Resolution No. 04-0653

STOCKTON CITY COUNCIL

RESOLUTION CERTIFYING
THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR1-03) AND ADOPTING
THE FINDINGS AND MITIGATION MONITORING REPORTING
PROGRAM FOR THE CANNERY PARK PROJECT

WHEREAS, a Final Environmental Impact Report (EIR1-03) for the Cannery Park Project (the "Project") was prepared by the City of Stockton pursuant to the California Environmental Quality Act (Public Resources Code sections 21000 et seq., hereafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Sections 15000 et seq., hereafter the "State CEQA Guidelines") and the City of Stockton Guidelines for the Implementation of CEQA ("Local Guidelines"); and

WHEREAS, at its legally noticed meeting of August 12, 2004, the Stockton Planning Commission accepted oral comments on, considered and recommended adoption of the Final Environmental Impact Report (EIR1-03) by the City Council; and

WHEREAS, pursuant to the City of Stockton Guidelines for the Implementation of CEQA, the Final Environmental Impact Report (EIR1-03) was scheduled for consideration at a public meeting that was conducted by the City Council on August 31, 2004, and continued to September 14, 2004; and

WHEREAS, by this resolution, the City Council, as the lead agency under CEQA for preparing the Final Environmental Impact Report, and as the entity with final decision-making authority in regard to the related discretionary applications, desires to comply with the requirements of CEQA, the State CEQA Guidelines and the Local Guidelines for consideration, certification and use of the Final Environmental Impact Report (EIR1-03) by the City Council, and any responsible agencies in connection with the approval and subsequent implementation of the Project; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That the Final Environmental Impact Report (EIR1-03), which is on file in the City’s Community Development Department/Planning Division, is hereby certified and adopted based on the following findings:

   a. The Final Environmental Impact Report (EIR1-03), has been completed in compliance with the California Environmental Quality Act (CEQA), State CEQA Guidelines and City of Stockton Guidelines for the Implementation of CEQA.

City Atty: __________________________
Review Date: September 10, 2004
b. The Final Environmental Impact Report (EIR1-03), as amended, has been reviewed and considered prior to any related project approvals, reflects the City's independent judgment and has been found to be adequate for said approvals.

c. Based on the review of EIR1-03 it has been determined that, subject to any modifications and mitigation measures identified in EIR1-03, the project will not have a significant effect on the environment.

d. Pursuant to Section 15074 of the State CEQA Guidelines (California Code of Regulations), all project approvals shall be based on and subject to the CEQA findings, mitigation measures, and monitoring/reporting provisions as specified in the "Findings, Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program for the Cannery Park Mixed Use Project," dated July 2004.

e. The City's existing available water supply will be sufficient to satisfy the demands of the Project, in addition to existing and currently-entitled uses, including agricultural and manufacturing uses. The City's projected available water supplies (including supplies expected through the Delta Water Supply Project) will meet the projected water demand associated with all the City's planned uses, including the Project and agricultural and manufacturing uses.

2. That, pursuant to Section 15074 of the State CEQA Guidelines (California Code of Regulations), the City Council hereby determines that any related project approval(s) shall be based on and subject to the implementation of all applicable mitigation measures for each significant adverse environmental effect, as identified in the Final Environmental Impact Report (EIR1-03), and to the associated findings and mitigation monitoring/reporting provisions as specified in the report entitled "Findings, Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program for the Cannery Park Mixed Use Project," July 2004, which is hereby adopted and is on file at the City of Stockton Community Development Department/Planning Division.

PASSED, APPROVED and ADOPTED SEP 14 2004

ATTEST:

GARY A. PODESTO
Mayor of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
Resolution No. 04-0654

STOCKTON CITY COUNCIL

RESOLUTION AMENDING
THE GENERAL PLAN FROM ADMINISTRATIVE-PROFESSIONAL TO COMMERCIAL,
INDUSTRIAL TO LOW/MEDIUM-DENSITY RESIDENTIAL, LOW/MEDIUM-DENSITY
RESIDENTIAL TO HIGH-DENSITY RESIDENTIAL
AND COMMERCIAL AND HIGH-DENSITY RESIDENTIAL TO COMMERCIAL,
ADDING OPEN SPACE FOR BEAR CREEK, REMOVING ONE OF TWO
PROPOSED ELEMENTARY SCHOOL SYMBOLS AND
ADDING TWO PROPOSED NEIGHBORHOOD PARK SYMBOLS FOR
THE CANNERY PARK PROJECT (GPA1-03)

WHEREAS, the City of Stockton has heretofore formulated and adopted a General Plan
for the physical development of the City, which General Plan contains each of the elements
required by law to be part of it; and

WHEREAS, an amendment to the City of Stockton 1990 General Plan Diagram has
been requested by Holman Investors, LLC, relative to property located south of Eight Mile Road,
east of the UPRR railroad tracks, north of Low/Medium-Density Residential and west of State
Route (SR) 99 (the Cannery Park project); and

WHEREAS, following a public hearing, the Planning Commission adopted a resolution
on August 12, 2004, recommending the City Council approve a request by Holman Investors,
LLC, for a General Plan amendment to change the General Plan designation from
Administrative-Professional to Commercial; Industrial to Low/Medium-Density Residential;
Low/Medium-Density Residential to Commercial; Undesignated to High-Density Residential; High-Density
Residential to Commercial; Undesignated to Commercial; and Undesignated to Neighborhood park symbols, for a
site located south of Eight Mile Road, east of the UPRR railroad tracks, north of Low/Medium-
Density Residential and west of SR 99;

WHEREAS, the City Council of the City of Stockton has reviewed and considered the
Planning Commission recommendation and all of the documents necessary for the
approval of the proposed amendment to the City of Stockton 1990 General Plan Diagram at a
duly noticed public hearing on August 31, 2004, which was continued to September 14, 2004;
now, therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

A. That the City Council finds as follows:

1. The proposal conforms to existing City of Stockton General Plan Policies for the location and development of Commercial, Low/Medium-Density Residential, High-Density Residential, and Open Space, as specified in the Commercial and Residential Land Use and Open Space Sections of the Policy Document.

2. The land uses allowed under the proposed General Plan designation are expected to be compatible with existing and proposed land uses surrounding the subject site.

3. The proposed General Plan amendment will 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 City.

4. The City has reviewed and certified the Final Environmental Impact Report (EIR1-03) for the project and has independently concluded that, subject to the identified mitigation measures, the proposed use is not expected to generate any significant, adverse environmental impacts and has, therefore, adopted a Final Environmental Impact Report and related CEQA Findings and a Mitigation Monitoring/Reporting Program for the project.

B. That based upon the above findings, the City Council upholds the Planning Commission recommendation and approves the proposed General Plan amendment to change the General Plan designation from Administrative-Professional to Commercial; Industrial to Low/Medium-Density Residential; Low/Medium-Density Residential to Commercial and High-Density Residential; High-Density Residential to Commercial, Undesignated to Open Space, remove one of the two existing proposed elementary school symbols and add two proposed neighborhood park symbols, for a site located south of Eight Mile Road, east of the UPRR railroad tracks, north of Low/Medium-Density Residential and west of SR 99 (the Cannery Park project).

PASSED, APPROVED AND ADOPTED SEP 14 2004

ATTEST:

GARY A. PODESTO
Mayor of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton