2-404

A-04-03
TM 18-04
GPA 3-04
SPA 3-04

DA 1-04
EIR 1-04
MDP 1-04
AN ORDINANCE AMENDING CHAPTER 16 OF THE STOCKTON MUNICIPAL CODE WHICH SETS FORTH THE ZONING PROVISIONS OF THE CITY OF STOCKTON BY AMENDING THE "ZONING MAP," PARTICULARLY REFERRED TO IN SECTION 16-210 030 OF THE STOCKTON MUNICIPAL CODE TO CLASSIFY TO MX, MIXED-USE DISTRICT APPROXIMATELY 681 ACRES, LOCATED SOUTH OF EIGHT MILE ROAD, EAST OF BISHOP CUT, NORTH OF PIXLEY SLOUGH AND DISAPPOINTMENT SLOUGH, AND WEST OF R-1, SINGLE-FAMILY DISTRICT (SPANOS FAMILY PARTNERSHIP, WESTLAKE VILLAGES PROJECT, Z-4-04)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON AS FOLLOWS

SECTION 1 Prezoning Classification

The City Council hereby finds and declares based upon the record of these proceedings that the provisions of this ordinance are consistent with the City of Stockton 1990 General Plan specifically the Land Use Element of the General Plan and the objectives, goals, and policies of the General Plan and that the environmental consequences of prezoning and developing the project site were adequately examined in the previously-approved "Final Environmental Impact Report (EIR1-04) for the Spanos Family Partnership's Westlake Villages Project which has been adopted by the City Council for this project.

The Zoning Map, particularly referred to in Section 16-210 030 of the Stockton Municipal Code and by reference made a part of said Code is hereby amended as follows to wit:

The subject property (as described in Exhibit A which is attached hereto and incorporated herein by this reference), which will be located in the City of Stockton County of San Joaquin, State of California, upon annexation is hereby classified with a prezoning of MX Mixed Use in accordance with the prezoning descriptions contained in the attached Exhibit A (prezoning request of the Spanos Family Partnership's Westlake Villages Project (Z-4-04).
SECTION 2  Effective Date

This ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED  SEP 14, 2004
EFFECTIVE  OCT 14, 2004

GARY A. PODESTO
Mayor of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
EXHIBIT "A"

Legal description of The Project

All that certain Real Property, situate in Sections 2 and 3, Township 2 North, Range 5 East, Mount Diablo Meridian, County of San Joaquin, State of California, more particularly described as follows

Beginning at the Northwest corner of Lot 1, TRACT NO 2103, SPANOS PARK WEST, UNIT NO 1, filed for record June 28, 2001 in Book 36 of Maps and Plats at Page 22, San Joaquin County Records,

The following four (4) courses are coincident with the boundary of said TRACT NO 3103, SPANOS PARK WEST UNIT NO 1

Thence S 02° 54 08' W 1559 40 feet
Thence S 19° 03 52' E 159 30 feet
Thence S 89° 17 52' E 1127 60 feet
Thence S 10° 37' 52" E, 3132 80 feet

Thence N 59° 56 26' W 249 40 feet
Thence N 70° 15 26' W 136 95 feet
Thence N 85° 25 26' W 329 37 feet
Thence S 88° 31 34" W, 1514 22 feet
Thence N 84° 28 26" W, 168 34 feet,
Thence N 73° 01 26 W 597 77 feet,
Thence N 73° 42' 26" W, 604 77 feet,
Thence N 74° 29 26" W 518 95 feet
Thence N 75° 09 26" W 737 72 feet,
Thence N 81° 34 26' W 246 90 feet
Thence N 88° 01 26" W 211 92 feet
Thence S 81° 56' 34" W, 199 92 feet
Thence S 54° 11' 34" W, 120 45 feet
Thence S 36° 48' 34" W 122 45 feet
Thence S 11° 24' 34" W 109 56 feet,
Thence S 05° 20' 26" E, 126 95 feet,
Thence S 18° 00' 26" E, 107 96 feet

Thence S 01° 52 34' W 131 95 feet,
Thence S 26° 20' 34" W, 154 44 feet,

Thence S 60° 22' 34" W 181 93 feet,
Thence S 64° 31 34" W, 293 89 feet
Thence S 62° 51' 34" W, 252 90 feet,
Thence S 39° 33 34" W, 141 95 feet,
Thence S 66° 59 34" W, 96 96 feet,
Thence S 77° 11 34" W 198 92 feet,
Thence S 67° 59' 34" W, 122.95 feet
Thence S 83° 18' 34" W, 98.96 feet,
Thence N 83° 27' 26" W, 111.96 feet,
Thence N 69° 30' 26" W, 115.96 feet,
Thence N 43° 56' 26" W, 318.88 feet
Thence N 67° 03' 26" W, 171.93 feet
Thence S 85° 20' 34" W, 159.94 feet,
Thence S 60° 28' 34" W, 209.92 feet,
Thence S 71° 07' 34" W, 85.97 feet,
Thence N 77° 22' 34" W, 92.96 feet
Thence N 61° 59' 26" W, 158.94 feet,
Thence N 84° 42' 26" W, 117.95 feet,
Thence S 74° 44' 34" W, 104.46 feet
Thence S 47° 11' 34" W, 107.46 feet
Thence S 25° 22' 34" W, 233.91 feet
Thence N 69° 41' 26" W, 166.94 feet,
Thence N 43° 45' 26" W, 202.92 feet
Thence N 71° 41' 26" W, 196.42 feet,
Thence N 87° 50' 26" W, 159.94 feet,
Thence N 70° 14' 26" W, 155.94 feet
Thence N 09° 08' 34" E, 36.99 feet
Thence S 89° 09' 26" E, 285.89 feet
Thence N 05° 12' 34" E, 589.77 feet,
Thence N 05° 34' 34" E, 999.81 feet,
Thence N 04° 04' 34" E, 721.22 feet,
Thence N 75° 26' 34" E, 3589.32 feet
Thence N 25° 44' 26" W, 170.49 feet
Thence N 14° 31' 26" W, 145.49 feet,
Thence N 12° 02' 34" E, 81.50 feet,
Thence N 11° 02' 26" W, 175.99 feet
Thence N 16° 51' 26" W, 124.49 feet
Thence N 02° 09' 26" W, 766.46 feet,
Thence N 07° 02' 34" E, 166.99 feet,
Thence N 31° 10' 34" E, 165.68 feet,
Thence on a non-tangent curve to the right having a radius of 6942.19 feet, through a central angle of 01° 08' 27", an arc distance of 138.23 feet, whose chord bears N 85° 53' 32" W, 138.21 feet, said curve being a concentric curve with the centerline of 8 Mile Road, 67° 00' Southerly of said centerline, also being the proposed Southerly Right-of-Way, of said 8 Mile Road,
Thence N 85° 19' 58" W, 14.18 feet, also being the proposed Southerly Right-of-Way, of said 8 Mile Road,
Thence N 75° 07' 01" W, 152.41 feet, being the taper of the proposed Southerly Right-of-Way of said 8 Mile Road, to intersect the existing Southerly Right-of-Way of said 8 Mile Road,
UNZONED (NOT A PART OF WESTLAKE VILLAGES)

WESTLAKE VILLAGES
PREZONE TO MX

ZONING MAP
Spanos Family Partnership
Z-4-04

STOCKTON CITY PLANNING COMMISSION
I, KATHERINE GONG MEISSNER, do hereby certify as follows

I am the duly appointed, qualified City Clerk of the City of Stockton, a California municipal corporation, as such City Clerk, I am the custodian of the official records of the City Council of said City. The attached Ordinance is a full, true, and correct copy of Ordinance No. 026-04 of said City Council, which was adopted by the City Council on September 14, 2004, effective October 14, 2004, on file in the City Clerk's office

IN WITNESS WHEREOF, I have hereto affixed my hand and the seal of the City of Stockton on September 15, 2004

KATHERINE GONG MEISSNER, CITY CLERK
CITY OF STOCKTON

By

Josephine Weber, Deputy
NOTICE OF DETERMINATION

TO: County Clerk
    Office of Planning and Research
San Joaquin County
P.O. Box 3044
Sacramento, CA 95812 3044

FROM: City of Stockton
      c/o Community Development Department
      Planning Division
      425 North El Dorado Street
      Stockton, CA 95202 1997

Contact Person: Senior Planner David Stagnaro, AICP

SUBJECT: NOTICE OF DETERMINATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21162 AND CAL. CODE OF REGULATIONS, TITLE 14, SECTIONS 15076, 15091, 15093, 15094, AND OR 15096(h)

Project Title: Westlake Villages Annexation, General Plan Amendment, Specific Plan Amendment, Master Development Plan, Development Agreement, and Zoning Project

City of Stockton EIR and/or IS File No(s): EIR1-04, SCH No: 2004052105

Discretionary Application(s) File No(s): A 94-3, GPA3-04, SPA3-04, MDP1-04, Z-4-04, DA1-04

Project Applicant: Spanos Family Partnership

PROJECT DESCRIPTION/LOCATION: Requests of Spanos Family Partnership regarding Final Environmental Impact Report (EIR1-04) and CEQA Findings and Mitigation Monitoring/Reporting Program for the Westlake Villages Project: General Plan Amendment to establish Mixed Use and Low/Medium Density Residential, add one proposed elementary school symbol and one proposed community park symbol (GPA3-04), Master Development Plan specifying project land use requirements (MDP1-04), Amendment to eight mile road Specific Plan (SPA3-04), Zoning to MX, Mixed Use District (Z-4-04), Development Agreement (DA1-04), and annexation to the City of Stockton and the Stockton East Water District, detachment from the Woodbridge Fire District and the San Joaquin County Resource Conservation District (A-04 3) and Sphere of Influence Amendment, and expansion of the City's urban service area boundary for property located south of Eight Mile Road, west of Spanos Park West and I-5, north of Pixley Slough and Disappointment Slough, and east of Bishop Cut and Rio Blanco Road.

DETERMINATIONS: This is to advise that the City of Stockton, as a responsible agency under the California Environmental Quality Act (CEQA) approved the above-described project/action September 14, 2004 and has made the following determinations regarding the project:

1. The project will not have a significant effect on the environment.
2. An environmental impact report was prepared and certified for this project pursuant to the provisions of CEQA.
3. Findings were not made pursuant to Cal Code of Regulations Title 14 Section 15091 EIR and Mitigation measures were not incorporated as part of the approval of the project.
4. Mitigation Monitoring and Reporting Program was not adopted for this project.
5. Statement of Overriding Considerations was not adopted for this project.
6. This project is exempt from the CDFG fees and a Certificate of Fee Exemption has been prepared and will be filed with this Notice of Determination (NOD).

This is to certify that the environmental documentation and determinations for the project/action and any related mitigation measures monitoring provisions findings and statements of overriding consideration have been adopted on the basis of the whole record before the City and reflect the City's independent judgement and analysis. The environmental review record and record of project approval may be examined at the above-mentioned address.

JAMES E. GLASER
DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

By: Senior Planner David Stagnaro, AICP

Date: September 15, 2004

AFFIDAVIT OF FILING AND POSTING

I declare that on the date stamped above I received and posted this notice as required by California Public Resources Code Section 21162(c)

Said notice will remain posted for 30 days from the filing date

Signature:

Posting Period Ending Date: September 14, 2004

Copy mailed to applicant/SCH 9-16-04 cmfs
<table>
<thead>
<tr>
<th>Project Applicant</th>
<th>Location</th>
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<td>Project that is exempt from fees</td>
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<td><strong>TOTAL RECEIVED</strong></td>
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<td>$1315.00</td>
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ACCESS DATA ENTRY FORM

Planner D. STAGNARO Review (Initial) DJJ Sen Planner Deputy Director

(For office use only)

Date Filed 10-28-03 Fee $3,500 ALUC Fee __ DFG Fee
Related Case(s) A-04-9 GR-03-04 MDR-04 Use Code(s) __ __
Overlay District(s) Z-4-04 TN-04 SPA-03 DAI-04 (see reverse side for code list)

PROPERTY OWNER SPANOS FAMILY PARTNERSHIP
APPLICANT Game
PROJECT ADDRESS N/A
APN 071-120-11, 12 + PRT CT TZ BL PA

ENVIRONMENTAL CLEARANCE (Complete attached Environmental Compliance Form)

IS/ND or EIR No EIR-04 or previously cleared by __

Categorical Exemption

Check One V PUBLIC HEARING 14-DAY NOTIFICATION TEMPORARY USE PERMIT

PH Date 8-26-04 DRC Date __

Comments and/or Special Instructions __
Design Review Date __

PART B—PROJECT DESCRIPTION (Please print, type or attach computer copy—do not use pencil)

PREZONING REQUEST OF SPANOS FAMILY PARTNERSHIP
TO MIXED USE FOR PROPERTY LOCATED...

PARTS C AND D—TECH/CLERICAL—GRAPHICS AND NOTIFICATION INFORMATION

TECH SECTION

Zoning Map Vicinity Map Land Use Map Site Plan Floor Plan Elevation/Rendering Gen Plan Map

Other Maps/Exhibits __

 Notices (PH notices other than what appears on Assessor's roll) __

CLERICAL SECTION

Notice prepared Notice to Techs Prepared by __
Date Notice Mailed Appeal Period Ends Date Appealed (if applicable) __

Notes/comments __

ODMAIGRPWISEICOS CDD CDD_Library 29064 1 Revised 8-25-03
STATE OF CALIFORNIA  
COUNTY OF SAN JOAQUIN  

THE UNDERSIGNED SAYS  
I am a citizen of the United States and a resident of San Joaquin County. I am over the age of 18 years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of THE RECORD, a newspaper of general circulation printed and published daily in the City of Stockton, County of San Joaquin and which newspaper has been adjudged a newspaper or general circulation by the Superior Court of the County of San Joaquin, State of California, under the date of February 28, 1952. File No 52857, San Joaquin County Records, that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:  
August 15, 2004  
all in the year 2004  

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on August 17, 2004  
At Stockton, California  

Sandra Johansen
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<td>Massage</td>
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<td>AW</td>
<td>Auto wrecking dismantling</td>
<td>RCF</td>
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<td>Ambulance</td>
<td>RCY</td>
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<td>Ambulance</td>
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<td>Apartments four units or more</td>
<td>SCH</td>
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<td>MORT</td>
<td>Mortician or Funeral Homes</td>
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### PROJECT REFERRAL

**CITY AGENCIES**
- City Attorney
- City Manager/Steeber Palmer
- City Clerk
- CDD/Building/Elias
- Fire Prevention/Rose
- HPD/Pinkerton
- HRD/Neighborhood Services/Daly
- MUD/Murdoch
- Parks & Rec/Machado
- Police/Praegitzer
- PW/Technology Engineering
- PW/Dev Services/Meissner (2 copies)
- PW/Corp Yard/MacKay
- Other

**COUNTY AGENCIES**
- SJ/Building, Planning/Public Works
- SJ/Public Health Services
- SJ/Env Health Services
- SJ Office of Education
- SJ Council of Governments
- SJCOG/ALUC

**SCHOOL DISTRICTS**
- Lincoln Unified School District
- Lodi Unified School District
- Manteca Unified School District
- Stockton Unified School District

**STATE OF CALIFORNIA AGENCIES**
- Alcoholic Beverage Control
- CalTrans District 10
- Reclamation District # 2042

**FILE #** Z-4-04

**SPECIAL DISTRICTS**
- SJ Valley Unified APCD
- SMART
- Central Parking District
- Downtown Stockton Alliance

**OVERLAY DISTRICTS**
- Airport
- Channel Area
- Channel Head
- Doctor's Row
- Eastland
- Enterprise Zone
- Gleason Park
- Limited Architectural Control District
- Magnolia Historic District
- McKinley
- West End Redevelopment
- Other

**AGENDA/STAFF REPORTS (OTHER THAN PROPERTY OWNER/APPLICANT)**

Referral sent
Comments due
Prepared by

ODMA/GRPWISE/COS CDD Library 207351
Rev 10/29/03
ALL APPROPRIATE AREAS OF THIS FORM SHOULD BE COMPLETED BY THE PLANNER

Environmental Information Form Completed _____ (Y/N)

CEQA Exemption Section No ________________ Previous IS/ND or EIR No
New IS/EIR No

Preliminary Environmental Determination (√)

☐ Neg Dec ☐ Mitigated Neg Dec ☐ Addendum to IS/ND or EIR ☐ Project EIR
☐ Program EIR ☐ Supplemental EIR ☐ Mitigation Agreement ☐ NEPA Dec
DFG Fees ☐ Collected ☐ Exempt ☐ Previously Paid

Wildlife/Habitat Mitigation ☐ Exempt ☐ City H/OS Fee ☐ SJMC Fee

☐ Other

COMMENTS
TO City Manager (Attn Agenda Coordinator)
FROM JAMES E GLASER, DIRECTOR COMMUNITY DEVELOPMENT DEPARTMENT

TRANSMITTAL OF MATERIAL FOR

( ) CITY COUNCIL CONSIDERATION
( ) REDEVELOPMENT AGENCY CONSIDERATION

Transmitted for the City Manager’s Agenda Report for the City Council/Redevelopment Agency Concurrent meeting of SEPTEMBER 14, 2004 is the following item

SUBJECT REQUESTS OF SPANOS FAMILY PARTNERSHIP FOR THE WESTLAKES VILLAGES PROJECT (EIR1-04, GPA3-04, HOP1-04, SPA3-04, Z-4-04, DA1-04 & A-04-3)

This agenda item prepared by sek.wit. PZ.a.nneh Dcwkd Telephone Ext 8598 (Name)

Please include the material in the following section of the City Council’s Agenda Report

( ) CLOSED SESSION re 

Amount of Time (in minutes)

Subject

( ) PROCLAMATIONS/COMMENDATIONS

( ) CONSENT AGENDA

( ) UNFINISHED BUSINESS

( ) NEW BUSINESS

( ) ENVIRONMENTAL ASSESSMENT

( ) PUBLIC HEARING/PROTEST

setting date hearing date SEPTEMBER 14, 2004

( ) COMMITTEE REPORT

( ) CITY MANAGER’S INFORMATION

( ) BOARD, COMMISSION, COMMITTEE AGENDAS AND MINUTES

( ) CORRESPONDENCE (Information Only)

( ) Other Explain

Department Director Date

ATTACHMENTS (Please List)

Additional comments and/or instructions

Copy Distribution
City Manager (Golden Rod Copy)
City Attorney (Pink Copy)
Department (White and Canary Copy) 7/03 CS 90
this matter which can’t happen if it is continued to the meeting of September 9th. He added the Commission’s denial of the applications would facilitate their appeal to the City Council and would serve as evidence of the Commission’s dissatisfaction with the delay of materials and their concern to make a point to staff, while at the same time, not put an end to the whole matter by delaying it.

Commissioner Kontos agreed with Attorney Hakeem in that continuing the hearing to a Special meeting on September 2, 2004 would allow the Commission adequate time to review the documents and still allow the applicants to stay on schedule.

Chair Bruce asked if there was any other commentary in relation to the continuance.

Eric Parfrey spoke briefly and informed the Commission that LAFCo does have an October meeting scheduled as well. He expressed his opinion that the Commission was allowing the big developers to run their schedule and not the voters who should be considered also in this matter.

**MOTION E-2(a-f)** It was duly moved (Kontos), seconded (Cusumano) and carried 5 to 2 (Bruce and Lauron dissenting) to continue the public hearing for the City of Stockton SOI Amendment Projects to September 2, 2004.

**Item E-6** Public hearing regarding the requests of Spanos Family Partnership for the Westlake Villages Project (Paradise Villages) for:

a) Certification of the Final Environmental Impact Report for the Westlake Villages Annexation and Sphere of Influence Amendment Project and adoption of the Findings, Overriding Considerations, Mitigation Monitoring and Reporting Program for the Westlake Villages Project (EIR1-04). The project involves (1) General Plan amendment to establish M-X, Mixed Use and Low/Medium-Density Residential Designations, (2) Prezone to M-X, Mixed Use, (3) Master Development Plan specifying project land use requirements, (4) Development agreement to facilitate project development and limit development intensity, (5) Specific Road Plan amendment to allow two signalized intersections on the south side Eight Mile Road, (6) Two vesting tentative maps (small lot and large lot) to subdivide 680 acres into approximately 2,600 lots to allow single-family residential, commercial and related development and other project-related approvals.
b) Master Development Plan specifying project land use requirements (MDP1-04),

c) General Plan amendment to establish M-X, Mixed Use and Low/Medium-Density Residential designations (GPA3-04),

d) Amend the Eight Mile Road Specific Plan to allow two signalized intersections on the south side of Eight Mile Road (SPA3-04),

e) Development Agreement to facilitate project development and limit project intensity for the Westlake Villages project (DA1-04),

f) Prezoning to M-X, Mixed Use (Z-4-04), and

g) Two vesting tentative maps (small lot and large lot) to subdivide 680 acres+ into approximately 2,600 lots to allow single-family residential, commercial and related development located south of Eight Mile Road, west of I-5, north of Pixley Slough and Disappointment Slough and east of Bishop Cut (TM18-04 A/B)

The public hearing was declared open and the Affidavits of Mailing and Publication were filed.

Senior Planner David Stagnaro summarized the staff report and answered several questions from the Commissioners.

Commissioner Cusumano requested more information on well water usage.

Mark Madison, Director of Municipal Utilities Department, responded that the net increase of water that is needed for this project will be supplied from groundwater but not drilled within this subdivision. He added that a water supply assessment was done for this development, in conformance with the requirements under Senate Bill 610 and Senate Bill 221. The fundamental aspect of this document is that a sufficient supply of water will be available for this development for the twenty-year period required under the two Senate Bills. The fundamental basis is we will be using an increased amount of groundwater, yet we will not be exceeding the safe yield of the groundwater basin below this project. He added that the survey is a conservative view, and he is very confident in the findings of the assessment.
Commissioner Cusumano then requested a traffic report.

Development Service Program Manager Gregg Meissner stated that as part of the Environmental impact Report various intersections and freeway interchange operations were identified under various levels of development as were the improvements that would be necessary. Many of the improvements would be in place with the initial development phase to serve this development at its build-out.

Commissioner Kontos asked what "substantive issues" remained unresolved, as stated in the staff report.

Planner Stagnaro responded that there are three conditions that are part of the Master Development Plan and the Development Agreements and staff is recommending that Condition No. 3 be removed. At the time the staff report was written, staff had not seen the latest revision of the documents which did incorporate the requested changes. He added that staff had since seen the revised agreements and the noted changes had been made. Therefore, Condition No. 3 was no longer necessary and should be removed.

Attorney Gerald Sperry, A. G. Spanos Companies spoke briefly in favor of the applications stating that the project name had changed to Westlake at Spanos Park West. It is a proposed 681-acre master planned residential active-adult community. He requested that the tentative map request for this application be continued to September 9, 2004 in order to allow more time to bring the tentative maps into compliance with the Development Agreements.

Bruce Phillips, Pacific Advanced Civil Engineering Systems, spoke in favor of the application and explained the 68-acre lake systems and how they would provide storm water conveyance, detention and water quality treatment from within the project area.

Keith Meyer, Rajappan & Meyer Consulting Engineers Inc. spoke in favor of the application and discussed the long-range General Plan build-out with the Spanos Park West Project. The project will include widening of a portion of I-5 to the south of Eight Mile Road, one lane in each direction for a distance of about 1,500 feet on Interstate 5. It includes an expansion of Eight Mile Road to eight lanes underneath I-5. There will be a ten-foot Class I bicycle path on the south side of the interchange for continuity of bicycles east and west through the Interchange. This interchange improvement project is expected to be complete by March 2005.

Development Service Program Manager Gregg Meissner then addressed the Commission and stated that, with the appropriate mitigation...
measures in place, the traffic during and after construction of this project, will operate at acceptable levels of service.

Scott Shipiro, Downy Brand Law Firm Sacramento spoke briefly in favor of the application and explained SB610 and SB221 and how they relate to this project. These acts are designed to connect water supply to land use planning. Based on the document he reviewed regarding this project, it is estimated there will be enough water to accommodate this project.

Attorney Sperry concluded his presentation by requesting the Commission's approval of the Environmental Impact Report, the Master Development Plan, the General Plan amendment, the Eight Mile Road Specific Plan amendment, prezoning, the Development Agreement, and the continuance of the tentative map request to the meeting of September 9, 2004.

Eric Parfrey, representing the Sierra Club, distributed a letter to the Commissioners which outlined the following issues they felt needed to be addressed:

- Establishment of an Agricultural Conservation Plan/Program for Stockton
- Regional Mitigation Fees for the I-5 Freeway,
- Importance of enforcing Measure K fee payments
- Water quality analysis for this project,
- Impacts of the I-5 improvements and
- Man-made lakes for this project and regulatory issues regarding their construction and operation.

In closing, Mr. Parfrey requested that the Commission not certify the final EIR yet as there are too many issues that need resolution.

Attorney Sperry provided a brief rebuttal, addressing and refuting several of the issues Mr. Parfrey had brought up.

Commissioner Kontos commented that he felt this project was well thought out and is in favor of the applicant's request. Commissioners Lowery, Brown, Lucas and Lauron concurred with Commissioner Kontos comments.

No one else desired to be heard and the public hearing was closed except for the tentative map hearing which was left open in order to continue that hearing.

**MOTION E-6(g)** It was duly moved (Bruce) seconded (Cusumano) and carried 6 to 1 (Brown dissenting) to continue the public hearing regarding the
tentative map request of Spanos Family Partnership to the meeting of September 9, 2004

The public hearing was then closed and the remainder of Item E-6 was voted on:

**MOTION E-6(a)** It was duly moved (Lauron) seconded (Kontos) and carried 6 to 1 (Bruce dissenting) to recommend certification of the Final Environmental Impact Report for the Westlake Villages Annexation and Sphere of Influence Amendment Project and adoption of the Findings, Overriding Considerations, Mitigation Monitoring and Reporting Program and

**MOTION E-6(b)** It was duly moved (Lowery) seconded (Lauron) and carried 6 to 1 (Bruce dissenting) to approve the Master Development Plan request of Spanos Family Partnership for the Westlake Villages Project (MDP1-04), based on the findings as listed in the staff report, and

**MOTION E-6(c)** It was duly moved (Brown), seconded (Cusumano) and carried 6 to 1 (Bruce dissenting) to recommend approval of the General Plan amendment request (GPA3-04) based on the findings and subject to the conditions as listed in the staff report and

**MOTION E-6(d)** It was duly moved (Lauron), seconded (Brown) and carried 6 to 1 (Bruce dissenting) to recommend approval of the Specific Plan amendment request (SPA3-04) based on the findings and subject to the conditions as listed in the staff report and

**MOTION E-6(e)** It was duly moved (Lowery) seconded (Lauron) and carried 6 to 1 (Bruce dissenting) to recommend approval of the Development Agreement request (DA1-04), based on the findings and subject to the conditions as listed in the staff report and

**MOTION E-6(f)** It was duly moved (Brown) seconded (Lauron) and carried 6 to 1 (Bruce dissenting) to recommend approval of the prezoning request of Spanos Family Partnership, based on the findings and subject to the conditions as listed in the staff report

**Community Development Director’s Report**

1. **Status of Key Pending CDD/Planning Programs/Projects**

   Director Glaser indicated updates to the report were in bold lettering and offered to answer any questions the Commissioners might have in regard to the report.
STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

Rhonda L. Walkowski, being first duly sworn, deposes and says

That she is a citizen of the United States, over the age of twenty-one (21) years, and Joaquin, State of California

That on the 23rd DAY OF AUGUST 2004, she deposited in the United States mail facilities in the City of Stockton, County of San Joaquin, State of California, a copy of the agenda and staff report for the Special Planning Commission meeting of AUGUST 26, 2004 with the postage thereon prepaid, addressed to each of the following named persons to wit

SEE ATTACHED LIST

That said persons on the attached list are the owners, applicants, subdividers and/or engineers or representatives of the property and that this material was sent pursuant to State Code and/or City policy

Dated AUGUST 23, 2004

I certify (or declare), under penalty or perjury, that the foregoing is true and correct

Rhonda L. Walkowski
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<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
<th>Notes</th>
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<tr>
<td>Karen Sensley</td>
<td>3241 Rutherford Drive</td>
<td>Stockton, CA 95212</td>
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<td>Spanos Family Partnership</td>
<td>c/o Jim Panagopoulos 10100 Trinity Parkway, 5th Floor</td>
<td>Stockton, CA 95219</td>
<td>(Items E-2-S01 &amp; E-6 – Paradise Villages)</td>
</tr>
<tr>
<td>Stockton Flea Market, Inc</td>
<td>c/o Tae W Oh P O Box 6938</td>
<td>Stockton, CA 95206</td>
<td>(Item F-1 – UP47-03)</td>
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<tr>
<td>Margie Jordan Fletcher</td>
<td>2609 East Silva Street</td>
<td>Stockton, CA 95205</td>
<td>(Item E-4 – IS17-04/TM21 04)</td>
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<tr>
<td>Earnest F Smith</td>
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<td>Stockton, CA 95215</td>
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<td>Rafael Rios</td>
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<td>Waterfront Warehouse, Inc</td>
<td>Attn Paul Jacobson 445 West Weber Avenue</td>
<td>Stockton, CA 95209</td>
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<td>A G Spanos Companies</td>
<td>c/o Gerald A Sperry 10100 Trinity Parkway, 5th Floor</td>
<td>Stockton, CA 95219</td>
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<tr>
<td>St. George’s Neighborhood Betterment Committee</td>
<td>P O Box 6644</td>
<td>Stockton, CA 95206</td>
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<tr>
<td>Siegfried Engineering, Inc</td>
<td>4045 Coronado Avenue</td>
<td>Stockton, CA 95204</td>
<td>(Item E-3 – TM2 04)</td>
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<tr>
<td>Gary A Edwards</td>
<td>Edwards Construction, Inc 618 San Juan Avenue</td>
<td>Stockton, CA 95203</td>
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<td>Howard and Blanche Hahn</td>
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<tr>
<td>A Conti Engineering Services</td>
<td>c/o Antonio Conti 10100 Trinity Parkway, 5th Floor</td>
<td>Stockton, CA 95219</td>
<td>(Items E-2-S01 &amp; E-6 – Paradise Villages)</td>
</tr>
</tbody>
</table>
Michael Hakeem, Attorney  
3414 Brookside Road, Suite 100  
Stockton, CA 95219-1751  
(Item E-2 SOI and E-6-Westlake)

Alpine Packing Company  
c/o Gerald Singer  
9900 North Lower Sacramento Road  
Stockton, CA 95210  
(Item E-2 - SOI Amendments)

Robert Lauchland  
JR Lauchland & Sons Vineyards  
3855 West Turner Road  
Lodi, CA 95242  
(Item E-2 - SOI Amendments)

Campaign for Sensible Growth  
c/o Trevor Atkinson  
P O Box 693545  
Stockton, CA 95207  
(Item E-2 - SOI Amendments)

Luis V Ansmendi, et al  
P O Box 7576  
Stockton, CA 95267  
(Item E 2 - SOI Amendments)

Carlo Thompson  
1919 Grand Canal Blvd, Suite B  
Stockton, CA 95209  
(Item E-2 - SOI Amendments)

Herum Crabtree Brown  
c/o Steve Herum  
2291 West March lane, Suite B100  
Stockton, CA 952087  
(Item E-2 - SOI Amendments)

Seligman & Willett, Inc  
7540 Shoreline Drive, Suite G  
Stockton, CA 95219  
(Item E-2 - SOI Amendments)

Dale Stocking  
3020 Pacific Avenue  
Stockton, CA 95204  
(Item E 2 - SOI Amendments)

Sierra Club – Mother Lode Chapter  
Eric Parfrey  
1421 West Willow Street  
Stockton, CA 95203  
(Item E-2 - SOI Amendments)
STAFF REPORT

Items E-6(c) and (f) PUBLIC HEARING - General Plan amendment and prezoning
Case Nos GPA3-04 and Z-4 04 Spanos Family Partnership

Data

The Spanos Family Partnership is requesting approval of General Plan amendment and prezoning applications for property located south of Eight Mile Road west of I 5 north of Pixley Slough and Disappointment Slough and east of Bishop Cut.

The requests consist of the following:

1. A General Plan amendment to extend the City's General Plan boundary and designate the project site for Mixed Use and Low/Medium-Density Residential land uses, add one Proposed Elementary School symbol and one Proposed Community Park Symbol.

2. Prezone the Westlake Villages portion of the project to M-X Mixed Use.

The applicant has concurrently filed applications for an Eight Mile Road Specific Plan amendment (SPA3-04) vesting tentative maps (TM18-04 A & B) Master Development Plan (MDP1-04) and a Development Agreement (DA1-04) to facilitate the development and restrict the types and extent of land uses allowed on the subject site (see Items E-6 (d) (g) (b) and (e) on this agenda). In addition, the General Plan amendment and prezoning applications are tied to the approval of the related annexation (A-04-3) and Sphere of Influence Amendment (SOI3-04) applications by the San Joaquin County Local Agency Formation Commission (LAFCO).

The General Plan designations surrounding the project site are:

- C/R Commercial Recreation and A/G Agriculture General to the north (County General Plan).
- Low/Medium-Density Residential to the east (City).
- A/G and OS/RC, Open Space/Resource Conservation to the south (County) across Pixley Slough and Disappointment Slough.
- C/R and A/G to the west (County).

The south central portion of the project site is occupied by a single-family residence, a storage shed, and various outbuildings which are used in support of the existing agricultural operation. The County General Plan designation (A/G) and zoning (AG-40 General Agriculture) allow for agricultural uses. The project site is bounded by:

- north across Eight Mile Road by farmland zoned C R Commercial Recreation and AG-40 General Agriculture within the jurisdiction of San Joaquin County.
• east by single family residential elementary school and park uses zoned RL Low-Density Residential, in Spanos Park West
• south across Pixley Slough and Disappointment Slough by agricultural uses in the County zoned AG-80 and AG-40 and
• west across Bishop Cut and Rio Blanco Road by agricultural uses zoned AG-80 within the jurisdiction of San Joaquin County (Zoning Map page 1) See attached exhibits

General Plan The project site is not currently within the City's General Plan boundary. The proposal is to amend the General Plan by extending the boundary to the west to include the project site and to designate the Westlake Villages portion for Mixed Use and the remainder of the project site at the northwest corner (approximately 170 acres) for Low/Medium-Density Residential uses. The proposed General Plan amendment also includes the addition of one Proposed Elementary School symbol and one Community Park symbol. The proposed General Plan amendment to allow mixed use and residential uses will be consistent with the City’s Mixed Use and Residential Land Use Goals and Policies as contained in the City’s General Plan Policy Document (last amended November 3, 1998) provided that the owners, developers and/or successors-in-interest comply with all the identified mitigation measures and conditions for the Westlake Villages Project.

Environmental Clearance The environmental consequences of developing this site are analyzed in EIR1-04 which must be considered and certified prior to approval of the General Plan amendment (GPA3-04) and prezoning (Z-4-04). In addition, all applicable mitigation measures identified in Final EIR1-04 and the mitigation monitoring/reporting provisions included in the related Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Westlake Villages Project must be adopted in conjunction with approval of the General Plan amendment (GPA3-04) and prezoning (Z-4-04) applications.

Discussion The applicant is requesting to extend the General Plan boundary to include the project site and to designate the Westlake Villages portion of the project site MX Mixed Use and the northwest corner of the project site Low/Medium-Density Residential. In addition, the applicant is proposing to add a Proposed Elementary School symbol and a Proposed Community Park Symbol to the Westlake Villages project site. The applicant is concurrently proposing to prezone the Westlake project site to M-X Mixed Use. Prezoning has not been requested by the applicant for the northwest portion of the project site.

The proposed Mixed Use and Low/Medium-Density Residential General Plan designations are consistent with the existing Mixed Use and Low/Medium-Density Residential designations within the Spanos Park West project site located to the east (Exhibit 3). In addition, the proposed M-X prezoning represents a logical extension of the existing mixed use and residential zoning designations to the east within the Spanos...
Park West project (Exhibit 4) Finally the proposed uses on the project site are expected to be compatible with surrounding land uses.

City departments outside agencies and the surrounding neighborhood have been notified of the subject requests and to date, no specific opposition has been registered regarding the General Plan amendment and prezoning requests. However various comments were submitted concerning the Environmental Impact Report (EIR1-04) for the proposed project and responses to those comments are contained in the Final EIR1-04 [Item E-6 (a) on this same agenda]

Recommendation

Adopt a resolution recommending approval of the proposed General Plan amendment and recommend approval of an ordinance for the prezoning of the subject site based on the following findings

Findings for GPA3-04

1. The proposal conforms to existing City of Stockton General Plan Policies for the location and development of Mixed Use and Low/Medium-Density Residential uses

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 environmental consequences of the proposed General Plan amendment request were considered in EIR1-04 which has been certified by the Planning Commission. In addition all applicable mitigation measures identified in EIR1-04 including the related Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Westlake Villages Project have been adopted. EIR1-04 and related environmental documents were prepared in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City of Stockton Guidelines for the Implementation of CEQA

5. The anticipated benefits of the proposal outweigh the unavoidable or unresolved adverse environmental effects for the project as supported by the Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Westlake Villages Project, dated August 2004

6. Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines this approval is subject to the adopted Findings and Mitigation Monitoring and Reporting Program respectively as specified in the Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Westlake Villages Project.
Findings for Z-4-04

1. The proposed prezoning to the M-X District zoning designation is consistent with the proposed Mixed Use General Plan designation for the site.

2. The uses permitted in the proposed zone are similar to and compatible with existing and proposed land uses to the east of the project site.

3. The proposed prezoning will not endanger, jeopardize or otherwise constitute a hazard to the public convenience, health, interest, safety or general welfare of the persons residing or working in the City.

4. The environmental consequences of the proposed prezoning request were considered in EIR 04 which has been certified by the Planning Commission. In addition, all applicable mitigation measures identified in EIR 04, including the related Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Westlake Villages Project have been adopted. EIR 04 and related environmental documents were prepared in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City of Stockton Guidelines for the Implementation of CEQA.

5. The anticipated benefits of the proposal outweigh the unavoidable or unresolved adverse environmental effects for the project as supported by the Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Westlake Villages Project dated August 2004.

6. Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines, this approval is subject to the adopted Findings and Mitigation Monitoring and Reporting Program respectively as specified in the Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Westlake Villages Project.

August 18, 2004

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 has been prepared by Senior Planner David Stagnaro AICP.

ODMA\GRPWSE\COS CDD CDD_Library 40498 1
PROPOSED LOW MED DENSITY RESIDENTIAL

EXHIBIT 3
GENERAL PLAN MAP
Spanos Family Partnership GPA3-04
LEGEND
LAND USE
LOW-MD DENSITY RESIDENTIAL
HIGH DENSITY RESIDENTIAL
ADMINISTRATIVE PROFESSIONAL
COMMERCIAL
OPEN SPACE
PERFORMANCE INDUSTRIAL
INDUSTRIAL
INSTITUTIONAL
PARKS AND RECREATION
AGRICULTURE
MIXED USE
CIRCULATION
FREEWAY
MAJOR ARTERIAL
MINOR ARTERIAL
FULL INTERCHANGE
SCHOOLS AND PARKS
EXISTING MIDDLE SCHOOL
EXISTING REGIONAL PARK
PROPOSED ELEMENTARY SCHOOL
PROPOSED NEIGHBORHOOD PARK
PROPOSED COMMUNITY PARK

STOCKTON CITY PLANNING COMMISSION
EXHIBIT 4

EIGHT MILE RD

UNZONED
(NOT A PART OF WESTLAKE VILLAGES)

WESTLAKE VILLAGES
PREZONE TO MX

(AU 40)

ZONING MAP
Spanos Family Partnership
Z-4-04

STOCKTON CITY PLANNING COMMISSION
Spanos Family Partnership
GPA3-04 & Z-4-04

LAND USE MAP

STOCKTON CITY PLANNING COMMISSION
DECLARATION OF MAILING

STATE OF CALIFORNIA       )
COUNTY OF SAN JOAQUIN      )

Denise Karon Rucker declares
That she is at all times herein mentioned as an employee of the City of Stockton, County of
San Joaquin, State of California
That on the 13TH day of August, 2004, she deposited in the United States mail facilities
in the City of Stockton, County of San Joaquin, State of California a true copy of the notice
hereto attached with the postage thereon prepaid addressed to each of the following
named persons
See attached list
That said persons are the owners of the property located within a 300-foot radius of
property hereby affected, the names of said owners having been secured from the last
municipal equalized San Joaquin County assessment roll, and that this notice was sent
pursuant to the provisions of Section 16-1C93 of the Stockton Municipal Code
That the said notices were mailed at least ten (10) days prior to the time appointed for the
public hearing before the Planning Commission of the City of Stockton
Dated August 13TH, 2004 I declare that the foregoing is true and
correct

(Signature)

ODMA\GRP\WISE\ICOS CDD CDD_Library 273651 (Revised 1 10-02)
CITY OF STOCKTON
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

DATE/TIME OF MEETING  AUGUST 26, 2004 at 7 P.M. or as soon thereafter as the matter can be heard
PLACE OF MEETING  Council Chambers  Second Floor City Hall  425 North El Dorado Street  Stockton
FILE NUMBER(S)  MDP1-04, GPA3-04, SPA3-04, DA1-04, Z-4-04 and TM18-04-A and B

SUBJECT  Public hearing regarding the requests of the Spanos Family Partnership for the Westlake Villages Project
(Paradise Villages) for a) Certification of the Final Environmental Impact Report for the Westlake Villages Annexation
and Sphere of Influence Amendment Project and adoption of the Findings, Statement of Overriding Considerations, and
Mitigation Monitoring/Reporting Program for the Westlake Villages Annexation and Sphere of Influence Amendment
Project. The project involves 1) General Plan Amendment to establish M X Mixed Use and Low/Medium Density
Residential Designations 2) Prezone to M X Mixed Use 3) Master Development Plan specifying project land use
requirements 4) Development Agreement to facilitate project development and limit development intensity 5) Specific
Road Plan Amendment to allow two signalized intersections on the south side of Eight Mile Road 6) Two Vesting
Tentative Maps (small lot and large lot) to subdivide 680 acres into approximately 2,600 lots to allow single-family
residential commercial and related development and other project related approvals b) Master Development Plan
specifying project land use requirements (MDP1 04) c) General Plan amendment to establish M X Mixed Use and
Low/Medium-Density Residential designations (GPA3-04) d) Amend the Eight Mile Road Specific Plan to allow two
signalized intersections on the south side of Eight Mile Road (SPA3 04) e) Development Agreement to facilitate project
development and limit project intensity for the Westlake Villages project (DA1 04) f) Prezoning to M X Mixed Use
(Z-4 04) and g) Two Vesting Tentative Maps (small lot and large lot) to subdivide 680 acres into approximately 2,600
lots to allow single family residential commercial and related development for property located south of Eight Mile
Road west of I 5 north of Pixley Slough and Disappointment Slough and east of Bishop Cut (TM18 04 A and B)

Further information may be obtained by contacting SENIOR PLANNER DAVID STAGNARO at (209) 937-8598
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<td>7116041</td>
<td>A G SPANOS, CONST INC</td>
<td>1341 W ROBINOOD DR</td>
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SPANOS FAMILY PTP, ETAL
MDP1-04, GPA3-04, SPA3-04, DA1 04, Z-4 04 & 18-04A&B
PH 8 26-04

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RECLAMATION DISTRICT 2042
GPO BOX 844
STOCKTON CA 95201

c/o KJEDLSEN SINNOCK & ASSOC

RECLAMATION DISTRICT 2115
GPO BOX 1461
STOCKTON CA 95201

c/o DANTE NOMELLINI

RECLAMATION DISTRICT 2126
GPO BOX 844
STOCKTON CA 95207

c/o STEVEN MALCOUN
REZONING/PREZONING APPLICATION
CITY OF STOCKTON

1. Property owner(s) Spanos Family Partnership
   (NAME, ADDRESS AND PHONE NUMBER)
   1341 W Robinhood Drive, Suite B-5, Stockton, CA 95207 (209) 955-2576

2. General location of property See Attachment "A", Paragraph one

3. Legal description of property Refer to the attached Preliminary
   Title Report

4. Present zone AG General/Agriculture Requested zone MX/Mixed Use

5. Approximate size of property 689 6 acres

6. Present use of site Agriculture and Commercial Marina

7. If rezoning is approved, what is proposed use of site See Attachment "A", Paragraph 2

8. Explain how the uses permitted in the zone requested would be compatible with existing surrounding uses See Attachment "A", Paragraph 3

9. If this request does not conform to the General Plan, Planning Commission policies or neighborhood need, explain why you feel the request should still be granted
   Upon approval of the requested General Plan Amendment, the proposed zoning and uses will conforms to the General Plan, See Attachment "A", Paragraph 3

(over)
Include the following when application is returned

1. Two (2) copies of completed application form
2. Application fee $3500.00
3. Initial Study and fee __________
4. A L U C fee __________

Note Rezoning applications are filed with the Community Development Department, Planning Division, City Hall Annex, Stockton. A public hearing is required before both the Planning Commission and City Council before a rezoning request can be approved. The property owner will be notified by mail of the Planning Commission public hearing date.
PROPERTY DESCRIPTION
OF PROPOSED
Area of Proposed Pre-Zoning to MX Zone

All that certain Real Property, situate in Sections 2 and 3, Township 2 North, Range 5 East, Mount Diablo Meridian, County of San Joaquin, State of California, more particularly described as follows

Commencing at the Northwest corner of Lot 1, TRACT NO 3103, SPANOS PARK WEST, UNIT NO 1, filed for record June 28, 2001, in Book 36 of Maps and Plats, at Page 22, San Joaquin County Records,

Thence S 02° 54’ 08” W 27 02 feet, to the Point of Beginning

The following four (4) courses are coincident with the boundary of said TRACT NO 3103, SPANOS PARK WEST, UNIT NO 1
Thence S 02° 54’ 08” W, 1532 36 feet,
Thence S 19° 03’ 52” E, 159 30 feet,
Thence S 89° 17’ 52” E, 1127 60 feet,
Thence S 10° 37’ 52” E, 3132 80 feet

Thence N 59° 56 26’ W, 249 40 feet
Thence N 70° 15’ 26’ W, 136 95 feet,
Thence N 85° 25’ 26” W, 329 37 feet,
Thence S 88° 51’ 34 W 1514 22 feet,
Thence N 84° 28’ 26” W, 168 34 feet,
Thence N 73° 01’ 26” W, 597 77 feet,
Thence N 73° 42’ 26” W 604 77 feet,
Thence N 74° 29’ 26” W, 518 30 feet,
Thence N 75° 09’ 26 “W, 737 72 feet,
Thence N 81° 34’ 26” W, 246 90 feet
Thence N 88° 01’ 26” W 211 92 feet,
Thence S 81° 56’ 34” W, 199 92 feet,
Thence S 54° 11’ 34” W, 120 45 feet,
Thence S 36° 48’ 34” W, 122 45 feet,
Thence S 11° 24’ 34” W, 109 56 feet,
Thence S 05° 20’ 26” E, 126 95 feet,
Thence S 18° 00’ 26” E, 107 96 feet,
Thence S 01° 52’ 34” W, 131 95 feet
Thence S 26° 20’ 34 W, 154 44 feet,
Thence S 60° 22’ 34” W, 181 93 feet,
Thence S 64° 31’ 34” W, 293 89 feet,
Thence S 62° 51’ 34” W, 252 90 feet,
Thence S 39° 33’ 34” W, 141 95 feet,
Thence S 66° 59’ 34’ W, 96 96 feet,

1of 3
Thence S 77° 11’ 34” W, 198 92 feet,
Thence S 67° 59’ 34” W, 122 95 feet
Thence S 83° 18’ 34” W, 98 96 feet
Thence N 83° 27’ 26” W, 111 96 feet,
Thence N 69° 30’ 26” W, 115 96 feet,
Thence N 43° 56’ 26” W, 318 88 feet,
Thence N 67° 03’ 26” W, 171 93 feet,
Thence S 85° 20’ 34” W, 159 94 feet,
Thence S 60° 28’ 34” W, 209 92 feet,
Thence S 71° 07’ 34” W, 85 97 feet
Thence N 77° 22’ 26” W, 92 96 feet,
Thence N 61° 59’ 26” W, 158 94 feet,
Thence N 84° 42’ 26” W, 117 95 feet,
Thence S 74° 44’ 34” W, 104 46 feet,
Thence S 47° 11’ 34” W, 107 46 feet,
Thence S 25° 22’ 34” W, 233 91 feet,
Thence N 69° 41’ 26” W, 166 94 feet,
Thence N 43° 45’ 26” W, 202 92 feet,
Thence N 71° 41’ 26” W, 196 42 feet,
Thence N 87° 50’ 26” W, 159 94 feet,
Thence N 70° 14’ 26” W, 155 94 feet,
Thence N 09° 08’ 34” E, 36 99 feet,
Thence S 89° 09’ 26” E, 285 89 feet,
Thence N 05° 12’ 34” E, 589 77 feet
Thence N 05° 34’ 34” E, 999 61 feet,
Thence N 04° 04’ 34” E, 721 22 feet,
Thence N 75° 26’ 34” E, 3589 32 feet,
Thence N 25° 44’ 26” W, 170 49 feet,
Thence N 14° 31’ 26” W, 145 49 feet,
Thence N 12° 02’ 34” E, 81 50 feet,
Thence N 11° 02’ 26” W, 175 99 feet,
Thence N 16° 51’ 26” W, 124 49 feet,
Thence N 02° 09’ 26” W, 766 46 feet,
Thence N 10° 02’ 34” E, 166 99 feet,
Thence N 31° 10’ 34” E, 160 99 feet,
Thence S 89° 21’ 26” E, 2420 32 feet,
Thence S 89° 36’ 13” E, 1281 24 feet, to the Point of Beginning,

Containing 680 95 acres, more or less

End of Description
The Basis of Bearing for this property description is the West line of said Lot 1, taken as S 02° 54' 08" W, as shown on said TRACT NO 3103, SPANOS PARK WEST, UNIT NO 1

[Signature]
David E Kraeth P.L.S 6008
Expires 03/31/05