RESOLUTION NO. 04-0662

STOCKTON CITY COUNCIL

RESOLUTION AMENDING
THE EIGHT MILE ROAD SPECIFIC PLAN (SPA3-04)
FOR THE WESTLAKE VILLAGES 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 Spanos Family Partnership, relative to property located south of Eight Mile Road, east of Bishop Cut, north of Pixley Slough and Disappointment Slough, and west of Low/Medium-Density Residential (the Westlake Villages Project); and

WHEREAS, following a public hearing, the Planning Commission adopted a resolution on August 26, 2004, recommending that the City Council approve a request by Spanos Family Partnership for an amendment to the Eight Mile Road Specific Plan to extend the coverage area of the Specific Plan to the west along the frontage of the Westlake Villages project and to add two new full access intersections at Eight Mile Road and Street "1" and Street "2"; 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 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 the Environmental Impact Report (EIR1-04) 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 (SPA3-04) to extend the coverage area of the Specific Plan to the west along the frontage of the Westlake Villages project and to add two new full access intersections at Eight Mile Road and Street “1” and Street “2.”, for a site located south of Eight Mile Road, east of Bishop Cut, north of Pixley Slough and Disappointment Slough, and west of Low/Medium-Density Residential, 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 Westlake Villages Project.”

3. Specific Plan right-of-way shall be increased by 10 feet to 144 feet (72 foot half-section) in conformance to the current City requirements of 15 foot wide parkways on each side of the street. The 145 foot wide cross-section should be revised to 155 feet wide in conformance to the current City requirements of 15 foot wide parkways on each side of the street.

4. The owners, developers and/or successors-in-interest (ODS) shall install traffic signals at the intersection of Eight Mile Road with the "North/South Arterial to Shima Tract" and the "Paradise Villages Entry Street". These traffic signals shall be constructed prior to acceptance of these intersecting streets.

5. All other existing driveways to undeveloped parcels shall be abandoned upon development of the parcel.
6. The unsignalized driveway shown on the proposed Specific Plan serving "The Reserve" golf course shall be right turn entry and exit only.

7. The driveway serving the PG&E substation shall align with Trinity Parkway. The ODS shall provide a maintenance easement and install traffic signal detection equipment and appropriate traffic signal modifications to accommodate signalizing this driveway.

8. If the improvements allowed by this Specific Plan amendment (SPA3-04) are not constructed within five years, this Specific Plan amendment (SPA3-04) shall be null and void.

9. This Specific Plan amendment (SPA3-04) shall not be effective until the effective date of annexation (A-04-3).

PASSED, APPROVED AND ADOPTED SEP 14 2004

GARY A. PODESTO
Mayor of the City of Stockton

ATTEST:

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton