

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A TENTATIVE PARCEL MAP, LAND DEVELOPMENT PERMIT, AND DESIGN REVIEW FOR THE PROPOSED COMMERCIAL DEVELOPMENT ON 2.69± ACRES, LOCATED AT 9450 WEST LANE AND 1530 EAST MORADA LANE (P25-0025)

On February 6, 2025, the Applicant, Grove Development Company, submitted a development application for a Project site containing two (2) parcels totaling 2.69± acres. The proposed Project is a Tentative Parcel Map to create three (3) parcels from the existing two (2) parcels, a Zoning map amendment, and the development of two (2) drive-through restaurants and one (1) speculative commercial building with associated site improvements. The Project area is addressed 1530 East Morada Lane and 9450 West Lane; and

On February 26, 2025, the Architectural Review Committee considered the proposed Drive-through restaurants and commercial building; and

On November 21, 2025, a public notice for the subject application was published in local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030; and

On December 11, 2025, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.116.040(D), 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:

- A. The foregoing recitals are true and correct and incorporated by reference.
- B. Based on its review of the entire record herein, the Planning Commission makes the following recommended findings:

Tentative Parcel Map

1. Per SMC Section 16.188.060(A), the proposed subdivision, included as Exhibit 1, is consistent the General Plan (Subdivision Map Act Section 66473.5), and any applicable Specific Plan, Precise Road Plan, or Master Development Plan. The following findings, found in 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 because the site is categorized as Commercial and the proposed land uses are consistent with this designation.

- b. The site is physically suitable for the type of proposed density of the development as it is a vacant site proposed for future commercial uses. 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 due to the location of the project in an urbanized and developed area.
- d. The design of the proposed development is not likely to cause serious public health or safety problems as the proposed project is located on a site adjacent to the intersection of two major roads that is suitable for commercial uses. The project maintains and improves the existing ingress and egress points as necessary to facilitate the Project.
- 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 existing easements located in the proposed subdivision. The subdivision, as conditioned, shall maintain or restructure existing Public Utility and Non-exclusive Access Easements that are necessary for the improvements and public utility connections.
- 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 the project is conditioned to submit a Storm Water Quality Control Plan at the time of building permit submittal.
- 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 specification and plans, and the Map Act.

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

1. *Construction Improvements*: It is in the interest of public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of improvements within a specified time after recording of a parcel map of four or fewer parcels where improvements are required. The proposed subdivision is accompanied with a development project that will expire if no subsequent construction permits are submitted pursuant to SMC Chapter 16.96 (Expirations and Extension).
2. *Condominiums*: Findings under SMC Section 16.196.030 are not applicable since the project does not propose the development of Condominiums.

3. *Dedications and Exactions:* Any applicable findings required by Section 16.72.060(A) (Findings required for dedications and exactions), if dedications or exactions are required. There are no dedications or Exactions being proposed or requested with this project.
4. *Waiver of Parcel Map:* This finding is not applicable since no waiver of the Parcel Map has been requested.

California Environmental Quality Act

The Project is Categorically Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15332, Infill Development Projects, because the project is consistent with its current General Plan land use designation of Commercial and with approval of the Zoning Map Amendment (Rezone), will be consistent with applicable zoning designation and regulations. The proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The Project site has no value as habitat for endangered, rare, or threatened species. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services.

SMC Chapter 16.90 (Floodplain Management Finding)

Floodplain management finding required per Stockton Municipal Code Section 16.90. Per SMC Section 16.90.020.A(5), the applicable review authority can approve a tentative map in a flood hazard zone if based on substantial evidence in the record, 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. Staff affirms that this is the case, based on the current effective 200 Year Floodplain Analysis Map.

Land Development Permit (LDP) Findings

1. The proposed land use activity is allowed within the subject zoning district with the approval of a land development permit and complies with all other applicable provisions of this Development Code and the Municipal Code.

The proposed drive-through restaurants with outdoor dining are allowed within the proposed CG (Commercial, General) zoning districts, subject to the approval of an LDP by the Planning Commission and approval of a Zoning Map Amendment by the City Council. The project as proposed complies with all applicable Development Code and Municipal Code standards.

2. The proposed land use activity would be consistent with the general land use, objectives, policies, and programs of the General Plan and any applicable specific plan, precise road plan, or master development plan.

The Project site is designated as Commercial under the City of Stockton's General Plan, with a proposed zoning designation of CG (Commercial, General). The

project, as conditioned, would be consistent with the following general land uses goals and policies:

- Policy LU-4.2 which aims to attract employment- and tax-generating businesses that support the economic diversity of the City.
- Policy LU-6.2 which aims to prioritize development and redevelopment of vacant, underutilized, and blighted infill areas.
- Policy LU-6.4 which aims to ensure that land use decisions balance travel origins and destinations in a close proximity as possible, and reduce vehicle miles traveled (VMT).

3. The subject site would be: (1) Physically suitable for the type and density/intensity of use and structure(s) being proposed including the provision of services (e.g., sanitation, utilities, and water), public access, and the absence of physical constraints (e.g., earth movement, flooding, etc.); (2) Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this Development Code; and (3) Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.

The Project site is physically suitable for the proposed development. All necessary on- and off-site roadways, water, wastewater, and storm drainage infrastructure and utilities exist or will be installed by the developer. Development will meet all applicable City standards. There would be no conflict with adjacent land uses due to proper site planning and design.

4. The establishment, maintenance, or operation of the proposed land use activity at the location proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed land use.

The establishment, maintenance, or operation of the Project is not expected to endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the subject use, because the use is designed in accordance with City development standards.

Design Review Findings

1. The proposed development is consistent with all applicable provisions of this Development Code and other applicable City ordinances as the project has been evaluated against all applicable development code standards and Citywide Design Guidelines that are used to meet the requirements of Design Review as outlined in SMC Section 16.120.030(A)(2).
2. The general design, including the character, quality, and scale of design are

consistent with the purpose/intent of this chapter and the Guidelines and other design guidelines that may be adopted by the City, because the Architectural Review Committee (ARC) has reviewed the proposed project design, parking areas, access uses, and architectural design in comprehensive manner. The Project will incorporate high quality, durable materials and provide an efficient site layout to serve the surrounding neighborhood.

3. The architectural design of the structures and their materials and colors will be visually consistent throughout the development through the use of high-quality materials furthering the established design of the existing fueling station. The architectural style and layout of the project site is compatible with typical commercial developments with ample landscaped interiors and frontages.
4. The location and configuration of structures are compatible with the site and with surrounding sites and structures and would not unnecessarily block views from other structures or dominate their surroundings, because the commercial structures on the subject site are single story buildings and are located in a manner where internal circulation is maintained. The configuration of the building would also not block or dominate the surroundings.
5. The general landscape design, including the color, coverage, location, size, texture, and type of plant materials, provisions for irrigation, planned maintenance and protection of landscape elements have been considered to ensure visual relief, to complement structures, and to provide an attractive environment, because the proposed landscape design will provide the extensive use of landscaping to enhance views of the site by screening unattractive elements such as trash enclosures, drive lanes and parking areas. The project is conditioned to submit a Landscape plan that is in compliance with State Model Water Efficient Landscape Ordinance (MWELo).
6. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development and will not result in vehicular or pedestrian hazards. The site has been designed to clearly identify points of access into the site, as well as clearly marked pedestrian paths. The drive-through restaurants are located on opposite sides of the project site to avoid vehicle queuing conflicts. The drive-throughs are designed in conformance with drive-through facilities standards in SMC Section 16.80.150, specifically greater queueing distances or alternative practices (i.e., wider exit lanes, dual lanes, and drive-through waiting spaces).
7. The building design and related site plans, including on-site parking, have been designed and integrated to ensure the intended use will best serve the potential users or patrons of the site, because the City staff has reviewed the site plan to ensure that the plans comply with the City Codes and provide the best serve to the patrons of the site.
8. Special requirements or standards have been adequately incorporated, when applicable, into the building and/or site design (e.g., American Disabilities Act

regulations, historic preservation, mitigation measures, open space, utilities, etc.), because other standards will be reviewed by individual departments during plan check with Building Life and Safety Division.

Floodplain Management Finding

Floodplain management finding required per Stockton Municipal Code Section 16.90. Per SMC Section 16.90.020.A(5), the applicable review authority can approve a discretionary entitlement in a flood hazard zone if, based on substantial evidence in the record, 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. Staff affirms that this is the case, based on the current effective 200 Year Floodplain Analysis Map.

Planning Commission Action

Based on its review of the entire record herein, including Exhibit 1 (Tentative Parcel Map), Exhibit 2 (Development Plans), the December 11, 2025, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves the Tentative Parcel Map, Land Development Permit, and Design Review for Planning Application Number P25-0025, subject to the following conditions of approval, and contingent upon City Council approval of the proposed Zoning Map Amendment:

Conditions of Approval (General)

1. The Project approved by this action shall conform to the Tentative Parcel Map (Exhibit 1), Development Plans (Exhibit 2); and conditions herein.
2. This approval shall become effective upon the City Council authorization of the Zoning Map Amendment included with this application.
3. As this project includes a Tentative Parcel Map, this approval shall become void unless the required building permit(s) and Final Map application are submitted within 24 months of the approval effective date in conformance with SMC 16.188.100(B). An extension may be requested in accordance with SMC Chapter 16.96.
4. Changes to this approval shall be reviewed under SMC Chapter 16.04 (Changes to an Approved Project).
5. Plans submitted for purposes of obtaining building permit(s) shall reflect compliance with Development Code Section 16.56.040 (Landscape Standards).
6. Plans submitted for purposes of building permit(s) shall reflect compliance with the American Disabilities Act and standards at Development Code Table 2-3, including all other aspects of Municipal Code Title 16 (Development Code), as applicable.

7. The use shall be carried out in compliance with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
8. Compliance with these conditions is mandatory. Failure to comply with these conditions is unlawful, constitutes a public nuisance, and is subject to the remedies and penalties identified in the Stockton Municipal Code, including but not limited to, monetary fines and revocation or modification of said Project Approval.

Conditions of Approval (Project Specific)

Tentative Parcel Map

9. 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 approvals for this project or its related environmental document.
10. 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 applicable fees associated with the development of the site, but if such fees are amended or modified, the ODS agrees to pay such fees as they may be amended or modified from time to time.
11. The new legal description shall state that easements will be reserved if currently the same owner or created if there is new ownership before the Parcel Map is recorded.
12. ODS shall submit off-site frontage improvements to the City Engineering Department for review and approval. The parcel map, and all easements shall be recorded prior to the final acceptance of the off-site improvements. Off-site plans to be submitted concurrently with the Building permit plan submittals.
13. ODS shall record an amended accesses easement agreement between existing Parcel 3 (PM 19-152) and proposed parcels A, B, and C (Project site) with the proposed parcel map.
14. ODS shall record a declaration of Covenants, Conditions, Restrictions and Easement among the proposed Parcels (Parcels A-C) for shared use and maintenance of, and utilities within, common areas. A recorded copy of the executed covenants, conditions, and restrictions are to be submitted with the proposed parcel map.
15. ODS shall, to the satisfaction of the Municipal Utilities Department, dedicate an easement for the existing public storm main, at the southwest corner of Parcel 3.
16. At the time of Final Map submittal, ODS shall confirm all existing on-site public utility easements and dedicate any public utility easements to the City of Stockton.

17. The ODS must provide adequate land area to meet the requirements of the City's Stormwater Quality Control Plan.
18. Any on-site 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 must comply with the City's Storm Water Quality Control Criteria Plan, per the Stockton Municipal Code Chapter 13.20 and as outlined in the City's Phase 1 Municipal Separate Storm Sewer System (MS4) NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2016-0040, NPDES No. CAS0085324). The ODS must execute a Maintenance Agreement with the City, prior to receiving the first Certificate of Occupancy in the project area, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices.
20. At the time of Final Map submittal, ODS shall dedicate a 10-foot wide City water easement for the existing 8" water main, including all City-owned appurtenances, originating from Morada Lane.
21. At the time of Final Map submittal, ODS shall construct new water main segment between the existing dead-end water main from the Tuscany subdivision at the east and connect to the dead-end water main originating from Morada Lane.
22. ODS shall acknowledge that unrestricted vehicular access along Morada Ln. will be removed following the future development of the parcel to the north of Morada Ln. (Bear Creek South) and subsequently, the ultimate development of Morada Ln. right of way.
23. ODS shall maintain or provide access to the Woodbridge Irrigation District's water conveyance ditch to the south of the proposed parcels A, B, and C.
24. ODS shall protect all existing property pins or other survey monuments in place.

Land Development Permit and Design Review

25. ODS shall submit a landscape plan, prepared by a licensed landscape architect at the time of building permit submittal. Plans shall meet all requirements of MWELO, including water calculations and applicable planting and irrigation specification and details.
26. Provide at least one van accessible EVCS adjacent to each proposed building including an accessible route from the EVCS to the building per CBC 11B-228.3.2.1 and 11B-812.

27. Each proposed building shall have a photovoltaic system and battery storage system in accordance with CALGreen Code Section 140.10. Incorporate these requirements into the building permit construction drawing submittal.
28. The existing accessible route connecting the c-store to the right of way at West Ln must be upgraded to meet the current requirements of CBC Chapter 11B, including 11B-250 requiring a raised sidewalk. The route cannot travel within the drive lane as it currently exists. Recommend connecting the c-store to the new accessible route being constructed for the Building B parcel and/or Building A parcel.
29. At the time of building permit submittal, ODS shall provide a FIRE LANE dedication with RED painted curbing to include parking lot areas.
30. Proposed structure for Pad C will require an automatic fire sprinkler system if over 6,000 SF in area.
31. ODS shall install new fire hydrants, location(s) to be confirmed at the time of building permit submittal.
32. Install STOP signs, legend, and bar per City of Stockton standard drawing R-113 at the West Lane and Morada Lane driveways.
33. Perimeter fence and walls shall comply with SMC Chapter 16.48 and shall observe vehicle sight area requirements at all access points.
34. The trash enclosure shall be located on an accessible route.
35. ODS shall submit a Lighting Plan at the time of building permit submittal in conformance with SMC 16.36.095.
36. Provide a Stormwater Quality Control Plan (SWQCP) at the time of building permit submittal.
37. Provide a WDID number for the State approved Stormwater Pollution Prevention Plan (SWPPP) prior to approval of any building permit plans.

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38. Building and Fire permit(s) required from the City of Stockton Building & Life Safety Division and Fire Prevention Division for new construction or any alterations to the site. A Planning entitlement approval does not authorize construction or the use of the building/site until the appropriate building permits have been obtained.

PASSED, APPROVED, and ADOPTED December 11, 2025.

JEFF SANGUINETTI, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission