

RESOLUTION NO. 16-20

RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF RIPON GENERAL PLAN TO RE-DESIGNATE APPROXIMATELY TEN ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH RIPON ROAD AND RIVER ROAD. FROM COMMUNITY COMMERCIAL TO NEIGHBORHOOD COMMERCIAL AND VERY HIGH DENSITY RESIDENTIAL,

WHEREAS, the General Plan for the City was adopted by the City Council, in accordance with Section 65300 of the Government Code, and

WHEREAS, said General Plan has been amended by the City Council by various resolutions, copies of which are on file in the office of the City Clerk, and

WHEREAS, Government Code Section 65358 permits the amendment of General Plans by the legislative body, and

WHEREAS, JKB Living, Inc. has applied for an amendment to the General Plan to re-designate approximately ten acres from Community Commercial ("CC") to Neighborhood Commercial ("NC") and Very High Density Residential ("VHDS"), property located at the southwest corner of North Ripon Road and River Road, and

WHEREAS, the Planning Department has analyzed the proposed amendment's effects compared to the adopted General Plan for: compatibility with surrounding existing and planned land uses, and

WHEREAS, on February 2, 2016, the Planning Commission held a duly noticed public hearing, relating to this proposed amendment, and

WHEREAS, after said public hearing, the Planning Commission adopted a motion, recommending to the City Council an amendment to the Ripon General Plan, and

WHEREAS, said matter was set for a public hearing of the City Council to be held at 6:00 PM on March 8, 2016, in the City Council Chambers located at 259 N. Wilma Avenue, Ripon, California, at which date and time said duly noticed public hearing of the Council was held for the purpose of receiving public comment on the proposed amendment to the General Plan,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon that it hereby finds and determines as follows:

1. The City Council has determined that sufficient justification exists to support the proposed amendment due to the suitability of the site for multi-family and neighborhood commercial uses.

2. The proposed amendment has been analyzed for its effects compared to the Adopted General Plan for: compatibility with surrounding, existing, and planned land uses; traffic impacts and other environmental impacts and impacts to public facilities and public services..
3. A Mitigated Negative Declaration for the Project has been prepared, which analyzed the potential environmental effects of the proposed amendment, in accordance with requirements of CEQA.

BE IT FURTHER RESOLVED by the Council of the City of Ripon that it hereby adopts the proposed amendment to the Ripon General Plan to re-designate approximately ten acres from the property as described in Exhibit "A", attached hereto and incorporated herein by reference, and further depicted in Exhibit "B", also attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED by the Council of the City of Ripon that the Community and Economic Development Department Director is hereby authorized and directed to file a Notice of Determination pursuant to Section 21152 of the Public Resources Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Ripon held on the 8th day of March, 2016, by councilmember Leo Zuber, who moved its adoption, which motion being duly seconded by Councilmember Dean Uecker, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Zuber, Uecker, Parks
NOES:	Restuccia, Winchell
ABSENT:	None
ABSTAINING:	None

THE CITY OF RIPON,
A Municipal Corporation,

By _____
JACOB PARKS, Mayor

ATTEST:

By _____
LISA ROOS, City Clerk

Exhibit “A”

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

All that certain property identified as “Designated Remainder” Parcel as shown upon Parcel Map filed for record in Book 17 of Parcel Maps at Page 38, San Joaquin County Records, more particularly described as follows:

A portion of the Northeast Quarter of the Southeast Quarter of Section 18, Township 2 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northeast corner of said Southeast Quarter; thence along the North line of said quarter, North 88° 25' West, 643.0 feet; thence South 0° 18' West, 882 feet; thence South 88° 25' East, 643 feet to the East line of said quarter; thence North along said quarter section line 882 feet to the point of .

EXCEPTING THEREFROM that portion along the East line lying within the county road.

ALSO EXCEPTING THEREFROM Parcels 1 and Parcel 2 as shown upon Parcel Map filed for record in Book 17 of Parcel Maps at Page 38, San Joaquin County Records.

ALSO EXCEPTING THEREFROM all that portion of said land lying within the exterior boundary lines of that certain subdivision entitled, “Chesapeake Landing”, filed for record September 24, 2002, in book 37 of Maps and Plats, at Page 45, San Joaquin County Records.

ALSO EXCEPTING THEREFROM all that portion of said land conveyed to the City of Ripon, by Grant Deed recorded May 15, 2003, as Instrument No. 2003-105140, San Joaquin County Records.

APN: 261-030-17

PARCEL TWO:

Lot 1 of “Ripona Tract” according to the Official Map thereof filed in Volume 3 of Maps and Plats, page 57, San Joaquin County Records.

EXCEPTING THEREFROM that portion along the East line lying within the county road.

ALSO EXCEPTING THEREFROM Parcels 1 and Parcel 2 as shown upon Parcel Map filed for record in Book 17 of Parcel Maps at Page 38, San Joaquin County Records.

ALSO EXCEPTING THEREFROM all that portion of said land lying within the exterior boundary lines of that certain subdivision entitled, “Chesapeake Landing”, filed for record September 24, 2002, in book 37 of Maps and Plats, at Page 45, San Joaquin County Records.

ALSO EXCEPTING THEREFROM all that portion of said land conveyed to the City of Ripon, by Grant Deed recorded May 15, 2003, as Instrument No. 2003-105140, San Joaquin County Records.

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PARCEL THREE:

Being a portion of Parcel 2 as shown upon that certain Parcel Map filed for record July 25, 1990 in Book 37 of Parcel Maps at Page 38, San Joaquin County Records more particularly described as follows:

Beginning at a point on the Westerly line of North Ripon Road at the Southeasterly corner of said Parcel 2, thence along said Westerly line North 00° 43' 20" West, 23.01 feet to the TRUE POINT OF BEGINNING; thence leaving said Easterly line North 89° 30' 29" West, 749.21 feet along a line parallel with and distant 23.00 feet Northerly measured at right angles from the Southerly line of said Parcel 2 to a point on the Easterly line of that certain Map of Tract No. 3186, filed for record on September 24, 2002 in Book 37 of Maps and Plats, at Page 45, San Joaquin County Records; thence along said Easterly line North 00° 29' 38" West, 319.40 feet to a point on the Northerly line of said Parcel 2; thence along said Northerly line, North 89° 30' 22" West, 747.94 feet to a point on the Westerly line of North Ripon Road; thence along said Westerly line South 00° 43' 20" East, 319.39 feet to the true point of beginning.

The above legal description is also referred to as "Exhibit "B" Legal Description Lot Line Adjustment Adjusted Parcel 2", on Notice of Lot Line Adjustment recorded September 30, 2005, as Instrument No. 2005-244878, San Joaquin County Records.

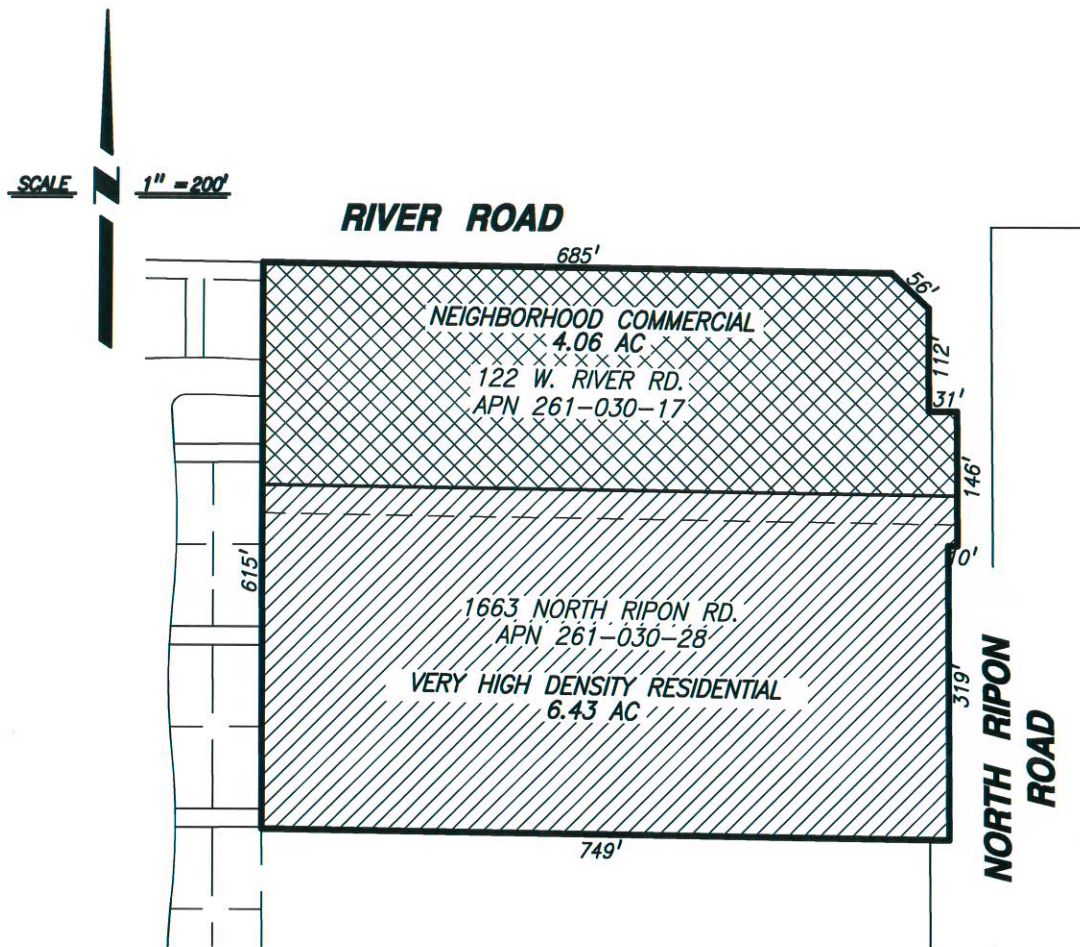
PARCEL FOUR:

A non-exclusive irrigation easement over the Westerly 15 feet and the Southerly 15 feet of the Westerly 300 feet of Parcel 1 as shown upon Parcel Map filed for record in Volume 17 of Parcel Maps, page 38, San Joaquin County Records.

APN: 261-030-28

Exhibit "B"

5A



PROPOSED GENERAL PLAN DESIGNATIONS EXHIBIT

Project Name: Ripon Gardens II

Address: 122 W. River Rd., 1663 North Ripon Rd.

Acreage: 10.51 Gross Acres

Existing G.P.: CC - Community Commercial

Proposed G.P.: VHD - Very High Density Residential
NC - Neighborhood Commercial



BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
1121 OAKDALE ROAD, SUITE 1 • MODESTO, CALIFORNIA • 95365
(209) 548-9300 FAX: (209) 548-9305

GENERAL PLAN EXHIBIT
RIPON GARDENS II
RIPON, CALIFORNIA

DRAWN BY: TM
DATE: 1/27/16
SHEET: 1 OF 1
JOB: 202109

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