

Resolution No. 2025-01-23-0302

## STOCKTON PLANNING COMMISSION

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### **RESOLUTION APPROVING A ONE-YEAR TIME EXTENSION FOR AN APPROVED TENTATIVE MAP AND PLANNED DEVELOPMENT PERMIT (P21-1171) AT 8601 THORNTON ROAD (APNS 080-320-06 AND 080-320-07) (APPLICATION NO. P24-0234)**

On January 26, 2023, the Planning Commission approved a Tentative Map (TM) and Planned Development Permit ("Approved Project") for a project known as "Davis Crossing Residential Development" (P21-1171). The approval project consisted of a Planned Development for 67 residential parcels and adoption of an Initial Study/Addendum to the previously certified 2040 General Plan EIR (SCH #2017052062) and adoption of a Mitigation Monitoring and Reporting Program. The project site is located on the west side of Thornton Road and north of Mosher Slough. Under that approval, the approved project, the effective date of the tentative map is February 6, 2023 (11<sup>th</sup> day following the date of the rendered decision) and was due to expire on February 6, 2025; and

On November 19, 2024, the applicant, Richard Gonzales of Go Partners, LLC, submitted an application for a time extension; and

The Planning Commission is authorized by Section 16.188.100(C)(1) and Section 16.96.030(B) of the Stockton Municipal Code to approve a request for a one-year extension of the subject Tentative Map and Planned Development Permit with appropriate findings; and

On January 23, 2025, the Planning Commission held a regularly scheduled meeting 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 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 Tentative Map to be inconsistent with the General Plan,

because the site is still designated Medium-Density Residential on the 2040 General Plan Land Use Map. (SMC 16.188.100(C)(a)(i).)

- b. There have been no changes to applicable provisions of the Development Code that would cause the Tentative Map to be inconsistent with the Development Code. Sixty-seven (67) parcels contained in the Tentative Map remain consistent with the density requirements in SMC 16.24.200, Table 2-3A (Zoning District Development Standards). The Planned Development Permit modified development standards are not being changed. (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 Tentative Map was approved in 2021, the site was bounded by existing single-family homes to the west and commercial uses to the north and east, and the Mosher Slough to the south. These land uses and characteristics remain unchanged. Approval of the Tentative Map extension will facilitate residential development that is consistent with the surrounding character and as intended. (SMC 16.188.100(C)(a)(iii).)
- d. There have been no changes to the capacity 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. In accordance with SMC Section 16.90.020(A)(2), the proposed development shall comply with the 200-year flood requirements under Senate Bill 5 (SB 5). The State legislation requires that the property be protected to the urban level of flood protection in urban and urbanizing areas. Based on the 200 Year Floodplain Analysis Map, and the Technical Memorandum prepared by Dillion & Murphy Engineering, dated January 31, 2022, the project has areas of potential flooding in excess of three (3) feet 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. The finished floor elevations for each dwelling unit shall be elevated to within three (3) feet of the 200-year base flood elevation providing an urban level of flood protection in accordance with SMC 16.90.020(A)2.

California Environmental Quality Act

- f. The project shall be subject to all applicable mitigation measures identified in

the City-adopted Initial Study/Addendum to the previously certified 2040 General Plan EIR (SCH #2017052062) and adopted Mitigation Monitoring and Reporting Program (P21-1171, Resolution #2023-01-26-0501-01). All mitigation measures for the approved Tentative Map remain applicable. No further environmental review is required in order to approve the requested time extension.

Planning Commission Action

Based on its review of the entire record herein, including the January 23, 2025 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves a request for a one-year time extension for the approved tentative map subject to the following conditions of approval:

Conditions of Approval

*Standard Conditions of Approval*

1. This approval is for the Tentative Map and Planned Development 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. With this approval, the subject Tentative Map and Planned Development Permit, shown in Exhibit 1, shall expire on February 6, 2026.
7. Future residential development is subject to obtaining a Design Review approval per SMC section 16.120.020(A)(1)(a).

8. Owner, Developer, and Successor of interest (ODS) of the project shall require obtaining a Heritage Tree Removal Permit per SMC section 16.130 prior to issuance of a demolition permit.

9. ODS shall provide for the permanent maintenance of all common areas by the creation of a Homeowner's Association and Covenants, Conditions and Restrictions (CC&Rs) for the project and provide copies of the filed and recorded documents to the Community Development Department Planning Division. Should the homeowner's association default, the City reserves the right to form a mandatory maintenance district.

10. ODS shall construct the private street per City standards.

11. ODS shall make necessary right-of-way dedications along the frontage of the project site to ensure all public improvements, including but not limited to sidewalks, wheelchair ramps, and the like, are within the public right of way

12. ODS shall abandon the existing public street, formally Alpha Dr. prior to the acceptance of the offsite improvements.

13. ODS shall design and submit offsite improvement plans to the Community Development Department -Engineering Section. Improvement Plans shall include but not be limited to traffic signal modifications, curb, gutter, sidewalk, driveway access, wheelchair ramps, streetlight standards, and public utilities. Offsite improvements shall be constructed per City Standards prior to the issuance of any building permits.

14. Traffic signal modification shall accommodate the driveway access to the project site as the fourth leg of the intersection of Thornton Rd and Davis Rd, which will include installing loop detection systems, fiber optic conduit, etc.

15. The property owners, developers, and/or successors-in-interest (ODS) 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 Public Works design standards.

16. The ODS shall construct all on-site and off-site water, storm, and sanitary sewer facilities as designed and shown on the accepted improvement plans for development.

17. The ODS shall obtain permission from the State Water Resources Control Board – Division of Drinking Water for the water main separation alternative, for the condition where the sewer main and water main is separated by only 4 feet. This permission is needed prior to improvement plan approval.

18. Any on-site wells and septic tanks shall be abandoned and destroyed prior to recordation of any final map. Standard for abandonment and destruction shall be as required by San Joaquin County Department of Environmental Health.

19. This project shall comply with SMC section 13.16.150, Best Management Practices – Industrial users and New Developments and Redevelopments, of the Stockton Municipal Code. The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires Waste Discharger's Identification Number (WDID) from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.

20. This project shall comply with the Storm Water Quality Control Criteria Plan, per SMC section 13.20 and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2016-0040). The guidelines have changed as of February 2021, the project must address the new trash requirements.

21. The ODS must create a zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, prior to the recordation of any final map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices. In addition, the ODS shall be responsible for the costs of forming the Assessment District, including, but not limited to, the City-selected Assessment District Council, Engineer's Report, Proposition 218 vote, and noticing requirements.

22. The ODS shall comply with any and all requirements, and pay all associated fees, as required by the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.

23. The ODS must provide to the City of Stockton a revised Doc #A-21-92 San Joaquin County Easement, where the City is a party to the agreement and clauses #9 and #14 are eliminated prior to improvement plan approval.

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24. Building permits are required from the City of Stockton Building and Life Safety Division for the proposed onsite improvements and the construction of each lot.

PASSED, APPROVED, and ADOPTED January 23, 2025.

  
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TERRY HULL, CHAIR  
City of Stockton Planning Commission

ATTEST:

  
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MICHAEL McDOWELL, SECRETARY  
City of Stockton Planning Commission

## TENTATIVE MAP

## DAVIS CROSSING SUBDIVISION

8601 THORNTON ROAD, STOCKTON, CA. 95209, A.P.N. 080-32-006 &amp; 080-32-007

## LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SAN JOAQUIN, CITY OF STOCKTON, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 8, NORTH, RANGE 6 EAST, MOUNT DIAZO AND MERIDIAN, IN THE CITY OF STOCKTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 89 DEGREES 41' WEST 200 FEET AND NORTH 0 DEGREES 24' WEST 59 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 8, TO THE POINT OF BEGINNING OF HEREINAFTER DESCRIBED LAND, THENCE 89 DEGREES 41' WEST ALONG THE WEST LINE AND EXTENSION THEREOF, NORTHERNLY OF THAT CERTAIN TRACT OF LAND OBLICERED IN DEED TO KARLEND TABOADA, RECORDED MARCH 13, 1928 IN BOOK 630 OF OFFICIAL RECORDS, PAGE 100, AND CONTAINING 1.35 ACRES, 100 FEET TO THE SOUTH LINE OF LAND OBLICERED IN DEED TO JOHN ATHERTON, ET UX, RECORDED JANUARY 31, 1947 IN BOOK 1028 OF OFFICIAL RECORDS, PAGE 98, SAN JOAQUIN COUNTY RECORDS, AND 100 FEET TO THE EAST LINE OF LAND OBLICERED IN DEED TO JAMES A. AND MARY A. ATHERTON, 350 FEET TO THE SOUTHWEST CORNER OF SAID LAND; SAID POINT BEING THE EAST LINE OF THE LAND AS DESCRIBED IN DEED TO JAMES A. AND MARY A. ATHERTON, MAY 22, 1931 IN BOOK 369 OF OFFICIAL RECORDS, PAGE 262, SAN JOAQUIN COUNTY RECORDS, THENCE SOUTH 0 DEGREES 22' EAST ALONG THE EAST LINE OF SAID MENDOCINO LAND, 497 FEET TO THE NORTH LINE AND 100 FEET TO THE EAST LINE OF LAND OBLICERED IN DEED TO JAMES A. AND MARY A. ATHERTON, 350 FEET TO THE NORTH LINE OF ALPHADRIVE 350 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2, NORTH, RANGE 6 EAST, MOUNT DIAZO AND MERIDIAN, AND MOREPARTICULARLY DESCRIBED AS FOLLOWS:

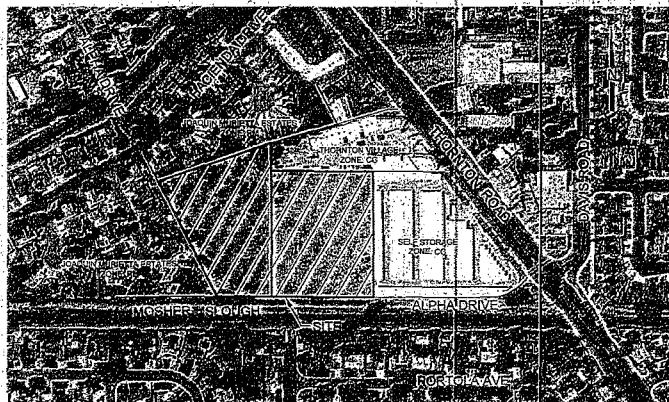
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8, THENCE NORTH 89 DEGREES 41' WEST 200 FEET, THENCE 89 DEGREES 41' WEST 1050 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 8, THENCE 89 DEGREES 41' WEST 100 FEET, THENCE SOUTH 74° 14' WEST 468.4 FEET; THENCE SOUTH 127° 20' EAST 100 FEET TO THE SOUTH LINE OF SAID SECTION 8, THENCE SOUTH 74° 14' WEST 468.4 FEET; THENCE 89 DEGREES 41' WEST 100 FEET, THENCE LEAVING SAID EAST LINE, NORTH 89 DEGREES 41' WEST 100 FEET, THENCE 89 DEGREES 41' WEST 100 FEET, THENCE LEAVING SAID WEST LINE, SOUTH 0 DEGREES 22' 30" WEST 840 FEET TO A FOUND IRON PIPE MARKING THE SOUTHWEST CORNER OF SAID SECTION 8, TOWNSHIP 2, NORTH, RANGE 6 EAST, MOUNT DIAZO AND MERIDIAN, IN THE CITY OF STOCKTON, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2, NORTH, RANGE 6 EAST, MOUNT DIAZO AND MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 8, DISTANT THEREON NORTH 89° 41' WEST 1050 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 8, THENCE 89 DEGREES 41' WEST 100 FEET, THENCE SOUTH 74° 14' WEST 468.4 FEET; THENCE SOUTH 127° 20' EAST 100 FEET TO THE SOUTH LINE OF SAID SECTION 8, THENCE SOUTH 74° 14' WEST 468.4 FEET; THENCE 89 DEGREES 41' WEST 100 FEET, THENCE LEAVING SAID EAST LINE, NORTH 89 DEGREES 41' WEST 100 FEET, THENCE 89 DEGREES 41' WEST 100 FEET, THENCE LEAVING SAID WEST LINE, SOUTH 0 DEGREES 22' 30" WEST 840 FEET, EXCEPT THAT PORTION CONVEYED TO SAN JOAQUIN COUNTY FOOD CONTROL AND WATER CONTROL DISTRICT, A POLITICAL SUBDIVISION, BY DEED RECORDED ONCE, 24, 1970 IN BOOK 3471, PAGE 155, SAN JOAQUIN COUNTY RECORDS.

APN: 080-32-007

## NOTES

1. APN: 080-32-006 & 080-32-007
2. WATER: CITY OF STOCKTON
3. SEWER: CITY OF STOCKTON
4. STORM ORNAMENT, PRIVATE
5. EXISTING ZONING: RM, PROPOSED PLANNED DEVELOPMENT
6. SITE ADDRESS: 8601 THORNTON RD, STOCKTON, CA 95209
7. LOCATED ON A FLOOD PLAIN. FLOOD RISK DUE TO LEVEE MAP NO. 0507020316, DATED 10/16/2009
8. TYPICAL PARCEL SQUARE FOOTAGE: 2795 SF, UNLESS OTHERWISE NOTED
9. DESIGN: 10' DOWNTILLINE, 4' SPACER GROVE
10. OPEN SPACER: APPROXIMATELY 1240 SF TOTAL PROJECT AREA INCLUDES, FRONT YARDS, PARK, INFILTRATION, AND OPEN SPACE AREA
11. OPEN SPACER AREAS ARE PONTE AND WILL BE MAINTAINED BY THE HOA.
12. NO GATES ARE PROPOSED TO ENTER THE SUBDIVISION, ONLY TO PROVIDE ACCESS TO THE LEVEE.
13. EXISTING TREES ON SITE ARE BEING REMOVED AS A SAFETY PRECAUTION DUE TO THE HAZARDOUS ACTIVITIES ON SITE.

VICINITY MAP  
N.T.S.

## OWNER

NAME: GO PARTNERS LLC  
100 ROBINSON AVENUE  
ADDRESS: 1224 WEST ROBINSON DRIVE, SUITE #5  
STOCKTON, CA 95207  
PHONE: 205-645-0502

## ENGINEER

NAME: DILLON & MURPHY ENGINEERING  
C/O CECIL DILLON  
ADDRESS: 847 CLIFF AVENUE SUITE A-2  
LODO, CA 95240, P.O. BOX 180  
PHONE: 209-324-2610

DILLON & MURPHY ENGINEERING 847 CLIFF AVENUE LODO, CA 95240 (209) 324-6510	
GO PARTNERS LLC	
DAVIS CROSSING SUBDIVISION TENTATIVE MAP	
STOCKTON, CALIFORNIA MAY, 2002	
SCALE: 1"=50'	SHEET: 1 OF 3 SHEETS
BENCH MARK PID #8 EL-16-09	
LAWN N BY JMC AIR JS	
DESIGNED BY: J. M. COOPER	
CHECKED BY: J. M. COOPER	
APPROVED BY: J. M. COOPER	
DATE: 2-2-22	
APPROVED BY: J. M. COOPER	
DATE: 2-2-22	
PLANNING COMMISSION 1250N STOCKTON, CALIFORNIA	
CITY PLANNER	
STOCKTON, CALIFORNIA	
DATE: MAY 2002	



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