

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STOCKTON APPROVING A USE PERMIT TO ESTABLISH A PARKING LOT ON RESIDENTIALLY- ZONED PROPERTY TO BE LOCATED AT 1460 W. FLORA STREET (P16-0691)

The applicant, Dean Janssen, submitted an application for a Use Permit to locate a small parking lot on a residentially-zoned property at 1460 W. Flora Street to provide additional parking for the adjacent offices at 777 Pershing Avenue; and

Upon the completion of a Lot Line Adjustment to 1460 W Flora Street the southern half of the parcel will be transferred to 777 Pershing Avenue; and

The proposed 4,480-square foot parking lot will be located at the northern portion of 777 Pershing Avenue; and

Approving the subject use would result in a parking lot on a residentially-zoned area of the new legal lot of record; 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 to allow the establishment of a parking lot on a residentially-zoned property at 1460 W. Flora Street (Exhibit 1 – Site Plan) based on the following findings of fact and conditions of approval:

General Findings

1. The subject use is allowed in the RL (Low Density Residential) zoning district, subject to approval of a Use Permit by the Planning Commission and complies with all applicable provisions of this Development Code, because it will be accessory to an existing office building adjacent to the RL-zoned portion of the parcel.
2. The subject use, as conditioned, would maintain the integrity and character of the surrounding neighborhood, because the subject use would comply with development standards designed to protect adjacent land uses and would be compatible with existing commercial office uses in the surrounding area because the parking lot is being provided to serve a commercial use.
3. The subject 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 it would upgrade, beautify, or revitalize an existing commercial building (Land Use Policy No. LU-4.1) and would integrate an existing

residential area with a new commercial use by using careful parking lot design (Land Use Policy No. LU-4.3).

4. 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.), because the area is already supplied with all required infrastructure and the subject use is located in an existing developed area and there are no known physical constraints.

5. The establishment, maintenance, or operation of the subject use at the location proposed and for the time period(s) identified, if applicable, is not expected to endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, peace, or general welfare of persons residing or working in the neighborhood of the proposed use, because the conditions of approval address potential public health and safety issues that may be associated with the subject use by requiring compliance with regulations addressing traffic flow, lighting, landscaping and screening between adjacent residential uses and the parking lot.

6. The design, location, size, and operating characteristics of the subject use are expected to be compatible with existing and future land uses on-site and in the vicinity of the subject property, because the subject use is classified as a services use, in accordance with Table 2-2 (Allowable Land Uses and Permit Requirements) of the Development Code and the subject use is compatible with other commercial service uses already in place in the vicinity of the subject use.

7. The proposed action would be Categorically Exempt from the provisions of Section 15311, Article 19, Class 11, of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, because it will be a small parking lot that is an accessory to existing commercial office space.

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. Lot line adjustment shall be completed prior to issuing a building permit.

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4. The Use Permit shall become effective following the completion of a ten day appeal period following approval of the application.

PASSED, APPROVED, and ADOPTED April 27, 2017.

ELIZABETH HULL, CHAIR
City of Stockton Planning Commission

ATTEST:

DAVID KWONG, SECRETARY
City of Stockton Planning Commission