HEARINGS

AGENDA ITEM 16.01
November 15, 2011

TO: Mayor and City Council

FROM: Michael M. Niblock, Secretary
       City Planning Commission

SUBJECT: PUBLIC HEARING: ARCHTOWN INDUSTRIAL PROJECT (P09-148)

RECOMMENDATION

It is recommended that the City Council adopt three resolutions and one ordinance, as follows:

1. Resolution certifying an Initial Study/Final Mitigated Negative Declaration and adopting the related CEQA (California Environmental Quality Act) "Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project," dated October, 2010;

2. Ordinance approving a Prezoning to establish the designation of IL (Industrial, Limited) for the 79.17-acre overall project site;

3. Resolution approving a Precise Road Plan amendment to the adopted Arch-Airport/Sperry Road Precise Road Plan; and

4. Resolution authorizing the City Manager to file with the Local Agency Formation Commission (LAFCo) the annexation and related City Services Plan for the 79.17-acre annexation site, located at the southwest corner of Arch Road and Newcastle Road.

Findings for each of the above-recommended actions have been incorporated into the respective resolutions and ordinance attached to this staff report.

SUMMARY

At its meeting of November 8, 2010, the Planning Commission considered and recommended approval of the requests of First Industrial Realty Trust, including the Initial Study/Final Mitigated Negative Declaration and adoption of the related CEQA "Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project." (Due to the change in ownership of the property, the applicant is now FR Investment Properties, LLC.) The Commission also approved a Tentative Map application to subdivide the 70.36-acre industrial project site into 12 parcels to facilitate the future development of the site with industrial warehouse-type uses. The Commission's action on the Tentative Map, which is subject to approval of the accompanying project applications, is not required to be acted upon by the City Council.
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An application for annexation to the City of Stockton was also submitted by the applicant for consideration by the City Council following its actions on the subject applications. The environmental document, Prezoning and Precise Road Plan Amendment also require final approval by the City Council.

DISCUSSION

Background

To accommodate future industrial development planned for the site, the applicant is requesting approval of the applications noted above to: 1) address the potential environmental impacts of the project; 2) establish a Zoning designation for the site; 3) amend the Arch-Airport/Sperry Road Precise Road Plan; and 4) annex the site into the City of Stockton.

Present Situation

Environmental Clearance

The Initial Study/Final Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA), State CEQA Guidelines and City Guidelines for the Implementation of the CEQA. In addition, the mitigation monitoring and reporting provisions and related CEQA findings are included in the related “Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project,” dated October, 2010 (CEQA Findings). The environmental document analyzes the potential impacts of the overall project, including the Prezoning, Precise Road Plan amendment and Annexation applications, as well as the project’s Tentative Map application.

The City Council must adopt all applicable mitigation measures identified in the Initial Study/Final Mitigated Negative Declaration, including an Errata, or any modifications thereof, provided all impacts remain fully mitigated. The Initial Study/Final Mitigated Negative Declaration including an Errata, and the related California Environmental Quality Act Findings in conjunction with the approval of any related discretionary authorizations were also approved by the Planning Commission.

Prezoning

The City's General Plan Diagram designates the site for Industrial uses, which is consistent with the intended use of the site. The prezoning request for IL (Industrial, Limited) conforms to the existing Industrial designation in the General Plan and permits future development of the site following annexation into the City. The proposed prezoning is also consistent with a similar project that was approved by the City in early 2009 to allow industrial warehouse-type development on an approximately 63-acre site that is located immediately east of the project site. That development, known as the
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First Industrial Realty Trust Industrial Project, involved annexation, General Plan Amendment, Prezoning, Precise Road Plan amendment and Tentative Map applications and presumed development of the project site with industrial uses. The Planning Commission adopted a resolution (attached) recommending that the City Council approve the rezoning of the overall subject site.

Annexation/City Services Plan

When development is proposed adjacent to the City, State Law encourages annexation of the property to the City of Stockton if City services are to be provided. All annexations must be reviewed and approved by the Local Agency Formation Commission. Local Agency Formation Commissions (LAFCo) were established by the State Legislature to encourage orderly growth and logical boundaries. LAFCo has full authority to approve, disapprove or amend annexation and/or detachment proposals. LAFCo will conduct a public hearing to consider the annexation request and make a determination and City staff will attend the public hearing in support of the annexation.

Community Development Department staff have analyzed the annexation request and, in consultation with the applicable City departments, coordinated the preparation of the City Services Plan (Attachment B). Staff is of the opinion that the requested annexation is a logical annexation, since land directly north and east of the project site lies within the existing City limits and the City will be able to extend services to the area.

Arch-Airport/Sperry Road Precise Road Plan Amendment

The project site fronts on Arch Road and is subject to the improvement requirements of the Arch-Airport/Sperry Road Precise Road Plan. The Arch-Airport/Sperry Road Precise Road Plan presently identifies Arch Road in the project vicinity, east of Frontier Way, as a planned four-lane road with a center turn-lane within a 90-foot right-of-way. The Precise Road Plan originally contemplated a partial relocation of Weber Slough, which runs adjacent and parallel to Arch Road along a portion of the project site's frontage. Since the City Council's adoption of the Arch-Airport/Sperry Precise Road Plan in 2001, circumstances have changed which necessitate amending the Precise Road Plan. These changed circumstances included the City's 2035 General Plan, adopted in 2007, that identified Arch Road as requiring six lanes from Newcastle Road to the State Route 99 Interchange to accommodate the planned industrial land use and a Village Development, now formally approved as the Mariposa Lakes Master Development Plan. Further, the partial relocation of Weber Slough to accommodate the planned roadway widening is now considered infeasible, due to the substantially increased regulatory requirements of agencies with jurisdiction over Weber Slough. (Weber Slough is considered a "waters of the U.S." and falls under the jurisdiction of the U.S. Army Corps of Engineers, the U.S. the Environmental Protection Agency and the State Department of Fish and Game.)
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The proposed Precise Road Plan Amendment provides for a right-of-way that varies between 101 and 113 feet in width and accommodates six lanes on Arch Road from Newcastle Road to Frontier Way and ultimately aligns with the existing 110-foot right-of-way section that accommodates six lanes from Frontier Way to the State Route 99 Interchange. The roadway right-of-way has been shifted northerly to avoid the relocation of Weber Slough. The right-of-way width has been minimized where possible to avoid impacts to developed properties on the north side of Arch Road. As required by the Stockton Municipal Code, the applicant held a noticed neighborhood meeting in early June of 2010 (preceding the Planning Commission hearing) to discuss the proposed project and Precise Plan Amendment with interested property owners and residents from the vicinity of the subject site. The applicant advised staff that the meeting was lightly attended and no significant opposition to the project was expressed.

There will be no access allowed from the project site to or from Arch Road. The traffic impact analysis prepared for the Archtown Industrial Project and reviewed by staff from both the Engineering Section in the Community Development Department and Public Works Department concludes that access to/from Newcastle Road would be sufficient to accommodate the project traffic. The project will be responsible for the construction of frontage improvements along Arch Road, including, but not limited to, pavement widening, curb, gutter, sidewalk and street lighting improvements, in compliance with the proposed Precise Road Plan Amendment.

PUBLIC HEARING DISCUSSION

Following the staff presentation at the Planning Commission’s meeting on November 8, 2010, the applicant’s representative presented testimony in support of the proposed project. No one else spoke in support of the project and there was no opposition to the project. Commissioner Fugazi inquired about the planned development of the entire area south of Arch Road, including the area east of State Route 99. Community Development Director Niblock replied by noting that the larger area is designated on the City’s General Plan Land Use Map for Industrial land uses and that the area immediately east of the project site had been approved in early 2009 for similar industrial warehouse-type development. The proposed project will allow for a logical order of development moving westerly and future development will be driven by the market conditions.

PLANNING COMMISSION ACTION

Following the public hearing and its deliberation, the Planning Commission voted (5 to 0) to recommend that the City Council approve the following actions, based on the findings as contained in the attached Planning Commission staff report (Attachment A):

1) Certify the Initial Study/Final Mitigated Negative Declaration (P09-148) prior to approving or making a recommendation regarding any related discretionary
applications. The Council will also consider the adoption of the recommended Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project:

2) Prezoning request;
3) Annexation request; and
4) Precise Road Plan Amendment.

FINANCIAL SUMMARY

As this project area develops, there may be additional financial impacts to City Departments; however, these financial impacts will be offset by the additional revenue generated by this development.

PUBLIC NOTIFICATION

Notice in the local newspaper at least one time, ten days prior to the public hearing and notice to owners of record as shown on the last equalized tax roll and addresses within 300 feet of the site at least 10 days prior to the public hearing (Stockton Municipal Code Section 16.88.030).

VOTES REQUIRED

Four votes of the City Council are necessary to approve the noted requests.

Respectfully Submitted,

Michael M. Niblock
Secretary
City Planning Commission

MICHAEL E. LOCKE
Deputy City Manager/
Interim Community Development
Director

Attachment A - Planning Commission staff report
Attachment B - City Services Plan

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MEMORANDUM

October 28, 2010

TO: Planning Commission

FROM: Michael M. Niblock, Secretary
City Planning Commission

SUBJECT: PUBLIC HEARING FOR THE APPROVAL OF AN INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION, ZONING APPLICATION TO PREZONE A 70.36-ACRE PARCEL TO IL (INDUSTRIAL, LIMITED) DESIGNATION, PRECISE ROAD PLAN AMENDMENT TO AMEND THE EXISTING ARCH ROAD PRECISE PLAN AND TENTATIVE MAP TO SUBDIVIDE A 70.36-ACRE PARCEL INTO TWELVE PARCELS, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ARCH ROAD AND NEWCASTLE ROAD (P09-148)

The public hearing for this proposal was originally scheduled for the October 14, 2010 Planning Commission public meeting. As noted in the staff's memo to the Commission at that time (attached), the environmental consultant required additional time to work with staff from the San Joaquin Council of Governments (COG) to amend specific mitigation measures dealing with potential land use and traffic impacts. Following a meeting with staff from the Planning Division and COG, the environmental consultant modified the following mitigation measures from Table 5-1 of the final Initial Study/Mitigated Negative Declaration: AIR-4, LU-1b, TRAF-1a and TRAF 2-b. The modifications were determined by staff to have addressed concerns that had been raised by COG. Staff, therefore, has determined that the environmental document addresses the project's potential environmental impacts and is now adequate for review and consideration by the Planning Commission.

Should you have any questions, please contact me at 937-8444.

Michael M. Niblock, Secretary
City Planning Commission

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October 15, 2010

First Industrial Realty Trust  
Attn: Jeff Evans  
114 Pacifica Court, Suite 220  
Irvine, CA 92618

REQUEST TO CONTINUE THE PUBLIC HEARING FOR THE APPROVAL OF AN INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION, ZONING APPLICATION TO PREZONE A 70.36-ACRE PARCEL TO IL (INDUSTRIAL, LIMITED) DESIGNATION, PRECISE ROAD PLAN AMENDMENT TO AMEND THE EXISTING ARCH ROAD PRECISE PLAN AND TENTATIVE MAP TO SUBDIVIDE A 70.36-ACRE PARCEL INTO TWELVE PARCELS, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ARCH ROAD AND NEWCASTLE ROAD (P09-148)

At its regular meeting of October 14, 2010, the City Planning Commission approved staff's request to continue the public hearing regarding the above matter. This item has been continued to the meeting of November 8, 2010. Three hard copies and an electronic version of a revised Final Initial Study/Mitigated Negative Declaration reflecting comments received from the San Joaquin Council of Governments (attached) will be required to be submitted to the Community Development Department by 5:00 P.M. on October 21, 2010. After staff reviews and approves the revised document and advises the environmental consultant, 35 copies of the draft Initial Study/Mitigated Negative Declaration and the revised Final Initial Study/Mitigated Negative Declaration must be received in this office by noon on October 29, 2010.

Should you have any questions, please contact Associate Planner Jose Rubianes at (209) 937-8310.

MICHAEL M. NIBLOCK, SECRETARY  
CITY PLANNING COMMISSION

Attachments

MM: jad:sis

cc: Pacific West Realty  
Attn: Matt Englehard  
2 Via Oviedo  
San Clemente, CA 92673

ESA  
Attn: Ray Wales  
2800 Capitol Avenue  
Sacramento, CA 95816

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EXHIBIT 2

STAFF REPORT

P. C. Agenda

October 14, 2010

STAFF REPORT

**Item E-2 (a), (b), (c) and (d):** PUBLIC HEARING – Initial Study/Mitigated Negative Declaration, Prezoning, Precise Road Plan Amendment and Tentative Map

Case No. P09-148, First Industrial Realty Trust

**Data:** First Industrial Realty Trust is requesting approval of the noted applications to facilitate the development of a 70.36-acre project site with various industrial uses, for property located at the southwest corner of Arch Road and Newcastle Road in southeast Stockton. The site is currently within the jurisdiction of San Joaquin County and is bounded to the:

- north across Arch Road by vacant land and industrial uses zoned IL (Industrial Limited);

- south and west by vacant land and agricultural areas within the jurisdiction of San Joaquin County; and

- east across Newcastle Road by vacant land, a state correctional facility and agricultural areas zoned IL (see attached exhibits).

**General Plan:** The General Plan 2035 Diagram designates the site for Industrial uses.

**Environmental Clearance:** Pursuant to Sections 15071 and 15074 of the State CEQA Guidelines, an Initial Study/Proposed Mitigated Negative Declaration has been prepared and must be adopted prior to any approval for the proposed project. In addition, the "Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project" must be adopted to ensure that mitigation measures are implemented as part of the project.

**Discussion:** To accommodate future industrial development that is being planned for the site, the applicant is now requesting approval of the applications noted above to: 1) address the potential environmental impacts of the project; 2) establish a Zoning designation for the site; 3) amend the Precise Road Plan for Arch Road; and 4) subdivide the project site into 12 parcels. Because the project site is currently within the jurisdiction of San Joaquin County, an application for Annexation to the City has been submitted by the applicant and will be considered by the City Council following the Planning Commission's action on the subject applications.
Prezoning: The City's General Plan Diagram designates the site for Industrial uses. This is consistent with the accompanying zoning request for IL (Industrial, Limited) and would permit future intended industrial development of the site following annexation into the City.

Precise Road Plan Amendment: The project site fronts on Arch Road and is subject to the improvement requirements of the Arch-Airport/Sperry Road Precise Road Plan. The Arch-Airport/Sperry Precise Road Plan presently identifies Arch Road in the project vicinity, east of Frontier Way, as a planned four-lane road with a center turn-lane within a 90-foot right-of-way. The Precise Road Plan originally contemplated a partial relocation of Weber Slough, which runs adjacent and parallel to Arch Road along a portion of the project site's frontage. Since the City Council's adoption of the Arch-Airport/Sperry Precise Road Plan in 2001, circumstances have changed which necessitate amending the Precise Road Plan. These changed circumstances included the City's 2035 General Plan, adopted in 2007, that identified Arch Road as requiring six lanes from Newcastle Road to the State Route 99 Interchange to accommodate the planned industrial land use and a Village Development, now formally approved as the Mariposa Lakes Master Development Plan. Further, the partial relocation of Weber Slough to accommodate the planned roadway widening is now considered infeasible, due to the substantially increased regulatory requirements of agencies with jurisdiction over Weber Slough. (Weber Slough is considered a "waters of the U.S." and falls under the jurisdiction of the U.S. Army Corps of Engineers, the U.S. the Environmental Protection Agency and the State Department of Fish and Game.)

The proposed Precise Road Plan Amendment provides for a right-of-way that varies between 101 and 113 feet in width and accommodates six lane on Arch Road from Newcastle Road to Frontier Way and ultimately matches with the existing 110-foot right-of-way section that accommodate six lanes from Frontier Way to the State Route 99 Interchange. The roadway right-of-way has been shifted northerly to avoid any relocation of Weber Slough. The right-of-way width has been minimized where possible to avoid impacts to developed properties on the north side of Arch Road. As required by the Stockton Municipal Code, the applicant held a noticed neighborhood meeting in early June to discuss the proposed project and Precise Plan Amendment with interested property owners and residents from the vicinity of the subject site. The applicant advised staff that the meeting was lightly attended and no significant opposition to the project was expressed.

There will be no access allowed from the project site to or from Arch Road. The traffic impact analysis prepared for the Archtown Industrial Project and reviewed by staff from both the Engineering Section in the Community Development Department and Public Works Department concludes that access to/from Newcastle Road would be sufficient to accommodate the project traffic. The project will be responsible for the construction of frontage improvements along Arch Road, including, but not limited to, pavement widening, curb, gutter, sidewalk and street lighting improvements, in compliance with the proposed Precise Plan Amendment.
Tentative Map: The proposed Tentative Map would subdivide the 70.36-acre site into nine industrial lots ranging in size from 1.11 acres to 8.05 acres, two parcels totaling 11.31 acres to be used as storm water detention basins and a 5.48-acre parcel containing Weber Slough, to be dedicated to San Joaquin County Flood Control, that would be located in the northwest portion of the project site.

Development Review Committee: In accordance with the provisions of the Development Code, the Development Review Committee has reviewed the project and recommended approval of the Tentative Map and Precise Road Plan applications subject to the proposed findings and conditions of approval contained in the staff report.

City departments, outside agencies and the surrounding neighborhood were notified concerning the subject requests and, to date, no opposition has been registered regarding any of these requests. Comments from the reviewing departments have been incorporated into the staff report’s recommended Conditions of Approval.

Recommendation for Initial Study/Final Mitigated Negative Declaration: It is recommended that the Planning Commission review, consider and adopt the Initial Study/Final Mitigated Negative Declaration and adopt the "Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project" ("Findings"), in relation to any discretionary action for which the Commission is the final decision-making body and recommend that the City Council approve and adopt the Findings prior to any final project approvals, based on the following findings:

1. The Initial Study/Final Mitigated Negative Declaration 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.

2. The Initial Study/Final Mitigated Negative Declaration 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.

3. Based on the review of Final Initial Study and in consideration of all written and oral comments received, it has been determined that, subject to any modifications and mitigation measures identified in the Final Initial Study, the project will not have a significant effect on the environment.

4. 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 mitigation monitoring/reporting provisions as specified in the Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project ("Findings").
Recommendation for Prezoning: Adopt a resolution recommending approval of an ordinance for the prezoning of the subject site, based on the following findings:

1. An Initial Study/Final Mitigated Negative Declaration has been prepared and adopted for the project. The "Findings and Mitigation Monitoring/Reporting Program for the Arctown Industrial Project" has been adopted to ensure the implementation of all applicable mitigation measures necessary to clearly reduce any potentially significant impacts to a "less-than-significant" level.

2. The proposed IL (Commercial-General) zoning designation is consistent with the City’s existing Industrial General Plan designation for the site.

3. The uses permitted in the proposed zone are compatible with existing and proposed land uses surrounding the subject site.

4. The proposed prezoning 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.

Recommendation for Precise Road Plan Amendment: Recommend approval of the Precise Road Plan Amendment based on the following findings and conditions:

1. An Initial Study/Final Mitigated Negative Declaration has been prepared and adopted for the project. The "Findings and Mitigation Monitoring/Reporting Program for the Arctown Industrial Project" has been adopted to ensure the implementation of all applicable mitigation measures necessary to clearly reduce any potentially significant impacts to a "less-than-significant" level.

2. The subject project is consistent with the existing Industrial designation on the City’s 2035 General Plan Land Use and Circulation Diagram for the area.

3. The subject Precise Road Plan Amendment is appropriate and reasonable and will provide for access to the proposed industrial development on the south side of Arch Road, west of Newcastle Road.

Proposed Conditions for Precise Road Plan Amendment:

1. Pursuant to Section 15074 of the State CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the City-adopted Initial Study/Mitigated Negative Declaration and the "Findings and Mitigation Monitoring/Reporting Program for the Arctown Industrial Project."

2. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
3. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the dedication of any additional right-of-way necessary to accommodate the proposed amendment.

4. A minimum eight-foot wide sidewalk shall be provided on the south side of Arch Road.

**Recommendation for Tentative Map:** Approval, based on the following findings and conditions:

1. An Initial Study/Final Mitigated Negative Declaration has been prepared and adopted for the project. The "Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project" has been adopted to ensure the implementation of all applicable mitigation measures necessary to clearly reduce any potentially significant impacts to a "less-than-significant" level.

2. The map complies with all applicable Federal, State, County and City codes, regulations and adopted standards, as determined by the City of Stockton.

3. None of the grounds for denial as stipulated in Section 66474 of the State of California Subdivision Map Act are applicable on this tentative map.

4. The proposed project is consistent with the City’s General Plan. Specifically, it is consistent with Goal 2, Policies 1 and 2, of the Urban Growth and Overall Development Section of the Policy Document of the General Plan.

**Proposed Conditions of Approval for Tentative Map:**

1. Pursuant to Section 15074 of the State CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the City-adopted Initial Study/Mitigated Negative Declaration and the "Findings and Mitigation Monitoring/Reporting Program for the Archtown Industrial Project".

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

3. The 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.

4. 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 agree 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.

5. The ODS shall submit detailed subdivision improvements plans. These plans shall show all on-site and off-site utilities necessary to provide water, storm, and sanitary sewer facility services. These plans shall be designed in accordance with the City’s most recently adopted water, storm and sanitary collection system master plans and the City Standard Specifications and Plans.

6. The ODS shall provide permanent rights-of-way for and construct all on-site and off-site water, storm, and sanitary sewer facilities as designed and shown on the approved improvement plans for the development. Any reimbursement costs for oversizing shall be determined in accordance with the Stockton Municipal Code.

7. The tentative map shall conform to the approved Arch Road and Newcastle Road Storm Drainage Master Plan for Drainage Watershed Area W6 approved August 14, 2009.

8. The tentative map shall conform to the approved First Industrial Center (Newcastle Road and Arch Road intersection) Master Water Plan approved March 15, 2010.

9. The tentative map shall conform to the approved First Industrial Center (Newcastle Road and Arch Road intersection) Master Sanitary Sewer Plan approved August 14, 2009.

10. The ODS shall design, complete all required environmental documentation and construct the Arch Road Sewer Line in accordance with the adopted 2035 General Plan and Infrastructure Studies, and Environmental Impact Report (EIR4-05) for the Stockton 2035 General Plan and adopted Wastewater Master Plan. The Arch Road Sewer Line shall extend west on Arch Road from the Arch Road Regional Sanitary Sewer Pump Station to Austin Road.

11. The ODS shall enter into a reimbursement agreement between the City of Stockton, First Industrial Realty Trust and Arch Road Limited Partnership. Each party will pay for their fair share of design, environmental documentation and construction of the Arch Road Sewer Line at one-third (1/3) of the cost for each entity. An Area of Benefit will be established to provide repayment to the three parties in accordance with the Stockton Municipal Code. Financing the formation of the Area of Benefit will be distributed evenly among the three parties (one-third of the cost for each entity).
12. A 16-inch water main and 24-inch water main shall be extended on Newcastle Road from Arch Road to the southern boundary of the subject Tentative Parcel Map.

13. The ODS shall submit a request to the Director of Municipal Utilities for Verification of Sufficient Water Supply. The request shall be submitted 90 days prior to the filing of the first final map and accompanied by the appropriate fees (refer to the City's adopted fee schedule).

14. The detention basin and pump station shall be contained within a separate parcel and be dedicated to the City in fee title when the improvements are accepted.

15. Provide and appropriately-sized all-weather access road and access easement to the detention basins and pump station facility.

16. Prior to recordation of the first final map, the ODS shall establish a maintenance assessment district for the maintenance and replacements costs for the detention basins.

17. Provide appropriately-sized utilities, including natural gas and three-phase electrical power, to all City-owned and maintained facilities.

18. The detention basin shall be designed in accordance to the City of Stockton Standard Plans and Specifications Section 77-1.03B (1) for basins with discharge limitations. In addition, required frontage improvements for the detention basin and pump station parcel shall be constructed.

19. All on-site storm drainage facilities shall be privately owned and maintained.

20. The ODS shall comply with the requirements of all agencies regarding dedication of right-of-way, fencing and easements along Weber Slough.

21. The ODS shall be required to obtain all necessary federal, state and local permits and meet all requirements established by the City of Stockton, San Joaquin County Flood Control and Water Conservation District prior to discharge into Weber Slough.

22. The ODS shall dedicate right-of-way and improve Arch Road along the site frontage in conformance with the Arch-Airport/Sperry Road Precise Road Plan. Further, street improvements, including, but not limited to, pavement widening: curb and gutter, walkway and street lighting, shall be installed along the frontage of APN 181-110-07 and APN 181-110-02 on Arch Road. Further, the ODS shall provide a minimum of four travel lanes, with appropriate land transitions, on Arch Road from the project site to the boundary of Frontier Way.
23. The ODS shall dedicate right-of-way and improve Newcastle Road along the site frontage to an ultimate 77-foot street section (41-foot half street section on westerly side).

24. The ODS shall comply with all applicable conditions and requirements of the requested Arch-Airport/Sperry Road Precise Road Plan Amendment.

25. The ODS shall pay their proportionate share, based on traffic loadings, of the design and construction costs for the following improvements identified in the Cumulative (2035) Plus Project section in the Initial Study/Mitigated Negative Declaration:

   a. Arch Road and State Route 99 ramps – construction of a free northbound right turn lane at the intersection;

   b. Arch Road/Newcastle Road – construction of third westbound through-lane and modifications to the southbound approach to provide a left turn lane, through lane and right turn only lane. The northbound and westbound left turn lanes should be designed to provide 300 feet of storage. Additionally, installation of fiber optic cabling interconnect from the project site frontage on Arch Road to the intersection of Fite Court and Arch Road.

26. The ODS shall dedicate right-of-way and be responsible for the design and construction of the traffic signals and intersection improvements at the private driveway and Newcastle Road intersection. Said design and construction (including dedication of necessary traffic signal maintenance easements for the west leg of private drive) shall be reviewed and approved by the Community Development Department. Improvements shall include the installation of a northbound left turn pocket in Newcastle Road designed to provide a 200-foot pocket and 120-foot taper and a southbound right turn deceleration lane to provide a 340-foot pocket and 120-foot taper.

27. The ODS shall record a Deed of Avigation Hazard Easement. This easement would grant San Joaquin County a perpetual, assignable easement permitting over flight of the property by aircraft, together with any inherent noise or other emissions which are inherent in the operation of aircraft. This easement shall be recorded as a deed restriction flowing in perpetuity to all successor property owners.

28. The ODS shall dedicate, in fee title, Parcel A to and shall be accepted by the San Joaquin County Flood Control Agency simultaneously with the recording of the first Final Map. Further, the ODS shall be responsible for obtaining all required construction permits from the permitting agencies with jurisdiction over Weber slough to enable said developer-obligated Arch Road improvements.
October 5, 2010

Note: Staff reports are prepared well in advance of the Planning Commission consideration of the proposal and reflect the staff's view based on the best available information at the time the report was formulated. Evidence submitted during the course of the public hearing may require a re-evaluation of the staff's position.

This staff report was prepared by Associate Planner Jose Rubianes.
ARCHTOWN INDUSTRIAL PROJECT
Initial Study and Proposed Mitigated Negative Declaration
#PC9-148

Prepared for
City of Stockton

July 2010