

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A TENTATIVE PARCEL MAP TO CREATE A FOUR (4) LOT SUBDIVISION AT THE SOUTHEAST CORNER OF EAST HAMMER LANE AND MARANATHA DRIVE (APN 130-030-13) (APPLICATION NO. P19-0718)

The applicant Hammer Lane, LLC, is proposing the subdivision of a 4.32-acre parcel of land into four parcels ranging from 0.89 to 1.32 acres in size located at the southeast corner of East Hammer Lane and Maranatha Drive (APN 130-030-13); and

The Project includes an annexation request for the parcel, a Prezone to Commercial, General (CG), a Commission Use Permit, a Tentative Parcel Map (TPM) to subdivide one parcel into four, Design Review, and adoption of an Initial Study/Addendum to the previously certified 2040 General Plan Environmental Impact Report (SCH #2017052062)(EIR Addendum) and adoption of a Mitigation Monitoring and Reporting Program; and

Hammer Lane, LLC (hereafter "Applicant"), proposes to establish a retail commercial center on the subject parcels. A tentative parcel map and site plan has been proposed for the parcel located at the southeast corner of East Hammer Lane and Maranatha Drive. The retail commercial center uses would consists of (1) an AM/PM convenience store and fueling station; (2) a Sonic Quick Serve Restaurant; (3) a Black Bear Diner Restaurant; and (4) an Elite Car Wash, as well as parking lot areas, landscaping, lighting, drainage facilities, and other necessary public improvements; and

Notwithstanding the Director's authority to approve Tentative Parcel Map requests, given the Project's physical development plans are integral to the environmental review and zoning aspects, the Director has opted to elevate the Tentative Parcel Map approval to the Planning Commission for action, as provided by SMC Sections 16.84.050.A.3 and 16.88.050(B)(5); and

On June 14, 2021, public notice for the subject application was published in the local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030; and

On June 24, 2021, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.88, at which point all persons wishing to be heard were provided such opportunity; 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:

Tentative Map

1. Per Stockton Municipal Code (SMC) Section 16.188.060(A), the proposed subdivision is consistent with the General Plan (Subdivision Map Act § 66473.5), and any applicable Specific Plan, Precise Road Plan, or Master Development Plan. The proposed retail commercial center use is consistent with the 2040 General Plan designation of Commercial.

2. The following findings at SMC Section 16.188.060(B) can be made in the affirmative.

a. The approval of the proposed subdivision would be consistent with the General Plan designation since the site is categorized as a Commercial land use and the proposed use is commercial.

b. The site is physically suitable for the type of proposed density of the development as it is a vacant site proposed for commercial use. With the proposed Conditions of Approval, services will be available to the site.

c. The design of the subdivision is not likely to cause substantial environmental damage or injure fish or wildlife or their habitat as determined by the EIR Addendum prepared in support of the Project.

d. The design of the proposed development is not likely to cause serious public health or safety problems. The proposed uses are compatible with the adjacent commercial uses to the east and west, surrounding the subject site and will not cause serious public health or safety problems. All on-site and off-site improvements to serve the retail commercial center development will be constructed as part of the Project, which provides a public benefit. Any potential health risks have been evaluated in the Initial Study and, as necessary, addressed in the Addendum to the General Plan EIR.

e. The design of the subdivision would not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision. There are no existing easements that have been acquired through, or use of, the property within the proposed subdivision of the parcel.

f. The discharge of sewage from the proposed subdivision into the regional sewer system would not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board as determined by the EIR Addendum prepared in support of the Project.

g. A preliminary soils report or geological hazard report indicating adverse soil or geological conditions will be required at the time of building permit submittal.

h. The proposed subdivision is consistent with all applicable sections of the Development Code, Municipal Code, the City's standard specifications and plans, and the Map Act.

SMC Charter 16.90 (Floodplain Management Findings)

1. Based on the 200 Year Floodplain Analysis Map, the property is located in an area of potential flooding of three (3) feet or less from a storm event that has a 1-in-200 chance of occurring in any given year, from sources other than local drainage, in urban and urbanizing areas, in accordance with Section 16.90.020(A)(5), and is therefore exempt under the shallow flood exemption.

California Environmental Quality Act

1. The City has prepared an Initial Study/Addendum to the 2040 General Plan Environmental Impact Report (EIR Addendum) in compliance with CEQA guidelines section 15164. The EIR Addendum and the Mitigation Monitoring and Reporting Plan must be adopted by the City Council before the Tentative Parcel Map may be approved.

Stockton Municipal Code section 16.188.060(A)(2) (Supplemental Findings)

1. *Construction Improvements:* The retail commercial center is constructing the necessary sidewalk, curb, gutter, water, sewer, and street improvements. Therefore, the finding related to improvements can be made for this application.

2. *Condominiums:* Findings under SMC section 16.196.030 are not applicable since the project does not propose the development of condominium.

3. *Dedications or Exaction:* The proposed tentative map will not have any exactions or dedications. Therefore, the finding related to dedications and exactions can be made for this application.

4. *Waiver of Parcel Map:* This finding is not applicable since no waiver of the Parcel Map has been requested.

Conditions of Approval

Standard Conditions of Approval

1. This approval is for the Tentative Parcel Map included as Exhibit 1 and incorporated by this reference.

2. The tentative parcel map approval is valid for 24 months after its effective date per SMC Section 16.188.100(B).

3. Comply with all applicable Federal, State, County, and City codes, regulations and adopted standards and pay all applicable fees.

4. The property owners, developers, and/or successors-in-interest (ODS) shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approval for this project or its related environmental document.

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

Project Specific Conditions of Approval

6. The subject parcel is currently not served by a City sanitary sewer collection system. The property owner shall extend the existing 12-inch sanitary sewer line in Hammer Lane some 300 feet west of Maranatha Drive to a point near the property's frontage to allow for an interim connection of the on-site sewer system. The property owner shall install a grease interceptor per the Stockton Municipal Code Section 13.40, Discharges of Fats, Oils and Grease from Food Service Establishments. Construction of the grease interceptor shall be in accordance with the City's Standard Plans and Specifications, Drawings S-19 and S-20. A copy of the drawings can be found on the City's web page using the following link:
http://www.stocktonca.gov/files/Standard_Drawings_2016.pdf.

7. The property owner shall, at a minimum, install a 10-inch sewer main, in accordance with City Standards, in Maranatha Drive from Hammer Lane south to a point where the existing road turns east. Both ends of the sewer system shall terminate with a maintenance hole. When the Origone Ranch development sewer infrastructure is installed and can accept the flows from the project, the property owner shall redirect the flow from the Hammer Lane Sanitary Sewer System No. 2, south into the Origone Ranch Sanitary Sewer System No. 9.

8. The subject parcel is currently not served by a City storm sewer collection system. Drainage shall be detained on-site in a detention basin and discharged off-peak until City storm capacity is available. The temporary off-peak-discharge point of connection to the City storm sewer is the existing maintenance hole in Hammer Lane. Prior to the submittal of improvement plans, the applicant shall provide the City with the proposed storm drainage system, pipeline network, detention basin volume, and hydraulic calculations, demonstrating that sufficient capacity is available in Hammer Lane. The City shall have the final approval of the proposed detention system.

9. Upon installation of the Origone Ranch storm drainage improvements, the property owner shall remove the temporary connection to Hammer Lane and install the

master-planned improvements to redirect flows into the Origone Ranch storm drainage system in Maranatha Drive.

10. The subject parcel is currently not served by a City water system. There are three options to connect to City water system:

- The point of connection is the existing 12-inch water line in Hammer Lane, located some 250 feet east of Maranatha Drive. A 12-inch water line shall be extended from this point of connection to Maranatha Drive.
- Connect to the existing 12-inch water line in Maranatha Drive.
- Extend the 8-inch water line in Moreland Street to Maranatha Drive/HWY 99 Frontage Road. Then connect to the extended water line in Moreland Street.

11. If a new Area of Benefit (AOB) is formed in the area and approved by the City Council, the ODS shall enter into the AOB and the fee will be due and payable upon the issuance of the building permit in accordance with SMC 16.72.050.

PASSED, APPROVED, and ADOPTED June 24, 2021.

ANNE MALLETT, CHAIR
City of Stockton Planning Commission

ATTEST:

WILLIAM CREW, SECRETARY
City of Stockton Planning Commission