AGENDA ITEM I-2

CITY OF LODI
COUNCIL COMMUNICATION

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AGENDA TITLE: **Continuation of a Public Hearing to February 21, 2007 to consider:**
a) Certification of the Lodi Annexation Environmental Impact Report (EIR) for the Westside Project.
b) the Westside Development Project, which includes Annexation, Pre-zoning, Development Agreement, and an Amendment to the Bicycle Transportation Master Plan, and the Westside Facilities Master Plan to incorporate 151 acres into the City of Lodi to allow construction of 750 dwelling units, 3 neighborhood/community parks, and a public elementary school at 351 E. Sargent Road, 70 East Sargent Road, 212 East Sargent Road, and 402 East Sargent Road.

MEETING DATE: **November 15, 2006**

PREPARED BY: **Randy Hatch, Community Development Director**

RECOMMENDED ACTION: To continue the public hearing for the certification of the Lodi Annexation Environmental Impact Report (EIR) for the Westside Project and the Westside Development Project to February 21, 2007.

BACKGROUND: At the City Council meeting of November 1, 2006 prior to the public hearing on the above matter, it was disclosed that two Council Members own an interest in property within a 500 foot radius of the project. This constitutes a potential financial conflict of interest which would cause the effected Council Members to remove themselves from participation in the matter. Consideration of the item was continued to November 15, 2006 to allow staff to research potential financial conflict of interest rules and provisions to determine if an actual conflict exists. While staff has performed some of the analysis, additional time is needed to consult with a qualified appraiser and have the appraiser conduct an analysis. Given the workload and availability of the appraiser the item needs to be continued to February 21, 2007.

FISCAL IMPACT: None

FUNDING: None

Randy Hatch
Community Development Director

MM/RH/kc

Attachments: Westside Land Use Plan

APPROVED: Blair King, City Manager

Westside Land Use Plan

DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING CONCERNING THE WESTSIDE PROJECT

On Friday, November 17, 2006, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing concerning the Westside Project (attached and marked as Exhibit A) was posted at the following locations:

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

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

Executed on November 17, 2006, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK

Jennifer M. Perrin

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF CONTINUED PUBLIC HEARING
Date: February 21, 2007
Time: 7:00 p.m.

For information regarding this notice please contact:
Randi Johl
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF CONTINUED PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, February 21, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) Certify the Lodi Annexation Environmental Impact Report for the Westside Project

b) Approve the Westside Development Project, which Includes an Annexation, Pre-Zoning, Development Agreement, and Amendment to the Bicycle Transportation Master Plan and the Westside Facilities Master Plan to Incorporate 151 Acres into the City of Lodi to Allow Construction of 750 Dwelling Units, 3 Neighborhood/Community Parks, and a Public Elementary School at 351 East Sargent Road, 70 East Sargent Road, 212 East Sargent Road, and 402 East Sargent Road

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 W. 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
City Clerk

Dated: November 15, 2006

Approved as to form:

D. Stephen Schwabauer
City Attorney