RESOLUTION AMENDING
THE EIGHT MILE ROAD SPECIFIC PLAN (SPA1-03)
FOR THE CANNERY PARK PROJECT

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, the City of Stockton has adopted the Eight Mile Road Specific Plan to facilitate implementation of the General Plan; and

WHEREAS, an amendment to the Eight Mile Road Specific Plan has been requested by Holman Investors, LLC, relative to property located south of Eight Mile Road, east of the UPRR 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 that the City Council approve a request by Holman Investors, LLC, for an amendment to the Eight Mile Road Specific Plan to add four new right turn-in/right turn-out only driveways, and a full access intersection at Eight Mile Road and Collector “A”; and

WHEREAS, the City Council of the City of Stockton has reviewed and considered the Planning Commission recommendation and all environmental documents necessary for the approval of the proposed amendment to the Eight Mile Road Specific Plan 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 proposed project is consistent with the City's 1990 General Plan Land Use and Circulation Diagram for the area.
2. The proposed Specific Plan Amendment is appropriate and reasonable and will provide for improved access to facilitate the proposed development.

3. The City has reviewed and certified the 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 findings, the City Council of the City of Stockton, does hereby amend the Eight Mile Road Specific Plan (SPA1-03) to add four new right turn-in/right turn-out only driveways, and a full access intersection at Eight Mile Road and Collector "A," for a site located south of Eight Mile Road, east of the UPRR tracks, north of Low/Medium-Density Residential, and west of State Route (SR) 99 (the Cannery Park project), subject to the following conditions:

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

2. Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the City-adopted "Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Cannery Park Mixed Use Project."

3. The Project driveway(s) on Eight Mile Road shall be limited to a total of four (three new) driveways and shall be limited to right-turn in/right-turn out. Driveways shall be spaced a minimum distance of 300 feet from any intersection, driveway or creek and shall be a minimum of 750 feet from the Union Pacific Railroad tracks. Project driveway(s) shall be designed and constructed to prevent on-site cross traffic for a minimum distance of 100 feet from the future property line along Eight Mile Road.

4. A full access intersection shall be allowed at Eight Mile Road and Collector "A," located 1,000 feet west of the west frontage road and a traffic signal shall be installed by the proponent prior to the use of this access.

5. A continuous 11’ minimum width acceleration/deceleration lane shall be provided on Eight Mile Road from 300 feet west of Holman Road easterly to Bear Creek. An 11’ minimum width deceleration lane shall be provided on Eight Mile Road for a minimum of 200
feet west of the driveway located approximately 800 feet east of the Union Pacific Railroad (formerly the SPRR). These acceleration/deceleration lanes shall be installed on Eight Mile Road to accommodate the additional driveway/intersection access; said lane shall in addition to the 72-foot half street section.

6. If the improvements allowed by this Specific Plan amendment (SPA1-03) are not constructed within five years, this Specific Plan amendment (SPA1-03) shall be null and void.

7. This Specific Plan amendment (SPA1-03) shall not be effective until the effective date of annexation (A-03-1).

PASSED, APPROVED AND ADOPTED SEP 14 2004

[Signature]

GARY A. PODESTO
Mayor of the City of Stockton

ATTEST:

[Signature]

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton