Planning Commission's independent judgement and analysis.
  - f. The Planning Commission hereby adopts, pursuant to CEQA Guidelines section 15074, and in support of adoption of the Project's Mitigated Negative Declaration, attached as Exhibit 1 and incorporated herein.
  - g. The Planning Commission hereby recommends that, upon approval of the Project, the Community Development Department shall file a Notice of Determination with the County Clerk of San Joaquin County and State Office of Planning and Research pursuant to CEQA section 15075.
  - h. Pursuant to CEQA section 15072, the documents and other materials

that constitute the record of proceedings upon which the Planning Commission's decision is based are located in and may be obtained from, the Office of the City Clerk at 425 N. El Dorado Street, 1<sup>st</sup> Floor, Stockton, CA 95202; the City Clerk is the custodian of records for all matters before the City Council.

3. Based on its review of the entire record herein, including the February 13, 2025 and February 27, 2025, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission adopts the Mitigated Negative Declaration for the Agave Residential Project.

PASSED, APPROVED, and ADOPTED February 27, 2025.

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JEFF SANGUINETTI, CHAIR  
City of Stockton Planning Commission

ATTEST:

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MICHAEL MCDOWELL, SECRETARY  
City of Stockton Planning Commission