

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, AUGUST 7, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, August 7, 2007, commencing at 7:01 a.m.

A. ROLL CALL

Present: Council Members – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. TOPIC(S)

B-1 "Presentation Regarding Freeway Commercial Overlay Zone"

City Manager King briefly introduced the subject matter of the overlay zone.

Community Development Director Hatch provided a presentation regarding the Freeway Commercial Overlay Zone. Specific topics of discussion included the purpose, location, criteria, adoption process, environmental review process, time line for adoption, and a summary of the same.

In response to Council Member Hitchcock, City Manager King stated the item was brought to the Council so that staff can ascertain that Council wants to go in this general direction before additional time and energy are put into this effort. Mr. King stated the backdrop for the item is the sliding Transient Occupancy Tax (TOT) revenue. He also discussed the Holiday Inn Express certification and the interest of other businesses in the site.

In response to Mayor Pro Tempore Mounce, Mr. Hatch stated staff does anticipate doing the regative declaration in-house despite pending projects because it is an appropriate policy level study to advance with the Development Code.

In response to Council Member Hansen, City Manager King stated he has not received any direct information regarding the remodeling or demolishing of motels along the Cherokee corridor, only indirect random information. He also stated that another hotel may be looking for a site under a different brand.

In response to Council Member Hansen, Mr. Hatch stated medial offices or similar businesses can be accommodated in a C-2 zone if there is a demand for the same.

Council Member Hansen suggested maintaining the landscaping and street conditions in a manner that preserves the history of the City and of Cherokee Lane.

In response to Council Member Hitchcock, Mr. King stated the Cherokee Lane corridor will likely be a candidate for the redevelopment project area.

In response to Mayor Johnson, Mr. Hatch explained that spot zoning is an illegal mechanism in California wherein a particular parcel has more intense zoning than all surrounding parcels, the parcel does not conform to overall General Plan designation, and the standards are different from surrounding properties. He stated spot zoning was generally used to deal with particular situations that arose within communities where a single non-conforming use arose in a particular area.

In response to Mayor Johnson, Mr. Hatch explained that if a hotel wants to go into the old Plummer Cadillac site, as an example, and construct a four-story structure, a variance would likely be insufficient as a legal justification for a height increase based on the surrounding properties, but an overlay may provide some flexibility for the same.

In response to Mayor Johnson, Mr. Hatch stated height limitations are based on a floor area ratio analysis and the idea is to stay with the appearance and standards of the community. Mr. King stated private market standards with hotels seem to be at four stories and a policy question exists as to how the Council wishes migration to occur on Cherokee Lane.

In response to Mayor Johnson, City Manager King stated the redevelopment plan would be consistent with the City's land use plan.

In response to Council Member Katzakian, Mr. King stated the adoption for the redevelopment plan is anticipated to be in early to late 2009 with the base year starting in 2009.

Mayor Pro Tempore Mounce suggested proceeding with the overlay regardless of the redevelopment plan to promote free enterprise by allowing the hotels to move forward.

Discussion occurred between Mayor Johnson, Council Member Hansen, and City Manager King regarding the number of hotels needed in the City, non-brand hotels, examples of hotels in Tracy along the 99 corridor, and an overview of the hotel chains represented currently in Lodi.

In response to Council Member Hansen, Mr. Hatch stated Tiger Line may move forward but not necessarily with a four-story building.

In response to Council Member Katzakian, Mr. Hatch stated light industrial zoning does have a different standard for height, but it would be a policy decision to change the make-up of an established area.

In response to Mayor Johnson, Mr. Hatch stated there is infrastructure in place along the Cherokee Lane corridor and each parcel would need to be assessed on an individual basis to determine what needs may arise. He stated this is the primary reason for not doing a brand new C-2 zone overlay.

In response to Council Member Hitchcock, Mr. Hatch stated infrastructure is in place to accommodate some sites but not necessarily the entire corridor. He stated utilities and traffic analysis will also have to be done and the requests will be handled on a first-come, first-served basis.

In response to Council Member Hansen, Mr. King stated redevelopment is affected by the development in the corridor because the benefit of the tax increment is based on whatever the condition of the construction and/or property is.

In response to Mayor Pro Tempore Mounce, Mr. Hatch stated he is not sure who paid for the infrastructure in the alley when the Comfort Inn was built, but he will forward the information when he receives it.

Mayor Johnson stated he could support going ahead with the overlay.

Council Member Hansen stated he could support proceeding with the overlay and suggested staff look into accelerating the redevelopment project if possible.

Council Member Katzakian stated he could support proceeding with the overlay because of the benefit from TOT.

In response to Council Member Hitchcock, Mr. King stated this matter was originally a Development Code issue. He stated it will go through the Planning Commission, but it was important to assess Council direction regarding the advancement of the overlay separate from the General Plan amendment.

In response to Council Member Katzakian, Mr. Hatch stated a four-story structure could be permitted through the General Plan as a text amendment to allow a particular use along this type of a corridor. He stated it would require Planning Commission approval, consultant review for consistency, and an ordinance change that could be worked into the Development Code.

Council Member Hansen requested a staff analysis showing the TOT assessment decrease and the reasons for the same.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:17 a.m.

ATTEST:

Randi Johl
City Clerk

AGENDA ITEM



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Freeway Commercial Overlay Zone (FC-O)
MEETING DATE: August 7, 2007
PREPARED BY: Randy Hatch, Community Development Director

Purpose

Staff is concerned with the vitality of the Cherokee Lane corridor and enhancing its economic strength and aesthetic appeal. Staff is also concerned with institutional barriers to the development of more lodging opportunities within Lodi. Taken together, staff believes that the Cherokee Lane corridor represents an opportunity to encourage hotel/motel development and other higher intensity uses. The height limit of the C-2 General-Commercial Zone, the zone which the Cherokee Lane corridor is designated, is 2 stories. Hotel/Motel development is often higher than 2 stories, up to 4 stories in height. A mechanism should be developed to allow the City to respond to these market driven needs for an increased height limit while also using this as an opportunity to improve the Cherokee Lane corridor.

The Freeway Commercial Overlay Zone (FC-O) is intended to provide additional flexibility in the development of commercial properties adjacent to Highway 99. The FC-O would allow properties that meet specific parcel and land use criteria to apply for approval of a development plan that includes building features that vary from the normal development standards of the underlying General-Commercial (C-2) zone. Each project would be reviewed on a case by case basis and must contain unique features that would preclude the project from being developed using standard C-2 development criteria, particularly a building design that exceeds the current C-2 height limit of 2-stories or 35 feet.

Location

At present, the FC-O is proposed to be limited to an area adjacent to Highway 99. Specifically, the FC-O would include the Cherokee Lane corridor generally extending from Turner Road on the north to Century Boulevard on the south (see project area map). The area included is primarily zoned C-2, general commercial, although a small portion of the area is zone M-1, light industrial and R-C-P, Residential-Commercial-Professional. The area included in the Overlay has been identified as having the highest potential for hotel and other types of higher intensity development given its exposure and accessibility to the freeway.

Criteria

For a project to qualify for consideration under the FC-O, the project will have to meet the following criteria:

1. The Underlying land use designation must be zoned General Commercial (C-2).
2. The proposed project must be a commercial project and must be a land use permitted by the underlying General Commercial (C-2) Zone.

APPROVED: _____


Blair King, City Manager

3. The property must first have a General Plan designation of General Commercial and be rezoned to C-2 before it can participate in the FC-O process. This may require the rezoning of multiple parcels to avoid creating a spot zone.
4. The project must be on a parcel(s) of land that can total one acre in size or larger.
5. The project can exceed the C-2 floor area ratio (F.A.R.) of 0.4, typically allowing 2 stories, but shall not exceed a F.A.R. of 2.0 (typically 4 stories) and have a height restriction of 70 feet.
6. The project proponent must submit a development plan that clearly shows all aspect of the proposed development, including building locations; building heights and number of floors; building setbacks, parking and site landscaping. Additionally, the plans must indicate the type of use proposed for each building and the exterior elevations of the buildings.
7. The proposed FC-O provides the applicant the flexibility to detail their own setbacks, lot coverage, and other site plan requirements subject to review and approval by staff and the Planning Commission.
8. The project must have some unique development or design feature that would not permit the project to comply with the normal development standards of the C-2 zone.
9. The project proponent must demonstrate that the requested changes to the design standards for the proposed project will not adversely affect surrounding properties.
10. The project must also reflect design and landscaping standards that will enhance the existing conditions in an effort to revitalized Cherokee Lane.
11. A specific Development Plan for the project must be approved by the Planning Commission.

Adoption Process

Adoption of the FC-O will require a General Plan Amendment in order to create a new General Plan classification. The Freeway Commercial Overlay (FC-O) designation will permit the same uses as the current General Commercial (GC) classification with one major difference. The GC designation permits a maximum F.A.R. of 0.40. The proposed FC-O designation will permit a F.A.R. of 2.0.

The Zoning Ordinance will also need to be amended to add the new designation of FC-O with all related development standards included. The F.A.R. of 2.0 will permit building heights greater than the current two stories. Staff's current plan is to cap the height limit at 70 feet or four stories. Other development standards can be determined on a case by case basis similar to a Planned Development-PD zone.

Environmental Review Process

The adoption of the new General Plan and Zoning designations for the Freeway Commercial Overlay designation will require some type of environmental review. It is anticipated that a Negative Declaration will be the level of environmental review required. A Negative Declaration should be sufficient because the new zone will require that each project be reviewed on a case by case basis. Except for the modified setbacks and higher F.A.R., building height and maximum number of stories, there are no additional entitlements that will result from the new zone. The permitted uses will remain the same and the number of project sites that will be affected will be limited in number because of the one-acre minimum size requirement.

Time Line for Adoption

The adoption of a new zoning classification will require both a General Plan Amendment and a change in the Zoning Ordinance. Both will require public hearings before the Planning Commission and the City Council. The Zoning Ordinance Amendment will need to be done by Ordinance and therefore require a second reading and will not take effect until 30-days after the second reading. Prior to the hearing process, the Community Development Department and the City Attorney's office will need to work out the exact language of the new zoning classification and an environmental review process will need to be completed. Based on these requirements it is anticipated that the entire process could take a minimum of 90 days to complete.

Conclusion

The FC-O will allow development of a limited number of unique projects that could not be built utilizing the normal development standards of the C-2 zone. By utilizing the added flexibility of the Freeway Commercial Overlay Zone, the City can allow the development of projects that can have a social and/or economic benefit for the City, and provide jobs or other opportunities for Lodi residents and provide for improvements to the Cherokee Lane corridor.



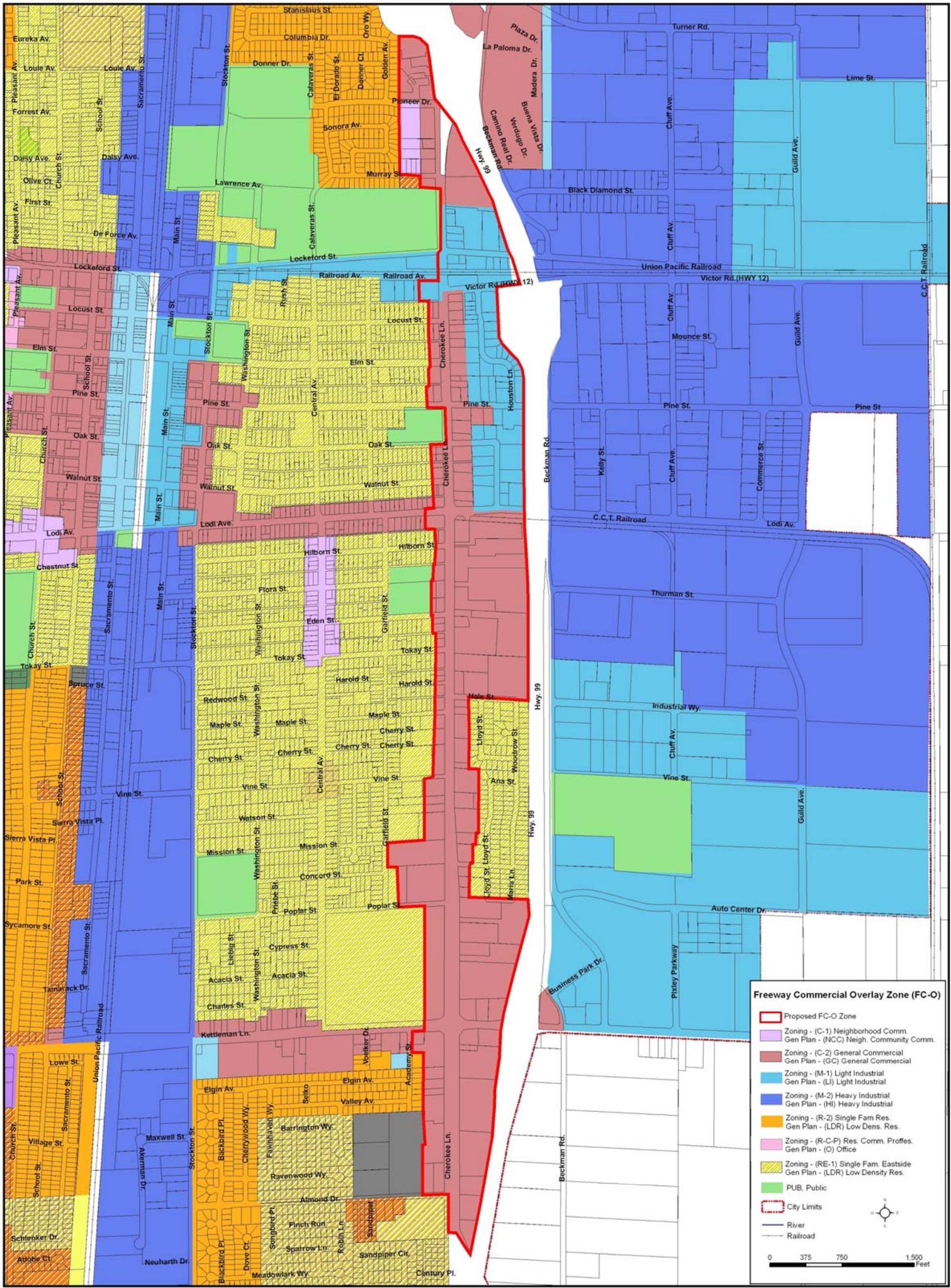
Randy Hatch
Community Development Director

RH/kjc

Attachments:

1. Zoning Map

cc:



Freeway Commercial Overlay Zone (FC-O)

- Proposed FC-O Zone
- Zoning - (C-1) Neighborhood Comm. Gen Plan - (NCC) Neigh. Community Comm.
- Zoning - (C-2) General Commercial Gen Plan - (GC) General Commercial
- Zoning - (M-1) Light Industrial Gen Plan - (LI) Light Industrial
- Zoning - (M-2) Heavy Industrial Gen Plan - (HI) Heavy Industrial
- Zoning - (R-2) Single Fam. Res. Gen Plan - (LDR) Low Dens. Res.
- Zoning - (R-C-P) Res. Comm. Profes. Gen Plan - (O) Office
- Zoning - (RE-1) Single Fam. Eastside Gen Plan - (LDR) Low Density Res.
- PUB, Public
- City Limits
- River
- Railroad

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