CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct Public Hearing to consider the Planning Commission's recommendation that the City Council adopt an amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackyard Development Plan

MEETING DATE: May 15, 2002

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Approve the Planning Commission's recommendation that the City Council adopt an amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackyard Development Plan.

BACKGROUND INFORMATION: Each year the City allocates residential building permits for a projected 2% growth in population for the current year. The 2001 Growth Allocation Schedule provided 432 residential building permits to allocate. Of the 432 permits, 65% or 281 are for low-density residential units,10% or 43 are for medium-density residential units such as duplexes and townhouses, and 25% or 108 are for high-density residential units such as apartments. As you will see on the "Planning Commission Recommended Building Permit Allocation Schedule" there are now two projects; Almond Wood Estates, and Luckey/Lackyard. Almond Wood Estates has already received its 74 low-density allocations, and the Luckey/Lackyard project is requesting 77 low-density allocations. There are 1,012 low-density allocations available. The number 1,012 is the sum of the 281 allocations from this year and the 741 unused low-density allocations remaining from previous year's allotments and expirations of undeveloped projects. There were no requests for medium or high-density allocations.

In order to obtain building permit allocations, developers submit an application stating the number they are seeking. The number requested corresponds to an approved development plan. Development plans are scored on a set of criteria established by City ordinance. The highest scoring development plans have the greatest chance of receiving their allocation request, the lowest scoring the least chance. The 2001 allocation requests did not exceed the amount available. Competitive scoring, in this instance, did not affect the ability of the development plan to obtain allocations.

Following their Public Hearing, the Planning Commission adopted the Growth Management allocation list below:

	Requested **2001** Allocations	Recommended **2001** Allocations
Almond Wood Estates	74	74
Luckey/Lackyard	77	77
TOTAL	151	151

APPROVED: H. Dixon Flynn -- City Manager

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Luckey/Lackyard: The Luckey/Lackyard Property Development Plan is located at 1041 & 1171 East Harney Lane. The project is generally located in the southwest corner of the City, north of Harney Lane, south of Century Boulevard, east of Lower Sacramento Road, and west of the southern extension of Mills Avenue (see vicinity map). The area of the development plan includes two separate properties that encompass approximately 15.8-acres of land zoned R-2, Single-Family Residential, and is proposed to develop as a 77-lot, single-family residential subdivision.

The project area was annexed to the City as part of the Luckey Company Annexation approved in August of 2001. The area was annexed with the intent of development as single-family residences and a Lodi Unified School District (LUSD) K-6 elementary school.

The applicant submitted this development plan for review as part of the 2001 Growth Management process, but due to the immediate adjacency of the future 13.6-acre elementary school to the north a traffic circulation analysis was required to determine the impact the school's traffic would have on the area. Although not a part of the approved development plan, the proposed K-6 elementary school will have an impact on traffic within and around it. The circulation analysis was used to identify the infrastructure necessary to accommodate the higher traffic volumes, and the development plan was adequately revised.

FUNDING: None required

Konradt Bartlam
Community Development Director

Prepared by: Mark Meissner, Associate Planner

MM

Attachment

MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission

From: Community Development Department

Date: April 10, 2002

Subject: The request of Baumbach and Piazza, Inc. for approval of the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and a recommendation of approval to the City Council to award 77 building permit allocations.

SUMMARY

The Luckey/Lackyard Property Development Plan is located at 1041 & 1171 East Harney Lane. The project is generally located in the southwest corner of the City, north of Harney Lane, south of Century Boulevard, east of Lower Sacramento Road, and west of the southern extension of Mills Avenue (see vicinity map). The area of the development plan includes two separate properties that encompass approximately 15.8-acres of land zoned R-2, Single-Family Residential, and is proposed to develop as a 77-lot, single-family residential subdivision.

The applicant submitted this development plan for review as part of the 2001 Growth Management process, but due to the immediate adjacency of the future 13.6-acre elementary school to the north a traffic circulation analysis was required to determine the impact the school's traffic would have on the area. Although not a part of this approval, the proposed K-6 elementary school will have an impact on traffic within and around this development plan. The circulation analysis was used to identify the infrastructure necessary to accommodate the higher traffic volumes, and the development plan was adequately revised.

BACKGROUND

The City has established a residential growth cap of a 2% population increase per year. In order to provide adequate housing for this projected increase, the City awards residential building permit allocations to project applicants. In order for a developer to receive these allocations they must make an application, which includes a development plan. The development plans are reviewed by staff (Community Development, Public Works, Fire, etc.) for their ability to meet basic engineering, zoning, and land use requirements. The City has a limit on the amount of building permits that can be allocated, and for this reason the projects are competitively scored on 13 different criteria. The criteria are based primarily on a proposed project's location to existing City services. Projects scoring highest may receive a greater recommendation or what can amount to a higher number of allocations than lower scoring projects.

This year the City has 432 residential building permits to allocate. Of the 432 permits, 65% or 281 are for single-family residential units, 10% or 43 are for medium-density residential units such as duplexes and townhouses, and 25% or 108 are for high-density residential units such as apartments. As you will see on the "Staff Recommended Building Permit Allocation Schedule" there are two projects, which have requested single-family allocations. The City has received 151 single-family allocation requests and there are 1,012 available. Please note: The Almond Wood Estates Development Plan has already been reviewed and approved by the Commission and City Council.

The project area was annexed to the City as part of the Luckey Company Annexation approved in August of 2001. The area was annexed with the intent of development as single-family residences and a Lodi Unified School District (LUSD) K-6 elementary school, which is evident by its General Plan land use designations and zoning.

The northern 13.6 acres of the two properties is to be developed by the LUSD as a K-6 elementary school. Further to the north is the undeveloped G-Basin/DeBenedetti Park that fronts on Lower Sacramento Road and Century Boulevard. To the northeast is the developing Century Meadows Four single-family residential subdivision. To the south across Harney Lane are a number of rural residences. To the west is the existing Sunnyside Estates single-family residential neighborhood in the County. To the east are five rural residential parcels in the County.

ANALYSIS

The Growth Management Ordinance was written to establish orderly development at a rate no greater than two percent per year, and to create competition between projects vying for available building permit allocations. Since the establishment of the Growth Management Ordinance in 1991, the City has grown at an average of 1.2% per year. Given that there are only two small projects this year, there is a surplus of building permit allocations and essentially no competition. As required, the projects have been scored; but pending a recommendation of approval from the Planning Commission and subsequent approval from the City Council, this project will be fully allocated and ready to obtain a tentative subdivision map.

This project is within Priority Area Two. Priority Areas One, Two and Three were established with the adoption of the Growth Management Ordinance and were ranked based on the area's proximity to existing development and its ability to connect to existing utilities. The City began approving projects within the 326-acres of Priority Area Two with the Bridgetown, Century Meadows One and Three development plans in 1995. There is about 85.19-acres of the original 473-acres of Priority Area One land remaining. There is approximately 47.52-acres of Priority Area One contained in 11 parcels to the south of the Sunwest Shopping Center fronting Lower Sacramento Road, about 18.22-acres contained in four parcels at the southeast corner of Lodi Fronting Harney Lane and Cherokee Lane, and 19.45-acres in 5 parcels at the northeast corner of South Stockton Street and Almond Drive. The majority (65.74-acres at Lower Sac and Cherokee) of the remaining Priority Area One land is not within the City Limits, and although it would be appropriate to develop this land first, there is no mechanism other than the competitive elements of the Growth Management scoring system to influence it.

The main access to the development plan is from Harney Lane at its south boundary. Lower Sacramento Road will be accessible through the Sunnyside Estates along Tehama Drive to the west. Upon development of the school the Lodi Unified School District will be required to make a connection to Mills Avenue. Century Boulevard will be accessible to bikes and pedestrians by a pathway connecting this development and school to Heavenly Way to the north.

This Development Plan is designed to build out at approximately 4.9 dwelling units per acre with an average lot size of around 6,300 square-feet. This density and lot size is consistent with the R-2, single-family zoning of this property and the developments to the north and east.

As with all residential subdivisions that rear to a street, the City requires a reverse frontage wall and landscaping. This project is conditioned to provide a 15-foot area at the Harney Lane frontage that contains the curb, landscaping, meandering sidewalk, and 7-foot tall decorative masonry wall. Staff is also recommending the standard residential street design, which includes a parkway and bow-outs at various intersections.

With the southern portions of the three Century Meadows developments to the east preparing for development in the near future, staff finds the addition of the Luckey/Lackyard Property Development Plan appropriate and timely. Each of the Century Meadows developments have been delayed because of the expense of the installation of the required sewer lift-station to be located on the southeast corner of the intersection of Mills Avenue and Harney Lane. Staff finds that the Luckey/Lackyard Property Development Plan will be a welcomed contributor to this necessary infrastructure.

As mentioned in the summary, the processing of this growth management development plan is out of sync given that the application was made in 2001 and is recommended for approval in 2002. We find that the traffic study to determine the schools impacts delayed approval of the residential project area,

and that the delay should not penalize the project to be reviewed as part of the 2002 growth management process. Furthermore, with the number of unused allocations and no anticipated low-density projects for 2002, we felt comfortable moving forward.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Luckey/Lackyard Property Development Plan, and recommend approval of the requested allocations to the City Council, subject to the conditions set forth in the attached Resolution.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the Luckey/Lackyard Property Development Plan with Alternate Conditions
- Deny the Development Plan
- Continue the Request

Respectfully Submitted,

Mark Meissner
Associate Planner

Reviewed and Concur,

Konradt Bartlam
Community Development Director

MGM/mgm

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE:	April 10, 2002
APPLICATION NO'S:	Growth Management Development Plan GM-01-002
REQUEST:	The request of Baumbach and Piazza, Inc. for approval of the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and a recommendation of approval to the City Council to award 77 building permit allocations.
LOCATION:	1041 & 1171 East Harney Lane (058-230-11 & 12)
APPLICANT:	Baumbach and Piazza 323 West Elm Street Lodi, CA 95240
OWNERS:	Parcel (058-230-11) Selma Grilli, Revocable Trust c/o David Grilli 2495 West March Lane Stockton, CA 95207 Parcel (058-230-12) Susan Lackyard 1477 East Harney Lane Lodi, CA 95240
Site Characteristics:	The subject properties sit within the City of Lodi and are generally located north of Harney Lane, Century Boulevard, east of Lower Sacramento Road, and west of the future extension of Mills Avenue to Harney Lane. More specifically the project site is south of the existing undeveloped DeBenedetti City Park, east of the Sunnyside Estates single family residential subdivision in the County, west of a vacant 8.4-acre parcel and a 1.4-acre parcel with a single family home in the County, and north of a number of rural residences across Harney. The properties are relatively flat with no unusual or extraordinary topographic features. Parcel 11 has historically been used for agricultural purposes and parcel 12 is a fallow vineyard with the portion closest to Harney Lane used as a rural residence.
General Plan Designation:	LDR, Low Density Residential
Zoning Designation:	R-2, Residential Single-Family
Property Size:	Two parcels totaling 29.43 acres. Project Area: 15.8 acres.

Adjacent Zoning and Land Use:

North:	PUB, Public; PQP, Public/Quasi Public
South:	AG-40, General Agriculture (County). PRR, Planned Residential Reserve.
East:	AU-20, Agriculture Urban Reserve (County). PR, Planned Residential.
West:	R-VL, Very Low Density Residential (County). LDR, Low Density Residential.

Neighborhood Characteristics:

The project site is south of the existing undeveloped DeBenedetti City Park and a future Lodi Unified School District K-6 elementary school, east of the Sunnyside Estates single family residential subdivision in the County, west of a vacant 8.4-acre parcel and a 1.4-acre parcel with a single family home in the County, and north of a number of rural residences across Harney Lane.

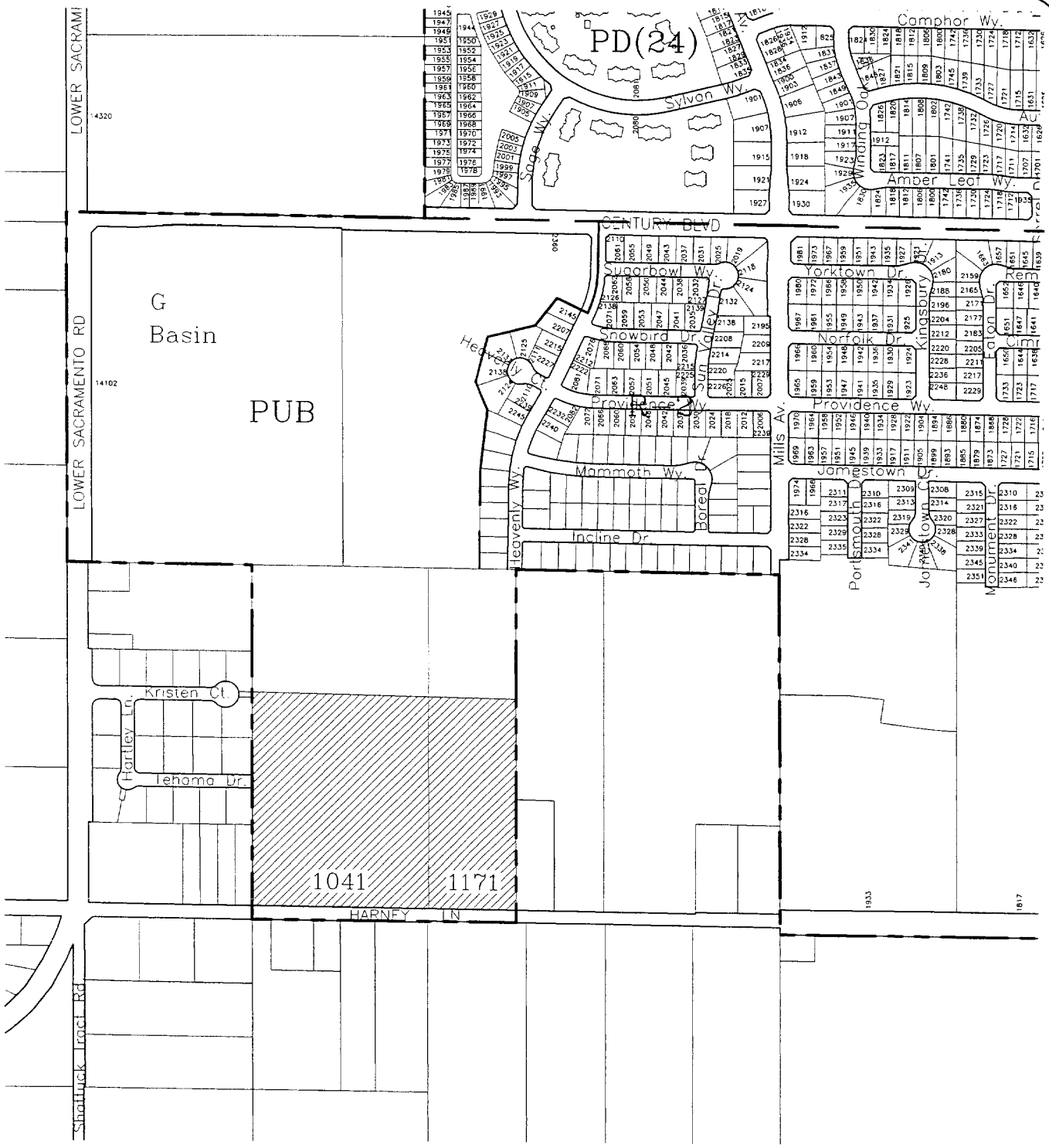
ENVIRONMENTAL ASSESSMENTS:
Negative Declaration ND-01-08 has been prepared in accordance with CEQA. This document adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated; however, mitigation measures have been provided.

PUBLIC HEARING NOTICE:
Legal Notice for the Annexation and Prezone was published on March 30, 2002. A total of 45 notices were sent to all property owners of record within a 300-foot radius of the subject property.

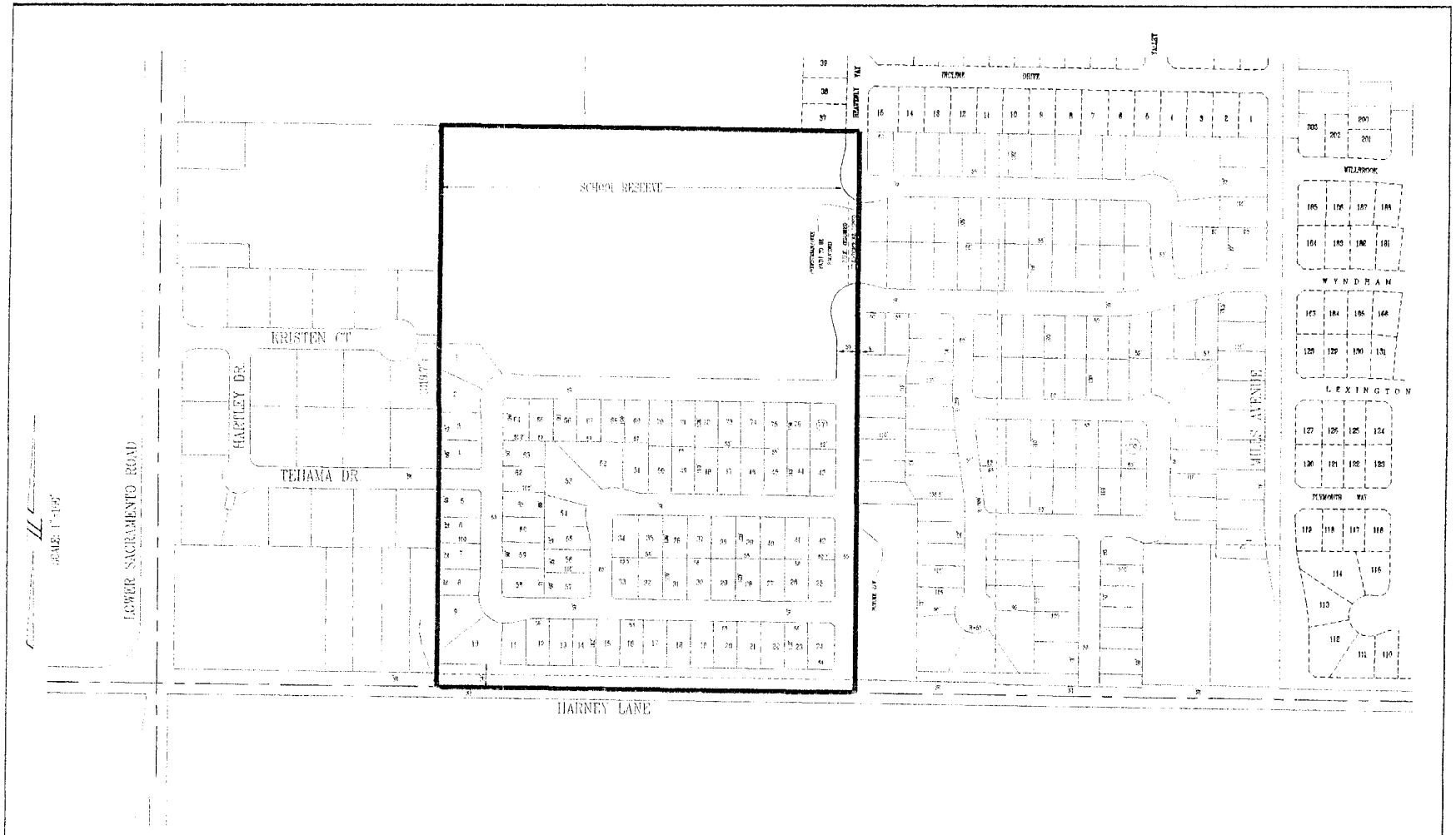
RECOMMENDATION:
Staff recommends that the Planning Commission approve the request of Baumbach & Piazza for the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and recommend approval to the City Council to award 77 building permit allocations, subject to the conditions set forth in the attached resolutions.

ALTERNATIVE PLANNING COMMISSION ACTIONS:
- Approve the Luckey/Lackyard Property Development Plan with Alternate Conditions
- Deny the Development Plan
- Continue the Request

ATTACHMENTS:
1. Vicinity Map
2. Development Plan Map
3. City of Lodi Residential Growth Management Schedule
4. Staff Recommended Building Permit Allocation Schedule
5. City Council Awarded Building Permit Allocations
6. Development Plan Scoring Summary
7. Draft Resolutions
8. Negative Declaration



VICINITY MAP



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NO.	REVISION	DATE	BY	DATE	BY	SCALE 1"=100'	

PREPARED FOR:
LUCENT DEVELOPMENT
6200 AMANDA COURT
STOCKTON CA 95219
463-3910

PREPARED IN THE OFFICE OF:
DAUMBACH & PIAZZA, INC.
CIVIL ENGINEERS
582 WEST 6TH STREET
LODI, CALIFORNIA 95240

ATTACHED SUBJECT TO ADDITIONAL REVIEW AFTER TRAFFIC STUDY IS COMPLETED.

2001 REVISED DEVELOPMENT PLAN #2

DATE 1.09.1
DR. NTB
CHK.
DWG. NO. C-1207

City of Lodi Residential Growth Management Schedule 2001

Adopted: September 18, 1991 under Ordinance #1521

	Year	Population	% Actual Growth	2% Pop. projection	Persons/ Household	Total units per year	Single Fam.@ 65%	Med density @ 10%	High Density @ 25%
	** Sep-89	50,990		1,020	2.572	397	258	40	99
	Sep-90	52,010	2.00%	1,040	2.567	404	263	40	101
	Sep-91	53,050	2.00%	1,061	2.630	403	262	40	101
	Jan-92	53,186	0.26%	1,064	2.664	399	259	40	100
	Jan-93	53,701	0.97%	1,074	2.680	401	261	40	100
	Jan-94	53,903	0.38%	1,078	2.680	402	261	40	101
	Jan-95	54,694	1.47%	1,094	2.697	406	264	41	102
	Jan-96	54,473	-0.40%	1,089	2.662	409	266	41	102
	Jan-97	54,812	0.62%	1,096	2.659	412	268	41	103
	Jan-98	55,681	1.59%	1,114	2.684	415	270	42	104
Historical	Jan-99	56,926	2.24%	1,139	2.695	423	275	42	106
	Jan-00	57,935	1.77%	1,159	2.709	428	278	43	107
	Jan-01	58,600	1.15%	1,172	2.710	432	281	43	108
Projected	Jan-02	59,772	2.00%	1,195	Est. 2.710	441	287	44	110
	Jan-03	60,967	2.00%	1,219	Est. 2.710	450	293	45	113
	Jan-04	62,186	2.00%	1,244	Est. 2.710	459	298	46	115
	Jan-05	63,430	2.00%	1,269	Est. 2.710	468	304	47	117
	Jan-06	64,699	2.00%	1,294	Est. 2.710	477	310	48	119
	Jan-07	65,993	2.00%	1,320	Est. 2.710	487	317	49	122
					TOTALS:	8,113	5,273	811	2,028

** Sep '89 population number equals 2/3 of the population difference of Jan '89 and Jan '90 added to Jan '89
NOTE: Population and persons per household per State Department of Finance.
Actual percentage increases in population may be higher or lower than 2%. Calculation of building permit allocations is based on a 2% increase of the current year population figure.

STAFF RECOMMENDED BUILDING PERMIT ALLOCATION SCHEDULE 2001

TOTAL RESIDENTIAL UNITS TO BE ALLOCATED FOR 2001 = 432

SINGLE FAMILY 65%=1,012 UNITS *

PROJECT	NO. TENTATIVE MAP UNITS	NO. FINAL MAP UNITS	ALLOCATIONS RECEIVED '89-'00	ALLOC. NEEDED TO COMPLETE	REQUESTED ALLOC. 2001	RECOMMENDED ALLOC. 2001
LUCKEY/LACKYARD PROPERTY	0	0	0	77	77	77
ALMOND WOOD ESTATES	0	0	0	74	74	74
	0	0	0	151	151	151

* 731 allocations from expirations and unused allocations from previous years are available.

MEDIUM DENSITY 10%=337 UNITS*

There are no projects to request the 43, year 2001 allocations for medium density units.

* 294 allocations from expirations and unused allocations from previous years are available.

HIGH DENSITY 25%=1,333 UNITS *

There are no projects to request the 108, year 2001 allocations for high density units.

* 1,225 Allocations from the previous years ('89-'00) are available.

CITY COUNCIL AWARDED BUILDING PERMIT ALLOCATIONS 1989-2000

TOTAL RESIDENTIAL UNITS (1989-2000)=4,899

SINGLE FAMILY 65%=3,184 UNITS (1989-2000)

PROJECT	ALLOC.'S REC. '89	ALLOC.'S REC. '90	ALLOC.'S REC. '91	ALLOC.'S REC. '92	ALLOC.'S REC. '93	ALLOC.'S REC. '94 *	ALLOC.'S REC. '95 **	ALLOC.'S REC. '96€	ALLOC.'S REC. '97	ALLOC.'S REC. '98	ALLOC.'S REC. '99	ALLOC.'S REC. '00	ALLOCATION TOTALS
BANG'S RANCH	34	35	35	0	0	19	0	0	0	0	0	0	123
BECKMAN PROPERTY	0	0	0	0	0	0	0	0	0	0	0	46	46
BRIDGETOWN	0	0	0	0	0	0	53	51	36	0	0	0	140
CENTURY MEADOWS 1	16	16	16	0	0	0	52	55	45	0	0	0	200
CENTURY MEADOWS 2	25	26	25	0	29	0	0	0	60	0	0	0	165
CENTURY MEADOWS 3	24	24	25	0	29	0	51	50	0	0	0	0	203
CENTURY MEADOWS 4	29	29	29	33	0	0	0	0	0	0	17	0	137
COLVIN RANCH	20	20	20	0	0	0	0	0	0	0	0	0	60
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
JOHNSON RANCH 2	43	43	43	44	0	0	0	0	0	0	0	0	173
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
LODI WEST	26	27	27	80	55	69	0	0	53	41	0	0	378
PARISIS PROPERTY	0	0	0	0	0	0	39	0	0	0	0	0	39
PERLEGOS PROPERTY	0	0	0	0	0	0	0	0	0	0	0	57	57
RICHARDS RANCH €	0	0	0	0	34	0	0	15	0	0	0	0	49
RIVERPOINTE	0	0	0	0	0	44	0	0	0	0	0	0	44
SASAKI PROPERTY	0	0	0	0	0	0	0	0	0	60	0	0	60
SUNWEST XIV	0	0	0	0	0	0	0	31	36	0	0	0	67
THAYER PROPERTY	0	0	0	0	0	0	34	0	0	0	0	0	34
TSUTAOKA PROPERTY	0	0	0	0	0	0	0	63	0	0	0	0	63
TOWNE RANCH	35	36	36	56	52	151	37	0	6	6	0	0	415
	258	263	262	259	204	318	266	265	236	2	17	103	2,453

* 57 allocations remained from the '93 allocation year, giving the City a total of 318 single family units to allocate for 1994.

** One, 1996 single family allocation was granted to the Parisis property project in '95.

€ Fifteen, 1996 single family allocations were awarded to the Richard's Ranch Project by resolution #96-40.

EXPIRED

CITY COUNCIL AWARDED BUILDING PERMIT ALLOCATIONS 1989-2000

TOTAL RESIDENTIAL UNITS (1989-2000)=4,899

MEDIUM DENSITY 10%=490 UNITS (1989-2000)

PROJECT	ALLOC.'S REC. '89	ALLOC.'S REC. '90	ALLOC.'S REC. '91	ALLOC.'S REC. '92	ALLOC.'S REC. '93	ALLOC.'S REC. '94	ALLOC.'S REC. '95	ALLOC.'S REC. '96	ALLOC.'S REC. '97	ALLOC.'S REC. '98	ALLOC.'S REC. '99	ALLOC.'S REC. '00	ALLOCATION TOTALS
BANG'S RANCH **	18	18	0	0	0	-36	0	0	0	0	0	0	0
LODI WEST	0	0	0	0	57	0	0	0	0	-57	0	0	0
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
LODI ESTATES **	0	0	22	0	0	-22	0	0	0	0	0	0	0
SASAKI PROPERTY	0	0	0	0	0	0	0	0	100	3	0	0	103
SUNWEST GARDEN	0	0	0	0	0	0	0	0	18	0	0	0	18
WOODHAVEN PARK	0	0	0	0	75	0	0	0	0	0	0	0	75
	40	40	28	0	132	-58	0	0	118	-104	0	0	196

* In '93 the Planning Commission awarded 40, 1994 medium density allocations to the Lodi West project.

** The Bangs Ranch and Lodi Estates projects each were awarded single family allocations in place of their medium density allocations.

HIGH DENSITY 25%=1,225 UNITS (1989-2000)

PROJECT	ALLOC.'S REC. '89	ALLOC.'S REC. '90	ALLOC.'S REC. '91	ALLOC.'S REC. '92	ALLOC.'S REC. '93	ALLOC.'S REC. '94	ALLOC.'S REC. '95	ALLOC.'S REC. '96	ALLOC.'S REC. '97	ALLOC.'S REC. '98	ALLOC.'S REC. '99	ALLOC.'S REC. '00	ALLOCATION TOTALS
BENNETT & COMPTON	99	45	0	0	-144	0	0	0	0	0	0	0	0
	99	45	0	0	-144	0	0	0	0	0	0	0	0

* The Bennett and Compton project was awarded 75 medium density allocations under the project name of Woodhaven Park.

EXPIRED

2001 Development Plan Scoring Summary

CRITERIA

PROJECT	A Agricultural Land Conflicts (Adjacency)	B On Site Agricultural Land Mitigation (Buffer)	C General Location (Priority Area)	D1 Relationship to Existing Development	D2 Relationship to Public Services (Wastewater)	D3 Relationship to Public Services (Water)	D4 Relationship to Public Services (Drainage)	E Promotion of Open Space (Percentage)	F Traffic (Street Improvements)	G Housing (Affordability)	H Site Plan and Project Design	I Schools (Proximity)	J Fire Protection (Proximity)	TOTALS
Single Family Projects														
LUCKEY/LACKYARD PROPERTY	5	0	100	5	0	4	4	0	0	0	0	20	10	148
ALMOND WOOD ESTATES	7	0	200	10	10	10	10	0	10	0	0	15	10	282

RESOLUTION NO. P.C. 02-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING APPROVAL TO THE CITY COUNCIL OF THE BUILDING PERMIT ALLOCATION SCHEDULE FOR 2001.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed meeting on the Growth Management Development Plan Allocation Schedule which includes Growth Management Application Number GM-01-001 & 2, in accordance with City Ordinance number 1521, and Resolution number 91-171.

WHEREAS, the project area is made up of the following properties:
1640 South Stockton Street & 1041 E. Harney Lane;

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

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

1. Negative Declarations have 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 these Negative Declarations with respect to the projects identified in this Resolution.

2. The Planning Commission hereby recommends to the City Council, approval of a resolution adopting the Building Permit Allocation Schedule 2001 as identified in this Resolution.

Dated: April 10, 2002

I hereby certify that Resolution No. 02-11 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on April 10, 2002, by the following vote:

AYES: Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree

NOES:

ABSENT: Heinitz

ABSTAIN:

ATTEST: _____
Secretary, Planning Commission

STAFF RECOMMENDED BUILDING PERMIT ALLOCATION SCHEDULE 2001

TOTAL RESIDENTIAL UNITS TO BE ALLOCATED FOR 2001 = 432

SINGLE FAMILY 65%=1,012 UNITS *

PROJECT	NO. TENTATIVE MAP UNITS	NO. FINAL MAP UNITS	ALLOCATIONS RECEIVED '89-'00	ALLOC. NEEDED TO COMPLETE	REQUESTED ALLOC. 2001	RECOMMENDED ALLOC. 2001
LUCKEY/LACKYARD PROPERTY	0	0	0	77	77	77
ALMOND WOOD ESTATES	0	0	0	74	74	74
	0	0	0	151	151	151

* 731 allocations from expirations and unused allocations from previous years are available.

MEDIUM DENSITY 10%=337 UNITS*

There are no projects to request the 43, year 2001 allocations for medium density units.

* 294 allocations from expirations and unused allocations from previous years are available.

HIGH DENSITY 25%=1,333 UNITS *

There are no projects to request the 108, year 2001 allocations for high density units.

* 1,225 Allocations from the previous years ('89-'00) are available.

RESOLUTION NO. PC. 02-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF BAUMBACH AND PIAZZA FOR THE LUCKEY/LACKYARD PROPERTY GROWTH MANAGEMENT DEVELOPMENT PLAN AT 1041 & 1171 EAST HARNEY LANE.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed meeting, as required by law, on the requested development plan to create the Luckey/Lackyard Property Development Plan in accordance with City Ordinance number 1521; Resolution number 91-170.

WHEREAS, the project proponent is Baumbach and Piazza, Inc., 323 West Elm Street, Lodi, CA 95240;

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

WHEREAS, the property is zoned R-2, Single-Family Residential;

WHEREAS, the properties are located at 1041 & 1171 East Harney Lane (APN's 058-230-11 & 12).

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-01-08 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder.

2) It is found that approval of the development plan 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 development plan is unlikely to cause public health problems.

5) It is further found that approval of the development plan will not conflict with easements acquired by the public at large for access through or use of the property within the proposed parcel.

6) Growth Management Application No. GM-01-002 is hereby approved, subject to the following conditions:

   A) The street layout and right-of-way widths shown on the revised plan within the Luckey/Lackyard development boundaries are acceptable. The possible future subdivision layout shown for the adjacent property to the east was reviewed only in the context of the future street connections to Mills Avenue and Heavenly Way that affect the layout for the Luckey/Lackyard property. No approval of the subdivision layout shown for the adjacent property should be inferred.

   B) Construction of pavement transitions are required on Harney Lane. This will require acquisition of street easements from the parcels east and west of the site. Acquisition of the street easements is the responsibility of the developer.

C) Construction of the Harney Lane Lift Station at the future intersection of Harney Lane and Mills Avenue and the associated trunk lines and force mains in Harney Lane and Mills Avenue, respectively, is required to provide wastewater service for this development.

D) If this project is developed in phases, the following improvements shall be constructed with the first phase:

   i) Street and public utility improvements along the entire Harney Lane frontage, including under grounding of existing overhead utilities and installation of a reverse frontage wall, landscaping and irrigation.

   ii) The extension of public utility improvements within the project between Heavenly Way and the new street intersecting Harney Lane.

   iii) Extension of the existing water main in Mills Avenue to Harney Lane and westerly in Harney Lane to the west development boundary. The public water system shall be looped from Harney Lane through the proposed street alignments to the existing public water main in Heavenly Way.

   iv) Traffic striping modifications in Harney Lane.

E) The extension of Heavenly Way and construction of a street connection to Mills Avenue through the adjacent property to the east will be required at the time of development of the proposed school site.

F) The proposed pedestrian/bike path and public utility easement (PUE) along the easterly boundary of the school reserve shall be a minimum of 25 feet in width. The actual width shall be determined when the plans for the underground utilities are available.

G) The reverse frontage wall and landscaping on Harney Lane shall be to the approval of the Public Works Director and Community Development Department. The design of the wall shall be compatible with the existing reverse frontage walls on Harney Lane.

Dated: April 10, 2002

I hereby certify that Resolution No. 02-12 was passed and adopted by the Planning Commission of the City of Lodi at its meeting held on April 10, 2002, by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners:	

ATTEST: _____

Secretary, Planning Commission

NEGATIVE DECLARATION NO. 01-08

FOR

Growth Management Development Plan for The Luckey/Lackyard Property

File No.:
GM-01-002

APPLICANT: Baumbach & Piazza

PREPARED BY:

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

August 2001

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CITY OF LODI

Growth Management Development Plan for The Luckey/Lackyard Property

PROJECT DESCRIPTION

The Luckey/Lackyard Property Development Plan contains a total of approximately 15.8 acres and is located on two contiguous properties: 1041 & 1171 East Harney Lane (APN's 058-230-11 & 12). The project site is near the southwest corner of Lodi. The development plan is within the Lodi City Limits and is zoned R-2, Single-Family Residential with a General Plan Land Use designation of LDR, Low Density Residential. The Luckey/Lackyard Property Development Plan proposes to develop as a 77-lot residential single-family subdivision at a density of 4.9 units per acre.

The Development Plan is south of the existing undeveloped DeBenedetti City Park, east of the Sunnyside Estates single family residential subdivision in the County, west of a vacant 8.4-acre parcel and a 1.4-acre parcel with a single family home in the County, and north of a number of rural residences across Harney Lane.

As stated above the zoning of the project site is R-2 and has a General Plan land use designation of LDR, which is entirely consistent with the proposed project. No modifications to the zoning or general plan land use are necessary.

ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
   Growth Management Development Plan for The Luckey/Lackyard Property
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.;
   Addresses and Parcel Numbers listed above in Project Description
   Lodi, CA 95240.
5 **Project sponsor's name and address:**
   Baumbach & Piazza
   323 West Elm Street
   Lodi, CA 95240
6. **General plan designation: LDR, Low Density Residential**
7. **Zoning: R-2, Residential Single Family**
8. **Description of project: See "Project Description" section above.**
   Surrounding land uses and setting: The subject properties sit within the City of Lodi and are generally located north of Harney Lane, Century Boulevard, east of Lower Sacramento Road, and west of the future extension of Mills Avenue to Harney Lane. More specifically the project site is south of the existing undeveloped DeBenedetti City Park, east of the Sunnyside Estates single family residential subdivision in the County, west of a vacant 8.4-acre parcel and a 1.4-acre parcel with a single family home in the County, and north of a number of rural residences across Harney. The properties are relatively flat with no unusall or extraordinary topographic features. Parcel 11 is agricultural land prepared for row crops and parcel 12 is a fallow vineyard with the portion closest to Harney lane used as a rural residence.
9 **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.

☐ Land Use and Planning	☑ Transportation/Circulation	☑ Public Services
☐ Population and Housing	☐ Biological Resources	☑ Utilities and Service Systems
☑ Geological Problems	☐ Energy and Mineral Resources	☐ Aesthetics
☑ Water	☐ Hazards	☐ Cultural Resources
☑ Air Quality	☐ Noise	☐ Recreation
		☐ Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS:

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

IV. WATER. *Would the proposal result in:* *All "No" - Reference Source: See Project Description*	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	☐	☐	☑	☐
b) Exposure of people or property to water related hazards such as flooding?	☐	☐	☐	☑
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity?	☐	☐	☐	☑
d) Changes in the amount of surface water in any water body?	☐	☐	☐	☑
e) Changes in currents, or the course or direction of water movements?	☐	☐	☐	☑
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?	☐	☑	☐	☐
g) Altered direction or rate of flow of groundwater?	☐	☐	☐	☑
h) Impacts to groundwater quality?	☐	☐	☐	☑
I) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	☐	☑	☐	☐

V. AIR QUALITY. *Would the proposal:* *All "No" Reference Source: Appendix H, #25 & Environmental Setting, Sec. 3.3:*				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	☑	☐	☐
b) Expose sensitive receptors to pollutants?	☐	☐	☐	☑
c) Alter air movement, moisture, or temperature, or cause any change in climate?	☐	☐	☐	☑
d) Create objectionable odors?	☐	☐	☐	☑

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:* *All "No" Reference Source: See Project Description*				
a) Increased vehicle trips or traffic congestion?	☐	☑	☐	☐
b) Hazards to safety from design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
c) Inadequate emergency access or access to nearby uses?	☐	☐	☐	☑
d) Insufficient parking capacity onsite or offsite?	☐	☐	☐	☑
e) Hazards or barriers for pedestrians or bicyclists?	☐	☐	☐	☑
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
g) Rail, waterborne or air traffic impacts?	☐	☐	☐	☑

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?	☐	☐	☐	☑
b) Locally designated species (e.g., heritage trees)?	☐	☐	☐	☑
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	☐	☐	☐	☑
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	☐	☐	☐	☑
e) Wildlife dispersal migration corridors?	☐	☐	☐	☑
VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*				
a) Conflict with adopted energy conservation plan?	☐	☐	☐	☑
b) Use nonrenewable resources in a wasteful and inefficient manner?	☐	☐	☐	☑
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?	☐	☐	☐	☑
IX. HAZARDS. *Would the proposal involve:*				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)?	☐	☐	☐	☑
b) Possible interference with an emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
c) The creation of any health hazard or potential health hazard?	☐	☐	☐	☑
d) Exposure of people to existing sources of potential health hazards?	☐	☐	☐	☑
e) Increased fire hazard in areas with flammable brush, grass, or trees?	☐	☐	☐	☑
X. NOISE. *Would the proposal result in:*				
a) Increase in existing noise levels?	☐	☐	☐	☑
b) Exposure of people to severe noise levels?	☐	☐	☐	☑
XI. PUBLIC SERVICES. *Would the proposed have an effect upon, or result in a need for new or altered government services in any of the following areas:*				
a) Fire protection?	☐	☐	☑	☐
b) Police protection?	☐	☐	☑	☐
c) Schools?	☐	☑	☐	☐
d) Maintenance of public facilities, including roads?	☐	☐	☐	☑
e) Other government services?	☐	☐	☐	☑

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?	☐	☐	☑	☐
b) Communications systems?	☐	☐	☐	☑
c) Local or regional water treatment or distribution facilities?	☐	☐	☑	☐
d) Sewer or septic tanks?	☐	☐	☑	☐
e) Storm water drainage?	☐	☐	☑	☐
f) Solid waste disposal?	☐	☐	☑	☐
g) Local or regional water supplies?	☐	☑	☐	☐
XIII. AESTHETICS. *Would the proposal:*				
a) Affect a scenic vista or scenic highway?	☐	☐	☐	☑
b) Have a demonstrable negative aesthetic effect?	☐	☐	☐	☑
c) Create light or glare?	☐	☐	☐	☑
XIV. CULTURAL RESOURCES. *Would the proposal:*				
a) Disturb paleontological resources?	☐	☐	☐	☑
b) Disturb archaeological resources?	☐	☐	☐	☑
c) Have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	☐	☑
d) Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☑
XV. RECREATION. *Would the proposal*:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?	☐	☐	☑	☐
b) Affect recreation opportunities?	☐	☐	☐	☑

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 or 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?	☐	☐	☐	☑
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☐	☑
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)	☐	☐	☐	☑
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.	☐	☐	☐	☑

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).

Earlier analyses used.

June 1991. City of Lodi General Plan EIR. This area was identified in the Lodi General Plan and discussed in the Environmental Impact Report SCH# 9020206

File No: ND-00-12; Notice of Determination filed June 8, 2001, The Luckey Company Annexation, General Plan Amendment and Pre-zoning. Negative Declaration 01-12, studied the potential impacts of the annexation and zoning of 1041 & 1477 East Harney Lane. The zoning was established as R-2, Single Family Residential. This negative declaration and initial study identified potential impacts for the build-out of the area as a 13.6 acre K-6 elementary school, and a low-density residential subdivision.

a) Mitigation measures. See Attached Summary for discussion.

SUMMARY OF POTENTIAL IMPACTS

An explanation of potentially significant impacts follows. Measures included in this summary shall be treated as mitigation where indicated.

GEOLOGIC PROBLEMS

III b) The Project area is located in the San Joaquin Valley portion of the Central Valley of California. A sequence of sedimentary rocks up to 60,000 feet thick has filled the valley. Basement rocks composed of meta-sediments, volcanics, and granites underlie these deposits. The Midland Fault Zone is the nearest seismic area, and lies approximately 20 miles west of Lodi.

Based upon the inactive status of this fault, the area has not been identified as a Special Studies Zone within the definitions of the Alquist-Priolo Act. However, appropriate construction standards will be utilized to conform to Seismic Zone 3 requirements.

WATER

IV. f & i) This project by itself will not substantially reduce the amount of groundwater available for public water supplies; however, approval of the Luckey/Lackyard Property Development Plan for the development of 77 single-family residences will contribute to the existing decline in the quantity of ground water by creating additional demand on the groundwater basin. According to the City's "Urban Water Management Plan, June 2001," the City of Lodi obtains all of its fresh water supply from 24 existing water wells that pump groundwater from the Longer San Joaquin Valley Groundwater Basin. The Plan states that the City has been over drafting the groundwater basin, which is the cause of the gradual but continued decrease in groundwater levels. "Overall, the average annual decrease in groundwater levels from 1927 to 2000 has been 0.35 feet per year. Generally, groundwater elevations have decreased with the increase in population and water production."

At the time the General Plan was drafted in 1987, water demand stood at 13.7 MGD. In 1991, it had grown to 14.1 MGD. According to estimates prepared in 1991, development provided for by the General Plan would create demand for approximately 7.8 MGD of water, or 76 percent more than the current amount. The "Urban Water Management Plan" provides many recommendations the City could implement to ensure that the City maintains an adequate supply of fresh water. These recommendations include: Developing a conjunctive use program to reduce overall pumping of groundwater, recycling waste water, continuing current water conservation efforts, and adopting many "Best Management Practices" (BMP) water conservation processes established by the California Urban Water Conservation Council. The basic finding of the report is that if the City is going to continue its sole reliance on groundwater, it must establish additional conservation programs or the City will eventually run out of groundwater.

The Luckey/Lackyard Property development plan is under review by the City as required by the City's Growth Management Program. Because of this program, growth within the City of Lodi has not exceeded the limit of providing housing for a 2% population increase per year. In fact, population growth has occurred at an average rate of 1.2% per year since the establishment of the Growth Management Program in 1991. This has reduced the anticipated per capita consumption of water. In addition,

increased water conservation efforts by the City beginning in 1995 have also reduced the per capita consumption of water to less than expected levels.

Even with the existing efforts of the City, water usage of existing homes, businesses, and industry are continuing to overdraft the groundwater basin. For this reason, the City is actively pursuing each of the recommendations cited in the Urban Water Management Plan; however, these recommended efforts are comprehensive to the City as a whole. At this time the City has not established a mechanism to mitigate by compensation or other means the cumulative impact on the City's fresh water supply at the individual project level. For this reason the City of Lodi finds that the Luckey/Lackyard Property development shall, at the time of establishment of the mechanism for compensation, be required to compensate the City on a "fair share" basis for the difference in water consumption between the original use of the land as an irrigated crop and 76 single-family residences. We find that the preceding sentence as well as the continuing effort of the City to regulate water usage and promote water conservation, shall suffice as mitigation to reduce the impacts of the Luckey/Lackyard Property Development Plan on groundwater supply to less than significant.

AIR QUALITY

V.a) The ultimate conversion of the project site to a 77-lot single-family residential subdivision may cause a small decrease in ambient air quality standards and increase air emissions. Increased vehicle trips and emissions in the project area could be considered a substantial impact to an area that was vacant property. Chapter 15, Air Quality, of the City of Lodi General Plan Environmental Impact Report states that "the City of Lodi will coordinate development project review with the San Joaquin County APCD in order to minimize future increases in vehicle travel and to assist in implementing any indirect source regulations adopted by the APCD."

The City of Lodi shall implement a number of impact reducing measures prescribed by the San Joaquin Valley Unified Air Pollution Control District in order to reduce the potential impact from fugitive dust due to earth moving and other construction activities. The measures are listed as follows:

- All material excavated or graded should be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day.

- All clearing, grading earth moving or excavation activities shall cease during periods of high winds greater than 20 mph average over one hour.

- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

- The area disturbed by clearing, earth moving, or excavation activities, should be minimized at all times.

- On-site vehicle speed shall be limited to 15 mph.

By implementing the measures above, the temporary impacts from construction on air quality will be reduced to less than significant levels. In addition, the City is reducing impacts from vehicle emissions by implementing programs for alternate transportation. Programs such as the City's Dial-A-Ride system, which is a door to door service; or the Grape Line, which is a fixed route transit system; or even the City's Bicycle Transportation Master Plan; help to reduce vehicle emissions. The City has recently constructed a Multi-modal station to reestablish train service in Lodi and to centralize the above transportation alternatives in one location. The City's programs along with the programs at the Federal, State, and County levels will help to reduce vehicle emissions created by this project to less than significant levels.

TRANSPORTATION/CIRCULATION

VI. a) Additional vehicle trips will effect transportation patterns relative to existing traffic loads and street capacity in the immediate project area. In order to reduce impacts from additional traffic, "The City shall review new developments for consistency with the General Plan Circulation Element and the Capital Improvements Program. Those developments found to be consistent with the Circulation Element shall be required to pay their fair share of traffic impact fees. Those developments found to be generating more traffic than that assumed in the Circulation Element shall be required to prepare a site-specific traffic study and fund needed improvements not identified in the capital improvements program in addition to paying their fair share of the traffic impact fees." The traffic impact fee will be used to finance future improvements such as traffic signals and street widening projects for older intersections and streets congested by new development.

The entire project site was originally designated in the City's General Plan as PR, Planned Residential so its circulation needs were projected for residential development, which is what is proposed. According to the City's Traffic Engineering of the Public Works Department, the trip rate for single-family residential dwelling units is 10 trips per dwelling unit. The 15.8-acre site will contain 77 dwelling units and generate around 770 daily trips.

Harney Lane adjacent to the south is the main access points to the project area. Harney Lane is planned in the City's Street Master Plan as a minor

arterial designed to accommodate the anticipated residential development of the remaining vacant land in this area. The planned improvements to Harney Lane include right-of-way dedications that will increase the width to four lanes, parking, curb, gutter, sidewalk, landscaping, and reverse frontage wall. These improvements will take place generally along the frontage of the project site. Included in the Street Master Plan are improvements to the remainder of Harney Lane; however, these improvements typically only take place upon development of properties fronting the street being improved.

A "Circulation Analysis for the Luckey/Lackyard Project and Southwest Lodi Elementary School Site" was prepared to identify improvements necessary within the Luckey/Lackyard Project due to school site traffic.

We believe that implementation of the City's Circulation Master Plan based on the General Plan Circulation Element and EIR, specifically the items as listed above, and implementation of design recommendations identified in the Circulation Analysis referenced above, will adequately reduce traffic impacts in the immediate area to less than significant levels.

BIOLOGICAL RESOURCES

VII. a) No State or Federally listed threatened or endangered taxa are found within the immediate project area. However, a check of the California Natural Diversity database indicates the presence within close proximity to the study area of three species with State and/or Federal protective status. The three species are: Swainson's Hawk, California Black Rail, and the Giant Garter Snake. The California Department of Fish and Game lists all three species as "Threatened" species under the California Endangered Species Act. The Black Rail is also listed as a "Federal Candidate Species - Category 2" under the Federal Endangered Species Act. The Giant Garter Snake is also listed as a "Federal Threatened" species.

PUBLIC SERVICES

XI. a, b ,& c) Public services such as police, fire, and schools are currently available for the project area. When the project develops as a residential subdivision, the service needs for the area will increase. In order to provide the expanded service levels for newly development areas, the City assesses development impact mitigation fees.

Funding for added personnel, equipment and facilities to maintain targeted response times and other service levels, reduces the impact on fire and police protection to less than significant levels. The nearest fire station to the project site is Fire Station No.: 3 at 2141 South Ham Lane, which is 1.15 miles from the project site.

A residential project of this size may produce a significant amount of school age children. The new students will attend schools in the Lodi Unified School District. Many of the new students will attend a future elementary school planned for development on the property adjacent to the north of the project site.

In order to alleviate school overcrowding, the developer will be required to pay any school impaction fees that may be in effect at the time of approval. Payment of the school impaction fees will help reduce the impact on school facilities to a less than significant level by providing funding for increased staffing, equipment and facilities. The Lodi Unified School District will enter into an agreement with the owner of the property to pay the required fees. The School District finds these fees to be adequate mitigation for this project's potential impact on existing facilities.

UTILITIES AND SERVICE SYSTEMS

XII. g) The project area was recently annexed to the City so the necessary utilities infrastructure have not been installed. The City's Utilities Master Plan does; however, include the project area in its calculations and design. In order for the project to be approved and constructed, all of the necessary utilities shall be installed according to the City's Utilities Master Plan. Sewer, water, electricity, storm drainage, and phone service are available to the project site by extending existing lines into the area.

The City's Public Works Department will condition the project to design and install all of the necessary utilities and infrastructure. The conditions will be made by resolution of the City's Planning Commission and will be written to require a master plan with design calculations that shall be approved by the Public Works Director prior to development. Approval of a utility master plan for this project and its implementation will reduce utilities and service systems impacts to a less than significant level.

The General Plan EIR points out on page 10-2 that at the time the General Plan was prepared in 1989, there was a design sewer/wastewater treatment capacity of 6.2 MGD. A planned (and later completed) expansion increased capacity to 8.5 MGD in 1991. Assuming that growth was going to continue at the planned two (2) percent annual rate, and that flows would increase at a proportionate rate, the City's White Slough Water Pollution Control Facility (WSWPCF) has adequate capacity for the life of the 20 year plan. Since 1991 when the Growth Management program was first implemented, the residential growth has not reached the two 2% mark. Growth has not even approached two percent, but rather has averaged 1.2% in that time. This being the case, there is estimated to be excess carrying capacity at the WSWPCF, enough to mitigate any impacts of the proposed subdivision to less than significant levels.

The General Plan EIR, page 10-3 outlines the City's storm water collection, distribution, and disposal system. In Lodi, storm water is discharged to the Mokelumne River and the Woodbridge Irrigation District (WID) Canal. Due to the predominant slope to the southwest, most of the drainage flows to the canal. An agreement with the irrigation district limits the discharge rate to the canal to 80 cubic feet per second (cfs). In order to hold the water during peak periods, the City of Lodi employs the use of storm water detention basins, which also double as public parks. In order to meet the increased demand generated by new development, new basins are added as needed.

In the case of the Luckey/Lackyard Property Development Plan, storm water runoff will flow to the DeBenedetti Park/G-Basin located approximately six-hundred feet to the north. By all accounts, sufficient capacity will remain in the City's system to absorb additional runoff from the proposed project, thereby reducing potential adverse impacts from increased storm runoff to less than significant.

Page 10-1 of the General Plan EIR explains that the water supply for the entire City is provided by a groundwater aquifer, tapped into by a system of interconnected City wells. According to our standards, one water well shall be maintained per each 2,000 population. New wells are drilled as necessary to provide an adequate supply commensurate with growth. Further augmenting the City's ability to meet demand, especially during peak periods, is a one million gallon storage tank located east of Highway 99 in the City's industrial district. This tank can be filled during off peak periods and made available during periods of excessive usage. With 24 water wells currently in operation, there is estimated to be a sufficient water delivery system.

Considering the mitigating factors declared in section IV, "Water" above, any impacts on the water supply created as a result of the construction of the proposed Luckey/Lackyard single family residential subdivision are reduced to less than significant levels.

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.**

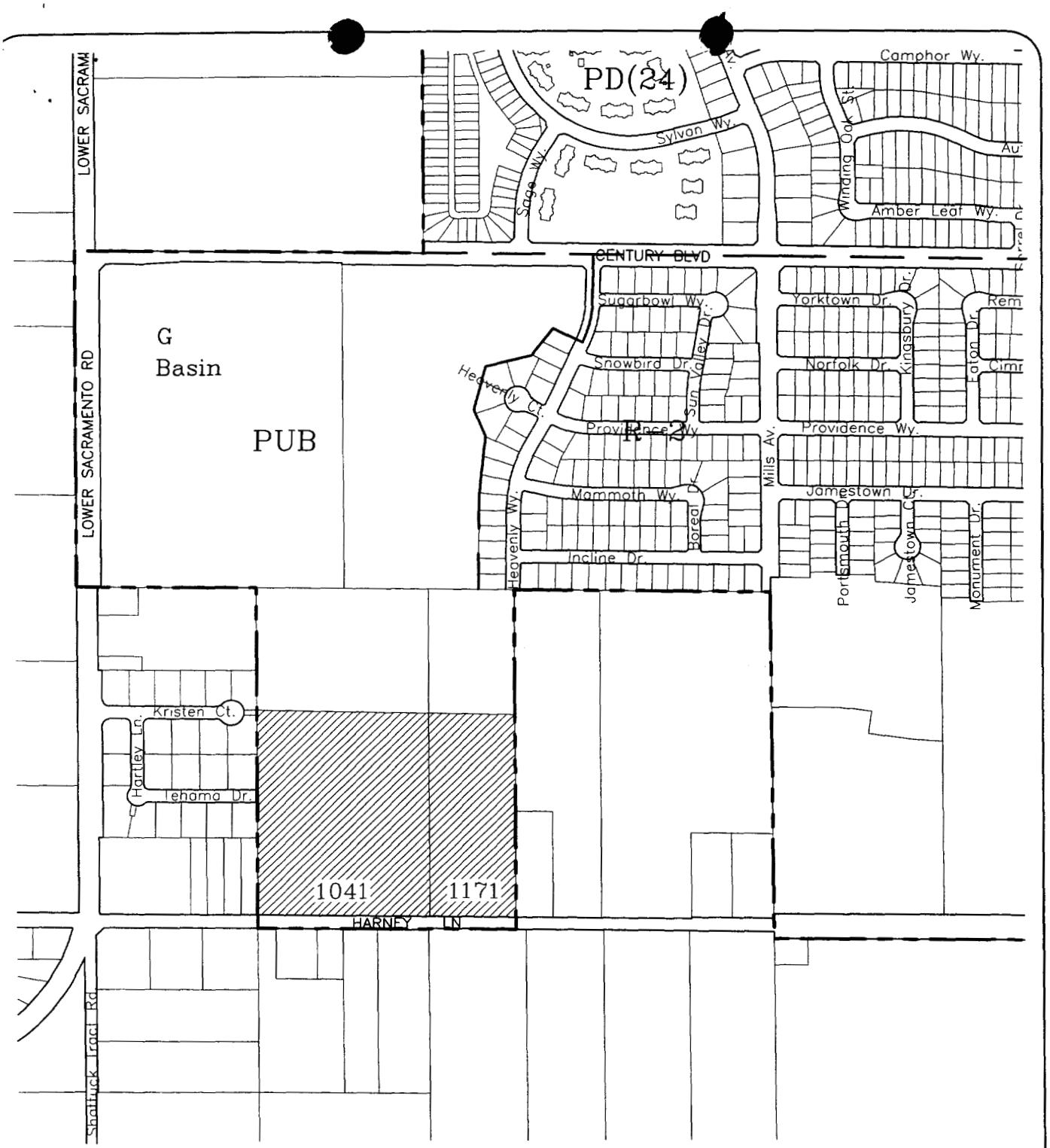
☐ **I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.**

☐ **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:** 9-1-01

Printed Name: Mark Meissner **For:** City of Lodi



VICINITY MAP

Jerry Wisenor, 808 E. Tehama Drive, Lodi. Mr. Wisenor asked what the average lot size would be for the subject project. Mr. Meissner responded approximately 6,000 square feet.

The Planning Commission on motion of Commissioner McGladdery, Mattheis second, approved the request of Concord Development for approval of a Vesting Tentative Subdivision Map for Almond Wood Estates, a 14.5-acre, 74-lot, Single Family Residential Subdivision at 1640 South Stockton Street by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners	

The request of Baumbach and Piazza, Inc. for approval of the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and a recommendation of approval to the City Council to award 77 building permit allocations. Associate Planner Meissner presented the item to the commission. The area of the Development Plan is located in the southwest portion of Lodi and included two separate properties that encompass approximately 15.8 acres of land zoned R-2. Each year the City allocates building permits to keep in check with their 2% growth cap. Currently there are 938 allocations for the year 2001. The northern 13.6 acres of the project has been dedicated for a school. The project will develop at 4.9 units per acre with an average lot size of 6,300 square feet. The subdivision will contain typical subdivision standards with the parkway street design. Developments to the east of the project are preparing for development in the near future and staff found the proposed project to be appropriate and timely and it will be a welcomed contributor to the necessary infrastructure in the area. Staff was in favor of the project.

Commissioner Mattheis asked if Tehama Drive, located just west of the project, would connect to the subdivision. Mr. Bartlam responded that Tehama Drive did stub at the property line of the project and it will be connected to the project for better traffic circulation.

Commissioner Phillips asked why Sunnyside Estates was not being included in the annexation. Mr. Bartlam responded that the City would annex properties into the City only if the property owners decide to be annexed.

Commissioner Beckman asked where the City was on issuing high-density allocations. Mr. Bartlam replied that there had been no high-density allocations requested or made since the inception of the Growth Management Program. He noted that in the future he would be making a presentation regarding the matter to the Commission.

Hearing Opened to the Public

Jerry Wisenor, 808 E. Tehama Drive, Lodi. Mr. Wisenor has lived on Tehama Drive for the past 30 years. Mr. Wisenor's main concern was that duplexes not be allowed within the subdivision. Mr. Luckey, the developer, has reassured him that there will only be single family dwellings built upon the lots. Mr. Wisenor shared that he will be traveling east to gain access to Harney Lane rather than trying to fight traffic on Lower Sacramento Road.

Robert Hathaway, 890 Tehama Drive, Lodi. Mr. Hathaway would like to tie into the City's sewer system that will be installed with the new project.

Terry Piazza, 323 W. Elm Street, Lodi. Mr. Piazza is the Engineer for the project. He noted that the plan being presented was revised as requested by the City Council.

Commissioner Phillips asked what type of homes would be built within the subdivision. Mr. Piazza responded that as far as he knew, it would be single family dwellings and no duplexes.

Maime Starr, Assistant Superintendent of Facilities for LUSD. Ms. Starr stated that they are anxious for the project to move forward so the school could be built.

Gail Lund, Tehama Drive, Lodi. Ms. Lund shared that Sunnyside Estates is an upscale County area consisting of 20 homes with each lot being 1/3 acre in size. She did not want Tehama Drive connected to the new subdivision. She was concerned that housing values would be decreased with the increased traffic.

Alice Zimmerman, 931 E. Harney Lane, Lodi. Ms. Zimmerman's property is located directly next to the project and she had questions regarding fencing and the future widening of Harney Lane. Mr. Bartlam responded there would be a typical 6 to 7-foot fence between the properties. Mr Bartlam suggested that she speak with the developer to gain more information. He shared that Harney Lane will be widened on the north side. He invited her to come to City Hall and speak with himself and the City Engineer regarding the street plan for Harney Lane.

Hearing Closed to the Public

The Planning Commission on motion of Commissioner McGladdery, Mattheis second, approved the request of Baumbach and Piazza, Inc. for approval of the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and a recommendation of approval to the City Council to award 77 building permit allocations by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners:	

Announcements and Correspondence

Community Development Director Bartlam introduced J.D. Hightower, our new City Planner, to the Commission.

ADJOURNMENT

As there was no further business to be brought before the Planning Commission, Chairman Crabtree adjourned the session at 7:50 p.m.

Respectfully submitted,

Lisa Wagner
Secretary

RESOLUTION NO. 2002-100

A RESOLUTION OF THE LODI CITY COUNCIL RESCINDING RESOLUTION NO. 2002-56, AND HEREBY APPROVING THE AMENDED 2001 GROWTH MANAGEMENT ALLOCATIONS

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WHEREAS, the City Council adopted Resolution No. 2002-04 at its meeting of January 2, 2002 approving the 2001 Growth Management Allocations; and

WHEREAS, due to a procedural oversight, this matter was required to be returned back to the Planning Commission and City Council for further review and public hearing; and

WHEREAS, the City Council held a second public hearing on March 20, 2002 to receive public input on the proposed 2001 Growth Management Allocations; and

WHEREAS, at its meeting of March 20, 2002 the City Council rescinded Resolution No. 2002-04 and adopted Resolution No. 2002-56 approving the 2001 Growth Management Allocations; and

WHEREAS, staff recommends approving the Planning Commission's recommendation that the City Council adopt an amended 2001 Growth Management Allocation schedule adding 77 low-density allocations of the Luckey/Lackyard Development Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby rescind Resolution No. 2002-56; and

BE IT FURTHER RESOLVED, that the Lodi City Council does hereby approve the amended 2001 Growth Management Allocations as recommended by the Lodi Planning Commission, as shown as follows:

	Requested 2001 Allocations	Recommended 2001 Allocations
Almond Wood Estates	74	74
Luckey/Lackyard	77	77
TOTAL	151	151

Dated: May 15, 2002

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I hereby certify that Resolution No. 2002-100 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 15, 2002, by the following vote:

AYES: COUNCIL MEMBERS – Howard, Land, Nakanishi, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock

ABSTAIN: COUNCIL MEMBERS – None

SUSAN J. BLACKSTON
City Clerk

PLANNING COMMISSION RECOMMENDED BUILDING PERMIT ALLOCATION SCHEDULE 2001

TOTAL RESIDENTIAL UNITS TO BE ALLOCATED FOR 2001 = 432

SINGLE FAMILY 65%=1,012 UNITS *

PROJECT	NO. TENTATIVE MAP UNITS	NO. FINAL MAP UNITS	ALLOCATIONS RECEIVED '89-'00	ALLOC. NEEDED TO COMPLETE	REQUESTED ALLOC. 2001	RECOMMENDED ALLOC. 2001
LUCKEY/LACKYARD PROPERTY	0	0	0	77	77	77
ALMOND WOOD ESTATES	0	0	0	74	74	74
	0	0	0	151	151	151

* 731 allocations from expirations and unused allocations from previous years are available.

MEDIUM DENSITY 10%=337 UNITS*

There are no projects to request the 43, year 2001 allocations for medium density units.

* 294 allocations from expirations and unused allocations from previous years are available.

HIGH DENSITY 25%=1,333 UNITS *

There are no projects to request the 108, year 2001 allocations for high density units.

* 1,225 Allocations from the previous years ('89-'00) are available.

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **Set Public Hearing for May 15, 2002 to consider Planning Commission recommendation that Council adopt amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackyard Development plan**

PUBLISH DATE: **SATURDAY, MAY 4, 2002**

TEAR SHEETS WANTED: **Three (3) please**

SEND AFFIDAVIT AND BILL TO:

SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MAY 2, 2002

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

Faxed to the Sentinel at 369-1084 at _____(time) on _____(date) _____(pages)
Kelsey _____ Phoned to confirm receipt of all pages at _____(time) ____Jac ___Jen (initials)

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CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: May 15, 2002

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, May 15, 2002** 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 at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) Planning Commission's recommendation that the City Council adopt an amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackyard Development plan.

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: May 1, 2002

Approved as to form:

Randall A. Hays
City Attorney

DECLARATION OF POSTING

Set Public Hearing for May 15, 2002 to consider Planning Commission recommendation that Council adopt amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackhard Development Plan

On Thursday, May 2, 2002 in the City of Lodi, San Joaquin County, California, a copy of Notice of Public Hearing of the City Council of the City of Lodi to consider amending 2001 Growth Management Allocation - Luckey/Lackyard Development Plan (attached hereto, marked Exhibit "A") was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on May 2, 2002 at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk

forms\decpost.doc

DECLARATION OF MAILING

Set Public Hearing for May 15, 2002 to consider Planning Commission recommendation that Council adopt amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackyard Development Plan

On May 2, 2002 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 notification of public hearing to be held on March 20, 2002 regarding Planning Commission recommendation that Council adopt amended 2001 Growth Management Allocations regarding Luckey/Lackyard Development Plan, 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 May 2, 2002, 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

decmail/forms

Mailing List

Luckey/Lackyard Growth Management Allocations

Terry Piazza, Baumbach & Piazza, 323 W. Elm Street, Lodi, CA 95240

Susan Lackyard, 1477 East Harney Lane, Lodi, CA 95240

Tom Luckey, c/o Luckey Properties, 6280 Amande Court, Stockton, CA 95212