

Resolution No.

## STOCKTON PLANNING COMMISSION

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### **RESOLUTION APPROVING A USE PERMIT TO REPLACE AND ENLARGE AN EXISTING CALIFORNIA WATER SERVICE COMPANY STORAGE TANK FACILITY LOCATED AT 1201 SOUTH EL DORADO STREET (P16-0160)**

Applicant, Cal Water Service Company, is proposing to replace a 500,000 gallon, 100-foot high elevated water storage tank with a 12,868 square foot, 32 ft. high, 2.5 million gallon welded steel ground level tank and an adjacent cinderblock pump building and new perimeter fencing; and

The pump building will house the mechanical pumps and the electrical control panel to be located on the square block at 1201 S El Dorado Street, between East Jackson and Clay Street, and South Center and El Dorado Street; and

The General Plan designates the project site for Commercial land use. This land use designation along with the property's Residential, High Density (RH) zoning allows public and semipublic utility land use with approval of an Administrative Use Permit; and

The project is categorically exempt under the California Environmental Quality Act (CEQA) Section 15332, Class 32, of the State CEQA Guidelines because the proposed infill project is located on a developed parcel less than five acres that is surrounded by urban uses and is consistent with the City's general plan policies and zoning regulations; and

Existing infrastructure is expected to be able to adequately serve the project; now, therefore,

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:**

The Planning Commission hereby approves the request for a Use Permit for a new 12,868 square foot, 32 ft. high, 2.5 million gallon welded steel ground level water tank and associated accessory mechanical equipment located at 1201 South El Dorado Street; (See Exhibit 1 - Site Plan, attached hereto and incorporated by this reference) based on the following findings and conditions of approval:

#### General Findings

- a. The proposed use is allowed within the subject Residential High Density zoning district with the approval of a Use Permit and complies with all other

applicable provisions of the Stockton Municipal Code (SMC).

- b. The proposed use would maintain the integrity and character of the neighborhood and zoning district in which it is to be located, because the storage tank will enhance the appearance, safety, and security of the neighborhood by adding decorative fencing and landscaping, and reducing the risk of damage and loss of water supply to the area by removing a sub-standard water tower and replacing it with a modern water tank that meets current safety standards.
- c. The proposed use would be consistent with the general land uses, objectives, policies and programs of the General Plan, and any applicable specific plan or master development plan, because the proposed use will improve water service with higher water storage capacity and seismic safety issues. The General Plan states under Health and Safety policy HS-3.6 that the City shall support and encourage seismic upgrades to older buildings that may be structurally deficient. The Public Facilities and Services section of the General Plan has policy PFS-2.6, Level of Service that states the City shall maintain adequate levels of water service by preserving, improving, and replacing infrastructure as necessary.
- d. The subject site would be 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.) in that the site is currently being used for a similar water storage facility.
- e. The establishment, maintenance, or operation of the proposed use at the location proposed and for the time period(s) identified, if applicable, would not 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 proposed use because the project operation adheres to all state and local regulations and will enhance safety of the tank and reduce illegal dumping problems with new fencing.
- f. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses on-site and in the vicinity of the subject property, because the proposed facility is set closer to the commercially zoned properties and further away from residentially zoned properties. The new water tank complies with height

and setback requirements, and provisions have been made to minimize blight and massing with fencing and landscape buffer.

- g. The proposed action is in compliance with the provisions of the CEQA and the City's CEQA Guidelines, because it is categorically exempt under CEQA (Section 15332 In-fill Development Project, Class 32, of the State CEQA Guidelines) in that the project is at an existing facility, the project site has no value as habitat for endangered, rare or threatened species, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services.

Conditions of Approval

- 1. Comply with all applicable Federal, State, County and City codes, regulations, and adopted standards, and pay all applicable fees.
- 2. In the event the operation of this use should prove detrimental to the health, safety, peace, or general welfare of the surrounding neighborhood, this Use Permit shall be subject to revocation or modification as provided in the Development Code.
- 3. The noise levels shall not exceed standards established by the Stockton Municipal Code.
- 4. All signs pertaining to this use shall be approved by the Planning Division.
- 5. The perimeter fence shall be constructed of decorative wrought iron or tubular steel rather than chain-link with slats.
- 6. Any significant modifications to the final design plans for the project shall be subject to review and approval by the Community Development Director for consistency with the approved Use Permit prior to the issuance of any building permits.
- 7. Any lighting on the site shall be shielded so as not to shine onto nearby residential properties.

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8. In order to minimize any adverse financial impact on the City of Stockton associated with development and/or use of the subject site, the operator agrees that it will not challenge or protest any applicable fees associated with the development of the site, but if such fees are amended or modified, the operator agrees to pay such fees as they may be amended or modified from time to time.

PASSED, APPROVED, and ADOPTED July 28, 2016.

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KEVIN HERNANDEZ, CHAIR  
City of Stockton Planning Commission

ATTEST:

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DAVID KWONG, SECRETARY  
City of Stockton Planning Commission