



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Conduct a Public Hearing to Consider Adopting a Resolution Approving the Planning Commission's Recommendation to Authorize 145 Low-Density Residential, 55 Medium-Density Residential and 88 High-Density Residential Growth Management Allocations for Van Ruiten Ranch Subdivision

MEETING DATE: May 21, 2014

PREPARED BY: Interim Community Development Director

RECOMMENDED ACTION: Conduct a public hearing to consider adopting a resolution approving the Planning Commission's recommendation to authorize 145 Low-Density residential, 55 Medium-Density residential and 88 High-Density residential Growth Management Allocations for Van Ruiten Ranch Subdivision.

BACKGROUND INFORMATION: The project site annexed into the City of Lodi as part of the Southwest Gateway area. The City of Lodi certified the project EIR, State Clearinghouse No. 2005092096, on March 21, 2006. The Project EIR was prepared as a program-level EIR, pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.).

Subsequently, the City of Lodi adopted the Lodi General Plan in April 2010. This land use document utilizes the same land use designations as the previous annexation documents. The Lodi Zoning/Development Code was adopted in March 2013. On June 17, 2013, Van Ruiten Ranch, Ltd. submitted an application for the Van Ruiten Ranch Subdivision project, which includes a Vesting Tentative Subdivision Map and review of the development standards for the Planned Development Unit.

As part of the City's Growth Management program and subdivision map approval process, the Planning Commission reviews the requests that have been submitted to the City. Following a public hearing, the Commission makes a recommendation for City Council consideration.

On April 9, 2014, the Planning Commission held a public hearing regarding the 2014 Residential Growth Management Development Allocation. At this hearing the Planning Commission reviewed a request by Van Ruiten Ranch, Ltd. for (i) Growth Management Allocation for 145 Low-Density Residential Lots 55 Medium-Density Residential Lots and 88 High-Density Units; (ii) a Vested Subdivision Map for the Proposed Van Ruiten Ranch Subdivision, a 74-acre, 288 unit subdivision; and (iii) adopted Development Standards for the subdivision known as Van Ruiten Ranch Subdivision located within Planned Development 41 Zoning District.

The Commission received a staff report, heard the staff presentation; asked questions of staff as well as the applicant, opened the hearing to the public for testimony in support and in opposition to the application, closed the public hearing and voted 5-0 to recommend the City

APPROVED: _____


Stephen Schwabauer, Interim City Manager

Council approve the applicant's request for 145 Low-Density Residential, 55 Medium-Density Residential, and 88 High-Density growth management allocation units

ANALYSIS

The proposed Vesting Tentative Map would subdivide the project parcel into 145 Low-Density residential single-family lots, 55 Medium-Density residential single-family lots, 1 High-Density lot (5.03 acres – 4.2 acres net) for future development, 1 - 5.83 acre detention basin, 1 - 5.15 acre park site, 1 - 15.2 acre future school site and associated public roadways.

The subject site consists of a vacant 74-acre parcel located at the extension of Century Boulevard, west of Lower Sacramento Road. The parcel represents 74 acres of the 257 acre "Southwest Gateway Project" annexed into the City in 2007. Surrounding land uses include agricultural land to the north, south and west and urban uses to the east. The topography of the site is relatively flat and vineyards make up the entire site.

The allocation system gives priority through point assignments to projects that reduce impacts on services, infrastructure, and resources. The ordinance sets an annual growth limit of two percent of the City's population, compounded annually. Once the number of allocable units is figured, the City requires that the allocation units be distributed among housing types as follows; 65 percent low density, 10 percent medium density and 25 percent high density. The following calculation explains the current City population of **63,651** as of January 1, 2014 and **453** units available for 2014:

1. Calculate two percent of the City's current population: **63,651** x 2% = 1,273.02
2. Divide 1,273 by the average number of persons per household 1,273/2.812 = 452.70
3. Divide the 452.70 (**453** du) units into the 3 housing types:
 - 65% low density = 294 units
 - 10% medium density = 46 units
 - 25% high density = 113 units

In 2013, the City Council expired allocations accumulated since 2008. In the five-year period since 2008, 2,235 allocations were added to the reserve. The Council eliminated 800 Low Density and 1,435 High Density allocations. This Council action created a new balance of **4,674** as detailed below in Table A.

Table A: Growth Management Allocation History

Density	Base Available Allocations		
	Total Available for 2012	2% Allocations for 2013	Total Available for 2013
Low (0.1-7)	2,995	291	3,286
Medium (7.1-20)	557	45	602
High (20.1-30)	1,122	112	1,234
TOTAL	4,674	448	5,122

Table B identifies the available Allocations in 2013, Allocations provided to projects in 2013 and those available for 2014.

Table B: Growth Management Allocation for 2014

	Available Allocations			
	Total Available for 2013	Total Allocated in 2013 (Rose Gate)	2% Allocations for 2014	Total Available for 2014
Low (0.1-7)	3,286	- 232 (3,054)	294	3,348
Medium (7.1-20)	602	- 0 (602)	46	648
High (20.1-30)	1,234	- 0 (1,234)	113	1,347
TOTAL	5,122	4,890	453	5,343

As indicated above in the background discussion, the present project is being reviewed for growth management allocations for 2014. The applicant has submitted an application for 145 Low-Density growth management allocation units (0.1-7 units/acre), 55 Medium-Density growth management allocation units (7.1-20 units/acre) and 88 High-Density growth management allocation units (20 plus units/acre). **Table C** identifies the 2014 Total Allocations, the requested Allocations for the project, and the remaining overall Allocations.

Table C: Growth Management Allocation for Van Ruiten Ranch

Density	Available Allocations			
	Total Available for 2014	Requested Allocation for Van Ruiten Ranch	Remaining Allocations for 2014	Total Remaining for 2014
Low (0.1-7)	3,348	145	145 – 294 (149)	3,203
Medium (7.1-20)	648	55	55 – 46 (-9)	593
High (20.1-30)	1,347	88	88 – 113 (25)	1,259
TOTAL	5,343	288	165	5,055

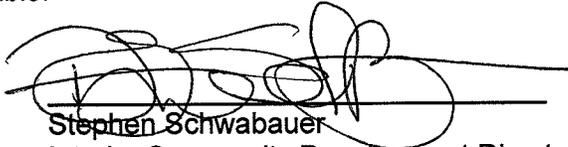
The Growth Management Ordinance includes a priority location area and a point system to assist the City with prioritizing issuance of growth management allocations. The priority location area designates lands available for development and provides development categories of one, two or three, with Priority Area 1 being the first priority area for development. The priority areas are based on availability of city services (e.g., water, wastewater, storm drains, streets, police, fire and parks). The proposed project site is classified as an in-fill project. For scoring purposes in-fill projects are considered Priority Area 1 projects. The point system was established to rate projects based on various project merits in order to determine if one project should be approved before another, particularly if there are more allocation requests than there are available allocations. However, because the City hasn't had growth management allocation requests since 2006, surplus allocations have been accumulated.

The proposed vesting tentative map is consistent with the current General Plan (2010). The proposed exclusively residential development aligns with the residential land use designations and densities assigned to the site in the current General Plan. The site for the proposed subdivision is suitable for the density and type of development proposed in that it is a flat piece of land. The project design of the subdivision and type of improvements proposed would not

conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision in that there are no existing public access easements on the site. The Planning Commission reviewed the project in its entirety and recommended the City Council grant the applicant 145 Low-Density Residential, 55 Medium-Density Residential and 88 High-Density Residential Growth Management Allocations.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.



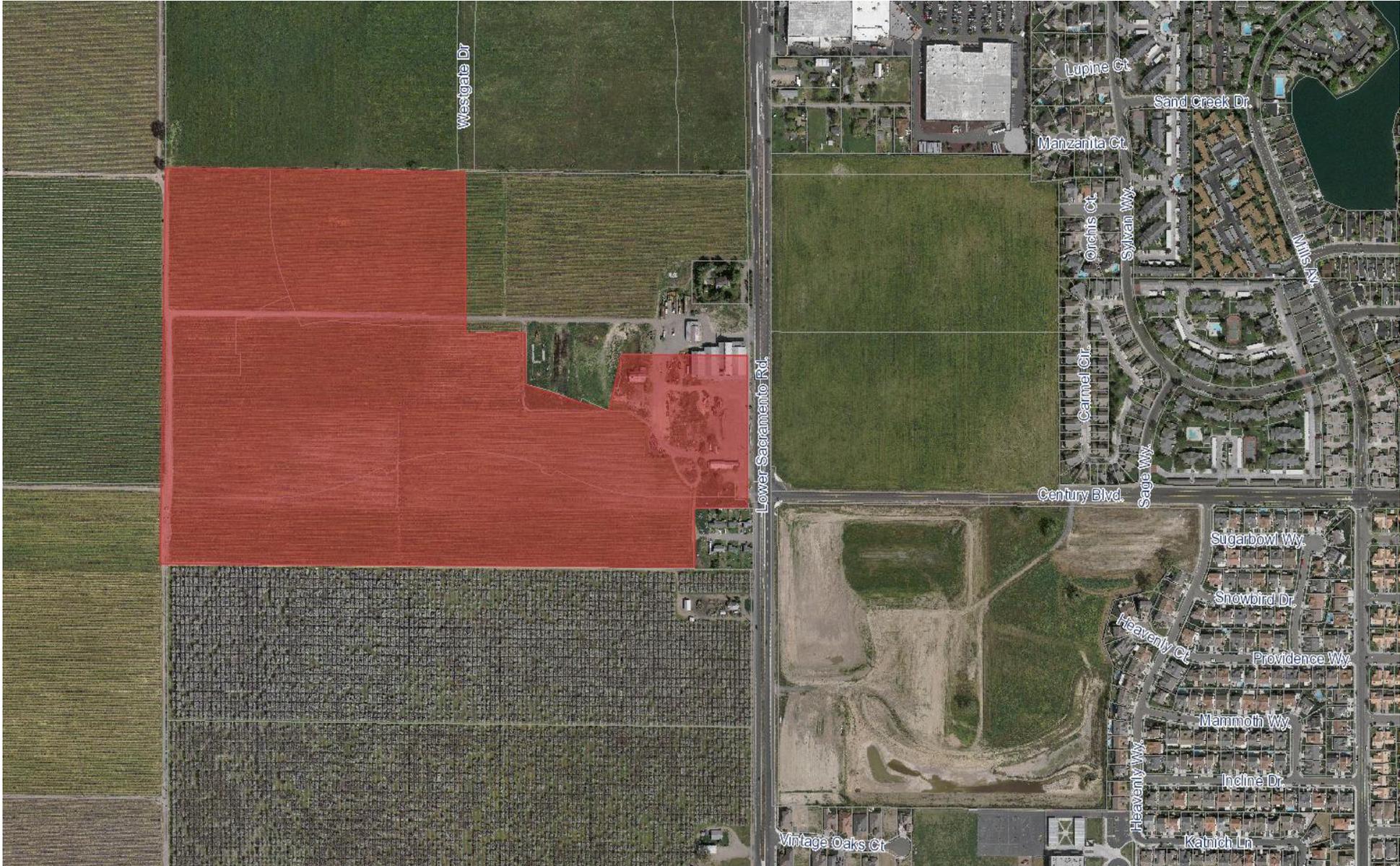
Stephen Schwabauer
Interim Community Development Director

CH

Attachment:

1. Aerial /Vicinity Map
2. Tentative Subdivision Map
3. Planning Commission Staff Report
4. Planning Commission Resolution
5. Planning Commission minutes of April 9, 2014
6. Draft Resolution

VICINITY/ AERIAL MAP



Lower Sacramento Road / Extension of Century Boulevard

**VESTING TENTATIVE MAP
VAN RUITEN RANCH**

BEING A PORTION OF THE WEST HALF
OF SECTION 15, T.3N., R.6E., M.D.B.&M.
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH, 2014 SCALE: 1" = 100'
SHEET 1 of 2

PROPERTY OWNER
VAN RUITEN RANCH, LTD.

DEVELOPER BENNETT DEVELOPMENT
P.O. BOX 1597
LODI, CA 95241-1597
PH: (209) 334-6385

MAP PREPARER: BAUMBACH & PIAZZA, INC.
323 W. ELM ST.
LODI, CA 95240
PH: (209) 368-6618

A.P.N. & SITUS ADDRESS:
A. P. N.: 058-030-14, 15, 17, & 18
SITUS ADDRESS: 14509 NORTH LOWER SACRAMENTO ROAD
LODI, CA 95242

GENERAL PLAN DESIGNATION & PROPOSED ZONING:
GENERAL PLAN DESIGNATION: PR (PLANNED RESIDENTIAL)
ZONING: PD 41 (PLANNED DEVELOPMENT)

PROPOSED PHASING and DENSITY:					
PHASE NO.	LAND USE	GROSS AREA (Acres)	NET AREA (Acres)	# OF UNITS	NET DENSITY
①	MDR	6.92	5.96	45	3,200 SF 8 UPA
	Basin	5.83	4.90	N/A	N/A
	Open Space	0.43	0.17	N/A	N/A
②	LDR	9.30	8.05	35	5,500 SF 4 UPA
	MDR	1.23	1.07	10	3,200 SF 9 UPA
	Park	5.15	4.29	N/A	N/A
③	LDR	9.53	8.52	40	6,000 SF 5 UPA
④	LDR	9.87	8.97	42	6,000 SF 5 UPA
⑤	LDR	5.79	5.79	28	6,000 SF 5 UPA
⑥	HDR	5.09	4.23	88	N/A 21 UPA

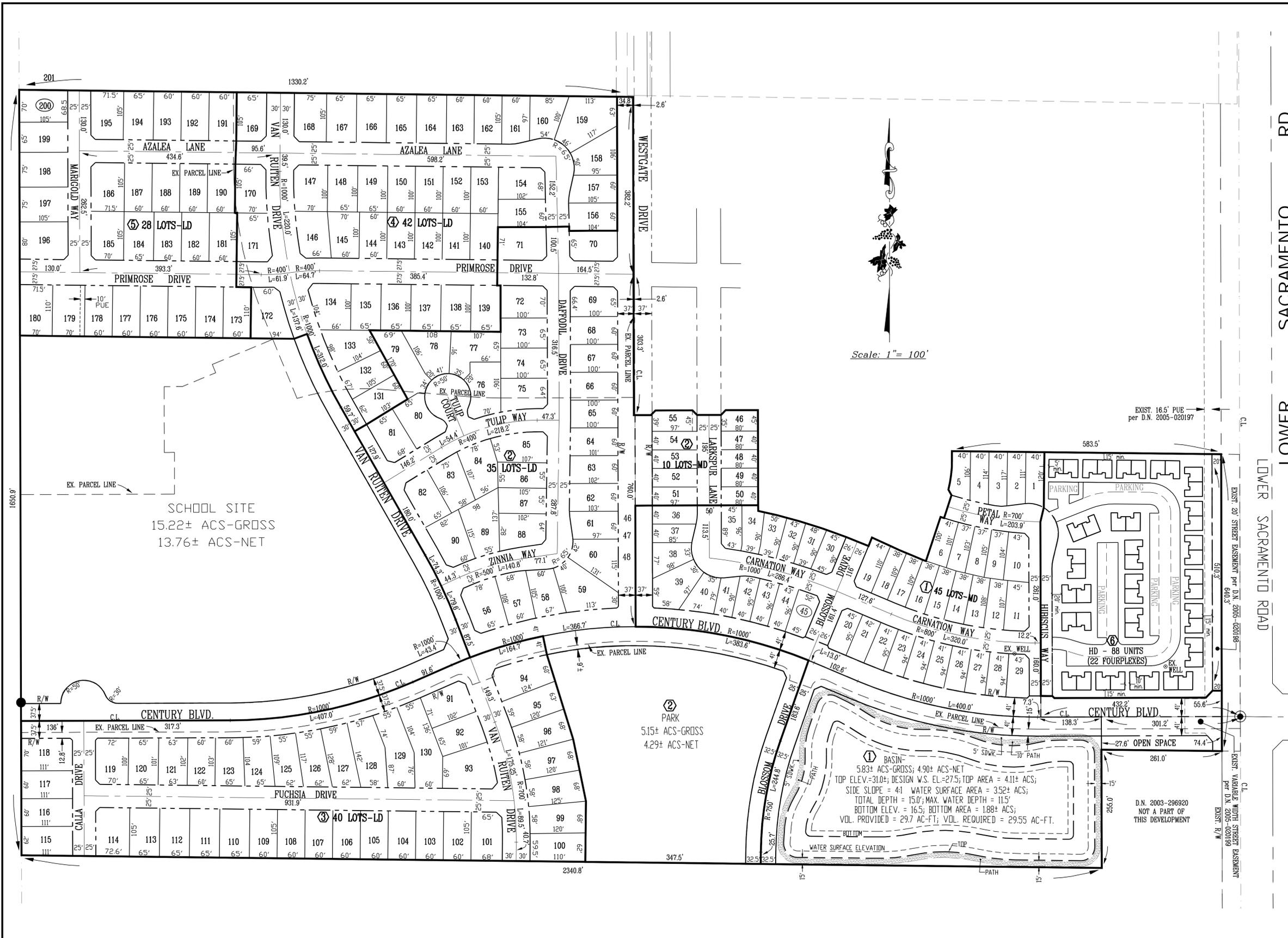
SUMMARY:
NUMBER OF LDR-TYPE UNITS = 145
NUMBER OF MDR-TYPE UNITS = 55
NUMBER OF HDR-TYPE UNITS = 88
TOTAL # OF UNITS = 288

OPEN SPACE = 0.43± ACS.
DRAINAGE BASIN = 5.83± ACS.
PARK = 5.15± ACS.
SCHOOL SITE = 15.22± ACS.
RESIDENTIAL AREA = 47.73± ACS.
TOTAL GROSS AREA = 74.36± ACS.

LEGEND

R/W RIGHT-OF-WAY
CL CENTERLINE
PUE PUBLIC UTILITY EASEMENT
SF SQUARE FEET
ACS ACRES
UPA UNITS PER ACRE
EX. EXISTING
① INDICATES PHASE NUMBER

- NOTES:**
- THIS DEVELOPMENT CONTAINS 74.36± TOTAL ACRES, CONSISTING OF 200 LOTS, 88 HIGH DENSITY UNITS, DRAINAGE BASIN, PARK SITE, OPEN SPACE, AND A SCHOOL SITE.
 - THIS PROJECT WILL BE DEVELOPED IN PHASES, AS SHOWN ON THIS TENTATIVE MAP, WITH MULTIPLE FINAL MAPS.
 - THIS PROPERTY IS NOT SUBJECT TO A 100-YEAR FLOOD.
 - UTILITIES:
WATER - CITY OF LODI
SEWER - CITY OF LODI
STORM DRAIN - CITY OF LODI
ELECTRICAL - CITY OF LODI EUD
GAS - PG&E
TELEPHONE - SBC
 - SEE SHEET 2 FOR: STREET CROSS-SECTIONS, TYPICAL PLOT PLANS, BUILDING SETBACKS, TYPICAL LOT COVERAGE, DETAILS OF SOUND WALL, AND LANDSCAPING STANDARDS.



Scale: 1" = 100'

NO.	REVISIONS	DATE	BY	DRAWN	DESIGN
0				SEP	SEP
				APPROVED BY	
				RCE NO.	DATE

PREPARED IN THE OFFICE OF:
BAUMBACH & PIAZZA, INC.
CIVIL ENGINEERS
323 WEST ELM STREET
LODI, CALIFORNIA 95240
DESIGNED UNDER THE SUPERVISION OF:
STEVEN E. PECHIN RCE 42764

PREPARED FOR:
BENNETT HOMES/VAN RUITEN RANCH, LTD
P.O. BOX 1237
LODI, CA 95241
(209) 367-7600

VAN RUITEN RANCH
VESTING TENTATIVE MAP
MARCH, 2014 SCALE: 1" = 100'

SHEET 1 OF 2
JOB NO. 12036
FILE NO. G-1422

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: April 9, 2014

APPLICATION NO: Subdivision Application: 13-S-02
Growth Management Allocation: 13-GM-02

REQUEST: Request for Planning Commission approval of:

- a) Growth Management Allocation for 145 Low Density Residential Lots 55 Medium Density Residential Lots and 88 High Density Units; and
- b) A Vested Subdivision Map for the Van Ruiten Ranch Subdivision, a 74 acre, 288 unit subdivision; and
- c) Adopt Development Standards for the subdivision known as Van Ruiten Ranch Subdivision located within Planned Development 41 Zoning District.
(Applicant: Bennett Homes.; File #'s: 13-S-02 and 13-GM-02; CEQA Status: Project Environmental Impact Report, State Clearinghouse No. 2005092096, Certified on March 21, 2007)

LOCATION: Lower Sacramento Road / Century Boulevard
APN: 058-030-14, 15, 17, 18
Lodi, CA 95240

APPLICANT: Bennett Homes, Inc.
Dennis Bennett
P.O. Box 1579
Lodi, CA 95241

PROPERTY OWNER: Van Ruiten Ranch Limited
Jim Van Ruiten
340 W. Highway 12
Lodi, CA 95242

RECOMMENDATION

Staff recommends that the Planning Commission recommend to the City Council approval of the request of Bennett Homes for 288 growth management allocations and a vesting subdivision map for the proposed Van Ruiten Ranch Subdivision to be located at Lower Sacramento Road / Century Blvd., subject to conditions in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public, Open Space
Zoning Designation: Planned Development 41 (PD-41)
Property Size: 74 acres

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Low Density Residential, Medium Density Residential, High Density Residential	Planned Development 41 (PD-41)	Vacant Land
South	Low Density Residential, Medium Density Residential, Open Space	Planned Development 41 (PD-41)	Vacant land / Cherry Orchard
East	Medium Density Residential, Open Space	Medium Density Residential, Open Space	Vacant and DeBenedetti Park
West	San Joaquin County	San Joaquin County	Agricultural use

SUMMARY

The proposed vesting subdivision map seeks to create 200 single family lots with a 5 acre high density lot. The project includes a 5.8 acre regional detention basin, 5.15 acre park site and 15.2 acre school site. The proposed uses are consistent with the General Plan and Zoning designations. The project is accessed of the Century Boulevard extension with access points to the north and south.

BACKGROUND

The project site was annexed into the City of Lodi as part of the Southwest Gateway area. The City of Lodi certified the project EIR, State Clearinghouse No. 2005092096, on March 21, 2006. The Project EIR was prepared as a program-level EIR, pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 *et seq.*).

Subsequently, the City of Lodi adopted the Lodi General Plan in April 2010. This land use document utilizes the same land use designations as the previous annexation documents. The Lodi Zoning/Development Code was adopted in March 2013.

On June 17, 2013, Bennett Homes submitted an application for the Van Ruiten Ranch Subdivision project, which includes a Vesting Tentative Subdivision Map and review of the development standards for the Planned Development Unit.

ANALYSIS

Existing Conditions: The subject site consists of a vacant 74-acre parcel located at the extension of Century Boulevard, west of Lower Sacramento Road. The parcel represents 74 acres of the 257 acre “Southwest Gateway Project” annexed into the City in 2007. Surrounding land uses include agricultural land to the north, south and west and urban uses to the east. The topography of the site is relatively flat and vineyards make up the entire site.

Vesting Subdivision Map: The proposed Vesting Tentative Map would subdivide the project parcel into 145 low density residential single-family lots, 55 medium density residential single-family lots, 1 high density lot (5.03 acres – 4.2 acres net) for future development, 1 - 5.83 acre detention basin, 1 - 5.15 acre park site, 1 - 15.2 acre future school site and associated public roadways.

The typical low density residential lot is 65 X 105 and 6,800 sq. ft. The typical medium density residential lot is 40 X 95 and 3,800 sq. ft. The high density parcel is 4.2 acres in size net and anticipates 88 residential units. The development is separated into 3 distinct areas based upon density with varying housing types specified for each area.

The Planning Commission is embodied to review the vesting tentative map and recommend approval or denial of the vesting map to the City Council. If the Commission approves, a Final Map for a subdivision of five or more parcels must be prepared, filed, processed and recorded as set forth in Chapter 17.54 (Parcel Maps and Final Maps), to complete the subdivision. The City Council has a final say on the approval or disapproval of the vesting tentative map.

In accordance with Lodi Municipal Code Section, 17.52.130, an approved Tentative Map is valid for 24 months after its effective date (Section 17.66.130). At the end of 24 months, the approval shall expire and become void unless, the applicant petitions the Planning Commission for an extension and the Commission grants an extension in accordance with Lodi Municipal Code Section 17.52.130 (B)(1).

Access and Circulation: The project is accessed by the extension of Century Boulevard with access points to the north and south consistent with land use diagrams in the General Plan. The project incorporated the extension of Westgate Drive from the north. The overall circulation pattern anticipates development to the north, south and west. Streets have detached sidewalks to create a tree canopy consistent with historical Lodi residential areas.

General Plan Compliance: The project site includes General Plan Land Use designations of Low Density Residential, Medium Density Residential, High Density Residential, Open Space and Public/Quasi Public. The proposed project is consistent with the current General Plan (2010) land use designations, layout and required density.

The Low Density Residential designation mandates density ranges between two (2) to eight (8) units per acre. The Medium Density Residential designation mandates density ranges between eight (8) to twenty (20) units per acre. The High Density Residential designation mandates density ranges between twenty (20) to thirty-five (35) units per acre. The Van Ruiten Ranch project densities are: Low Density Residential – 5 units per acre, Medium Density Residential – 8.0 units for acre and High Density Residential 21 units per acre. The General Plan Land Use Policy 3 (LU P3) prohibits development at less than the minimum and maximum density prescribed by each residential land use category. The proposed project does comply with applicable General Plan density requirements.

Zoning Compliance: The project site is zoned Planned Development 41 (PD-41). Planned Development zoning designations provide flexibility in the application of development standards that will produce development projects of superior quality, including retention of unique site characteristics, creative and efficient project design, etc., than would have been achieved through strict application of the development standards required by the primary zoning district. The proposed project is divided into three distinct land uses areas; low density, medium density and high density. The project provides for a wide range of housing options for the community.

Planned Development Guidelines: The applicant has prepared the Van Ruiten Ranch Planned Development Standards and Guidelines. The organization of these guidelines is presented as a series of community design components that when combined create a comprehensive project design. The chapters highlight and articulate the various community design components, establishing specific development guidelines and standards for how the project will develop.

As depicted in the development plans, the applicant is proposing to use several different elevation styles throughout the subdivision. The elevations use varying massing and architectural articulations. In addition, the subdivision is expected to allow custom homes and other builders to build homes at the project site, which will add architectural variations. Staff believes that the proposed design will provide not only an attractive streetscape, but interesting views from neighboring property owners as well.

The project also includes a preliminary landscape plan that generally places one large street tree in each front yard among other accent landscaping including various shrubs, ground cover and lawn. The

landscaping plan would have to comply with the requirements of the Lodi Municipal Code Section 17.03.070 which regulate landscape water efficiency.

Growth Management Compliance: The allocation system gives priority through point assignments to projects that reduce impacts on services, infrastructure, and resources. The ordinance sets an annual growth limit of two percent of the City’s population, compounded annually. Once the amount of allocation units is figured, the City requires that the allocation units be distributed among housing types as follows; 65 percent low density, 10 percent medium density and 25 percent high density. For example, the following explains the 447 units available for 2014:

1. Calculate two percent of the City’s current population: **62,930 x 2% = 1,258.6**
2. Divide 1,259 by the average number of persons per household 1,259/2.812 = 447.72
3. Divide the 447.72 (448 du) units into the 3 housing types:
 - 65% low density = 291 units
 - 10% medium density = 45 units
 - 25% high density = 112 units

In 2013, the City Council expired allocations accumulated since 2008. In the five-year period since 2008, 2,235 allocations were added to the reserve. The Council eliminated 800 Low Density and 1,435 High Density allocations. This Council action created a new balance of 4,634 as detailed below in **Table A**.

Table A: Growth Management Allocation History

Density	Available Allocations		
	Total Available for 2012	2% Allocations for 2013	Total Available for 2013
Low (0.1-7)	2,995	291	3,286
Medium (7.1-20)	557	45	602
High (20.1-30)	1,122	112	1,234
TOTAL	4,634	448	5,122

Table B identifies the available Allocations in 2013, Allocations provided to projects in 2013 and those available for 2014.

Table B: Growth Management Allocation for 2014

Density	Available Allocations			
	Total Available for 2013	Total Allocated in 2013 (Rose Gate)	2% Allocations for 2014	Total Available for 2014
Low (0.1-7)	3,286	- 232 (3,054)	291	3,345
Medium (7.1-20)	602	- 0 (602)	45	647
High (20.1-30)	1,234	- 0 (1,234)	112	1,346
TOTAL	5,122	4,890	448	5,348

As indicated above in the background discussion, the present project is being reviewed for growth management allocations for 2014. The applicant has submitted an application for 145 low density growth management allocation units (0.1-7 units/acre), 55 medium density growth management allocation units (7.1-20 units/acre) and 88 high density growth management allocation units (20 plus

units/acre). **Table C** identifies the 2014 Total Allocations, the requested Allocations for the project, and the remaining overall Allocations.

Table C: Growth Management Allocation for Van Ruiten Ranch

Density	Available Allocations			
	Total Available for 2014	Requested Allocation for Van Ruiten Ranch	Remaining Allocations for 2014	Total Remaining for 2014
Low (0.1-7)	3,345	145	145 – 291 (146)	3,200
Medium (7.1-20)	647	55	55 – 45 (-10)	592
High (20.1-30)	1,346	88	88 – 112 (24)	1,258
TOTAL	5,348	288	160	5,060

Staff recommends approval of the growth allocations requested.

Conclusion

Staff sent a copy of the application to various City departments for review and comment. Their comments and requirements have been incorporated into the attached resolution. Staff believes that the Commission can make the findings in order to approve the proposed project, subject to conditions outlined in the attached resolution. The proposed vesting tentative map, as described in the code compliance sections above, is consistent with the current General Plan (2010).

The proposed exclusively residential development aligns with the residential land use designations and densities assigned to site in the current General Plan. The site for the proposed subdivision is suitable for the density and type of development proposed in that it is a flat piece of land. Also the design of the subdivision and type of improvements would not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision in that there are no existing public access easements on the site. Further, as stated in the code compliance sections above, the applicant has proposed development standards for this subdivision that are consistent with the historical development of the City.

ENVIRONMENTAL ASSESSMENT

The project is subject to the requirements of the California Environmental Quality Act (CEQA). All potentially significant environmental impacts were publicly disclosed and made available for comment via Lodi Annexation Environmental Impact Report, State Clearinghouse No. 2005092096, dated April 2006, prior to any decisions to approve any part of the whole project. On March 21, 2007, the City Council adopted Lodi Annexation Environmental Impact Report, State Clearinghouse No. 2005092096, and Mitigation and Monitoring Plan that analyzed environmental impact aspects of the proposed project.

Subsequently, the City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public and Open Space.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, March 29 2014. Sixteen (16) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff’s recommendation, the following motions are suggested:

1. “I move that the Planning Commission adopt a Resolution finding that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Van Ruiten Ranch development and recommend the City Council approve the requested growth allocation and vesting tentative subdivision map.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Subdivision Map
- C. Planned Development Standards
- D. Draft Resolution

RESOLUTION NO. 14-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF BENNETT HOMES FOR APPROVAL OF VESTED SUBDIVISION MAP FOR VAN RUITEN RANCH SUBDIVISION, A 74-ACRE, 288 UNIT SUBDIVISION AND 288 GROWTH MANAGEMENT ALLOCATION REQUEST AT 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 Vested Subdivision application, in accordance with the Lodi Municipal Code, Section 17.74; and
- WHEREAS**, the project site is located at Lower Sacramento Road / Century Boulevard, Lodi, CA 95240 (APN: 058-030-14, 15, 17, 18); and
- WHEREAS**, the applicant is Van Ruiten Ranch Limited, c/o Jim Van Ruiten, 340 w. Highway 12, Lodi, CA 95242; and
- WHEREAS**, the applicant's agent is Bennett Homes, Inc., c/o Dennis Bennett, P.O. Box 1579, Lodi, CA 95241; and
- WHEREAS**, the project properties owners of record are Van Ruiten Ranch Limited, c/o Jim Van Ruiten, 340 W. Highway 12, Lodi, CA 95242 ; and
- WHEREAS**, the applicant, Bennett Homes, has filed the "Van Ruiten Ranch" Vested Subdivision Map and Growth Management Application with the City of Lodi; and
- WHEREAS**, City Council Resolution No. 2010-41 adopted by the City Council on April 7, 2010, approved the land use designation as Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public and Open Space, for the project site; and
- WHEREAS**, the City Council by Ordinance No. 1869, which became effective on March 21, 2013, granted Planned Development Zone P-D(41), to allow Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public and Open Space for the project site; and
- WHEREAS**, the City Council by Resolution No. 2007-48, which became effective on March 21, , 2007, approved certified an Environmental Impact Report (EIR), State Clearinghouse No. 2005092096, for the annexation of the project site; and
- WHEREAS**, a copy of the Environmental Impact Report (EIR), State Clearinghouse No. 2005092096, is kept on file for public review within the Community Development Department by the Community Development Director at 221 West Pine Street, Lodi, CA; and
- WHEREAS**, the City Council by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan; and
- WHEREAS**, a copy of the Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, is kept on file for public review within the Community Development Department by the Community Development Director at 221 West Pine Street, Lodi, CA; and
- WHEREAS**, the Vested Subdivision Map contains 74 acres, 200-single family residential lots, a high density parcel and 288 overall units and is located at Lower Sacramento Road / Century Boulevard and is consistent with the density ranges of the General Plan; and
- WHEREAS**, the Community Development Department did study and recommend approval of said request; and

WHEREAS, after due consideration of the project, the Planning Commission did conditionally approve the project; and

WHEREAS, the Planning Commission's recommendation is based upon the following findings and determinations:

1. The proposed design and improvement of the tentative subdivision, as conditioned, will conform to the standards and improvements mandated by the adopted City of Lodi Public Works Department Standards and Specifications, Zoning Ordinance, as well as all other applicable standards.
2. The standard size, shape and topography of the site is physically suitable for residential development proposed in that the site is generally flat and is not within an identified natural hazard area.
3. The site is suitable for the density proposed by the tentative subdivision map in that the site can be served by all public utilities and creates design solutions for storm water, traffic and air quality issues.
4. The standard design of the proposed tentative subdivision and the proposed improvements are not likely to cause substantial environmental damage or injure fish or wildlife or their habitat in that the site has been previously disturbed by agricultural activities and no significant environmental issues or concerns were identified through the Initial Study prepared for this development.
5. The design of the proposed tentative subdivision and type of improvements are not likely to cause serious public health problems in that all public improvements will be built per City standards and all private improvements will be built per the California Building Code.
6. The design of the proposed tentative subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed tentative subdivision.
7. The vested subdivision is conditioned to construct public street improvements thereby insuring that an adequate Level of Service is maintained on the roadways within the area.
8. An Environmental Impact Reports and Mitigation Monitoring and Reporting Program, Environmental Impact Report (EIR), State Clearinghouse No. 2005092096, were prepared for this project in compliance with Public Resources Code section 21000 et seq, and were independently reviewed and certified by the City Council. All potentially significant environmental impacts were publicly disclosed and made available for comment prior to any decisions to approve any part of the whole project. On March 21, 2007, the City Council adopted an Environmental Impact Report and Mitigation Monitoring and Reporting Program for all aspects of the proposed project. all mitigation measures for the project identified in the initial study and accompanying studies are hereby incorporated into this approval.
9. The project is required to comply with all the mitigation measures outlined for the project in the Environmental Impact Report and in the Mitigation Monitoring and Report Program.
10. The vested subdivision map allows for the orderly growth of Lodi in that the Land Use and Growth Management Element allows for the development of Low Density Residential, Medium Density Residential, High Density Residential on the project site.
11. Said Vested Subdivision map complies with the requirements of Article 5 of the Lodi Development Code, governing subdivision maps.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED, by the Planning Commission of the City of Lodi hereby recommends that the City Council approve the Vested Subdivision Map, associated Development Standards for the Van Ruiten Ranch Subdivision, and award Bennett Homes 145 low density growth management allocation units, 55 medium density growth management allocation units

and 88 high density growth management allocation units, subject to the following development conditions and standards:

1. The property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
2. This recommendation for approval by the Planning Commission shall not constitute an authorization to begin any construction.
3. The developer shall comply with all the applicable requirements of the City's Community Development Department including Planning and Building Divisions; Public Works, Fire and Electric Utility Departments; and all other applicable local, state and federal agencies. It is the responsibility of the applicant to check with each agency for requirements that may pertain to the project.
4. The Vesting Tentative Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
5. The Final Map shall be in substantial conformance to the approved Vesting Tentative Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
6. The developer shall install, on each residence, minimum four-inch high block style numbers for address identification. The numbers shall be in color that is contrasting to the background surface to which they are adhered and shall be readily visible from the street during the day and night. The construction drawings for the house plans shall identify the location of the address boxes or numbers on the house façades, along with a detail or keynote that describes how the house numbers will be illuminated or made identifiable from the street.
7. The developer shall submit detailed landscape and irrigation plans (concurrently with the improvement plans) for the review and approval of the Parks & Recreation Department. The landscape plan shall include, in addition to normal landscape and irrigation details, screening of any above ground utility vaults and anti-siphon water valves.
8. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
9. A conceptual fencing/wall plan shall be submitted for the entire subdivision with the grading plan and a detailed fencing/wall plan shall be submitted with the improvement plans for each phase of development. The design, height, and location of walls shall be subject to approval of the Community Development Director prior to approval of improvement plans. Where fencing is adjacent to public parks and/or trails, plans shall be approved by the Recreation Commission at the time of park plan approval. When the adjacent area is sloped, the fence/wall design shall include a 4' bench (sloped no more than 2%) along the fence/wall for maintenance purposes, as determined by the Parks and Recreation and Cultural Services Department.
10. The project shall incorporate all applicable mitigation measures as specified in the adopted Final Revised Environmental Impact Report EIR-05-01 (State Clearinghouse No. 2005092096) for the project.

11. Pursuant to project Environmental Impact Report, State Clearinghouse No. 2005092096, prior to recordation of the final map(s) for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department (Land Use Mitigation Measure 1).
12. Pursuant to project Environmental Impact Report, State Clearinghouse No. 2005092096, Agriculture Resources Mitigation Measures 2 and 3, the applicant shall provide and undertake a phasing and financing plan (to be approved by the City Council) for one of the following mitigation measures:
 - a. Identify approximately 74 acres to protect for a period of time to be determined (but not less than 15 years) as an agricultural use in a location as determined appropriate by the City of Lodi in consultation with the Central Valley Land Trust; or
 - b. Pay a fee equal to the value of 74 acres as determined by an independent qualified consultant retained by the City in consultation with the Central Valley Land Trust. The City will determine to whom the fee shall be paid.
13. Pursuant to project Environmental Impact Report, State Clearinghouse No. 2005092096, Biological Resources Mitigation Measures 1, 2, and 3, the applicant shall contact the San Joaquin County Council of Governments (SJCOG, Inc) for a pre-ground disturbance survey, to be performed by an SJMSCP biologist, to determine applicable Incidental Take Minimization Measures (ITMMS). The City shall not authorize any form of site disturbance until it receives an Agreement to Implement ITMMS from SJCOG, Inc. The City shall not issue a building permit for the proposed project until the San Joaquin County Council of Governments determine what, if any, Incidental Take Minimization Measures (ITMMS) apply to the project and until the San Joaquin County Council of Governments verifies all applicable ITMMS have been fully and faithfully implemented.
14. If archeological materials are uncovered during any construction or pre-construction activities on the site, all earthworks within one hundred feet (100') of these materials shall be stopped, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find, and outline appropriate mitigation measures, if they are deemed necessary.
15. All stub end streets planned for future continuation and undeveloped cul-de-sacs shall be temporarily protected with warning barricades and redwood headers to be approved by the City Engineer.
16. The developer shall pay for and install all street name signs, traffic regulatory and warning signs, and any necessary street striping and markings required by the City Engineer. Street striping and markings shall be raised ceramic markers or thermoplastic material, as directed by the City Engineer.
17. Road or street names shall not duplicate any existing road or street name in the City, except where a new road or street is a continuation of an existing street. Road or street names that may be spelled differently but sound the same shall also be avoided. Road or street names shall be approved by the Fire Chief and the Community Development Director.
18. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the City Plans and all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
19. The developer shall ensure finished pad elevations are at a minimum one foot above the 100 year base flood elevation as shown on the latest Federal Emergency Management Agency (FEMA) floodplain maps for San Joaquin County, California. The developer shall be responsible

for all necessary activities, applications, documentation and costs to amend floodplain maps for their development.

20. In accordance with the Growth Management and Infrastructure/Public Facilities Element of the City's General Plan, the environmental review prepared for this project, and the regulations of the applicable school districts, the Developer shall demonstrate that adequate provision is made for school facilities. To the extent permitted by law, this may include the payment of school facility mitigation fees adopted by the Lodi Unified School district, or alternative financial arrangements negotiated by agreement between the Developer and the applicable school districts.
21. A master street tree plan shall be approved by the Public Works Department for each phase of this vesting tentative subdivision map. A minimum of one street tree shall be provided for each lot within this subdivision. On corner lots, three street trees shall be provided; one on the shorter lineal frontage and two on the longer lineal frontage. Street trees shall be a species selected from the City's adopted tree list, shall be a minimum fifteen (15) gallon size, spaced at thirty (30) feet intervals, and planted as reflected in the Engineering Department's Standard Plans and Specifications, with branches above average eye level. The trees selected shall be deep rooted and drought tolerant. Location and species shall be to the approval of the Public Works Department.
22. The developer, in order to reduce tracking of mud throughout the City, shall be responsible for cleaning up or any expenses incurred by the City for cleaning up mud, debris, etc. from City streets that is attributed to this project during construction.
23. Construction activities shall be limited to the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday, consistent with the City's Ordinance.
24. The Developer shall notify all purchasers of homes or lots, either through the Department of Real Estate Subdivision Report or, if there is no Subdivision Report, through a statement signed by each buyer and submitted to the City, that the this subdivision is adjacent to an agricultural area, and as such, there are ground and aerial applications of chemicals, and early morning/night time farming operations which may create noise and dust, etc. In addition, all purchasers of homes or lots shall be made aware of the future possibility of oil and gas well exploration on surrounding and adjacent properties and that farm animals may be kept on adjacent properties that may be outside the City limits. The wording and format for notifying home buyers of this information is subject to approval by the Community Development Director.
25. All conditions of approval for this project shall be written by the project developer on all master building permit plan check sets submitted for review and approval. It is the responsibility of the developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. If the subdivision is to be built out using master plans. Please follow City of Lodi, Community Development Department Policies and Procedures # B-[08]-[13] Plan Submittal - Residential Master Plans and # B-[08]-[14] Permit Processing – Production Homes.
26. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

City of Lodi Fire Department

27. The developer shall comply with all applicable requirements of the California Fire Code and the adopted policies of the City of Lodi.
28. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 of the California Fire Code and an unobstructed vertical clearance of not less than 13 feet 6 inches. (Ord. No. 1840, § 1, 11-17-2010)

29. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
30. The developer shall install on-site and/or boundary water mains, fire hydrants and related services. Hydrants shall adhere to the City's standard details, with their location determined by the Fire District and City Engineer, and shall be installed and in service prior to any combustible construction on the site. Public fire hydrant spacing and distribution shall be determined as follows:
 - a. At 300 feet spacing in high density, commercial, industrial zoning or high-value areas;
 - b. At 500 feet spacing in low density residential areas;
 - c. At 1000 feet spacing in residential reverse frontage;
 - d. A fire hydrant shall be located within 200 feet of the radius point of all cul-de-sacs;
 - e. Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:
 - i. Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazards or both;
 - ii. On major arterials where there is more than four lanes of traffic;
 - iii. Width of street in excess of 88 feet;
 - iv. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvement Plans for the City of Lodi.
31. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

City of Lodi Public Works Department

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 map filing unless noted otherwise:

32. Use the 2012 City of Lodi Storm Drainage Master Plan design criteria for all pipe sizing calculations and basin sizing calculations. Storm drain coefficient of runoff, C-factor, for low-density residential shall be a minimum of 0.4, medium-density residential shall be a minimum of 0.5 and high-density residential shall be a minimum of 0.5. The rainfall intensity used for design of the pipelines shall be based on a five-year, 48-hour rain event. Be sure all pipelines and basins locations follow the Master Plans.
33. The permanent basin will require outfall structures, including a storm water pump station lifting water from the basin to the pipeline at the intersection of Lower Sacramento Road and Century Boulevard. The pump station shall be sized to service Basins I-1, I-2 and I-3, in accordance with the Storm Drain Master Plan. Developer will also be required to connect the existing 48-inch diameter storm drain pipe in Century Boulevard to the existing 48-inch diameter storm drain pipe that discharges to the pump station at Beckman Park.
34. All pump stations shall have mechanical trash screening capabilities (1/2-inch sphere size), oil skimming capabilities, automatic controls, flow and level measuring gauges, SCADA remote control and all-weather access. SCADA communication facilities are required that connect the Control Center at the Water Treatment Plant and each pump station to permit flow pacing between the inter-related pump stations.
35. An overland flood release pathway shall be incorporated into the streets and circulation design plan for each subarea. For example, when any particular catch basin is obstructed or overwhelmed with water, the street drainage design (high points and low points) for that subarea shall be calculated so that no water shall pond higher than the lowest right of way elevation without releasing the excess water toward the planned flood release point of the subarea.

36. Use the 2012 City of Lodi Water Master Plan design criteria for all calculations, pipeline sizes and pipeline locations. As shown in Appendix D, a 10-inch water main shall be located on the western edge of the development for water circulation purposes, as shown in the City's Water Master Plan. Water line may follow proposed north/south street alignments that are located within 500 feet of the west limit of the project.
37. Developer shall dedicate a street easement (up to 10 feet wide) to the City of Lodi adjacent to the easterly project boundary. The purpose of the street easement is to construct the ultimate roadway section of Lower Sacramento Road while accommodating the existing transmission poles, future landscaping and reverse frontage wall.
38. As part of Phase 2, provide a water connection onto Westgate Drive at Primrose Drive. The water connection will conform to the Water Master Plans by connecting the 8-inch water main to the 10-inch water main in Westgate Drive.
39. Add temporary blow-off valves per Standard Plan 409 (or temporary hydrants) to the ends of all dead-end water mains planned for future extension.
40. Provide locations of all water valves and fire hydrants within the development. All water valves and fire hydrants shall have a maximum spacing conforming to the City Design Standards section 4.501 and 4.502, respectively. Install up to five water automatic flushing valves at locations to be determined.
41. With Phase 2 of the project, Westgate Drive shall connect to Kettleman Lane if the Lodi Shopping Center project has not extended Westgate Drive first. The Lodi Shopping Center project is conditioned to extend Westgate Drive and all of the underground utilities (water, recycled water, wastewater and storm drainage) from Kettleman Lane to the northern edge of this development. However, the extension of Westgate Drive and the underground utilities shall be built by whichever development occurs first. If Phase 2 of this development occurs first, a reimbursement agreement may be obtained through the City for the portion of Westgate Drive outside of the development.
42. Label the width of the sidewalk in the typical cross section for Westgate Drive.
43. Show masonry walls along Westgate Drive in the typical cross section. No reverse frontage walls constructed of wood will be allowed.
44. Provide all necessary traffic signs for the entire subdivision, including any necessary traffic signs needed along Westgate Drive and Century Boulevard.
45. All dead-end streets shall install barricades per City of Lodi Standard Plans 128.
46. Install public improvements, including street widening, bicycle lane, curb and gutter, sidewalk, landscaping and reverse frontage masonry wall improvements within the limits of the signal modification/intersection improvements required at Century Boulevard and Lower Sacramento Road.
47. Use the 2012 City of Lodi Wastewater Master Plan design criteria for all calculations, pipeline sizing and pipeline locations. Revise the Westgate Trunk Line and the City's Wastewater outfall pipeline to match the pipe sizing shown in the Master Plans. The 48-inch Domestic Outfall pipeline shall be resized to a 42-inch pipe.
48. Abandon the existing 42-inch wastewater pipeline in Lower Sacramento Road north of Century Boulevard and install new 42-inch wastewater pipeline in Century Boulevard. The Developer shall pay all installation costs; however, pipe material costs will be reimbursed by City upon acceptance of the pipeline installation work.
49. Per the Master Plans, the future high/medium-density residential properties located between Westgate Drive and Lower Sacramento Road and north of Century Boulevard must have their

wastewater flow south into Century Boulevard wastewater main(s) unless otherwise approved by the Public Works Director.

50. With Phase 2 of the project, the City's 24 or 42-inch Domestic and 30-inch Industrial Wastewater Outfall pipelines shall be relocated from Lower Sacramento Road (MH R1109/MH R1119) to Westgate Drive by this project if the Lodi Shopping Center project has not relocated the pipeline first. The Lodi Shopping Center project is conditioned to relocate the 24 or 42-inch and the 30-inch wastewater pipeline; however, the wastewater pipelines shall be relocated by whichever development occurs first. Pipe materials shall be determined by City. The Developer shall pay all installation costs; however, pipe material costs for both pipelines will be reimbursed by City upon acceptance of the pipeline installation work. The existing public utility easement and access easement shall be abandoned.
51. The Domestic Outfall and Industrial Waste pipeline realignment shall intercept existing pipelines with manhole or vault structures upstream of existing diversion structure located at the westerly end of the development. No pipeline penetrations will be allowed in the existing diversion structure.
52. Wastewater infrastructure construction sequence shall not interfere with operations associated with the Domestic Outfall or Industrial Waste pipelines.
53. Developer shall be responsible for preserving the integrity of the existing Domestic Outfall and Industrial Waste pipelines during all phases of Project construction.
54. Developer shall obtain a Public Utilities Easement from the adjacent property owner to the west of the project limits for the installation of the domestic and industrial wastewater pipelines.
55. Provide a slope easement or retaining wall along the boundary of the development for all grade differentials of one foot or greater.
56. Provide a wall easement for the public masonry wall footings along all parcels that will have a public masonry wall along their property.
57. The park/basin shall not have two basins in the future. Provide details showing the design of the future basin as one basin and showing placement of the park/basin amenities.
58. The park amenities will require the following items:
 - a) Bike rack
 - b) Water play
 - c) Basketball
 - d) Bocce
 - e) Horseshoes
 - f) Playground
 - g) Picnic tables
 - h) Picnic shelter (rental) BBQ
 - i) Passive area
 - j) Fields
 - k) Trees
 - l) Turf
 - m) Irrigation booster pump
 - n) Restroom
 - o) Drinking fountain
 - p) Furniture
 - q) Lights
 - r) Signs
 - s) Handicap parking
 - t) Maxicom Equipment or equivalent

59. The development must conform to the General Plan Bike Master Plan. Provide a Class II bike route along Century Boulevard, Westgate Drive and Blossom Drive, as shown in the Master Plan.
60. All landscaping proposed within the development must conform to the City of Lodi Landscape Maintenance Ordinance.
61. Engineering and preparation of improvement plans and estimate are required per City Public Improvement Design Standards for all public improvements prior to final map filing. Plan submittal to include:
 - a) Approved tentative map, signed by the Community Development Director.
 - b) Approved detailed utility (water, wastewater, storm drainage, recycled water and circulation) master plans, including engineering calculations, for all phases of the development. Storm drainage facilities design shall conform to the City of Lodi Storm Water Development Design Standards. Plans must include recycled water (purple pipe) master plans.
 - c) Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed geotechnical engineer.
 - d) Grading, drainage and erosion control plan.
 - e) Copy of Notice of Intent for NPDES permit, including storm water pollution prevention plan (SWPPP) and WDID number.
 - f) Reverse frontage wall, landscaping and irrigation system. Minimum wall height shall be 6 feet above the adjacent pad and/or ground elevation or as required by Community Development Department to satisfy general plan requirements.
 - g) Street tree planting plan for parkway strip along lot frontages. Requires approval of the Community Development Director and Public Works Director.
 - h) All utilities, including street lights and electrical, gas, telephone and cable television facilities.
 - i) Joint Trench plans.
 - j) All street improvements within the development.
 - k) Traffic striping plan for Century Boulevard and Westgate Drive.
 - l) Signal modification plans if there are impacts to the signals or loop detectors in Century Boulevard at the Lower Sacramento Road intersection and in Westgate Drive at the Kettleman Lane intersection.

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

62. 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.
63. Installation of all public utilities and street improvements within the limits of the map, plus the following "off-site" improvements:
 - a) Street improvements in Westgate Drive from Kettleman Lane to the north end of the development.
 - b) Installation of curb, gutter, sidewalk, street lights and landscaping along Westgate Drive from Kettleman Lane to the north end of the development.
 - c) Installation/extension of the wastewater, water, recycled water (purple pipe) and storm drainage public mains from the intersection of Century Boulevard and Lower Sacramento Road to the west end of the project site and from the Westgate Drive and Kettleman Lane intersection to the north end of the development.
 - d) Utility and service stubs (water, recycled water, wastewater, electric, telephone, cable, etc.) for the parcels adjacent to the west subdivision boundary, the south subdivision boundary and the north subdivision boundary.

- e) Transit amenities, including, but not limited to, bus stops, bus pullouts, bus shelters and signage, in conformance with the GrapeLine Short Range Transit Plan and as approved by the Transit Manager.
64. All public improvements to be installed within one year of final map filing under the terms of an improvement agreement to be approved by the City Council prior to final map filing. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.
65. The project will install landscape areas along Lower Sacramento Road, Century Boulevard and Westgate Drive. After the City accepts the landscape improvements, the Developer will be required to maintain the landscaping for two years. Provide a two-year maintenance agreement and surety for the landscaping along Lower Sacramento Road, Century Boulevard and Westgate Drive.
66. Project design and construction shall be in compliance with applicable terms and conditions of the City's Stormwater Management Plan (SMP) and shall employ the Best Management Practices (BMPs) identified in the SMP.
- a) Stormwater Development Standards will be required for this project. The design of projects containing more than 10 units in a home subdivision is required to follow these Standards.
 - b) State-mandated construction site inspections to assure compliance with the City of Lodi Storm Discharge Permit are required. The fee for the inspections is the responsibility of the Developer and must be paid prior to map filing or commencement of construction operations, whichever occurs first.
67. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. Project compliance with ADA standards is the Developer's responsibility.
68. The City of Lodi is a participant in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). An application for evaluation of the project site with respect to SJMSCP requirements shall be submitted to the San Joaquin Council of Governments (SJCOG) prior to commencement of any clearing, grading or construction activities on the project site.
69. The following improvements shall be constructed with the first phase:
- a) Full width street and public utility improvements along the Century Boulevard Phase 1 boundary, including installation of a reverse frontage wall, landscaping and irrigation.
 - b) Traffic striping modifications in Century Boulevard.
 - c) Traffic signal modifications at Century Boulevard and Lower Sacramento Road.
 - d) Transit amenities, including, but not limited to, bus stops, bus pullouts, bus shelters and signage, in conformance with the GrapeLine Short Range Transit Plan and as approved by the Transit Manager.
 - e) Temporary connection into the Domestic Outfall pipeline.
70. The following improvements shall be constructed with the second phase:
- a) Full width street and public utility improvements along the phase 2 boundary, including Century Boulevard and Westgate Drive; installation of a reverse frontage wall; landscaping; and irrigation.
 - b) The water system shall have a minimum of two connections to the City system. A connection from Kettleman Lane, south down Westgate Drive and connecting to the water line in Century Boulevard will be required.
 - c) Realignment of the Domestic Outfall and Industrial Waste pipelines to the diversion structure.
 - d) The park and the amenities listed shall be installed.
 - e) All required public improvements shall be installed, including the extension of Century Boulevard, extension of Westgate Drive to Kettleman Lane, and realignment of the Domestic and Industrial wastewater outfall pipelines.

71. The following improvements shall be constructed with the third phase and all remaining phases:
 - a) Each phase shall be required to have a minimum of two connections to the City water system and two access points for traffic circulation.
72. All shared driveways will require private access and maintenance agreements that must be recorded and submitted to the City.
73. Dedication of public utility easements as required by the various utility companies and the City of Lodi.
74. Acquisition of the following easements outside the limits of the map:
 - a) Utility easements for the relocation of the Domestic and Industrial wastewater outfall pipeline and 10-inch water pipeline for APNs 058-030-12 and 058-030-13 to the approval of the Public Works Director.
75. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report and shall indemnify the City against any and all hazardous materials and/or ground water contamination for all property/easements dedicated to the City.
76. Submit final map per City and County requirements including the following:
 - a) Preliminary title report including copies of all referenced exception documents.
 - b) Waiver of access rights at:
 - i) All lots adjacent to Lower Sacramento Road, Westgate Drive and Century Boulevard.
 - c) Standard note regarding requirements to be met at subsequent date.
77. Payment of the following:
 - a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
 - b) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of project acceptance.
 - c) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.
 - d) Stormwater compliance inspection fee prior to map filing or commencement of construction operations, whichever occurs first.
 - e) Annexation into the City of Lodi Community Facilities District – Estimated at \$10,000.
 - f) Reimbursement fees per existing agreements:
 - i) Resolution No. 2007-52 – Reimbursement for Lower Sacramento Road (Kettleman Lane to Harney Lane) improvements in the amount of \$596,004 in 2007. This number is adjusted annually until time of payment.

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.

78. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed Van Ruiten Ranch subdivision, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriate or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots in the subdivision and provide deed provisions to be included in each conveyance.
79. Reverse frontage walls, landscaping and irrigation improvements in Century Boulevard, Westgate Drive and Lower Sacramento Road and street trees in the parkways in the public rights-of-way within the subdivision boundaries are required and shall be constructed by the Developer at the Developer's expense to the approval of the Public Works Director and Community Development Director.

80. The Developer shall provide for on-going maintenance and replacement of reverse frontage walls, landscaping and irrigation improvements, street trees in the parkways, as well as other public services as set forth in Resolution No. 2007-59 approved by the City Council on April 4, 2007, by annexation to the City of Lodi Community Facilities District No 2007-1 prior to final map filing. All costs associated with annexation to the District shall be the Developer's responsibility. Developer shall be responsible for the regular and ongoing maintenance and replacement of the landscaping and irrigation improvements and street trees in the parkways until the first revenues are received by the City from the District.
81. Obtain the following permits:
- a) San Joaquin County well/septic abandonment permit.
 - b) Caltrans encroachment permit for work within their right-of-way.
 - c) City of Lodi encroachment permit for work within their right-of-way.
 - d) Construction General Permit for the SWPPP.

Dated: April 9, 2014

I certify that Resolution No. 14-13 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on April 9, 2014 by the following vote:

AYES: Commissioners: Heinitz, Kiser, Olson, Slater and Chair Jones
NOES: Commissioners: None
ABSENT: Commissioners: Hennecke and Kirsten

ATTEST


Secretary, Planning Commission

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 9, 2014**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of April 9, 2014 was called to order by Chair Jones at 7:00 p.m.

Present: Planning Commissioners – Heinitz, Kiser, Olson, Slater and Chair Jones

Absent: Planning Commissioners – Hennecke and Kirsten

Also Present: Interim Community Development Director Stephen Schwabauer, Senior Planner Craig Hoffman, Interim City Attorney Janice Magdich, Deputy Public Works Director Charles Swimley and Administrative Secretary Kari Chadwick

2. MINUTES

None

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit to allow a Type-48 On-Sale Beer, Wine and Distilled Spirits for The Barking Dog at 302 N. California Street. (Applicant: David Smith; File 13-U-15; CEQA Determination: Exempt per Section 15321)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff is not making a recommendation due to the past history with the establishment. A draft resolution for approval has been provided and some of the conditions were read allowed for the benefit of the audience.

Vice Chair Kiser asked why we are not considering the 300 foot measurement that is a part of our ordinance. Planner Hoffman stated that section is no longer a part of this Development Code. The new Development Code uses the General Plan requirements for noise and it is much more restrictive.

Commissioner Slater asked where the patrons are going to smoke. Planner Hoffman stated that to applicant would be a better person to answer that question.

Commissioner Heinitz disclosed that he walked the neighborhood and spoke with Ms Docktor, a resident who filed a letter against the project.

Hearing Opened to the Public

- David Smith, applicant, came forward to answer questions. Mr. Smith addressed the smoking issued brought up by Commissioner Slater. Smoking will need to be at least 20 feet from any entrance to the establishment. He stated that he personally walked the neighborhood and was able to speak with some, not all, of the residences. He was able to get a few signatures on a petition showing favor for the project.
- Commissioner Heinitz asked about the room that was built to shelter the noise from getting outside. Mr. Smith stated that he does not have any intentions of having loud music. He would like to take this back to what it was before the previous operator turned it into a nuisance.
- Commissioner Slater asked if the patrons will be smoking inside. Mr. Smith stated that they will not. Slater asked if they will be smoking out back. Mr. Smith stated that would be the preferred spot. Slater asked if Mr. Smith is prepared to conduct a smoke free bar. Smith stated he is prepared to have a smoke free bar.

- Chair Jones asked for clarification regarding the back patio. Hoffman stated that no one is to be on the back patio. It is only provided as an emergency exit.
- Larry Sausada, neighborhood resident, came forward to object to the project. He stated that the applicant and owner came to his residence to talk with him regarding the project and asked him to give them a chance to prove themselves. Mr. Sausada stated that he signed the petition based on what the gentleman told him. He is still concerned about the fact that he was told they wanted three months, but he isn't seeing that condition in the project. The problem with the smoking isn't the smoke; it's the volume and language.
- Lesley Docktor, neighborhood resident, came forward to object to the project. She pointed out her letter that she submitted. Ms Docktor does not feel this is a good location for a bar. In the past the problems have occurred typically after midnight, so if the applicant is going to be allowed to increase the hours that will be an issue. Commissioner Heinitz asked if Ms Docktor lived in the neighborhood when the bar was operated as the original Barking Dog. Ms. Docktor stated that yes she has lived there for a long time. She restated her concern for having a bar at this location.
- Tyler Montgomery, neighborhood resident, came forward to object to the project. He stated that Holly Drive is already an issue for speeding. In the past the bar patrons have parked on Holly so that the police won't see their vehicle in the bar parking lot.
- Mike Albert, neighborhood resident, came forward to object to the project. Since the bar has been closed the walking traffic from the bar and questionable driving traffic has not been an issue.
- Sarah Lee, neighborhood resident, came forward to object to the project. She stated that she is a long-time resident and was a patron on occasion of the original barking dog, but the current actions have been bad enough to convince her that this is not a good location for a bar.

Public Portion of Hearing Closed

- Commissioner Slater asked if the project can be conditioned to bring it back in ninety days. Planner Hoffman stated yes. Slater asked if the smoking can be conditioned. Director Schwabauer stated not the smoking, but the noise of the people congregating can be.
- Vice Chair Kiser stated that he cannot support this project in this location.
- Commissioner Heinitz stated that just because it was a bar doesn't mean it should be a bar again. The location no longer meets the criteria for allowing this type of establishment.
- Commissioner Olson stated that after all the concerns that have been expressed from the neighborhood residences she does not feel this is a good use at this location. If the bar is supposed to be a neighborhood bar the neighbor should want it there.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Slater second, denied the Use Permit to allow the sale of beer, wine and distilled spirits Alcoholic Beverage Control (ABC) Type 48 license at 302 / 310 North California Street. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kiser, Olson, Slater and Chair Jones
Noes: Commissioners – None
Absent: Commissioners - Hennecke and Kirsten

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for Growth Management Allocation for 145 Low Density Residential Lots 55 Medium Density Residential Lots and 88 High Density Units; and A Vested Subdivision Map for the Van Ruiten Ranch Subdivision, a 74 acre, 288 unit subdivision; and Adopt Development Standards for the subdivision known as Van Ruiten Ranch Subdivision located within

Planned Development 41 Zoning District. (Applicant: Bennett Homes.; File #'s: 13-S-02 and 13-GM-02; CEQA Status: Project Environmental Impact Report, State Clearinghouse No. 2005092096, Certified on November 15, 2006)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Commissioner Kiser asked about the off-street parking and accessibility of the fire life safety vehicles. Planner Hoffman point out the area in the document to find the information that shows that there is room for those items. Kiser asked if there will be any mello rues for the project. Staff stated that the applicant will need to answer that question.

Commissioner Slater asked why Century Blvd isn't straighter. Hoffman stated that the bend is intended to slow drivers down. Slater stated that the future growth will extend west beyond the edge of this development and if Century Blvd is intended to be a thoroughfare shouldn't the street be straighter to allow for better traffic flow. Hoffman stated that the intent for this street is to be maintained as residential through this area. Slater stated his concerns about the planting areas being too small to accommodate mature trees. Hoffman stated that there will not be a meandering sidewalk which will allow for the five to six foot planting strips. Public Works Staff has taken a look at that and it is consistent with the City Standards.

Commissioner Heintz asked what type of buffer will be put in place to protect the residences from the current ag land operations. Hoffman stated that a right to farm notice will be a part of the disclosure to the property owners that will purchase in that area. Heintz stated that it would be a good idea to put some type of buffer until the future growth can occur.

Vice Chair Kiser expressed the same concern. A buffer can always be taken out when the growth occurs, but a buffer is a legitimate concern.

Chair Jones stated that as a good neighbor a buffer should be put in by the developer.

Commissioner Olson asked for clarification regarding the landscaping. Hoffman stated that the concern in the email states that the meandering sidewalk would cause the landscape area to narrow to a point that would not sustain a tree. Olson asked if staff is finding that the past landscape area isn't working. Schwabauer stated trees and sidewalks will never get along. When you start expanding the landscape strip then it affects the Housing Element standard. HCD gets concerned when you start building developments that are priced outside of the market. Olson asked if this is still going to add to a future expense. Schwabauer stated that every development could plant Crape Myrtles or maybe Chinese Pistash, but if you want a tree that is going to have a canopy you will eventually run into sidewalk issues. Olson asked about the storm water runoff running through the landscape strip. Deputy Public Works Director Swimley stated that this type of landscape strip will be similar to the one on Lower Sacramento Road north of Lodi Avenue without the meandering sidewalk, so it is not conducive to storm water runoff.

Vice Chair Kiser asked if purple pipe will be used on this project. Swimley stated that yes purple pipe will be used. Kiser asked if the standard regarding the type of trees to be planted in the landscape strip is being enforced on this project and he would also like to see a block wall built along the west side of the project. Swimley stated that the standard will be required to be followed. Block walls are required on reverse frontage, but not as a project boundary. This fence requirement is similar to what was approved with the Rose Gate project.

Commissioner Slater asked if the tree list has trees that are missile toe resistant. Swimley stated that staff has attempted to identify the trees that have shown resistance in the past to missile toe. Controlling it is a combination of annual maintenance an choosing the right trees.

Hearing Opened to the Public

- Dennis Bennett, representative for the Van Ruiten Ranch, came forward to answer questions.
- Commissioner Slater stated that he is also concerned about the wood fencing. Bennett stated that there are issues with any type of wall or fence. The wood fences will rot, but the block wall is a graffiti magnet. Slater asked if the wood will be pressure treated. Bennett

stated that he cannot guarantee that they will be. Slater asked staff if a requirement can be made to make the post for the fence pressure treated. Hoffman asked if this is only going to be along the western boundary. Slater state that he would like to see it there and it would be nice if all the wood fences in the development utilized pressure treated posts. Hoffman stated that the requirement could be justified for the western edge.

- Miranda O'Mahony, resident, came forward to express her concerns with the water shortage the area is experiencing and what steps this development is taking to alleviate the demand on the supply. Kiser stated that the purple pipe will address some of the recycling or repurposing of some of the water. Ms. O'Mahony stated that there are also landscaping choices that can help with water conservation. Swimley stated that the City has adopted the State's water conservation guidelines as part of our landscape ordinance.

Public Portion of Hearing Closed

- Commissioner Slater would like to amend the conditions to state that the fence posts in the fence on the western edge be pressure treated. Kiser stated that metal posts are now made and will last twice as long. Slater stated that he would defer to Kiser. Schwabauer asked for clarification that the fence will be built with that phase of development not prior. Commissioners agreed. Jones disagreed with the requirement. He doesn't feel that it is going to be necessary once the development gets to that stage.
- Planner Hoffman pointed out that a revised resolution has been provided on blue sheet.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Slater, Olson second, finds the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Van Ruiten Ranch development and recommend the City Council approve the requested growth allocation and vesting tentative subdivision map. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kiser, Olson, Slater and Chair Jones
Noes: Commissioners – None
Absent: Commissioners - Hennecke and Kirsten

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit to allow a personal fitness training studio within an existing industrial building located at 700 E. Pine Street. (Applicant: Carl Hultgren; File 2014-05 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Hearing Opened to the Public

- Carl Hultgren, applicant, came forward to answer questions. He believes this is a perfect location for his project.
- Chair Jones asked if there will be equipment put in the building. Mr. Hultgren stated that the purpose is to use your own body weight. Primarily resistance training.
- Commissioner Olson asked if there are set class times. Hultgren stated that it is mostly group training in specific classes.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Slater second, finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15032 and approves the Use Permit for the Pure Form PFT to operate within the Industrial zone subject to the findings and conditions of approval contained in the draft Resolution. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kiser, Olson, Slater and Chair Jones
Noes: Commissioners – None
Absent: Commissioners - Hennecke and Kirsten

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Senior Planner Hoffman stated that the Tentative Looking Ahead Project List has been provided and staff is available to answer any questions.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

None

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

4. ART IN PUBLIC PLACES

None

8. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

None

9. COMMENTS BY STAFF AND COMMISSIONERS (NON-AGENDA ITEMS)

Commissioner Heinitz wanted clarification as to whether or not a condition was added on item 3b for the fence. Slater stated that he did not add that for this project, but would like to bring the discussion back for future developments. Other Commissioners stated their desire to see an improvement to the fencing requirements for these types of developments.

Commissioner Jones stated that he has more problems with the requirements for low-density and medium-density lot sizes and the narrow streets. He also added that he is a fan of gated communities, but acknowledges that those are the guidelines the Commission has to follow.

Vice Chair Kiser asked if development agreements are going to be reconsidered. Schwabauer stated that you need to have a hammer to get a developer to agree. In the past we had the annexation as that hammer. We are not looking forward to an annexation in the near future.

10. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:51 p.m.

ATTEST:

Kari Chadwick
Planning Commission Secretary

RESOLUTION NO. 2014-83

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LODI APPROVING THE PLANNING
COMMISSION'S RECOMMENDATION FOR THE
2014 GROWTH MANAGEMENT ALLOCATIONS
FOR VAN RUITEN RANCH

=====

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the 2014 Growth Management Allocation as recommended by the Lodi Planning Commission, as shown as follows:

	<u>Requested 2014 Allocations</u>	<u>Recommended 2014 Allocations</u>
Van Ruiten Ranch	145 Low-Density	145 Low-Density
Van Ruiten Ranch	55 Medium-Density	55 Medium-Density
Van Ruiten Ranch	88 High-Density	88 High-Density
TOTAL	288	288

Dated: May 21, 2014

=====

I hereby certify that Resolution No. 2014-83 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 21, 2014, by the following vote:

AYES: COUNCIL MEMBERS – Johnson, Mounce, Nakanishi, and
Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None


JENNIFER M. ROBISON
Assistant City Clerk



Van Ruiten Ranch Subdivision

Subdivision Application: 13-S-02
Growth Management Allocation: 13-GM-02

(Applicant: Van Ruiten Ranch Limited)

**Represented by Dennis Bennett of Bennett
Homes**

Request for City Council approval of Growth Management Allocation for Van Ruiten Ranch Subdivision:

- ❖ 145 Low Density Residential Lots,
- ❖ 55 Medium Density Residential Lots and
- ❖ 88 High Density Units; and



SUBDIVISION MAP

City Council

In 2013, the City Council expired allocations accumulated since 2008. In the five-year period since 2008, 2,235 allocations were added to the reserve. The Council eliminated 800 Low Density and 1,435 High Density allocations. This Council action created a new balance of 4,674 as detailed below in Table A.

Table A: Growth Management Allocation History

Density	Base Available Allocations		
	Total Available for 2012	2% Allocations for 2013	Total Available for 2013
Low (0.1-7)	2,995	291	3,286
Medium (7.1-20)	557	45	602
High (20.1-30)	1,122	112	1,234
TOTAL	4,674	448	5,122

Table B identifies the available Allocations in 2013, Allocations provided to projects in 2013 and those available for 2014.

Table B: Growth Management Allocation for 2014

	Available Allocations			
	Total Available for 2013	Total Allocated in 2013 (Rose Gate)	2% Allocations for 2014	Total Available for 2014
Low (0.1-7)	3,286	- 232 (3,054)	294	3,348
Medium (7.1-20)	602	- 0 (602)	46	648
High (20.1-30)	1,234	- 0 (1,234)	113	1,347
TOTAL	5,122	4,890	453	5,343

Table C identifies the 2014 Total Allocations, the requested Allocations for the project, and the remaining overall Allocations.

Table C: Growth Management Allocation for Van Ruiten Ranch

Density	Available Allocations			
	Total Available for 2014	Requested Allocation for Van Ruiten Ranch	Remaining Allocations for 2014	Total Remaining for 2014
Low (0.1-7)	3,348	145	145 – 294 (149)	3,203
Medium (7.1-20)	648	55	55 – 46 (-9)	593
High (20.1-30)	1,347	88	88 – 113 (25)	1,259
TOTAL	5,343	288	165	5,055

The project is subject to the requirements of the California Environmental Quality Act (CEQA). All potentially significant environmental impacts were publicly disclosed and made available for comment via Lodi Annexation Environmental Impact Report, prior to any decisions to approve any part of the whole project.

Subsequently, the City Council certified an Environmental Impact Report (EIR) for the City of Lodi General Plan.

The Planning Commission reviewed the project in its entirety and recommended the City Council grant the applicant 145 Low-Density Residential, 55 Medium-Density Residential and 88 High-Density Residential Growth Management Allocations.

RECOMMENDATION

City Council

G-1

PUBLIC WORKS DEPARTMENT

the City of Lodi, CA FAX(209) 333-6710-6807

May 15, 2014

Concerning the Van Ruitin Ranch Subdivision:

We recently received the NOTICE OF PUBLIC HEARING Scheduled for May 21, 2014

We would like to draw your attention to our property, that sits adjacent to the Van Ruitin Ranch Project.

Our location is 2057 So. Lower Sacramento Rd. and is a Parcel of less than 2 ac.

Supporting 8 rental units. At present, the entrance is located about 100 ft. from

The Stop light at Century Center Blvd. As the project plans are being made,

we would like to request that consideration be given to granting an

easement onto our property from Century Blvd, since the traffic is heavy there,

especially during peak hours. It seems to us to be a much better option.

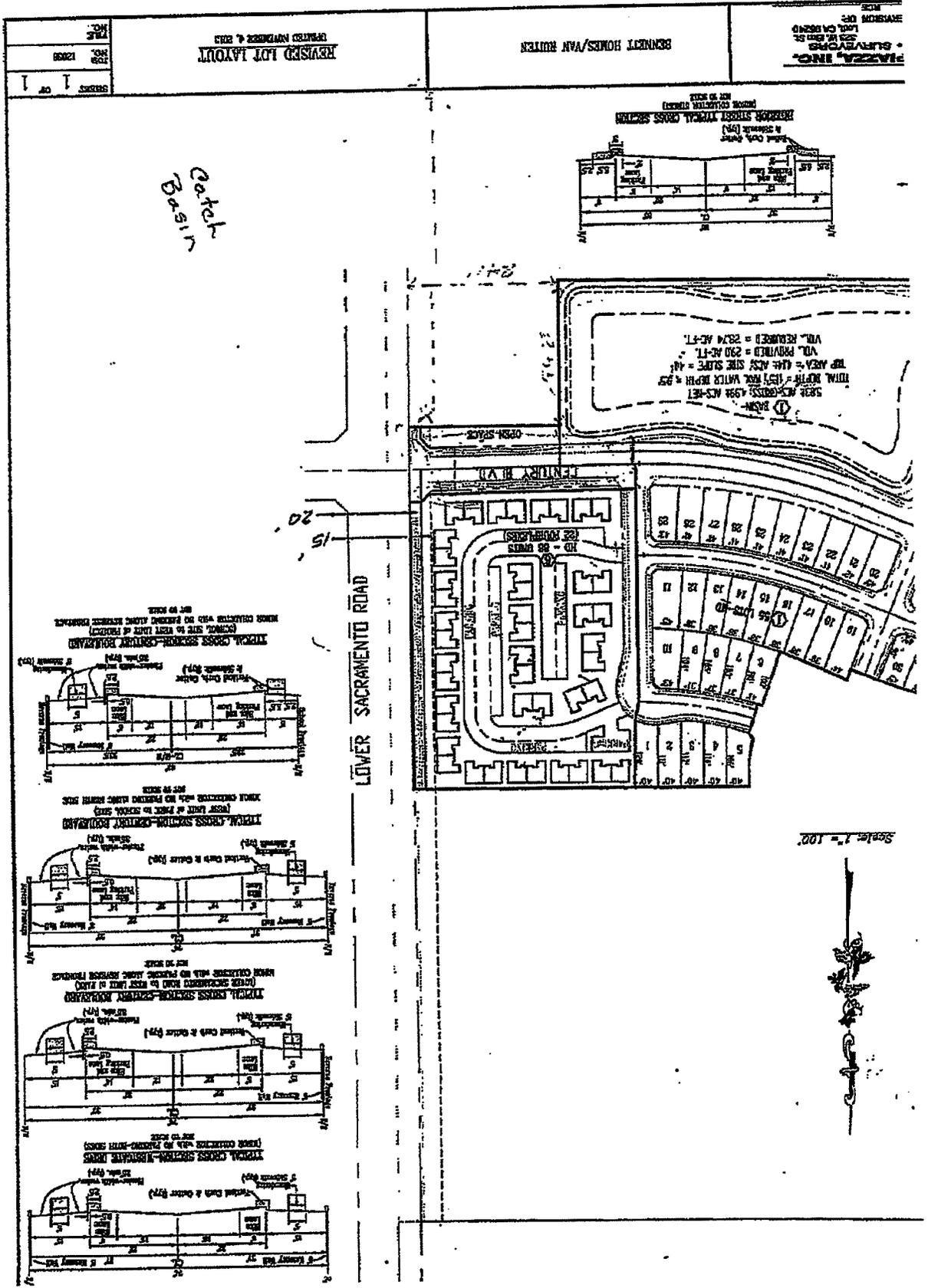
Thank you very much for your attention. Please keep our concerns in mind as plans

Move forward. We believe this is a safety issue.

Respectfully,

Kenneth & Carolyn Beck (209) 576-0648

Cell (916) 213-5369



Catch Basin

15'

LOWER SACRAMENTO ROAD

Scale: 1" = 100'

1001-9801-LLB

EXHIBIT "A"

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

A PORTION OF THE NORTH 20 ACRES OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTH 20 ACRES, SAID POINT OF BEGINNING BEING 330 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 255 FEET; THENCE NORTH 89 DEGREES 12 MINUTES WEST, 201 FEET; THENCE SOUTHERLY PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, 255 FEET TO THE SOUTH LINE OF SAID NORTH 20 ACRES; THENCE SOUTH 89 DEGREES 12 MINUTES EAST ALONG SAID SOUTH LINE, 301 FEET TO THE POINT OF BEGINNING.

APN NO 05B-030-06

2000-206328
12/31/2000 08:50R
2 of 2



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: PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION APPROVING THE PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE 145 LOW-DENSITY RESIDENTIAL, 55 MEDIUM-DENSITY RESIDENTIAL, AND 88 HIGH-DENSITY RESIDENTIAL GROWTH MANAGEMENT ALLOCATIONS FOR VAN RUITEN RANCH SUBDIVISION

PUBLISH DATE: SATURDAY, MAY 10, 2014

LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL-OLSON
LNS ACCT. #0510052 CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MAY 8, 2014

ORDERED BY: RANDI JOHL-OLSON
CITY CLERK

Jennifer M. Robison
JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA DITMORE
ADMINISTRATIVE CLERK

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

LNS Faxed to the Sentinel at 369-1084 at _____ (time) on _____ (date) _____ (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ JMR _____ MD (initials)



DECLARATION OF POSTING

**PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION APPROVING
THE PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE
145 LOW-DENSITY RESIDENTIAL, 55 MEDIUM-DENSITY RESIDENTIAL, AND
88 HIGH-DENSITY RESIDENTIAL GROWTH MANAGEMENT ALLOCATIONS
FOR VAN RUITEN RANCH SUBDIVISION**

On Thursday, May 8, 2014, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adopting resolution approving the Planning Commission's recommendation to authorize 145 low-density residential, 55 medium-density residential, and 88 high-density residential Growth Management Allocations for Van Ruiten Ranch Subdivision (attached and marked as Exhibit A) was posted at the following locations:

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 8, 2014, at Lodi, California.

ORDERED BY:

**RANDI JOHL-OLSON
CITY CLERK**


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA DITMORE
ADMINISTRATIVE CLERK



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION APPROVING THE PLANNING COMMISSION'S RECOMMENDATION TO AUTHORIZE 145 LOW-DENSITY RESIDENTIAL, 55 MEDIUM-DENSITY RESIDENTIAL, AND 88 HIGH-DENSITY RESIDENTIAL GROWTH MANAGEMENT ALLOCATIONS FOR VAN RUITEN RANCH SUBDIVISION

On Thursday, May 8, 2014, 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 Notice of Public Hearing to consider adopting resolution approving the Planning Commission's recommendation to authorize 145 low-density residential, 55 medium-density residential, and 88 high-density residential Growth Management Allocations for Van Ruiten Ranch Subdivision, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

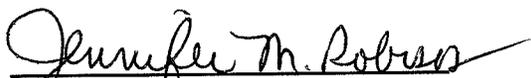
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

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

Executed on May 8, 2014, at Lodi, California.

ORDERED BY:

RANDI JOHL-OLSON
CITY CLERK, CITY OF LODI


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA DITMORE
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: May 21, 2014

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl-Olson

City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

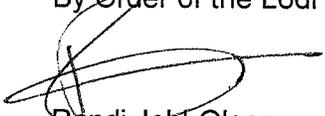
NOTICE IS HEREBY GIVEN that on **Wednesday, May 21, 2014**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

- a) **Adopt resolution approving the Planning Commission's recommendation to authorize 145 low-density residential, 55 medium-density residential, and 88 high-density residential Growth Management Allocations for Van Ruiten Ranch Subdivision.**

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

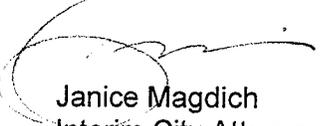
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:


Randi Johl-Olson
City Clerk

Dated: May 7, 2014

Approved as to form:


Janice Magdich
Interim City Attorney

PARCEL	OWNER	ATTN	ADDRESS	CITY	STATE	ZIP
5803004	LODI LSR PROPERTIES LLC		10100 TRINITY PKWY STE 420	STOCKTON	CA	95219
5803006	HOWARD INVESTMENTS LLC ETAL	MATTEUCCI	2522 GRAND CANAL BLVD STE 15	STOCKTON	CA	95207
5803009	REICHMUTH, ANDREW T ETAL	VICTORIA L BOCK TR	424 DAISY AVE	LODI	CA	95240
5803012	WAL MART REAL EST BUSINESS TRU	RE PROPERTY TAX DEPT	MAIL STOP 0555	BENTONVILLE	AR	72716
5803014	VAN RUITEN RANCH LP		PO BOX 520	WOODBIDGE	CA	95258
5803015	VAN RUITEN RANCH LP		PO BOX 520	WOODBIDGE	CA	95258
5803016	LODI LSR PROPERTIES LLC		10100 TRINITY PKWY STE 420	STOCKTON	CA	95219
5803017	VAN RUITEN RANCH LP		PO BOX 520	WOODBIDGE	CA	95258
5803018	VAN RUITEN RANCH LP		PO BOX 520	WOODBIDGE	CA	95258
5804001	SCHUMACHER, WELDON & BONNIE TR		1303 RIVERGATE DR	LODI	CA	95240
5814012	PETERSON, MINTON BILLIE & KARL		PO BOX 473	LOCKEFORD	CA	95237
5814051	LODI CITY OF		PO BOX 3006	LODI	CA	95241
5814052	PETERSON, MINTON BILLIE & KARL		PO BOX 473	LOCKEFORD	CA	95237
5823023	LODI, CITY OF		CITY HALL	LODI	CA	95240
5823024	LODI CITY OF		PO BOX 3006	LODI	CA	95241
applicant	BENNETT HOMES, INC		P.O. BOX 1597	LODI	CA	95241