

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A ONE-YEAR TIME EXTENSION FOR AN APPROVED VESTING TENTATIVE MAP FOR DELTA COVE (VTM P09-160/P19-0585)

On September 9, 2010, the Planning Commission approved a Vesting Tentative Map (VTM) (“Approved Map”) for a project known as “Delta Cove” (P09-160). The Approved Map subdivides an approximately 360-acre site into 25 residential and 26 non-residential parcels (51 new lots total) on the north, south, and east sides of White Slough and west of the future extension of Trinity Parkway. Under that approval, the map was due to expire on September 9, 2012; and

The State of California has, in response to economic conditions, granted automatic time extensions for certain approved subdivision maps. The subject vesting tentative map (P09-160) qualified for two of the time extensions (a total of four years), and therefore, was due to expire on September 9, 2016; and

Prior to the map expiration date, the subdivider submitted a timely request to extend the map approval period. On August 10, 2017, the Planning Commission approved an extension, via Resolution 2017-08-10-0501, and which effectively extended the expiration date of September 9, 2019; and

On July 30, 2019, the applicant filed an additional map extension request seeking Planning Commission approval to extend the map two additional years, to September 9, 2021. The Planning Commission granted, via Resolution No. 2020-05-14-0301, an additional extension of time, effectively making the new map expiration date September 9, 2021; and

On May 4, 2021, the applicant submitted an application for an additional one-year time extension; and

On June 24, 2021, the Planning Commission held a duly noticed public hearing, in accordance with Stockton Municipal Code (SMC) Section 16.88.050(C), to consider the time extension request, at which time all interested parties had the opportunity to be heard, now, therefore,

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

1. The foregoing recitals are true and correct and incorporated by reference.
2. Based upon its review of the entire record herein, the Planning Commission makes the following findings:

SMC Section 16.188.100 (Tentative Map Processing, Post Approval Procedures)

- 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 Low-Density Residential, Medium-Density Residential, High-Density Residential, Commercial, Parks and Recreation, Open Space/Agriculture uses.

The extension of the Vesting Tentative Map (VTM) remains consistent with applicable General Plan land use designations of single-family, multi-family, commercial, open space, and public facility development for the site. The site is not affected by a specific plan, precise road plan, or master development plan. (SMC § 16.188.100(C)(a)(i).)

- b. There have been no changes to applicable provisions of the Development Code that would cause the VTM to be inconsistent with the Development Code. Fifty-one (51) parcels contained in the VTM remain consistent with the lot standards at SMC Section 16.24.200, Table 2-3 (Zoning District Development Standards). (SMC § 16.188.100(C)(a)(ii).)
- 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. When the VTM was approved in the 2010, the site was bounded by existing single-family homes to the east and commercial uses to the north. These land uses remain unchanged. Approval of the TM extension will facilitate the residential, commercial, public facility, and open space development that are consistent with the surrounding character. (SMC § 16.188.100(C)(a)(iii).)
- 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 no longer sufficient remaining capacity to serve the project. Upon the review of the City's most recently adopted Sanitary Collection/Treatment Master Plan, Water system Master Plan and the Public Works Design Standards, all required infrastructure and public facilities, water supply, sewage treatment or disposal facilities as well as public streets have sufficient capacities to serve the project site. (SMC § 16.188.100(C)(a)(iv).)

SMC Section 16.90 (Floodplain Management Findings)

- e. Pursuant to SMC Charter 16.90 (Floodplain Management Findings), an Engineer's Report was prepared by Peterson Brusted, Inc. entitled "Urban Levee Design Criteria (ULDC) Evaluation of the RD 2126 Levee System", dated December 2016 ("Peterson Brusted Report"). The Peterson Brusted Report concludes that the existing levee system facilities in place for RD2126 (Atlas Tract) protect the Delta Cove project site to the urban level of flood of flood protection.

The City's independent panel of experts (Domenichelli & Associates) reviewed the Peterson Brusted Report and prepared comments in a report dated February 2017. The Engineer prepared a response to the Independent Panel of Experts' Comments dated March 2017. The Planning Commission adopted the Engineer's Report for ULDC on August 10, 2017 (Resolution No. 2017-08-10-0501.)

Based on this complete volume of data and information, and in accordance with the SMC Section 16.90.020(A)(1) (Floodplain Management Findings) the City finds that the Delta Cove Project is protected to the urban level of flood protection.

California Environmental Quality Act

- f. The environmental consequences of this Vesting Tentative Map have been analyzed in accordance with the provisions of the California Environmental Quality Act (CEQA) section 15164 under an approved Addendum (P15-0500) to the previously certified Environmental Impact Report (EIR 11-05) for the project. All mitigation measures for the approved Vesting Tentative Map remain applicable. No further environmental review is required in order to approve the requested time extension.

Planning Commission Action

3. Based on its review of the entire record herein, including the June 24, 2021 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves a request for another one-year time extension for the approved vesting tentative map subject to the following conditions of approval:

Conditions of Approval

1. All conditions set forth in attached Exhibit 1.
2. With this approval, the subject map shall expire on September 9, 2022.

PASSED, APPROVED, and ADOPTED June 24, 2021.

ANNE MALLET, CHAIR
City of Stockton Planning Commission

ATTEST:

WILLIAM CREW, SECRETARY
City of Stockton Planning Commission