



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct Public Hearing to Consider the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment from LDR, Low Density Residential to NCC, Neighborhood Community Commercial; Rezone from C-S, Commercial Shopping and R-1, Single Family Residential to PD, Planned Development; and Certification of Negative Declaration ND-00-05 as adequate environmental documentation on behalf of Kristmont West, Inc. for property located at 333 S. Lower Sacramento Road.

MEETING DATE: September 20, 2000

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council adopt the Planning Commission's recommendations and approve the General Plan Amendment and Zone change.

BACKGROUND INFORMATION: The project site is currently a single parcel containing 24 acres and makes up the south west corner of the intersection of Lower Sacramento Road and Sargent Road. The project site is within the Lodi City Limits and has the following three different zoning Designations; R-1, Single-Family Residential, R-C-P, Residential Commercial Professional, and C-S, Commercial Shopping. Approximately 15 acres near the corner is zoned C-S, with 6 acres as R-1, and 3 acres as R-C-P. Approximately 9.8 acres of the C-S zoned portion of the site is the existing location of the Westgate Shopping Center, which includes the Raley's Supermarket, Sak's furniture and electronics, the Valley Cinema, a small branch of the Farmer's and Merchants Bank, and the USA gas station. The remaining 14.2 acres are vacant.

The applicant, Kristmont West Inc., approached the City with the desire to establish a 3.3 acre mini storage facility to the west of the existing Raley's Supermarket building. This desire prompted their request to change the existing General Plan Land Use designation for the northernmost 2.12 acres of the residential portion of the parcel from LDR, Low Density Residential to NCC, Neighborhood Community Commercial. The same residential area and 11.92 acres of the C-S zone was also requested to be rezoned to PD, Planned Development (See Rezoning Site Plan).

The Planning Commission held a public hearing on July 26, 2000 and voted to recommend approval of the two actions before the Council as well as to approve a Tentative Parcel Map to create 5 new parcels and a Designated Remainder. The parcel map created a parcel for the existing uses, an additional vacant parcel at the southeast corner, and a 3.3 acre parcel to the west of the Raley's building for the mini storage facility. The Designated Remainder makes up the vacant area south of the existing shopping center.

The zone change and General Plan amendment are required because the existing single family zoning which occupies the desired mini storage location does not allow mini-storage. As part of Staff's review of the request we found that the mini-storage facility is a harmless use that creates less of an impact on the

APPROVED: _____

H. Dixon Flynn -- City Manager

surrounding area than a residential subdivision, and forms a buffer between the shopping center and the future residences to the west. The land to the west of the shopping center is currently a vineyard in the County, but is designated in the City's General Plan as PR, Planned Residential.

Although staff found the mini-storage facility to be appropriate for the proposed location, we would not recommend a change in zoning to general commercial or industrial because these zonings would allow the potential development of a use far removed from the mini-storage with no further review by the City. For this reason, Staff recommended PD zoning which allows for all uses when approved by the Planning Commission on a development plan. With this zoning the City maintains control of any changes to the approved development, which removes the potential for an incompatible use to take the place of the mini-storage facility. One stipulation of a PD zone is that it be no less than 10-acres in size; which is why Staff directed the applicant to rezone the entire shopping center to provide a total of 14.2 acres.

For consistency with the General Plan, the land use amendment changing the existing LDR, Low Density Residential designation to NCC, Neighborhood Community Commercial is required. The amendment does not affect the entire shopping center, as does the rezone; the only area requiring the amendment is the narrow strip of residential land. The land use amendment will not impact this area because it is vacant other than portions of it being used as a temporary storm drainage basin for the shopping center. The temporary basin will be moved to the vacant area to the south when development of the mini-storage facility takes place.

The environmental review of this project shows negligible impacts to the project site and surrounding area. One impact requiring mitigation was the lack of a permanent storm drainage facility. The mitigation is simply to provide an on-site temporary storm drainage basin. The temporary basin will be designed to accommodate the existing shopping center as well as the proposed mini storage facility. There being no significant impacts, a recommendation to certify the Negative Declaration ND-00-05 as adequate documentation is warranted.

The requested actions represent the only viable alternatives for this proposal. Staff is pleased with the proposed project because it provides an appropriate use for a parcel of land that was otherwise inadequately proportioned for its intended development.

FUNDING: None required

A handwritten signature in black ink, consisting of a large, stylized 'K' followed by several loops and a long horizontal stroke extending to the right.

Konradt Bartlam
Community Development Director

Prepared by: Community Development Director

Cc: City Attorney

KB/lw

Attachments

Hearing Closed to the Public

The Planning Commission on motion of Commissioner Heinitz, Mattheis second, approved the Use Permit subject to the conditions of the Resolution by the following vote:

AYES: Commissioners: Beckman, Borelli, Crabtree, Heinitz, Mattheis, and
Chairman McGladdery
NOES: Commissioners:
ABSENT: Commissioners: Schmidt
ABSTAIN: Commissioners

The request of Kristmont West, Inc. for:

- 1) **Certification of Negative Declaration ND-00-05 as adequate environmental documentation for the project;**
- 2) **General Plan Amendment from LDR, Low Density Residential to NCC, Neighborhood Community Commercial;**
- 3) **Rezone from C-S, Commercial Shopping and R-1, Single Family Residential to PD, Planned Development; and**
- 4) **Tentative Parcel Map to create 5 parcels from one for property located at 333 South Lower Sacramento Road.**

The above matter was presented to the Commission by Associate Planner Meissner. The project site is currently a single parcel containing 24 acres and is known as the Raley's shopping center. The goal of the request was to separate the parcel into 5 individual parcels. The parcelization will establish individual land areas for existing uses and/or pad sites of the shopping center and for a 3.3 acre mini-storage project to the west of the shopping center. Associate Planner Meissner noted the Rezone request to change to PD was appropriate because it allows for all uses when approved by the Planning Commission on a development plan. The Zoning Ordinance requires PD zones to be no less than 10-acres in size, so that was why the applicant was rezoning the entire shopping center and not just the area for the mini storage. The proposed mini-storage project will be subject to SPARC review. The mini storage will provide a buffer between the rear of Raley's and the future residences west of the project. A recommended condition of approval from Staff to SPARC will be to construct a decorative wall at the westerly property line. Staff was recommending approval of the project.

Commissioner Heinitz asked whether any service trucks would be entering the back of Raley's to deliver goods. He was concerned that the mini storage would create more problems for trucks. Community Development Director Bartlam felt the required improvements for the mini storage project would improve truck movement on site. Commissioner Heinitz also noted the drainage problems located within the center.

Commissioner Mattheis asked if the drainage problem would be addressed and if there were other locations within the City that have mini-storage combined with other uses. Community Development Director Bartlam assured Commissioner Mattheis that the drainage problem would be corrected with the project. He mentioned that the only mini-storage he could suggest is Century Storage on Stockton Street, which has not had problems in that past being located so

close to residences. He noted that the mini storage would be low-key and the parcel it will be built upon is only 140-feet wide.

Chairman McGladdery asked about the southern parcel (Parcel 3) that was not assigned a designation. He was concerned that future access to Parcel 3 could become a problem and possibly the parcel could become "Land-locked."

Hearing Opened to the Public

Steve Pechin, Baumbach & Piazza. Mr. Pechin noted that homes could not be built on the site where the proposed mini-storage facility is to be built because the parcel is not shaped for it. The project functions on the property and any changes to the site would need to be reviewed by the Planning Commission. The drainage problems that currently exist will be addressed with bigger rerouted pipes and a larger basin. Parcel 3 was being created in the hope that the owner will be able to market the parcel.

Chairman McGladdery questioned if the drainage pond will be landscaped. Mr. Pechin replied that a chain link fence would encompass the pond.

Commissioner Heinitz was concerned about the capacity and size of the basin. Mr. Pechin responded that he would consider the entire site and use City Standards for proper sizing. He would not make the situation any worse than what it is currently.

Sandy Sandoval, Managing partner for Kristmont West, Inc. Mr. Sandoval was approached by Sierra Storage to build a mini-storage facility. In three other locations, they have built mini-storage facilities behind their stores without any problems. He stated that they would also like to bring the shopping center up-to-date. He was desirous of moving forward with the retention pond to resolve current drainage problems on site.

Steve Opp, 206 Rainer Dr, Lodi. Mr. Opp felt that the proposal was premature due to the City currently studying the Westside Development Master Plan. He wanted the Commission to delay their decision until the Westside Development Master Plan was approved.

Community Development Director Bartlam replied that the 3 major facilities being proposed in the Master Plan would not affect the project or the property in any way. He felt that the project could stand on its own without the Master Plan being in place.

Chairman McGladdery asked what kind of screening would be required for the holding pond. Community Development Director Bartlam noted that there are no requirements for a basin that is considered a drainage pond. He further stated that the Commission had the latitude to require fencing or landscaping for the holding pond.

Commissioner Heinitz pointed out several locations throughout the City that currently, or at one time, housed a drainage basin. He noted that these drainage basins were an eyesore due to inefficient screening from public view.

Hearing Closed to the Public

The Planning Commission on motion of Commissioner Mattheis , Crabtree second, certified Negative Declaration ND-00-05 as adequate environmental documentation for the project by the following vote:

AYES:	Commissioners:	Beckman, Borelli, Crabtree, Heinitz, Mattheis, and McGladdery
NOES:	Commissioners:	
ABSENT:	Commissioners:	Schmidt

ABSTAIN: Commissioners

The Planning Commission on motion of Commissioner Mattheis, Crabtree second, approved the request for a General Plan Amendment from LDR, Low Density Residential to NCC, Neighborhood Commercial subject to the conditions of the Resolution by the following vote:

AYES: Commissioners: Beckman, Borelli, Crabtree, Heinitz, Mattheis, and McGladdery

NOES: Commissioners:

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners

The Planning Commission on motion of Commissioner Mattheis, Crabtree second, approved the Rezone from C-S, Commercial Shopping and R-1, Single Family Residential to PD, Planned Development with an additional condition 5 (D) being added to the resolution, which will read "Landscaped screening be provided around the proposed retention basin subject to staff and SPARC approval." With this change the Resolution was approved by the following vote:

AYES: Commissioners: Beckman, Borelli, Crabtree, Heinitz, Mattheis, and McGladdery

NOES: Commissioners:

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners

The Planning Commission on motion of Commissioner Mattheis, Crabtree second, approved the Tentative Parcel Map to create 5 parcels from one property located at 333 S. Lower Sacramento Road with a change to Item 6) E of the resolution which should read "Temporary public storm drainage facilities will require City Council approval and need to be bonded and under agreement for construction prior to final parcel map filing." The Resolution was approved by the following vote:

AYES: Commissioners: Beckman, Borelli, Crabtree, Heinitz, Mattheis, and McGladdery

NOES: Commissioners:

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners

Steve Pechin asked for clarification of the material to be used for the landscaped screening. Commissioner Mattheis mentioned that whatever screening material is used, it should be visually pleasing. The Commission agreed that the screening should be done with "greenery" and that it should encompass the entire basin.

ANNOUCEMENTS

Community Development Director Bartlam announced that Commissioner Heinitz had volunteered his home to have a barbecue for the Commission, City staff and their families. The date and time will follow.

ADJOURNMENT

As there was no further business to be brought before the Planning Commission, Chairman McGladdery adjourned the session at 9:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lisa Wagner".

Lisa Wagner
Secretary



**MEMORANDUM, City of Lodi, Community Development
Department**

To: Planning Commission
From: Community Development Department
Date: July 26, 2000
Subject: The request of Kristmont West, Inc. for a recommendation of approval to the City Council for a General Plan Amendment from LDR, Low Density Residential to NCC, Neighborhood Community Commercial; a Rezone from C-S, Commercial Shopping and R-1, Single Family Residential to PD, Planned Development; and certification of Negative Declaration ND-00-05 as adequate environmental documentation for the project. As well as the request for approval of a Tentative Parcel Map to create 5 parcels from 1, all located at 333 South Lower Sacramento Road.

SUMMARY

The project proposes to change the existing General Plan Land Use designation for the northernmost 2.12 acres of the residential portion of the parcel from LDR, Low Density Residential to NCC, Neighborhood Community Commercial. The same residential area in addition to 11.92 acres of the C-S zone will also be rezoned to PD, Planned Development (See Rezoning Site Plan). A final step of the project is to create 5 individual parcels from the one existing parcel. The parcelization will establish individual land areas for the existing uses and/or pad sites of the shopping center and for a 3.3 acre mini-storage project to the west of the shopping center. The area at the south end of the project site, which is identified on the tentative parcel map as the Designated Remainder, will maintain its existing zoning and land use designations (See Tentative Map). This General Plan Amendment, Rezone, and Tentative Parcel Map was prompted by the applicant who has plans to develop a mini-storage facility on what is parcel number four on the proposed Tentative Parcel Map.

BACKGROUND

The project site is currently a single parcel containing 24 acres and makes up the south west corner of the intersection of Lower Sacramento Road and Sargent Road (See Vicinity Map). The project site is within the Lodi City Limits and is zoned R-1, Single-Family Residential, R-C-P, Residential Commercial Professional, and C-S, Commercial Shopping. Approximately 15 acres near the corner is zoned C-S, with 6 acres as R-1, and 3 acres as R-C-P. Approximately 9.8 acres of the C-S zoned portion of the site is the existing location of the Westgate Shopping Center, which includes the Raley's Supermarket, Sak's furniture and electronics, the Valley Cinema, a small branch of the Farmer's and Merchants Bank, and the USA gas station. The remaining 14.2 acres are vacant.

The Westgate shopping center was originally established by Use Permit (U-66-40) back in 1966 with the first phase of development occurring later that year. Throughout the

years the Shopping Center slowly developed into what it is today, a relatively small center with 5 businesses.

ANALYSIS

As stated earlier, each of the actions requested by the applicant were made in order to establish a 3.3-acre mini-storage facility with a manager's residence west of the Raley's shopping center (See Self Storage Site Plan). The existing single family zoning does not allow mini-storage, and is too narrow to develop as a viable single family subdivision, which is why the applicant has requested a change in zoning.

Staff finds that the mini-storage facility is an innocuous use that will create less of an impact on the City and the adjacent areas, and will actually form a buffer between the shopping center and the future residences to the west. The area adjacent to the west is currently a vineyard in the County, but is designated in the City's General Plan as PR, Planned Residential.

Although staff believes the mini-storage facility is an appropriate use, we were not prepared to recommend a change in zoning to General Commercial or Industrial because these zonings would allow the potential development of a use far removed from the mini-storage with no further review by the City. We do, however, find that the proposed PD zoning is appropriate because it allows for all uses when approved by the Planning Commission on a development plan. The Planning Commission will review any changes to the approved planned development, which removes the potential for an incompatible use to take the place of the mini-storage facility.

The Zoning Ordinance requires PD zones to be no less than 10-acres in size, so in order meet this requirement staff directed the applicant to rezone the shopping center as well. The new PD zone will encompass parcels 1-5 of the tentative parcel map, which contain a total of 14.2 acres. Staff finds that the PD zoning will benefit the shopping center by allowing greater flexibility in land uses and development standards, and does not harm the City's ability to review changes. The City maintains its ability to review changes in land use and development in the same fashion as the existing C-S, Commercial Shopping zoning. For example, the Vineyard Shopping Center on Kettleman Lane is within a PD zone.

For consistency with the General Plan, a land use amendment changing the existing LDR, Low Density Residential designation to NCC, Neighborhood Community Commercial must take place. The amendment does not affect the entire shopping center as does the rezone, the only area requiring the amendment is the narrow strip of residential land to the west. The land use amendment will not impact the residential strip because it is vacant other than being used as a temporary storm drainage basin for the shopping center. The temporary basin will be moved to the south when development of the mini-storage facility takes place (See Tentative Map).

Staff would also like to point out that the change in zoning and land use will not remove the requirement for Site Plan and Architectural Review Committee (SPARC) approval. Prior to the development of the mini-storage facility, the project will be reviewed by SPARC for its general layout, on-site circulation, landscaping, colors, materials, and general aesthetics.

The request for approval of the tentative map is to simply establish property lines around the required areas for each building or pad site in the shopping center. The property lines will give the owner the ability to sell or lease each building/property separately. Each property will have its own floor area and required parking, but will remain an integral part of the overall shopping center. Access to the parcels will not require any new driveways or modifications to the existing layout. Staff finds that the proposed tentative map will have no physical impact on the shopping center that cannot be mitigated through the normal staff level review and approval process.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council for the General Plan Amendment, Rezone, and certification of Negative Declaration ND-00-05 as adequate environmental documentation for the project. Staff also recommends approval of the Tentative Parcel Map to create 5 parcels from one. All subject to the conditions in the attached resolutions.

Respectfully Submitted,



Mark Meissner
Associate Planner

Reviewed & Concur,



Konradt Bartlam
Community Development Director

KB/MM/lw

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: July 26, 2000

APPLICATION NO's: GPALU-00-2, Z-00-04, 00-P-003, & ND-00-05

REQUEST: The request of Kristmont West, Inc. for a recommendation of approval to the City Council for a General Plan Amendment from LDR, Low Density Residential to NCC, Neighborhood Community Commercial; a Rezone from C-S, Commercial Shopping and R-1, Single Family Residential to PD, Planned Development; and certification of Negative Declaration ND-00-05 as adequate environmental documentation for the project. As well as the request for approval of a Tentative Parcel Map to create 5 parcels from one.

LOCATION: 333 South Lower Sacramento Road

APPLICANT: Kristmont West, Inc.
P.O. Box 6
Fair Oaks, CA 95628

PROPERTY OWNER: Same

Site Characteristics:

The project site is currently a single parcel containing approximately 24 acres and is located at 333 South Lower Sacramento Road, which makes up the south west corner of the intersection of Lower Sacramento Road and Sargent Road (See Vicinity Map). The project site is within the Lodi City Limits and is zoned R-1, Single-Family Residential, R-C-P, Residential Commercial Professional, and C-S, Commercial Shopping. Approximately 15 acres near the corner are zoned C-S, with 6 acres as R-1, and 3 acres as R-C-P. The site is also the existing location of the Westgate Shopping Center, which includes the Raley's Supermarket, Sak's furniture and electronics, the Valley Cinema, a small branch of the Farmer's and Merchants Bank, and the USA gas station.

General Plan Designation: LDR, Low Density Residential; NCC, Neighborhood Community Commercial; O, Office.

Zoning Designation: R-1, Single Family Residential; C-S, Commercial Shopping; R-C-P, Residential Commercial Professional

Property Size: Approx. 24-acres.

Adjacent Zoning and Land Use:

North: County Zoning; PR, Planned Residential
South: PD(16), Planned Development; PQP, Public Quasi Public (Temple Baptist)
East: R-1 & R-2, Single Family Residential; LDR, Low Density Residential
West: County Zoning; P-R, Planned Residential

Neighborhood Characteristics:

The existing Westgate (Raley's) Shopping Center makes up approximately 11 acres of the project site at the corner of Lower Sacramento and Sargent Roads. The areas to the north and west of the project site are outside of the Lodi City Limits and are under the jurisdiction of San Joaquin County. Land to the south and east are within the City limits of Lodi. The area to the north across Sargent Road and the land adjacent to the west are areas consisting entirely of grape vineyards. To the east of the project site across the Woodbridge Irrigation District (WID) Canal and Lower Sacramento Road are single family residences. To the south of the project site is vacant land owned by the Temple Baptist Church that is planned for church uses. There is also a small office building adjacent to the southeast corner of the project site. The site fronts on Sargent Road along its northern boundary and the WID Canal and Lower Sacramento Road along its eastern boundary.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration ND-00-05 was prepared in accordance with the California Environmental Quality Act (CEQA). This document adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated.

PUBLIC HEARING NOTICE:

Legal Notice for the Annexation and Prezone was published on July 15, 2000. A total of 19 notices were sent to all property owners of record within a 300-foot radius of the subject property.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval to the City Council for the General Plan Amendment, Rezone, and certification of Negative Declaration ND-00-05 as adequate environmental documentation for the project. Staff also recommends approval of the Tentative Parcel Map to create 5 parcels from one. All subject to the conditions in the attached resolutions.

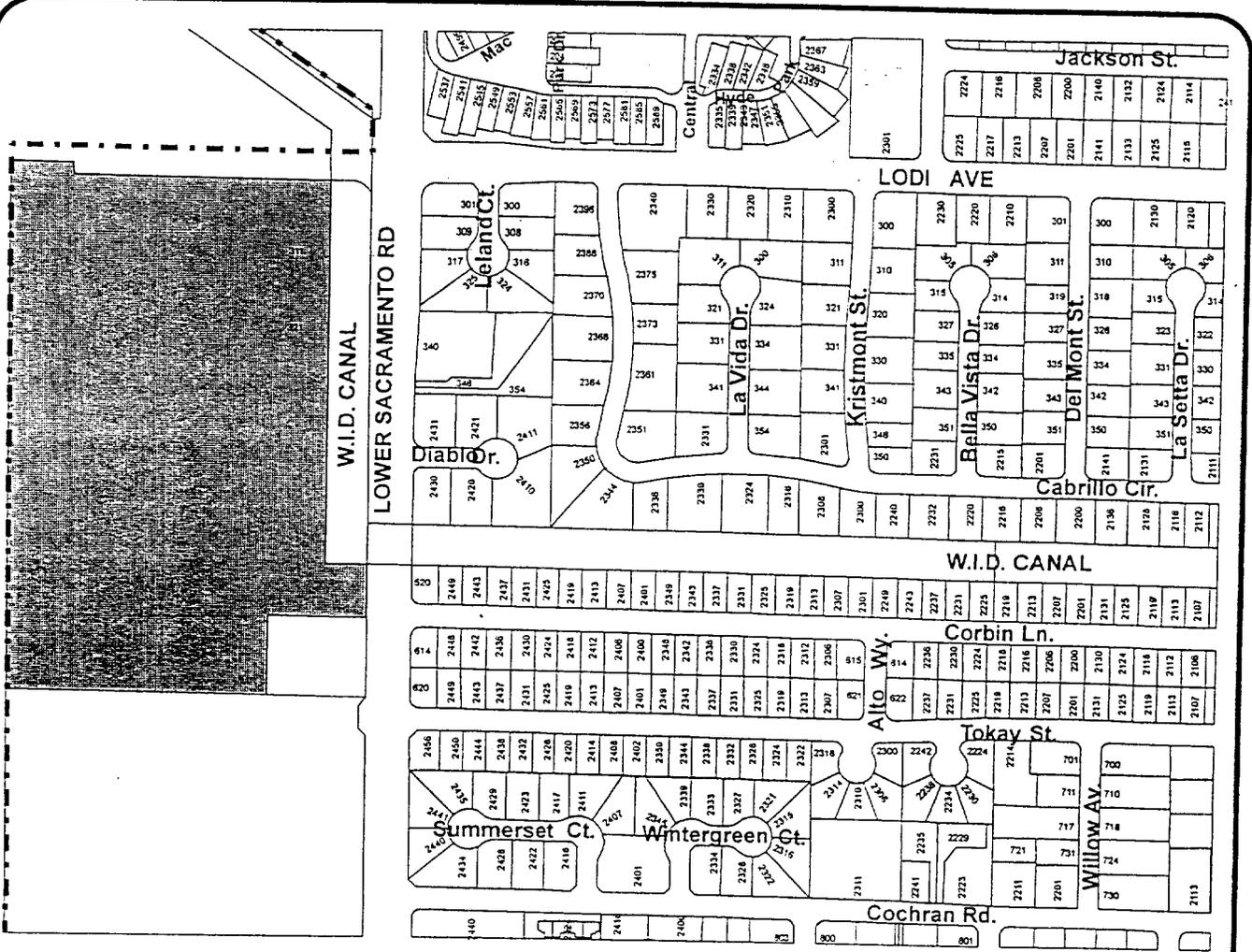
ALTERNATIVE PLANNING COMMISSION ACTIONS:

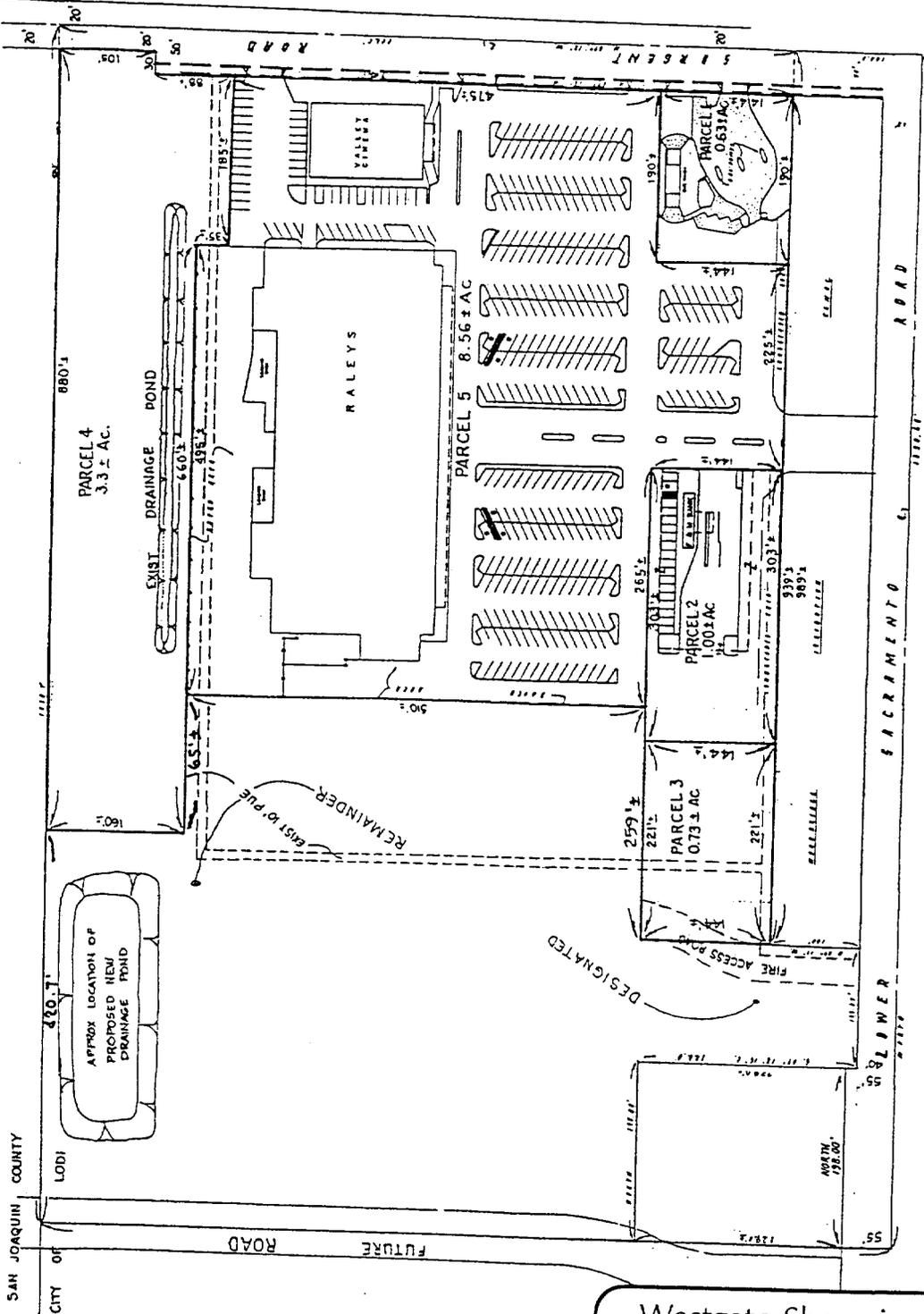
- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

ATTACHMENTS:

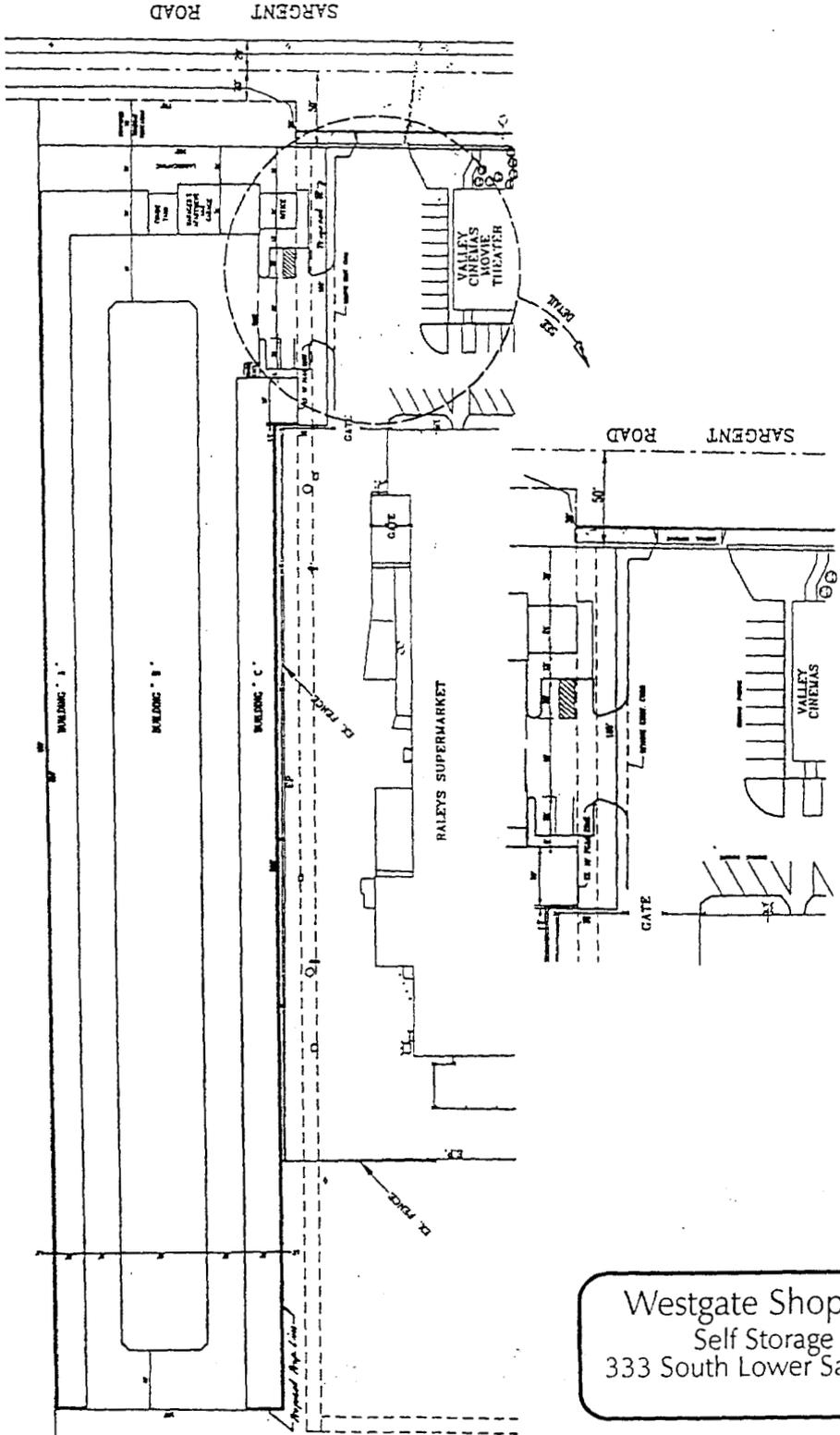
1. Vicinity Map
2. Tentative Parcel Map
3. Rezone Map
4. Self Storage Site Plan
5. Site Utilization Map
6. Negative Declaration
7. Draft Resolutions

VICINITY MAP





Westgate Shopping Center
 Tentative Parcel Map
 333 South Lower Sacramento Road
 00-P-003 07-26-00



Westgate Shopping Center
 Self Storage Site Plan
 333 South Lower Sacramento Road
 07-26-00

NEGATIVE DECLARATION NO. 00-05

FOR

General Plan Amendment,
Rezone And Parcel Map For
The Westgate Shopping Center

File No's.:
GPALU-00-2
Z-00-04
00-P-003

APPLICANT: Kristmont West, Inc.

PREPARED BY:

CITY OF LODI
Community Development Department
P.O. BOX 3006
LODI, CA 95241

June 2000

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CITY OF LODI

General Plan Amendment, Rezone and Parcel Map for the Westgate Shopping Center.

PROJECT DESCRIPTION

The project site is currently a single parcel containing 24 acres and is located at 333 South Lower Sacramento Road, which makes up the south west corner of the intersection of Lower Sacramento Road and Sargent Road (See Vicinity Map). The project site is within the Lodi City Limits and is zoned R-1, Single-Family Residential, R-C-P, Residential Commercial Professional, and C-S, Commercial Shopping. Approximately 15 acres near the corner is zoned C-S, with 6 acres as R-1, and 3 acres as R-C-P. The site is also the existing location of the Westgate Shopping Center, which includes the Raley's Supermarket, Sak's furniture and electronics, the Valley Cinema, a small branch of the Farmer's and Merchants Bank, and the USA gas station.

The project proposes to change the existing General Plan Land Use designation for the northernmost 2.12 acres of the residential portion of the parcel from LDR, Low Density Residential to NCC, Neighborhood Community Commercial. The same residential area in addition to 11.92 acres of the C-S zone will also be rezoned to PD, Planned Development (See Rezoning Site Plan). A final step of the project is to create 5 individual parcels from the one existing parcel. The parcelization will establish individual land areas for the existing uses and/or pad sites of the shopping center and a 3.3 acre mini-storage project to the west of the shopping center. The area at the south end of the project site, which is identified on the tentative parcel map as the Designated Remainder, will maintain its existing zoning and land use designations (See Tentative Map).

ENVIRONMENTAL CHECKLIST FORM

1. Project title:
General Plan Amendment, Rezone and Parcel Map for the Westgate Shopping Center.
2. Lead agency name and address:
City of Lodi-Community Development Department
Box 3006, Lodi, CA 95241
3. Contact person and phone number:
Mark Meissner
Associate Planner
(209) 333-6711
4. Project location:
San Joaquin County, CA.;
333 South Lower Sacramento Road
Lodi, CA 95242.
5. Project sponsor's name and address:
Kristmont West, Inc.
P.O. Box 6
Fair Oaks, CA 95628
6. General plan designations: LDR, Low Density Residential; NCC, Neighborhood Community Commercial; O, Office.
7. Zoning: R-1, Residential Single Family; C-S, Commercial Shopping; R-C-P, Residential Commercial Professional.
8. Description of project: See attached "Project Description"
9. Surrounding land uses and setting: The existing Westgate (Raley's) Shopping Center makes up approximately 11-acres of the project site at the corner of Lower Sacramento and Sargent Roads. The areas to the north and west of the project site are outside of the Lodi City Limits and are under the jurisdiction of San Joaquin County. Land to the south and east are within the City limits of Lodi. The area to the north across Sargent Road and the land adjacent to the west are areas consisting entirely of grape vineyards. To the east of the project site across the Woodbridge Irrigation District (WID) Canal and Lower Sacramento Road are single family residences. To the south of the project site is vacant land owned by the Temple Baptist Church that is planned for church uses. There is also a small office building adjacent to the southeast corner of the project site. The site fronts on Sargent Road along its northern boundary and the WID Canal and Lower Sacramento Road along its eastern boundary.
10. Other public agencies whose approval is required: none.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a (Potentially Significant Impact") by the checklist on the following pages.

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
I. LAND USE AND PLANNING. <i>Would the proposed:</i>				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II POPULATION AND HOUSING. <i>Would the proposal:</i>				
a) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. GEOLOGIC PROBLEMS. <i>Would the proposal result in or expose people to potential impacts involving:</i>				
a) Fault rupture?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Subsidence of land?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
IV. WATER. <i>Would the proposal result in:</i>				
<i>All "No" - Reference Source: See Project Description</i>				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground water, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavation or through substantial loss of ground water recharge capability?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. AIR QUALITY. <i>Would the proposal:</i>				
<i>All "No" Reference Source: Appendix H, #25 & Environmental Setting, Sec. 3.3:</i>				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. TRANSPORTATION/CIRCULATION. <i>Would the proposal result in:</i>				
<i>All "No" Reference Source: See Project Description</i>				
a) Increased vehicle trips or traffic congestion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Hazards to safety from design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. ENERGY AND MINERAL RESOURCES. <i>Would the proposal:</i>				
a) Conflict with adopted energy conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use nonrenewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HAZARDS. <i>Would the proposal involve:</i>				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. NOISE. <i>Would the proposal result in:</i>				
a) Increase in existing noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people to severe noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. PUBLIC SERVICES. <i>Would the proposed have an effect upon, or result in a need for new or altered government services in any of the following areas:</i>				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:*

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS. *Would the proposal:*

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. CULTURAL RESOURCES. *Would the proposal:*

a) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have the potential to cause a physical change which would affect unique ethnic cultural values?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. RECREATION. *Would the proposal:*

a) Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Affect recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in earlier EIR or negative declaration. Section 15063(c)(3)(D).

- a) Earlier analyses used.
None.
- b) Mitigation measures. See Attached Summary for discussion.

SUMMARY OF POTENTIAL IMPACTS

An explanation of potentially significant unless mitigation incorporated or less than significant impacts from the Environmental Checklist Form above. Measures included in this summary shall be treated as mitigation where indicated.

LAND USE AND PLANNING

- I. a) As stated in the title of this initial study, a General Plan amendment and subsequent rezoning will be taking place as part of the project. These actions are necessary in order for the intended mini-storage facility to be an allowable use. The current residential land use designation and zoning would not allow the mini storage facility. The Community Development Department finds that the change in land use, rezoning, and parcel map will not create a significant impact. We also find that the development of the mini storage facility will have less of an impact on the community and the environment than if the area were to develop as single-family residences.

The change in land use from Low Density Residential to Neighborhood Community Commercial and the rezoning establish consistency with the City's General Plan and Zoning Ordinance, therefore reducing any potential impact to less than significant.

UTILITIES AND SERVICE SYSTEMS

- XII. e) The developed portion of the project site was built in 1967. Since this time the City has not had the ability to provide storm drainage to this area, so storm drainage was provided by way of a temporary drainage basin. The proposed mini storage facility is located in the area of the existing temporary drainage basin. The existing temporary basin will be relocated to the south in the undeveloped portion of the project site.

The City's Utilities Master Plan includes the project area in its calculations and design; however, the required permanent storm drainage basin (F-Basin) to serve the properties in the immediate area has not been constructed. In order for the project to be approved and constructed, all of the necessary utilities are required to be designed and installed according to the City's Utilities Master Plan. Sewer, water, and electricity are available to the project site by extending existing utilities to the area; however, storm drainage for this project will require a temporary drainage basin.

The City's Public Works Department will condition the project to design and install a temporary drainage basin. The condition will be made by resolution of the City's Planning Commission and will be written to require a storm drainage master plan with design calculations that shall be approved by the

Public Works Director prior to development. Approval of a storm drainage master plan for this project and the installation of a temporary storm drainage basin will reduce the noted utilities and service systems impacts to a less than significant level. Subsequent installation of the permanent storm drainage basin "F-basin" as specified in the City's Utilities Master Plan will eliminate the utilities impact of this project completely.

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE declaration will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets' if the effect is a "potentially significant impact" or "potentially significant unless mitigated."
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project

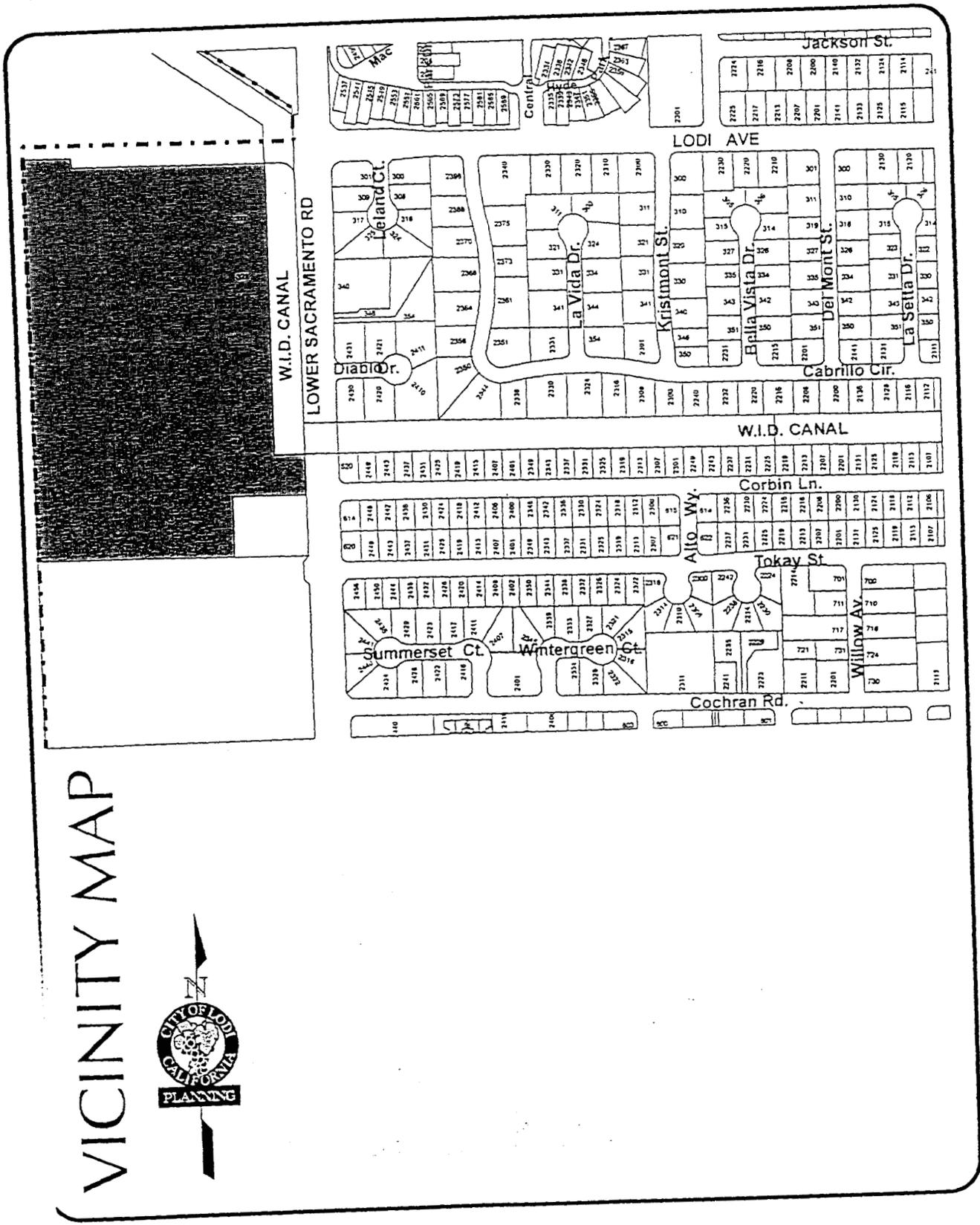
Signature: _____

Date: 6-16-00

Printed Name: Mark Meissner

For: City of Lodi

VICINITY MAP



RESOLUTION NO. P.C. 00-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING APPROVAL OF THE REQUEST OF KRISTMONT WEST, INC. FOR APPROVAL OF GENERAL PLAN LAND USE AMENDMENT 00-2 TO THE LODI CITY COUNCIL.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan Amendment in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the property is located at 333 South Lower Sacramento Road (APN's 027-040-04);

WHEREAS, the project proponent is Kristmont West, Inc., P.O. Box 6, Fair Oaks, CA 95628;

WHEREAS, the property is zoned R-1, Single-Family, C-S, Commercial Shopping, and RCP, Residential, Commercial Professional;

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-00-05 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that approval of the General Plan Amendment will result in good planning practice.
3. It is hereby found that the site is physically suitable for the proposed type of development.
4. The Planning Commission of the City of Lodi hereby recommends approval of General Plan Amendment 00-2 to the City Council of the City of Lodi.

Dated: July 26, 2000

I hereby certify that Resolution No. 00-____ was passed and adopted by the Planning Commission of the City of Lodi at a continued meeting held on July 26, 2000, by the following vote:

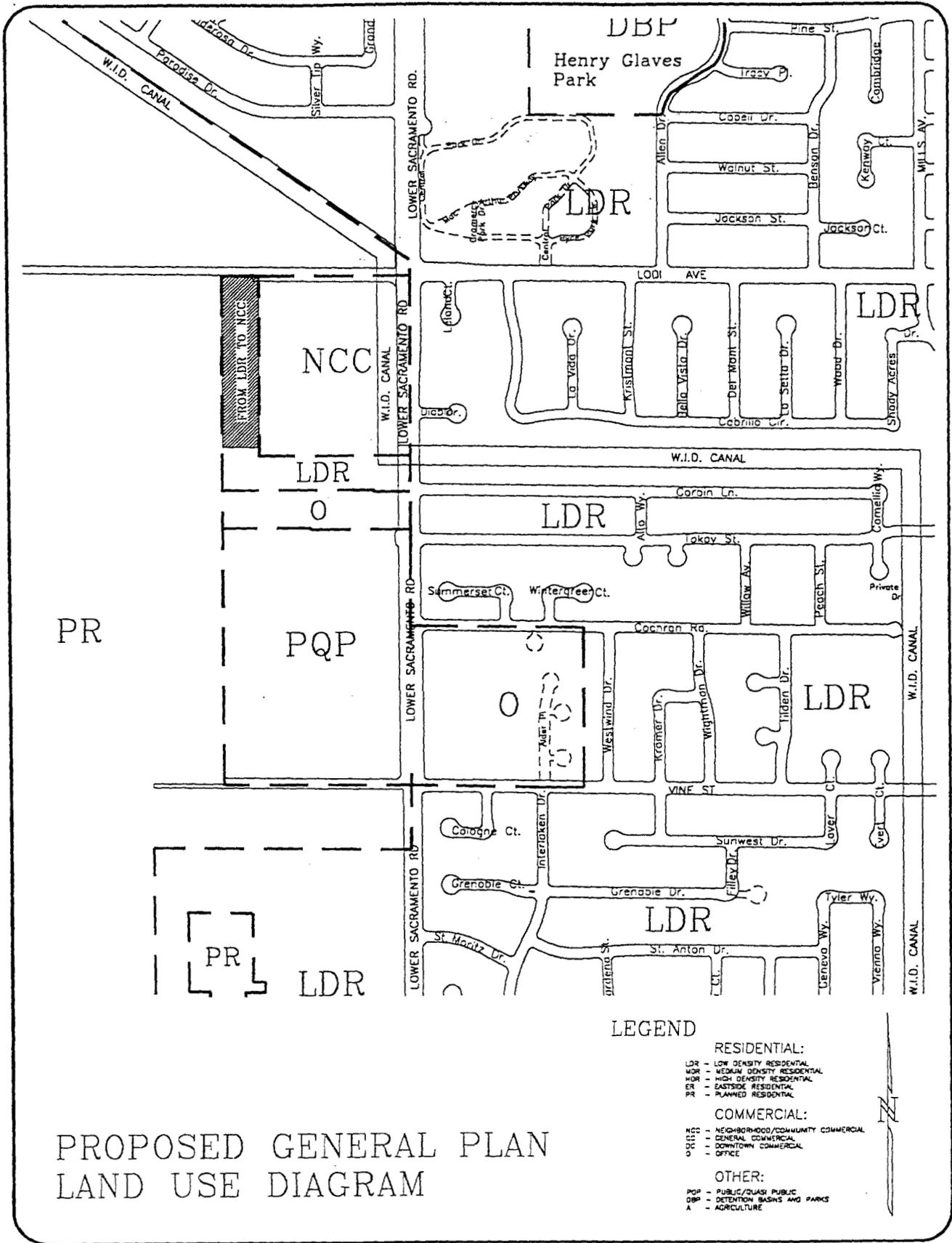
AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

ATTEST: _____
Secretary, Planning Commission



PROPOSED GENERAL PLAN
LAND USE DIAGRAM

- LEGEND**
- RESIDENTIAL:**
- LDR - LOW DENSITY RESIDENTIAL
 - MDR - MEDIUM DENSITY RESIDENTIAL
 - HDR - HIGH DENSITY RESIDENTIAL
 - ER - EASTSIDE RESIDENTIAL
 - PR - PLANNED RESIDENTIAL
- COMMERCIAL:**
- NCC - NEIGHBORHOOD/COMMUNITY COMMERCIAL
 - GC - GENERAL COMMERCIAL
 - DC - DOWNTOWN COMMERCIAL
 - OF - OFFICE
- OTHER:**
- PQP - PUBLIC/QUASI PUBLIC
 - DBP - DETENTION BASINS AND PARKS
 - A - AGRICULTURE

RESOLUTION NO. P.C. 00-15

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
RECOMMENDING APPROVAL OF THE REQUEST OF KRISTMONT WEST, INC. FOR
APPROVAL OF REZONE,
Z-00-04 TO ESTABLISH PD(35) TO THE LODI CITY COUNCIL.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Rezone in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the property is located at 333 South Lower Sacramento Road (APN's 027-040-04);

WHEREAS, the project proponent is Kristmont West, Inc., P.O. Box 6, Fair Oaks, CA 95628;

WHEREAS, the property is zoned R-1, Single-Family, C-S, Commercial Shopping, and RCP, Residential, Commercial Professional;

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-00-05 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that approval of the Rezone will result in good planning practice.
3. It is hereby found that the land of the proposed mini storage facility site is physically suitable for its development.
4. It is further found that the change in zoning will not negatively impact the existing shopping center, or the ability of the City to regulate the project site as a shopping center.
5. The Planning Commission of the City of Lodi hereby recommends approval of Rezone Z-00-04 to the City Council of the City of Lodi with the following conditions:
 - A) The use of Parcel 5 as established on Tentative Parcel Map 00-P-003 shall be limited to the development of a mini storage facility with a manager's residence. Any change in use shall be reviewed and approved by the Planning Commission as an amendment to the development plan of the PD.
 - B) The use of Parcel 3 as established on Tentative Parcel Map 00-P-003 shall be limited to the permitted uses as listed in the Lodi Municipal Code, Chapter 17.30, C-S, Commercial Shopping zone, or otherwise reviewed and approved by the Planning Commission as an amendment to the development plan of the PD.

- C) The setback of the structures of the mini storage facility shall be no less than that of the existing Valley Cinema building or 25-feet, whichever is greater.
- D) Landscaped screening be provided around the proposed retention basin subject to staff and SPARC approval.

Dated: July 26, 2000

I hereby certify that Resolution No. 00-15 was passed and adopted by the Planning Commission of the City of Lodi at a continued meeting held on July 26, 2000, by the following vote:

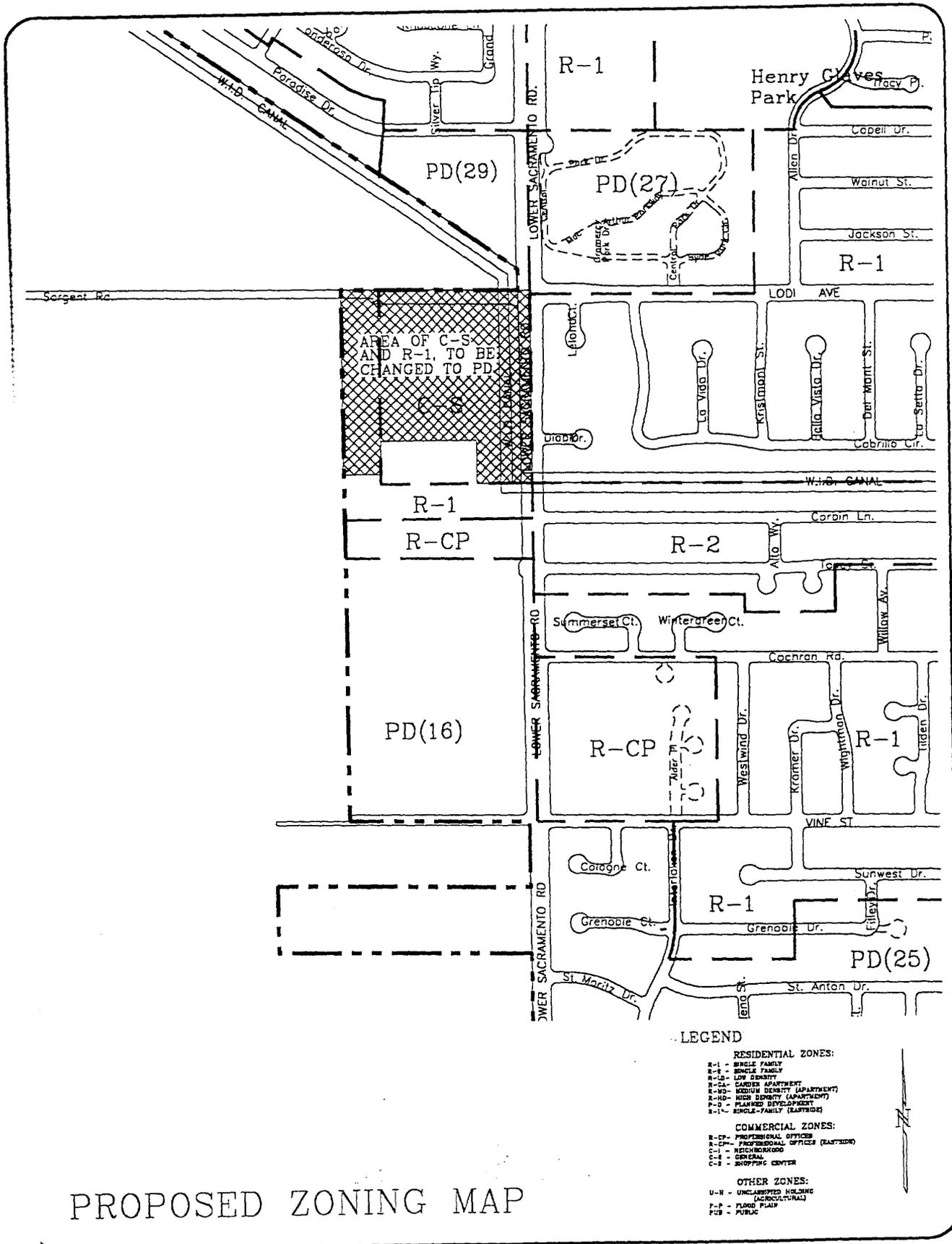
AYES: Commissioners: Beckman, Borelli, Crabtree, Heinitz, Mattheis, and
Chairman McGladdery

NOES: Commissioners:

ABSENT: Commissioners: Schmidt

ABSTAIN: Commissioners:

ATTEST: _____
Secretary, Planning Commission



PROPOSED ZONING MAP

RESOLUTION NO. P.C. 00-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF KRISTMONT WEST, INC. FOR APPROVAL OF A TENTATIVE PARCEL MAP TO CREATE FIVE NEW PARCELS FROM ONE, LOCATED AT 333 SOUTH LOWER SACRAMENTO ROAD

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Tentative Parcel Map in accordance with the Subdivision Map Act and Lodi Municipal Code Chapter 16.12, Parcel Maps;

WHEREAS, the property is located at 333 South Lower Sacramento Road (APN's 027-040-04);

WHEREAS, the project proponent is Kristmont West, Inc., P.O. Box 6, Fair Oaks, CA 95628;

WHEREAS, the property is zoned R-1, Single-Family, C-S, Commercial Shopping, and RCP, Residential, Commercial Professional;

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-00-05 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that approval of the Tentative Parcel Map will result in good planning practice.
3. It is hereby found that neither the design nor planned improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
4. It is hereby found that the Vesting Tentative Subdivision Map is unlikely to cause public health problems.
5. It is further found that approval of the Tentative Parcel Map will not conflict with easements acquired by the public at large for access through or use of the property within the proposed parcel(s).
6. Tentative Parcel Map Application Number: 00-P-003 is hereby approved, subject to the following conditions:
 - A) That the General Plan amendment 00-2 to change a portion of the existing LDR, Low Density Residential district to NCC, Neighborhood Community Commercial district is approved by the Lodi City Council.
 - B) That the Rezoning to change portions of the existing R-1, Single Family Residential zone and C-S, Commercial Shopping Zone to PD(35), Planned Development is approved by the Lodi City Council.

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, final parcel map filing unless noted otherwise:

- C) Dedication of street right-of-way as shown on the tentative map.
- D) Dedication of public utility easements as required by the various utility companies and the City of Lodi.
- E) Temporary public storm drainage facilities will require City Council approval and need to be bonded and under agreement for construction prior to final parcel map filing.

- i) Submit a storm drainage master plan with design calculations in conformance with City of Lodi Design Standards. Master plan shall be to the approval of the Public Works Director or his designee and include the following:
 - a) A temporary drainage basin to serve the site until the future F-Basin is constructed.
 - b) Collection system for all parcels to be served by the temporary drainage basin. System shall be designed for future connection to public storm drain system when public facilities are available.
 - c) Shared use, operations and maintenance agreement for storm water collection system and temporary drainage basin.
 - ii) Submit engineered improvement plans conforming to the above-mentioned master plan for the storm water collection system. Plan submittal shall include an engineer's estimate and soils report in conformance with City of Lodi Design Standards.
- F) Submit final parcel map per City and County requirements including the following:
- i) Waiver of access rights at the Woodbridge Irrigation District (WID) canal except at the existing approved canal crossing.
 - ii) Standard note regarding requirements to be met at subsequent date.
- G) Payment of the following per the Public Works Fee and Service Charge Schedule:
- i) Engineering fees for parcel map check/processing.
 - ii) Engineering plan check and inspection fees for storm drainage collection system and temporary drainage basin construction.

The following items are conditions of approval for the tentative parcel map, but shall be deferred until the time of development or building permit issuance:

- H) Installation/extension of all public utilities and street improvements in Lodi Avenue in conformance City of Lodi master plans, design standards and specifications, and Lodi Municipal Code §15.44 Off-Site Improvements and Dedications.
- All public improvements to be installed under the terms of an improvement agreement to be approved by the City Council.
- I) Engineering and preparation of improvement plans and estimate per City Public Improvement Design Standards for all public improvements prior to issuance of a building permit. Plans to include:
- i) Soils report.
 - ii) Grading, drainage and erosion control plan.
- J) Abandonment/removal of wells, septic systems and underground tanks in conformance with applicable City and County requirements and codes prior to approval of public improvement plans.
- K) Design and installation of public improvements to be in accordance with City master plans.
- L) Acquisition of the following outside the limits of the map:
- i) Street easement north of Parcel 4, if needed, to provide pavement transition on Lodi Avenue (Sargent Road).
- M) Payment of the following:
- i) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.

- ii) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule prior to issuance of a building permit or connection to public utilities, whichever occurs first.
- iii) Wastewater capacity fee at building permit issuance.

The above fees are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.

- N) Obtain the following permits:
 - i) San Joaquin County well/septic abandonment permit.
 - ii) San Joaquin County encroachment permit for work within their right-of-way.
 - iii) Woodbridge Irrigation District permit for improvements within their right-of-way.
- O) The City will participate in the cost of the following improvements:
 - i) Street construction on Lodi Avenue, if in excess of 34 feet.
 - ii) Master plan water mains 10 inches and larger.

The following comments are provided as a matter of information. The items listed are not requirements of the Public Works Department, but indicate conditions normally imposed by other City departments or agencies which affect and/or need to be coordinated with the design and installation of Public Works requirements:

- P) On-site fire protection as required by the Fire Department.
- Q) Landscaping and irrigation system as required by the Community Development Department.
- R) Applicable agreements and/or deed restrictions for access, use and maintenance of shared, private facilities to Community Development Department approval.

Dated: July 26, 2000

I hereby certify that Resolution No. 00-16 was passed and adopted by the Planning Commission of the City of Lodi at a continued meeting held on July 26, 2000, by the following vote:

- AYES: Commissioners: Beckman, Borelli, Crabtree, Heinitz, Mattheis, and Chairman McGladdery
- NOES: Commissioners:
- ABSENT: Commissioners: Schmidt
- ABSTAIN: Commissioners:

ATTEST: _____
Secretary, Planning Commission

ORDINANCE NO. ____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE
OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY
REZONING 333 S. LOWER SACRAMENTO ROAD (APN 027-040-
04) FROM C-S, COMMERCIAL SHOPPING AND R-1, SINGLE-
FAMILY RESIDENTIAL TO PD, PLANNED DEVELOPMENT

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

15-acre parcel located at 333 S. Lower Sacramento Road (APN 027-040-04) is hereby rezoned from CS, Commercial Shopping to PD, Planned Development Zone, as shown on Exhibit "A" attached, which is on file in the office of the City Clerk.

6-acre parcel located at 333 S. Lower Sacramento Road (APN 027-040-04) is hereby rezoned from R-1, Single-Family Residential to PD, Planned Development Zone, as shown on Exhibit "A" attached, which is on file in the office of the City Clerk.

Section 2. A Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. P.C. 00-____.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 6. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 7. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2000

STEPHEN J. MANN
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held September 20, 2000 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2000 by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

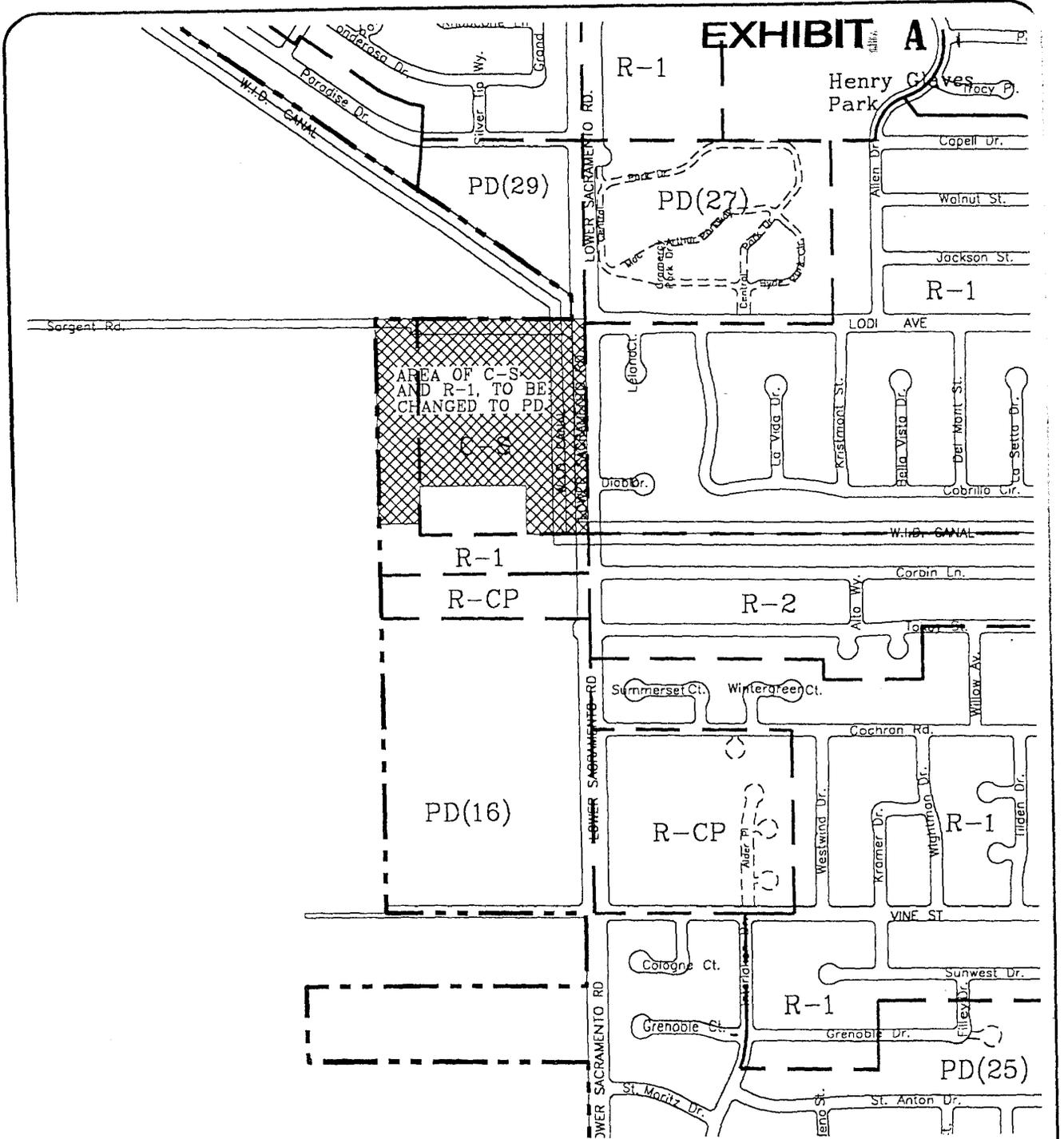
I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

RANDALL A. HAYS
City Attorney

EXHIBIT A



AREA OF C-3 AND R-1, TO BE CHANGED TO PD(16)

LEGEND

- RESIDENTIAL ZONES:**
- R-1 - SINGLE FAMILY
- R-2 - SINGLE FAMILY
- R-1D - LOW DENSITY
- R-2A - GARDEN APARTMENT
- R-2B - MEDIUM DENSITY APARTMENT
- R-2C - HIGH DENSITY APARTMENT
- P-D - PLANNED DEVELOPMENT
- R-1P - SINGLE-FAMILY (RUSTIC)
- COMMERCIAL ZONES:**
- C-1 - PROFESSIONAL OFFICES
- C-2 - PROFESSIONAL OFFICES (EASTSIDE)
- C-1 - NEIGHBORHOOD
- C-2 - GENERAL
- C-3 - SHOPPING CENTER
- OTHER ZONES:**
- U-H - UNCLASSIFIED HOLDING
- F-W - FLOOD PLAIN
- PUB - PUBLIC



PROPOSED ZONING MAP

RESOLUTION NO. 2000-173

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING
THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY
REDESIGNATING THE NORTHERNMOST 2.12 ACRES
LOCATED AT 333 S. LOWER SACRAMENTO ROAD FROM
LDR, LOW DENSITY RESIDENTIAL TO NCC,
NEIGHBORHOOD COMMUNITY COMMERCIAL

=====

BE IT RESOLVED, by the City Council of the City of Lodi, that the Land Use Element of the Lodi General Plan is hereby amended by redesignating the Northernmost 2.12 acres located at 333 S. Lower Sacramento Road from LDR, Low Density Residential, NCC, Neighborhood Community Commercial, as shown on Exhibit "A" attached, which is on file in the office of the Lodi City Clerk; and

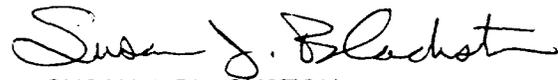
BE IT FURTHER RESOLVED that a Negative Declaration ND-00-05 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. P.C. 00-14 through 00-16.

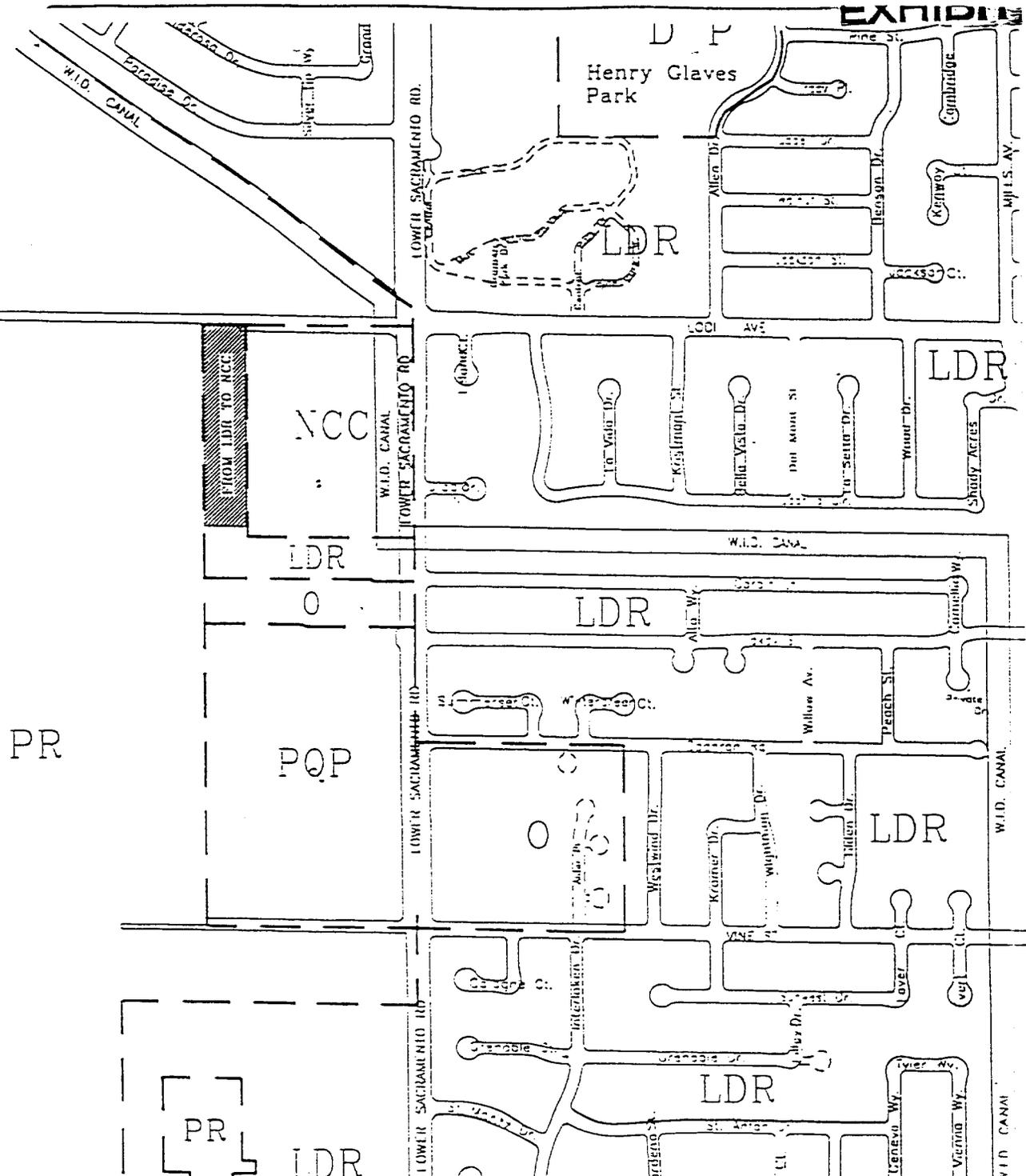
Dated: September 20, 2000

=====

I hereby certify that Resolution No. 2000-173 was passed and adopted by the Lodi City Council in a regular meeting held September 20, 2000 by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Nakanishi, Pennino and Mayor Mann
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – Land

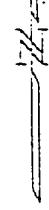

SUSAN J. BLACKSTON
City Clerk



PROPOSED GENERAL PLAN
LAND USE DIAGRAM

LEGEND

- RESIDENTIAL:
- COMMERCIAL:
- OTHER:





CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: September 20, 2000

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 20, 2000** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment from LDR, Low Density Residential to NCC, Neighborhood Community Commercial; rezone from C-S, Commercial Shopping and R-1, Single Family Residential to PD, Planned Development; and certification of Negative Declaration ND-00-05 as adequate environmental documentation on behalf of Kristmont West, Inc. for property located at 333 South Lower Sacramento Road

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: August 16, 2000

Approved as to form:

Randall A. Hays
City Attorney



DECLARATION OF MAILING

Set A Public Hearing For September 20, 2000 to consider Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning on behalf of Kristmont West for property at 333 S. Lower Sacramento Road

On August 17, 2000 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 17, 2000, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

Kristmont West, Inc.
333 S. Lower Sacramento Road

- 1) 02710237;SEIBEL, HERMAN C & PENELOPE A ;2449 W TOKAY ST ;LODI ;CA;95242
- 2) 02704004;KRISTMONT WEST ;PO BOX 2397 ;LODI ;CA;95241
- 3) 02704035;VALLEY LAND CO CORP ;7700 COLLEGE TOWN DR STE 101 ;SACRAMENTO ;CA;95826
- 4) 02704031;TEMPLE BAPTIST CHURCH OF LODI ;801 S LOWER SAC RD ;LODI ;CA;95242
- 5) 02734001;CHASE, RANDALL G ;2431 DIABLO DR ;LODI ;CA;95242
- 6) 02724001;LARKIN, KEITH & DEBORAH ;301 LELAND CT ;LODI ;CA;95242
- 7) 02724009;LIEBIG, G J & GOLDA F ;317 LELAND CT ;LODI ;CA;95242
- 8) ~~02704020;KRISTMONT, WEST ;PO BOX 2397 ;LODI ;CA;95241~~ Duplicate
- 9) 02710102;DAETWEILER, LENARD & ESTHER K ;2449 CORBIN LANE ;LODI ;CA;95242
- 10) 02710103;WOLFF, WESLEY M & V L ;2443 CORBIN LN ;LODI ;CA;95242
- 11) 02710202;WITHERS, JON D & G A ;2448 CORBIN LN ;LODI ;CA;95242
- 12) 02710203;BOYER, HARVEY V SR & INA M TR ;2442 CORBIN LN ;LODI ;CA;95240
- 13) 02710238;JOINES, RYLLIS E TR ;4766 E HARVEST RD ;ACAMPO ;CA;95220
- 14) 02710201;ULLRICH, RONALD ;PO BOX 972 ;LODI ;CA;95241
- 15) 02724002;CASHEROS, NICHOLAS SR & M ;309 LELAND CT ;LODI ;CA;95242
- 16) 02734006;BELLA, BRUNO ;2430 W DIABLO DR ;LODI ;CA;95240
- 17) City Manager
- 18) Gwynneth Beckman, 2026 Cabrillo Ci., Lodi, CA 95242
- 19) DHKS DEV. CO., P.O. BOX 667, LODI, CA 95241