



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Communications (December 15, 1994 through December 28, 1994)

MEETING DATE: January 4, 1995

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council set a public hearing for February 1, 1995 to consider letter received from Baumbach & Piazza appealing the Planning Commission's decision to require an eight to ten foot right-of-way dedication for landscaping purposes outside the proposed Reverse Frontage Wall along Turner Road and the formation of a Lighting and Landscaping Assessment District, all at the Developer's expense, in the Towne Ranch Development, Phase 5.

BACKGROUND INFORMATION: The City of Lodi received a letter from Baumbach & Piazza (see letter attached) appealing the decision of the Planning Commission to require a eight to ten foot right-of-way dedication for landscaping purposes outside the proposed Reverse Frontage Wall along Turner Road and the formation of a Lighting and Landscaping Assessment District, all at the Developer's expense, in the Towne Ranch Development, Phase 5.

It is recommended that the City Council set this matter for public hearing for February 1, 1995.

FUNDING: None required.


Jennifer M. Perrin
City Clerk

JMP

Attachment

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

civil engineers

323 West Elm Street
Lodi, California 95240



BAUMBACH & PIAZZA, INC.

Phone (209) 368-6618
FAX (209) 368-6610

December 15, 1994

JOB NO. 9180-5

Ms. Jennifer Perrin
City Clerk, City of Lodi
221 West Pine Street
Lodi, CA 95240

Dear Jennifer:

On behalf of my client, "Towne Ranch Associates", hereby appeal to the City Council regarding the following described Planning Commission action on December 12, 1994:

The added condition requiring an 8 foot to 10 foot right of way dedication for landscaping purposes outside the proposed Reverse Frontage Wall along Turner Road, and the formation of a Lighting and Landscaping Assessment District, all at the Developers expense, attached to the approval of the Tentative Map of "Towne Ranch, Phase 5" (Map 94S011).

We feel that this condition is in conflict with the policy previously established by the Planning Commission and City Council regarding the wall and landscaping for the Towne Ranch Development.

Sincerely,

STEVEN E. PECHIN
President

SEP:jo

cc: Jim Schroeder
Dennis Bennett

RECEIVED
94 DEC 16 PM 1:58
JENNIFER M. PERRIN
CITY CLERK

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY C. DAVENPORT
PHILLIP A. PENNINO
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

December 16, 1994

Mr. Steven E. Pechin
c/o Baumbach and Piazza, Inc.
323 West Elm Street
Lodi, CA 95240

Dear Steve:

RE: Tentative Subdivision Map 94 S 011
Towne Ranch #5
2840 West Turner Road

At its meeting of Monday, December 12, 1994 the Lodi City Planning Commission conditionally approved the Tentative Subdivision Map of Towne Ranch, Unit #5, a 27.9 acre, 148-lot single-family development proposed for 2840 West Turner Road in an area zoned R-2, Single-Family Residential as requested by you on behalf of Towne Ranch Associates.

The Planning Commission's approval is subject to the conditions enumerated on the enclosed Public Works memorandum dated December 16, 1994.

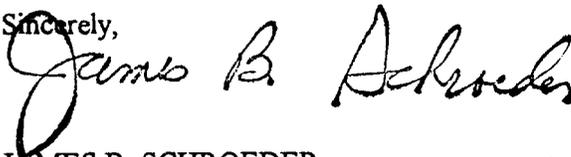
Section 16.36.010 of the Lodi Municipal Code provides as follows:

"Any person adversely affected by any action of the advisory agency may file a complaint with the City Clerk concerning such decision. Any such complaint shall be filed with the City Clerk within fifteen days after the action which is the subject of the complaint."

Mr. Steven E. Pechin
December 16, 1994
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Your appeal, if any, must be in writing and should be directed to Ms. Jennifer Perrin, City Clerk, P.O. Box 3006, Lodi, CA 95241-1910 and must be received by her before 5:00 p.m., Tuesday, December 27, 1994.

Sincerely,

A handwritten signature in black ink that reads "James B. Schroeder". The signature is written in a cursive style with a large, looped initial "J".

JAMES B. SCHROEDER
Community Development Director

Enclosure

cc: Town Ranch Associates
City Clerk ✓

MEMORANDUM, City of Lodi, Public Works Department

TO: Community Development Director

FROM: Public Works Director

DATE: December 16, 1994

SUBJECT: Recommended Vesting Tentative Map Conditions for Towne Ranch, Unit 5
File # 94 S 011

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 and are based on the Planning Commission approval on December 12, 1994:

1. Engineering and preparation of improvement plans and estimate per City Public Improvement Design Standards for all public improvements prior to final map filing. Plans to include:
 - Approved tentative map, signed by the Community Development Director;
 - Grading, drainage and erosion control plan;
2. 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.
3. Installation of all public utilities and street improvements within the limits of the map, including a reverse frontage fence and approximate 10-foot landscaping strip conforming to City-approved design along Turner Road and Evergreen Drive.

Due to the possibility of multiple final maps for this project from previously approved tentative maps and the uncertainty of the construction sequence, all improvements within the limits of the map and the following "off-site" improvements will need to be completed in conjunction with the first unit constructed:

- Installation of all public utilities and street improvements, including service laterals, in Evergreen Drive between Sequoia Street and Turner Road.
- Extension of utilities and water main looping as necessary to serve the site.
- Turner road transition at the WID canal to the approval of the Public Works Department (This construction may be deferred until construction of improvements of the adjacent unit.).

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.

4. Design and installation of public improvements to be in accordance with City master plans and include drainage and wastewater capacity for the area north of Turner Road bounded by the WID Canal on the west and north and the northerly extension

of a line parallel to and 400 feet west of the existing east right-of-way line on Lower Sacramento Road to the east.

Note that the developer may be eligible for reimbursement from others for the cost of certain improvements. It is the developer's responsibility to request reimbursement and submit the appropriate information per the Lodi Municipal Code §16.40.

5. Dedication of street right-of-way as shown on the tentative map with the following changes/additions:
 - As previously stated in our comments for the approved Development Plan for this project, the right-of-way on Turner Road needs to be 94 feet in the vicinity of Evergreen Drive. The 94-foot wide section needs to extend from Evergreen Drive to 300 feet east of Evergreen Drive. A 315-foot taper reducing the right-of-way from 94 feet to 80 feet needs to be provided east and west of the 94-foot wide section. The design of Turner Road needs to be coordinated with the future commercial development to the north.
 - Right-of-way for a bus turnout on Turner Road east of Evergreen Drive, if needed.
 - Provide 68-foot right-of-way on Evergreen Drive at the intersection with Turner Road in conformance with the Street Master Plan. Begin taper at the north property lines of Lots 266 and 267 to provide the 68-foot width at the intersection.

6. The Water Master Plan has identified a future well site near Evergreen Drive, south of Turner Road. Based on preliminary discussions with the developer, Lot 363 will be the well site if a test well is satisfactory. An agreement needs to be reached between the owner and the City regarding the location and acquisition of the well site prior to final map filing. Costs for the well site would be borne by the water development impact mitigation fee fund or paid as a credit against those fees.

7. Dedication of public utility easements as required by the various utility companies and the City of Lodi, including a water well hazard exclusion easement for the well site mentioned in Item #6 and a 10-foot landscape easement adjacent to the reverse frontage fence mentioned in Item #3.

8. Submit final map per City and County requirements including the following:
 - Waiver of access rights at Turner Road except at street openings shown on tentative map.
 - Sight obstruction easements on Lots 272, 273, 359, 360 and 363 in compliance with City Design Standards, if necessary.

9. Payment of the following:
 - Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule;

- Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of map filing (fees for Police, Fire, Parks and Recreation and General City Facilities may be deferred until acceptance of public improvements);
- Wastewater connection fee at building permit issuance;
- Reimbursement fees per existing agreements at time of map filing:
 - 1) 86S02 \$845/ac. (1994) Sanitary sewer lift station fee for acreage parallel to and 400 feet west of the existing east right-of-way line on Lower Sacramento Road. This fee increases on a yearly basis.
 - \$884/ac. (1995)
- One-time maintenance fee for City-approved reverse frontage fence along Turner Road and Evergreen Drive.

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.

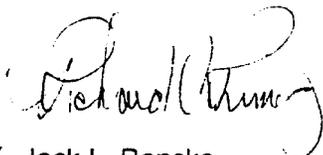
10. Obtain the following permits:

- San Joaquin County well/septic abandonment permit;

11. The City will participate in the cost of the following improvements:

- Master plan storm drains 30 inches and larger;
- Master plan water mains 10 inches and larger. The location of the 10-inch mains shown in the Water Master Plan will be adjusted to accommodate the location of the well site mentioned in Item #6.

12. Establish an assessment district formed under the 1972 Lighting and Landscape Act for the maintenance of the landscaping and reverse frontage fence, all to the approval of the Public Works Director and City Attorney.


for Jack L. Ronsko
Public Works Director

JLR/SAW

cc: Associate Civil Engineer
Towne Ranch Associates
Baumbach & Piazza



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: February 1, 1995
Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, February 1, 1995** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) Letter from Baumbach & Piazza appealing the Planning Commission's decision to require an eight to ten foot right-of-way dedication for landscaping purposes outside the proposed Reverse Frontage Wall along Turner Road and the formation of a Lighting and Landscaping Assessment District, all at the Developer's expense, in the Towne Ranch Development, Phase 5.

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

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

By Order of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: January 4, 1995

Approved as to form:


Bobby W. McNatt
City Attorney