

Resolution No.

## STOCKTON PLANNING COMMISSION

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### **RESOLUTION APPROVING A TENTATIVE MAP TO CREATE A THIRTEEN (13) LOT SUBDIVISION OF MULTIPLE PARCELS ALONG SOUTH AIRPORT WAY (APNS 177-110-040; 177-100-030; 177-110-050; 201-020-010; and 177-050-09) (APPLICATION NO. P20-0024)**

The applicant, Trevor Smith, representing Five Corners Group, LLC, (hereafter "Applicant"), is proposing the subdivision of four (4) existing parcels combining for 422.2-acres parcel of land into 13 unique parcels varying in size located at APNs 177-110-040; 177-100-030; 177-110-050; 201-020-010; and 177-050-09; and

The Project includes a Tentative Map, General Plan Land Use Map Amendment, Zoning Map Amendment, and certification of a Final Environmental Impact Report (SCH #202090561), and adoption of a Mitigation Monitoring and Reporting Program, Findings and Statement of Overriding Consideration; and

On August 22, 2025, 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 September 11, 2025, the Planning Commission conducted a public hearing on the application, in compliance with SMC Chapter 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:

#### California Environmental Quality Act

The City has prepared a Final Environmental Impact Report in compliance with CEQA Guidelines Section 15164. The FEIR, Mitigation Monitoring and Reporting Plan, Findings, and Statement of Overriding Consideration must be certified by the City Council before the Tentative Map may be approved.

#### Tentative Map

Per SMC Section 16.188.060(A), a tentative map or tentative parcel map may only be approved if the Review Authority makes the following findings:

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 commercial and industrial uses are consistent with the 2040 General Plan designations of Commercial and Industrial.
2. Per SMC Section 16.188.060(A)(2), the supplemental findings can also be made which are a) the project will construct necessary sidewalk, curb, gutter, water, sewer, and street improvements; b) the map is not creating condominiums nor is it a condominium conversion; c) the proposed map will not be creating any exactions and any necessary dedications will comply with City standards; and d) there is no waiver request of the parcel map.

Per SMC Section 16.188.060(B) the following findings for the tentative map can be made in the affirmative.

1. The approval of the proposed subdivision would be consistent with the General Plan designation since the site is categorized as Industrial and Commercial land uses and the proposed uses are industrial and commercial.
2. The site is physically suitable for the type of proposed density of the development as it is a vacant site proposed for commercial and industrial use. With the proposed Conditions of Approval, services will be available to the site.
3. 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 Final Environmental Impact Report and supportive documents prepared for the Project.
4. 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 uses to the north, 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 development will be constructed as part of the Project, which provides a public benefit. Any potential health risks have been evaluated in the FEIR.
5. 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.

6. 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 FEIR prepared in support of the Project.
7. A preliminary soils report or geological hazard report indicating adverse soil or geological conditions will be required at the time of building permit submittal.
8. The proposed subdivision is required to be consistent with all applicable sections of the Development Code, Municipal Code, the City's standard specifications and plans, and the Map Act.

### Conditions of Approval

#### *Standard Conditions of Approval*

1. This approval is for the Tentative Map included as Exhibit 1 and incorporated by this reference.
2. The Tentative 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 Tentative Map approval is subject to certification of the Final Environmental Impact Report (FEIR) and supportive documents by the City Council. Should the City Council disapprove the FEIR, approval of the tentative map shall be void.
7. Future development is subject to obtaining a Design Review approval per SMC Section 16.120.020(A)(1)(a) as well as a Site Plan Review approval per SMC Chapter 16.152.

8. ODS shall enter into the South Stockton Industrial/Commercial Services and Maintenance District (CFD), once formed, to contribute their fair proportionate share of costs for the provision of a new South Stockton fire station and ongoing fire staffing services.

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

10. ODS shall design and construct internal private streets per City standards.

11. Roadway to be dedicated to the City shall be designed and constructed per City Standards and shall have a load-bearing capacity to take truck traffic loads expected to the entire site.

12. 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, bike lanes, wheelchair ramps, and the like, are within the public right-of-way.

13. ODS shall design and submit off-site improvement plans for City approval to the Community Development Department -Engineering Section. Improvement Plans shall include but not be limited to traffic signals, curb, gutter, sidewalk, driveway access, wheelchair ramps, bike lanes, streetlight standards, and public utilities. Off-site improvements shall be constructed per City Standards prior to the issuance of any building permits. This shall also include the new signalized intersection at South Airport Way and the new public street of Street A.

14. SR99 West Frontage area that intersects with the proposed Street A shall be improved per City Standards.

15. In accordance with SMC 16.72.230, existing overhead utility distribution facilities fronting the Project site shall be placed underground. New utility distribution facilities shall be installed underground. Any relocation or undergrounding of existing overhead utility lines will be at the ODS expense.

16. No structure shall be installed within the Public Utility Easement (PUE), except when authorized by the applicable utility company.

17. The 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. The proposed well site per the DEIR shall be clearly shown, delineated and labeled.

18. 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. A water service main parallel to the 24-inch water transmission main will be constructed for water service and fire service connections. This project shall not connect to the existing 24-inch water transmission main.

19. 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.

20. 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.

21. This project shall comply with the Storm Water Quality Control Criteria Plan, per SMC Chapter 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.

22. 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.

23. 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.

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.

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25. ODS shall lead coordination effort with the railroad company in the project assessment, environmental documentation, design, and construction of a grade separation project on Street A. Right of way dedication along the railroad influence upon Street A is subject to the approval of the City and Union Pacific Railroad, respectively. All costs associated with initial assessment of project with the California Public Utilities Commission, Union Pacific Railroad, and the City shall be borne by ODS. Removal of the grade separation requirement shall be subject to an update of EIR and approval by the City.

PASSED, APPROVED, and ADOPTED September 11, 2025.

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JEFF SANGUINETTI, CHAIR  
City of Stockton Planning Commission

ATTEST:

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MICHAEL MCDOWELL, SECRETARY  
City of Stockton Planning Commission