

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STOCKTON APPROVING A USE PERMIT TO ALLOW THE CONSTRUCTION OF A FOUR-STORY, 381-BED RESIDENCE HALL AT THE UNIVERSITY OF THE PACIFIC, FOR PROPERTY LOCATED ON THE SOUTH SIDE OF BROOKSIDE ROAD, 500 FEET EAST OF PERSHING AVENUE (P15-343)

In an effort to provide more student housing, the University of the Pacific proposes to build a new student residential facility, including student apartments, resident staff apartments, study areas, outdoor gathering spaces, offices, and other related improvements on an approximately 4.1-acre project site located between Brookside Road and the Calaveras River, approximately 500 feet east of Pershing Avenue; and

More specifically, the project involves the construction of a four-story building with two wings and encompasses approximately 151,417 square feet of floor area; and

The project will not result in an increase in the number of students at the University but will instead serve as the first phase of a multi-phase project intended to upgrade existing housing at the University and provide on-campus beds/living units for students who are currently residing off campus; and

Future residential development on the campus will be reviewed by staff on a case-by-case basis when the University makes formal presentation to the City to assess required entitlement applications and to make determinations regarding the level of environmental review that will be required; now therefore,

THE PLANNING COMMISSION OF THE CITY OF STOCKTON FINDS AND DETERMINES, AS FOLLOWS:

1. The Planning Commission hereby approves the request for a Use Permit to allow the construction of a four-story, 381-bed residence hall at the University of the Pacific, for property located on the south side of Brookside Road, 500 feet east of Pershing Avenue, based on the following findings:

a. An Initial Study/Final Mitigated Negative Declaration has been prepared and approved for the project. The "Findings and Mitigation Monitoring/Reporting Program for the University of the Pacific Student Housing Project" has been adopted to ensure the implementation of all applicable mitigation measures necessary to clearly reduce any potentially significant impacts to a "less-than-significant" level.

b. The subject use, as conditioned, is allowed in the RL (Residential, Low Density) zoning district as an accessory use to a university, subject to the approval of a Use Permit and compliance with all applicable provisions of the Development Code.

c. The subject use is not expected to adversely affect the integrity or character of the zoning district in which it is located or the surrounding neighborhood; more specifically, the project's Final Initial Study/Mitigated Negative Declaration concluded that the project would not result in any significant, adverse environmental impacts related to air quality, transportation/traffic, utilities, land use, and hazardous materials.

d. The subject use, as conditioned, is expected to be consistent with the general land uses, objectives, policies, and programs of the General Plan, because the project site has a General Plan land use designation of Institutional and is consistent with the following General Plan policy:

LU-3.7 – The City shall protect existing residential neighborhoods from the encroachment of incompatible activities and land uses (i.e. traffic, noise) and environmental hazards (i.e. food, soil instability).

The project's Final Initial Study/Mitigated Negative Declaration concluded that the subject residence hall would not result in any significant, adverse environmental impacts upon the surrounding residential neighborhood. The environmental document for the project analyzed a number of potential impacts, including those in the areas of aesthetics, air quality, biological and cultural resources, greenhouse gas emissions, hazardous materials, transportation/traffic, and utilities. None of the potential impacts associated with the project were found to be significant after the imposition of specific mitigation measures that were discussed in the document. Likewise none of the California Environmental Quality Act's (CEQA) Mandatory Findings of Significance were determined to need any mitigation measures.

e. The subject site is physically suitable for the type and density/intensity of use being proposed, including the provision of services (e.g. sanitation and water), public access and the absence of physical constraints (e.g. earth movement, flooding, etc.). The project's environmental document concluded that adequate services exist to serve the project and that no mitigation measures were required, with respect to the provision of public utilities/services.

f. The establishment, maintenance or operation of the subject use are not expected to endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the subject use. Subject to specific mitigation measures that were identified in the project's environmental document related to

construction-related and cumulative air quality, public services, and public safety, the project will not have a significant, adverse impact on persons residing in the neighborhood of the subject use.

g. The location, size, and operating characteristics of the subject use are expected to be compatible with existing and future land uses in the vicinity of the subject site, based upon the analysis contained in the project's Final Initial Study/Mitigated Negative Declaration and subject to specific mitigation measures that were identified in the environmental document, including constructed-related and cumulative air quality impacts, as well as impacts related to noise, public services, and cultural resources .

2. In accordance with Stockton Municipal Code (SMC) section 16.168.070, the following Conditions of Approval are imposed to ensure compliance with the Findings for Approval of the Use Permit:

Standard

a. An Initial Study/Final Mitigated Negative Declaration (P12-036) has been prepared and approved for the project. The "Findings and Mitigation Monitoring/Reporting Program for the University of the Pacific Calaveras River Housing Project" has been adopted to ensure the implementation of all applicable mitigation measures necessary to clearly reduce any potentially significant impacts to a "less-than-significant" level.

b. The business operator shall comply with all applicable Federal, State, County, and City codes, regulations, laws, and other adopted standards and pay all applicable fees.

c. Compliance with these Conditions of Approval is mandatory. Failure to comply with these Conditions of Approval is unlawful and may constitute a public nuisance subject to the remedies and penalties identified in the SMC, including, but not limited to, monetary fines and revocation.

Specific

d. Any future signage shall be subject to approval by the Community Development Director or Planning Commission, in compliance with applicable provisions of the Development Code's Sign Standards.

e. Prior to the issuance of building permits for the subject use, the applicant shall submit the appropriate application to the City to remove or relocate any existing parcel lines that may exist under the subject structure.

f. The project's final architectural plans shall be approved by the Architectural Review Committee or Community Development Director, in

compliance with the provisions of the City's Design Review Guidelines, prior to the issuance of any building permits for the project.

PASSED, APPROVED, and ADOPTED. November 12, 2015.

AYES:

NAYS:

ABSENT:

D'ADREA DAVIE, CHAIR
City of Stockton Planning Commission

ATTEST:

DAVID KWONG, SECRETARY
City of Stockton Planning Commission