

Resolution No. **2017-07-13-0303**

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A TIME EXTENSION FOR AN APPROVED VESTING TENTATIVE MAP FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF EIGHT MILE ROAD AND DAVIS ROAD (WATERFORD SQUARE SHOPPING CENTER, VTM3-08/P16-0563)

On October 23, 2008, the Planning Commission approved a Vesting Tentative Map to subdivide a 34-acre site into ten lots for the development of commercial and multi-family residential project. The Vesting Tentative Map was due to expire on October 23, 2010; and

The State has granted four automatic time extensions (for a total of seven years) for all Tentative Maps, Vesting Tentative Maps, and Tentative Parcel Maps. The approved Vesting Tentative Map qualified for three of the four- time extensions (a total of six years), and therefore, expired on October 23, 2016; and

Prior to the noted expiration date, the applicant submitted an application requesting an extension of the approved Vesting Tentative Map; and

The Planning Commission is authorized by Section 16.188.100.C.1 of the Stockton Municipal Code (SMC) to approve a request for a three-year extension of the subject Vesting Tentative Map with appropriate findings; now, therefore,

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

1. The Planning Commission hereby approves a request for a three-year time extension of the Vesting Tentative Map to subdivide a 34-acre site into ten (10) lots with the modification of Condition Nos. 11, 26, 27, and 30 and adding new Condition Nos. 31 and 32, for property located on the southwest corner of Eight Mile Road and Davis Road, based on the following findings:

a. There have been no changes to the provisions of the General Plan or any applicable specific plan, precise road plan, or master development plan that would cause the Vesting Tentative Map to be inconsistent with the General Plan. Because the site is still designated for High-Density Residential and Commercial uses, the Vesting Tentative Map remains consistent with applicable General Plan designation for the development of multi-family residences and commercial uses. The site is not affected by a specific plan, precise road plan, or master development plan.

b. There have been no changes to applicable provisions of the Development Code that would cause the Vesting Tentative Map to be inconsistent with

the Development Code, because the proposed residential and commercial development will still comply with building setbacks, height, lot coverage, and parking requirements contained in the Development Code.

c. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project. Approval of the Vesting Tentative Map extension would not change the character of the site, because the subject development would be compatible with the existing land uses surrounding the project site, and the General Plan designation of Hight Density Residential and Commercial uses for the subject site.

d. There have been no changes to the capacities of community resources, including roads, schools, sewage treatment or disposal facilities, or water supply, so that there is sufficient remaining capacity to serve the project, because all required infrastructure and public facilities will be provided for the project, as per the Conditions of Approval of the Vesting Tentative Map.

e. The environmental consequences of this Vesting Tentative Map (TM3-08-07/P16-0536) have been analyzed in accordance with the provisions of the California Environmental Quality Act (CEQA) under an approved Initial Study/Mitigated Negative Declaration (IS3-08) for the subject project. All mitigation measures for the approved Vesting Tentative Map are still applicable.

f. In accordance with SMC Section 16.90.020A.2 (Floodplain Management Findings), the City finds that the imposed conditions on the Vesting Tentative Map Time Extension to elevate the lowest finished floor elevation of proposed structure(s) on the property will project the structure(s) to the urban level of flood protection standard. A civil engineer's report prepared by A.R. Sanguinetti and Associates entitled "Technical Memorandum – Vesting Tentative Map Extension 03-08 (VTM 03-08) 200-Year Flood Impact (dated February 17, 2017)", provides the substantial evidence that the placement of fill to raise the existing ground will provide for the lowest floor elevation of the proposed structure(s) to be protected to the urban level of flood protection.

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Attachment A

2. The Vesting Tentative Map extension is approved subject to the original Conditions of Approval as well as the modification of Conditions Nos. 11, 26, 27, and 30 and the addition of two new Conditions: Nos. 31 and 32, attached hereto as Exhibit 1, and incorporated by this reference. The Vesting Tentative Map will extend the expiration date to October 23, 2019.

PASSED, APPROVED, and ADOPTED July 13, 2017.


ELIZABETH MOWRY HULL, CHAIR
City of Stockton Planning Commission

ATTEST:

 for
DAVID KWONG, SECRETARY
City of Stockton Planning Commission

Amended Conditions of Approval
Waterford Square Shopping Center
(VTM3-08, Clean Version)

1. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
2. The property owners, developers and/or successors-in-interest shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.
3. In order to minimize any adverse financial impact on the City of Stockton (COS) associated with development and/or use of the subject site, the ODS agrees that it will not challenge or protest any existing applicable fees associated with the development of the site.
4. Upon development, Parcel 5 shall have a minimum density of 26.2 units per net acre, resulting in the construction of a minimum of 168 residential units.
5. The Vesting Tentative Map (VTM3-08) shall not be vested until the requested Rezoning application is effective and shall comply with all applicable conditions of UP42-08, PR2- 08 and V-3-08.
6. The property owners, developers, and/or successors-in-interest shall submit detailed subdivision improvement plans. These plans shall show all on-site and off-site utilities necessary to provide water, storm, and sanitary sewer utility service. These plans shall be designed in accordance with the City's most recently adopted water, storm, and sanitary collection system master plans and the City's Public Works design standards.
7. The property owners, developers, and/or successors-in-interest shall provide permanent rights-of-way for and construct all on-site and off-site water, storm, and sanitary sewer facilities as designed and shown on the accepted improvement plans for the development. Any reimbursement costs for oversizing shall be determined in accordance with the Stockton Municipal Code.
8. Provide easements for all publicly owned-maintained water mains located on the subject tentative map.
9. All on-site storm drainage shall be privately owned-and-maintained.
10. The eight-inch sewer main serving Parcel 6 shall be publicly owned and maintained.

11. The property owners, developers, and/or successors-in-interest shall extend the twelve-inch water line in Eight Mile Road to Davis Road.
12. The owners, developers and or successors-in-interest shall dedicate right-of-way along the south side of Eight Mile Road, adjacent to the site, as needed to comply with the adopted Eight Mile Road Precise Road Plan.
13. The property owners, developers, and/or successors-in-interest shall install full frontage improvements on Eight Mile Road, Rivermont Drive and on Davis Road, within the developable limits of the site, including but not limited to curb, gutter, and sidewalk, driveway installations, pavement widening and street lighting, all per current City Standards. Said improvements shall be in place prior to building occupancy or recordation of any final or parcel map, whichever comes first.
14. The property owners, developers, and/or successors-in-interest shall dedicate access rights to the City of Stockton along the following streets:
 - a. Eight Mile Road, entire length except at approved entrances.
 - b. Davis Road, entire length except at approved entrances.
 - c. Rivermont Drive, entire length except at approved entrances.
15. The Eight Mile Road driveways shall be designed and constructed to prevent on-site cross traffic for a minimum distance of 100 feet measured from the ultimate Eight Mile Road face of curb.
16. The Rivermont Drive driveways shall be designed and constructed to prevent on-site cross traffic for a minimum distance of 70 feet measured from the Rivermont Drive right- of-way.
17. The Davis Road driveway shall be designed and constructed to prevent on-site cross traffic for a minimum distance of 90 feet measured from the Davis Road right-of- way.
18. Truck access shall not be permitted on the Davis Road driveway.
19. The property owners, developers, and/or successors-in-interest shall be responsible for the dedication of additional right-of-way as well as all design and construction costs to provide a 12-foot wide sidewalk for a Class I bicycle facility on the west side of Davis Road between Pixley Slough and Eight Mile Road.
20. The property owners, developers, and/or successors-in-interest shall dedicate additional right-of-way for any intersection flares, at the following intersections, needed to accommodate the prescribed intersection geometries identified as mitigation measures in the EIR addendum/Initial Study for this project:

a. Eight Mile Road/Davis Road

b. Eight Mile Road/Rivermont Drive

21. The property owners, developers, and/or successors-in-interest shall pay their proportionate share for the design and construction costs to widen the Davis Road Bridge crossing of Pixley Slough.
22. The property owners, developers, and/or successors-in-interest shall be responsible for their proportionate share, based on traffic loadings, of the cost for intersection improvements and traffic signals, as identified in the EIR for this project, at the following locations:

Eight Mile Road/1-5 SB ramps
Eight Mile Road/1-5 NB ramps
Eight Mile Road/Thornton Road
Eight Mile Road/Lower Sacramento Road
Eight Mile Road/West Lane
Eight Mile Road/West SR 99 Frontage Road
Eight Mile Road/East SR 99 Frontage Road
Thornton Road/A.G. Spanos Boulevard (North)
Thornton Road/Whistler Way
Thornton Road/A.G. Spanos Boulevard (South)
Thornton Road/Estates Drive
Thornton Road/Otto Drive
Thornton Road/Wagner Heights Road
Thornton Road/Davis Road
Thornton Road/Pershing Avenue
Thornton Road/Hammer Lane
Davis Road/Whistler Way
Lower Sacramento Road/Royal Oaks Drive
Lower Sacramento Road/Hammer Lane
Lower Sacramento Road/Ponce DeLeon Avenue
West SR 99 Frontage Road/SR 99 SB Ramps (at Eight Mile Road)
East SR 99 Frontage Road/SR 99 NB Ramps (at Eight Mile Road)
Hammer Lane/1-5 SB Ramps
Hammer Lane/1-5 NB Ramps.

23. The property owners, developers, and/or successors-in-interest shall be responsible for their proportionate share, based on traffic loadings, of the costs for the improvements, as identified in the EIR for this project, to the following roadways:

Eight Mile Road between 1-5 and West Lane

Thornton Road between Eight Mile Road and Pershing Avenue Davis Road
between Eight Mile Road and Royal Oaks Drive
Lower Sacramento Road between Eight Mile Road and Royal Oaks Drive
Hammer Lane between Alexandria Place and Pershing Avenue
Hammer Lane between Lower Sacramento Road and El Dorado Street

24. The property owners, developers, and/or successors-in-interest shall participate in the funding or provide Park and Ride Facilities adjacent to State Route 99 and Interstate 5 to provide enough spaces to reduce the AM peak hour project traffic accessing the freeways by 5 percent.
25. The property owners, developers and/or successors-in-interest shall be responsible for their proportionate share, based on traffic loadings, of the cost to design and construct the grade-separated crossings on Eight Mile Road and Lower Sacramento Road at the UPRR tracks.
26. Comply with the requirements of the agencies having jurisdiction over Pixley Slough. Building setback along Pixley Slough shall be a minimum of 20 feet from the land side toe of the levee. This shall be dedicated as a flood protection easement to the San Joaquin County Flood Control and Water Conservation District.
27. The owners, developers and/or successors in interest shall be responsible for the design and construction of a two-foot wide center median improvement on Eight Mile Road from David Road to Rivermont Drive to accompany the existing painted median areas (separate EB and WB) and preclude left turn movements on Eight Mile Road. Said design and construction improvements, which may necessitate modification of existing traffic signal detection, shall be in place prior to building occupancy or recordation of any final or parcel map, whichever comes first.
28. Prior to application for the first building permit for the residentially zoned portion of the site, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance Assessment District 96-2 or annex to an existing zone and approve an assessment for the residential property's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision. The ODS may request to annex to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2, provided the subdivision is within the service area of a park for which a zone of the Stockton Consolidated Landscape Maintenance District 96-2 has already been formed.
29. Provide appropriately sized utilities, including natural gas and three-phase electrical power (where necessary), to all City owned and maintained facilities.
30. The lowest floor of the proposed structure(s) shall be elevated to provide the required urban level of flood protection, as defined in California Government Code section 65007, based on the effective 200-Year Floodplain Analysis Map and in

accordance with the "Technical Memorandum" prepared by A.R. Sanguinetti & Associates, dated February 17, 2017. Further, all new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems; and discharge from the systems into flood waters.

31. The public water line extension on Eight Mile Road to connect to Davis Road shall include public utility improvements to include fire hydrant placement at every 300 feet apart along the south frontage (development side) of Eight Mile Road or in approved locations acceptable to the Stockton Fire Department.
32. Davis Road public utility and frontage improvements shall include fire hydrants installed at every 300 feet apart or in approved locations acceptable to the Stockton Fire Department.