

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND APPROVING DESIGN REVIEW FOR A CONVENIENCE STORE WITH THE OFF-SALE OF BEER AND WINE, CAR WASH, AND TRUCK FUELING STATION AT 4607 S. AIRPORT WAY

The applicant, Airport Petroleum, LLC, on behalf of Ben Rishwain, the property owner, is proposing to develop a Convenience Store with the off-sale of beer and wine, Car Wash, and Truck Fueling Station on a 2.22-acre parcel at the noted location; and

The subject 2.22-acre site is currently designated Commercial on the General Plan Map and is zoned IG (Industrial General); and

To develop a commercial center on the subject 2.22-acre site, the project requires the following:

- Initial Study/Proposed Mitigated Negative Declaration.
- A Commission Use Permit for off-sale beer and wine.
- A rezone from Industrial General (IG) to Commercial General (CG).
- Design Review to ensure the gasoline station and other commercial buildings comply with applicable provisions of the City's Design Review Guidelines.

A proposed 18x60 truck fueling station and a car wash facility will be located on the east side of the commercial site. A gasoline station will be in the central/north portion of the subject property. A 3,764-square foot convenience store will be located on the south side of the gasoline station; and

In accordance with the Stockton Municipal Code (SMC) section 16.80.040, the subject use with the off-sale of beer and wine complies with all applicable location restrictions and a Conditional Use Permit has been granted by the Planning Commission; now, therefore

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

The City Council adopts the Initial Study/Final Mitigated Negative Declaration, attached as Exhibit 1 and incorporated herein, based on the following findings:

1. The Initial Study/Final Mitigated Negative Declaration (P17-0013), has been completed in compliance with the California Environmental Quality Act (CEQA), State CEQA and City Guidelines for the implementation of CEQA.

2. The Initial Study/Proposed Mitigated Negative Declaration has been reviewed and considered prior to any related project approval, reflects the City's independent judgment and has been found to be adequate for all discretionary approvals, in accordance with CEQA guidelines section 15084(e)

3. Based on the review of the Final Initial Study, consideration of all written and oral comments received, and subject to any modifications and mitigation measures identified in the Final Initial Study. The project will not have a significant environmental impact with the implementation of mitigation measures in the sections of Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Noise, Public Services, Tribal Cultural Resource, and Utilities and Service Systems.

4. Pursuant to section 15070 of the State CEQA Guidelines, all project approvals shall be based on and subject to the CEQA Findings, Mitigation Measures, and Mitigation Monitoring/Reporting Program for the Airport Sperry Commercial Project.

Architectural Design Review

The City Council approves the Architectural Design Review, attached as Exhibit 2 and incorporated herein, based on the following findings and Conditions of Approval:

Findings

In accordance with SMC 16.120.060, the Review Authority shall determine whether a project adequately meets adopted City standards and the Guidelines, based on consistency with the following findings:

1. The proposed development is consistent with all applicable provisions of this Development Code and other applicable City ordinance because the proposal is consistent with the Citywide Design Guidelines that are used to meet the requirements of Design Review as outlined in SMC section 16.120.020 B.

2. The general design considerations, including the character, quality, and scale of design are consistent with the purpose/intent of this chapter and the Guidelines and other design guidelines that may be adopted by the City, because the Architectural Review Committee (ARC) has reviewed the on-site buildings, parking areas, access uses, architectural design in comprehensive manner. The commercial development will incorporate high quality, durable materials and provide an efficient site layout to serve the surrounding neighborhood.

3. The architectural design of structures and their materials and colors are visually compatible with surrounding development. Design elements (e.g., awnings, exterior lighting, screening of equipment, signs, etc.) have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development, and/or between the different types of uses in a mixed-use development, because the subject project addressed site context in the site plan and materials palettes as determined by ARC.

4. The location and configuration of structures are compatible with their sites and with surrounding sites and structures and do not unnecessarily block views from other structures or dominate their surroundings because the commercial structures on the subject site will be located at the northeast corner of Sperry Road and S Airport Way (open vacant land). The configuration of the buildings would not block or dominate the surroundings.

5. The general landscape design, including the color, coverage, location, size, texture, and type of plant materials, provisions for irrigation, planned maintenance, and protection of landscape elements have been considered to ensure visual relief, to complement structures, and to provide an attractive environment, because the proposed landscape design will provide the extensive use of landscaping to enhance views of the site by screening unattractive elements such as trash enclosures, drive-through lane, and parking areas.

6. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development and will not result in vehicular or pedestrian hazards because the project will provide services to nearby industrial uses. All future industrial development will be compatible with the commercial development.

7. The building design and related site plans, including on-site parking and loading, has been designed and integrated to ensure the intended use will best serve the potential users or patrons of the site, City staff has reviewed the site plan to ensure that the plans comply with all applicable City Codes.

8. Special requirements or standards have been adequately incorporated, when applicable, into the building and/or site design (e.g., American Disabilities Act regulations, historic preservation, mitigation measures, open space, utilities, etc., because other standards will be reviewed by individual departments during plan check with Building Life and Safety Division.

PASSED, APPROVED, and ADOPTED April 17, 2018.

MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:

BRET HUNTER, CMC
City Clerk of the City of Stockton