

STOCKTON CITY COUNCIL

RESOLUTION DENYING THE REQUEST OF MCD NORTH PARCEL, LLC AND MCD SOUTH PARCEL, LLC FOR THE BEAR CREEK EAST SPECIFIC PLAN FOR A PROPOSED ±317.3 ACRE PROJECT TO INCLUDE MIXED USES AND SPECIFY LAND USE REQUIREMENTS, FOR PROPERTY NORTH OF BEAR CREEK, EAST OF WEST LANE, SOUTH OF EIGHT MILE ROAD AND WEST OF THE UNION PACIFIC RAILROAD (P10-225)

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

A Specific Plan 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

Said areas are bounded to the north by rural residential, limited commercial business, and primarily agricultural farmland property in the unincorporated San Joaquin County jurisdiction; west and south by undeveloped lands and agricultural farmland property in the unincorporated San Joaquin County jurisdiction; east by industrial, office, and undeveloped land within the City of Stockton; 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 Bear Creek East Specific Plan 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 (FEIR) and related to the proposed Specific Plan, 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 Specific Plan for the Bear Creek East Specific Plan Project 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 Specific Plan 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