



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Continued Public Hearing to Consider Adopting Resolution Approving Harney Lane Specific Plan and Certifying Negative Declaration as Adequate Environmental Documentation for the Harney Lane Specific Plan

**MEETING DATE:** December 21, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Continued public hearing to consider adopting resolution approving Harney Lane Specific Plan and certifying Negative Declaration as adequate environmental documentation for the Harney Lane Specific Plan.

**BACKGROUND INFORMATION:** City Council considered the adoption of the Harney Lane Specific Plan and certification of the negative declaration at its October 5, 2011 meeting. A copy of that Council Communication is provided as Exhibit A.

It is important to remember that the Specific Plan documents stop at the Harney Lane/South Hutchins Street intersection with the understanding that the segment from South Hutchins Street to Stockton Street will be designed as part of the grade separation project.

The City Council continued the public hearing, directing staff to meet with representatives of the Felix Costa and Sons property who expressed concerns over the access on West Lane/South Hutchins Street and the inclusion of acceleration/deceleration lanes at the future intersection on Harney Lane opposite of Banyan Drive.

The concerned parties met on October 18, 2011, and a staff proposal was presented that mitigates the access issues on West Lane/South Hutchins Street. The proposal, Exhibit B, would create a new driveway opposite a future intersection at the South Hutchins Annexation (Sutter Gould) project. This solution is very similar to the access provided to the Van Ruiten Farms property west of Lower Sacramento Road at the Century Boulevard intersection, as presented in Exhibit C.

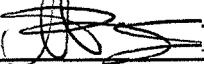
Advantages of the new access on West Lane/South Hutchins Street are listed below.

1. A full access signalized intersection provides a median opening and full turning movement access that is not allowed by the existing median.
2. The signalized intersection will permit safe entry and exit of trucks and vehicles.
3. The new access provides better service for trucks and vehicles than the existing access.

At the same meeting, it was agreed that the issue of providing acceleration/deceleration lanes at the future intersection on Harney Lane opposite of Banyan Drive would be included in the alternatives analysis phase of the design for the grade separation.

A second meeting was held with all concerned parties on November 30, 2011, and the staff proposal was accepted with the following conditions.

APPROVED: \_\_\_\_\_

  
Konrad Bartlam, City Manager

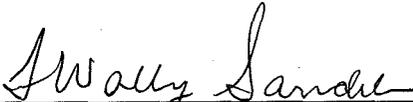
1. The future intersection required as a condition of development of the South Hutchins Annexation would be constructed in conjunction with the Harney Lane Grade Separation if not already constructed.
2. Access to the Felix Costa and Sons property via a left turn from west bound Harney Lane into a new driveway opposite Banyan Drive is guaranteed until the improvements at the intersection of Harney Lane and South Hutchins Street are completed or until the grade separation is under construction and ultimately completed. The improvements at the intersection of Harney Lane and South Hutchins Street will allow for U-turns from west bound to east bound Harney Lane.
3. The City committed to limit disruptions to the packing and farming operations to as few as possible.
4. All concerned parties agree to support the recommended action.
5. A Memorandum of Understanding between the parties has been prepared setting forth the conditions described above.

If City Council approves the recommended actions, the Final Specific Plan Report will be revised to include Exhibit B replacing the two Costa Exhibits in Appendix B.

Staff recommends adoption of a resolution approving the Harney Lane Specific Plan and certifying the negative declaration as adequate environmental documentation for the Harney Lane Specific Plan.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

  
\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director

Prepared by Wally Sandelin  
FWS/pmf  
Attachments



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to Consider Adopting Resolution Approving Harney Lane Specific Plan and Certifying Negative Declaration as Adequate Environmental Documentation for the Harney Lane Specific Plan

**MEETING DATE:** October 5, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Public hearing to consider adopting resolution approving Harney Lane Specific Plan and certifying Negative Declaration as adequate environmental documentation for the Harney Lane Specific Plan.

**BACKGROUND INFORMATION:** The 2010 General Plan designates Harney Lane as a four-lane expressway between Lower Sacramento Road and State Route 99. West of Lower Sacramento Road to the city limits, Harney Lane is generally designated to be a four-lane minor arterial. The Specific Plan covers the area from the city limits on the west to South Stockton Street on the east, as presented in Exhibit A. The section of Harney Lane between South Stockton Street and State Route 99 is not included in the Specific Plan because the roadway widening has been completed as part of development in the area.

The section between South Hutchins Street and South Stockton Street will have a number of different geometric alternatives that will be identified and evaluated as part of the design and environmental phase of the Harney Lane Grade Separation Project. The consultant selection process has been completed and the start of work is imminent.

The Harney Lane Specific Plan is a planning tool that will be used to guide the systematic implementation of the adopted General Plan. It effectively establishes a link between implementing policies of the General Plan, individual development proposals, and future City capital improvement projects along the Harney Lane corridor. A copy of the Harney Lane Specific Plan Report and Technical Appendices are available at the Public Works Department for review, and an abridged copy of the report is provided in Exhibit B.

The Harney Lane Specific Plan will accomplish two objectives. The first is to identify the roadway improvements to be constructed along Harney Lane; the second is to establish the required right-of-way to serve anticipated growth and future traffic volume increases along the corridor.

The proposed geometrics reflect the ultimate improvements required to serve the traffic expected to result from development of the General Plan. It is anticipated that a phased-construction approach will be utilized to construct the ultimate improvements. Therefore, interim geometric plans will likely be implemented to deal with constraints represented by cost, relocation of structures, right-of-way acquisition and accident history. As development occurs along the corridor, ultimate improvements will be required in conjunction with that development project.

An important aspect of the design of expressways is the limitation on the number of intersections and other turning movements onto and from the expressway. This Specific Plan assumes that intersections with median openings will be allowed only at Westgate Drive (a future intersection), Lower Sacramento Road,

APPROVED:

A handwritten signature in black ink, appearing to read "Konradt Bartlam".

Konradt Bartlam, City Manager

South Mills Avenue, South Ham Lane, South Hutchins Street, and South Stockton Street. Further discussion of the geometric design and phased improvement of Harney Lane is provided below.

The corridor is divided into four distinct segments for discussion purposes – Segment 1: City limits to Lower Sacramento Road; Segment 2: Lower Sacramento Road to South Mills Avenue; Segment 3: South Mills Avenue to South Hutchins Street; and Segment 4: South Hutchins Street to South Stockton Street. This segmentation is not intended to reflect the phasing of improvements or the sequencing.

### **Segment 1 – City Limits to Lower Sacramento Road**

Harney Lane west of Lower Sacramento Road lies primarily within San Joaquin County and partly within the City. It is anticipated that the County portion of this road segment will eventually be annexed into the City. The area north of Harney Lane in this segment is within the City's sphere of influence. The area south of Harney Lane is not within the City's sphere of influence and no annexation is anticipated.

The houses on the north side are set back a minimum of 27 feet from the existing right-of-way, while the houses on the south are set back 2 to 25 feet from the existing right-of-way. Because of this, two improvement alternatives were developed for this segment. The first is an interim alternative that is not required until the Southwest Gateway project develops, which may be 15 years in the future. Since the houses on the south are closest to the road, the existing south right-of-way line was held, wherever possible, and the improvements were pushed to the north side. To construct the interim improvements, 9 ½ feet of right-of-way would be required on the north side of the street. On the south, the two properties closest to Lower Sacramento Road would be affected. The amount of right-of-way required at these locations varies from 0 to 3 feet. By taking this approach, no housing structures will be impacted.

The ultimate improvement alternative for Segment 1 would closely conform to the City standard section for a secondary arterial which measures 64 feet from curb to curb. These improvements would be required 30 years or more from now. To construct the ultimate improvements, up to 8 feet of additional right-of-way would be required on the north side and up to 13 feet of additional right-of-way would be required on the south side. The houses on the north are still set back far enough that the extra right-of-way will not impact the houses directly but would reduce the size of the front yards by 8 feet. On the south side, 10 properties are affected. Three of the 10 properties would need to be purchased to build the ultimate improvements.

### **Segment 2 - Lower Sacramento Road to South Mills Avenue**

Similar to Segment 1, Harney Lane between Lower Sacramento Road and South Mills Avenue is expected to be widened in phases. Interim improvements will be implemented when the City deems traffic volumes or accident levels have created unsafe conditions. The south side of the roadway consists of rural residential homes built on fairly large lots. The homes are generally set well back from the existing roadway. The interim improvements will widen Harney Lane to allow the traffic to flow safely but minimize the impacts to residences on the south side. The ultimate improvements are not required until the properties on the south side of Harney Lane and easterly of this segment are developed.

### **Segment 3 – South Mills Avenue to South Hutchins Street**

Because there are only three property owners on the south side of Harney Lane, and these properties are likely to develop in the future, there will likely not be an interim improvement alternative. The ultimate alternative will likely be constructed in conjunction with development. The residential homes east of the Woodbridge Irrigation Canal on the north side have driveway access onto Harney Lane. This access will remain and is complemented with on-street parking and a bicycle lane. In this area, a total of 14 feet is provided on the north side of the roadway to accommodate the parking and bicycle lane.

#### **Segment 4 - South Hutchins Street to South Stockton Street**

This segment is unique due to the Union Pacific Railroad crossing that exists in the middle, as well as special considerations required to support the existing agricultural/industrial uses at the southeast quadrant of the Harney Lane and South Hutchins Street intersection. The City has plans for a grade separation at the railroad crossing, as presented in the General Plan. Design and environmental review of the alternative grade separation configurations and access considerations will be completed over the next 18 months. Frequent opportunities will be provided for the general public to receive information and to comment on the project as it develops.

Segment 4 improvements along Harney Lane will significantly impact the agricultural operations at the Costa and Tsutsumi properties on the south side. The Tsutsumi operations are limited to a wine grape vineyard and related operations. Future expansion of the Reynolds Ranch Shopping Center eventually will require the expansion of the South Stockton Street intersection, but these improvements will not affect the access conditions at the Tsutsumi property. The Tsutsumi property will only be affected when the grade separation is constructed. Mr. Tsutsumi opposes the proposed specific plan. Mr. Tsutsumi claims the grade separation project would take a significant amount of his property, thereby, making it not economically feasible to continue wine grape vineyard operations.

The Costa property contains a large cherry orchard and cherry packing facility. The operations utilize numerous access locations on Harney Lane and West Lane. During packing season, the facility processes fruit from much of the Central Valley, and trucks are continuously entering and exiting the property. Development of the South Hutchins Annexation project at the southwest corner of Harney Lane and South Hutchins Street will result in the significant expansion of the same intersection. Accommodations for access to the Costa property are provided in the form of a relocated driveway at the corner and, if needed over time, the addition of a new driveway with pull-out lanes opposite the existing Banyan Drive. No other widening along this segment is anticipated prior to construction of the grade separation.

The grade separation will be a City-sponsored project and will be constructed as soon as funding is available. Upon construction of the grade separation, the Costas will lose full access to both driveways on Harney Lane by virtue of the raised median that will be constructed with the grade separation. A new intersection access opposite Banyan Drive will allow right-in and right-out turns only at the Costa property.

City staff met with the Costas on several occasions to discuss the impacts the Harney Lane Specific Plan would have on their operations and access to their property. Specifically, City staff repeatedly represented that the grade separation alternatives presented in the specific plan were a plan in concept only and did not bind future City action nor did it eliminate or lessen any rights held by the Costas to challenge any subsequent action by the City concerning the grade separation project. The Specific Plan addresses the concerns expressed by the Costas.

#### **k Outreach**

Two public meetings were held at Henderson Community Day School. The first public meeting was held on June 8, 2010, to present the preliminary Specific Plan, explain the purpose of a specific plan, request input on the plan and give the attendees an opportunity to individually meet with City staff. A total of 52 people attended the first meeting. A second public meeting was held on January 25, 2011, to present residents with an update addressing the comments from the first public meeting, the follow up individual meetings and staff modifications to the Specific Plan. A total of 53 people attended the second meeting.

As part of the public outreach, the City staff invited all residents within the project area to meet one-on-one with the project team to further explain the Specific Plan and to discuss the impact to their individual properties. Since not all of the citizens could attend the public meetings, two separate letters

went out to all property owners whose properties would be impacted. A total of 55 residents took the opportunity to meet with the project team. The meetings were either held at the property owner's residence or at the Public Works office. The meetings were successful in providing information to the property owners and in resolving most of the property owners' concerns and issues.

### **Harney Lane Specific Plan Negative Declaration**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as the lead agency, prepared an Initial Study and Mitigated Negative Declaration (Exhibit C) and published a Notice of Availability (NOA) announcing that the Harney Lane Specific Plan Draft Negative Declaration had been prepared and was available to the public for review. The NOA was submitted to the State Clearinghouse, distributed to local agencies, sent to interested persons, posted with the County Clerk's office, mailed to all property owners of record within a 300-foot radius of the project boundary, posted on the City's website and published in the *Lodi News Sentinel*. The 30-day window for review and comment on the draft Negative Declaration commenced on Tuesday, April 12, 2011, and concluded on Wednesday, May 11, 2011. During the public review period, five comments were received on the proposed Negative Declaration [State Clearing House, California Valley Miwok Tribe, State Department of Transportation (Caltrans) District 10, San Joaquin County Council of Governments (SJCOG), and Union Pacific Railroad (UPRR)].

The letter from the State Clearinghouse notes that the Initial Study and proposed Mitigated Negative Declaration were circulated for a 30-day period review and that only Caltrans District 10 submitted a comment letter. It further notes that the review requirements for draft environmental documents have been fulfilled. The letter from California Valley Miwok Tribe notes change of their mailing address. Their comment is noted and City staff has updated their mailing address. The Caltrans letter indicates that a traffic impact study is required for this project in order to determine the proposed project's near-term and long-term impacts to State facilities. The City feels this issue has already been addressed via a previous Mitigated Negative Declaration (Harney Lane Interim Improvements Project SCH#2010072040) and the General Plan EIR 2010 (SCH#2009022075). The proposed Harney Lane Specific Plan is an integral component of the City's General Plan 2010, which identifies Harney Lane as a four-lane expressway. No physical improvements or construction activities are proposed in conjunction with implementation of the Harney Lane Specific Plan. Subsequent development in the plan area, including all subdivisions, site plan reviews, planned development review, and conditional use permits will be subject to environmental review on a project-by-project basis. SJCOG notes the project limits are within a habitat zone and future developments would be subject to requirements in effect at the time the developments occur. Finally, the UPRR letter notes that a future grade separation at the Harney Lane railroad is needed. The City notes that planning for the grade separation has commenced and it anticipates completing the design and environmental review of the project at some time in the future.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

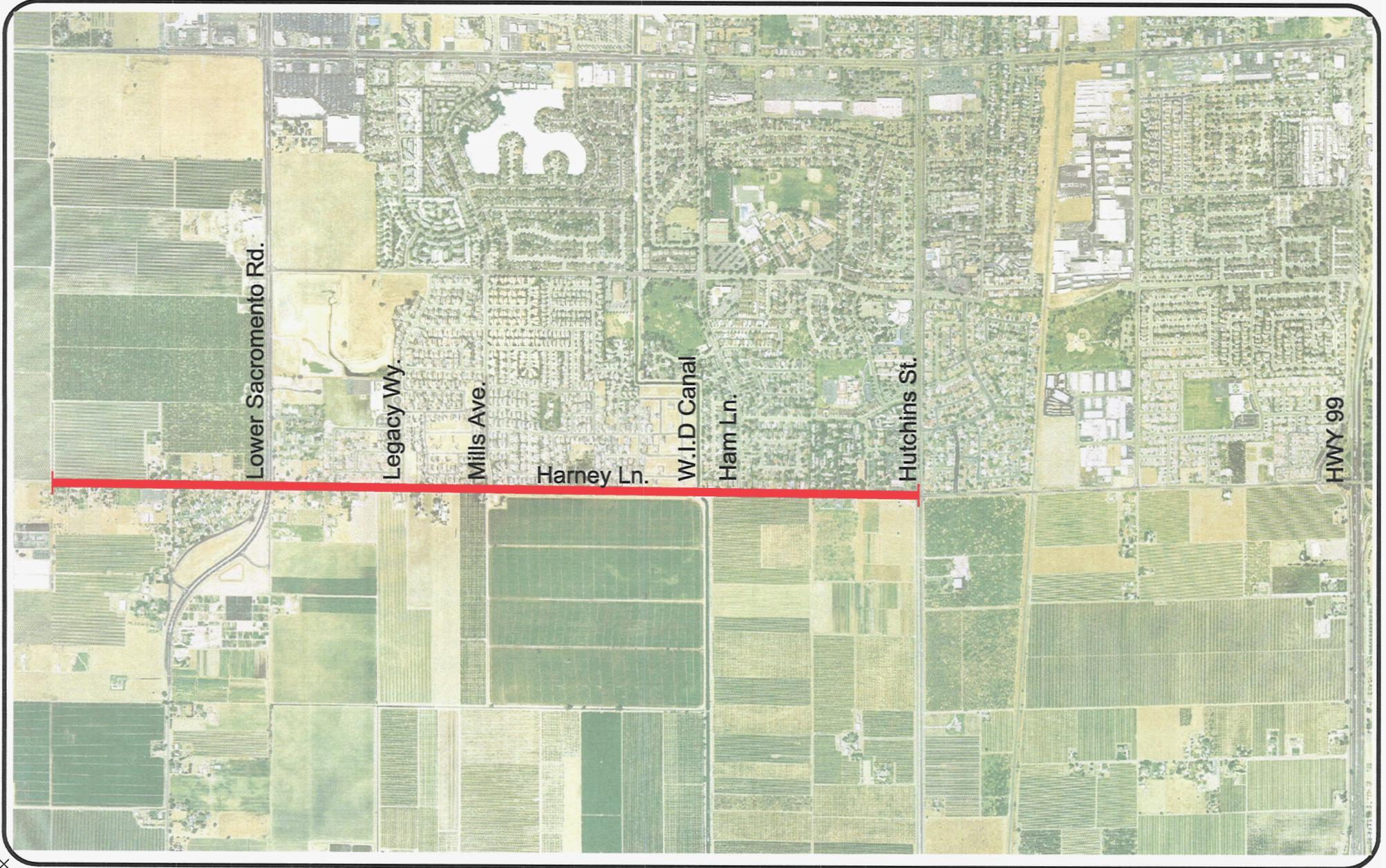
  
\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## Exhibit A - Harney Lane 1/2 Mile West of Lower Sacramento Rd to Hutchins Street



x

# EXHIBIT B

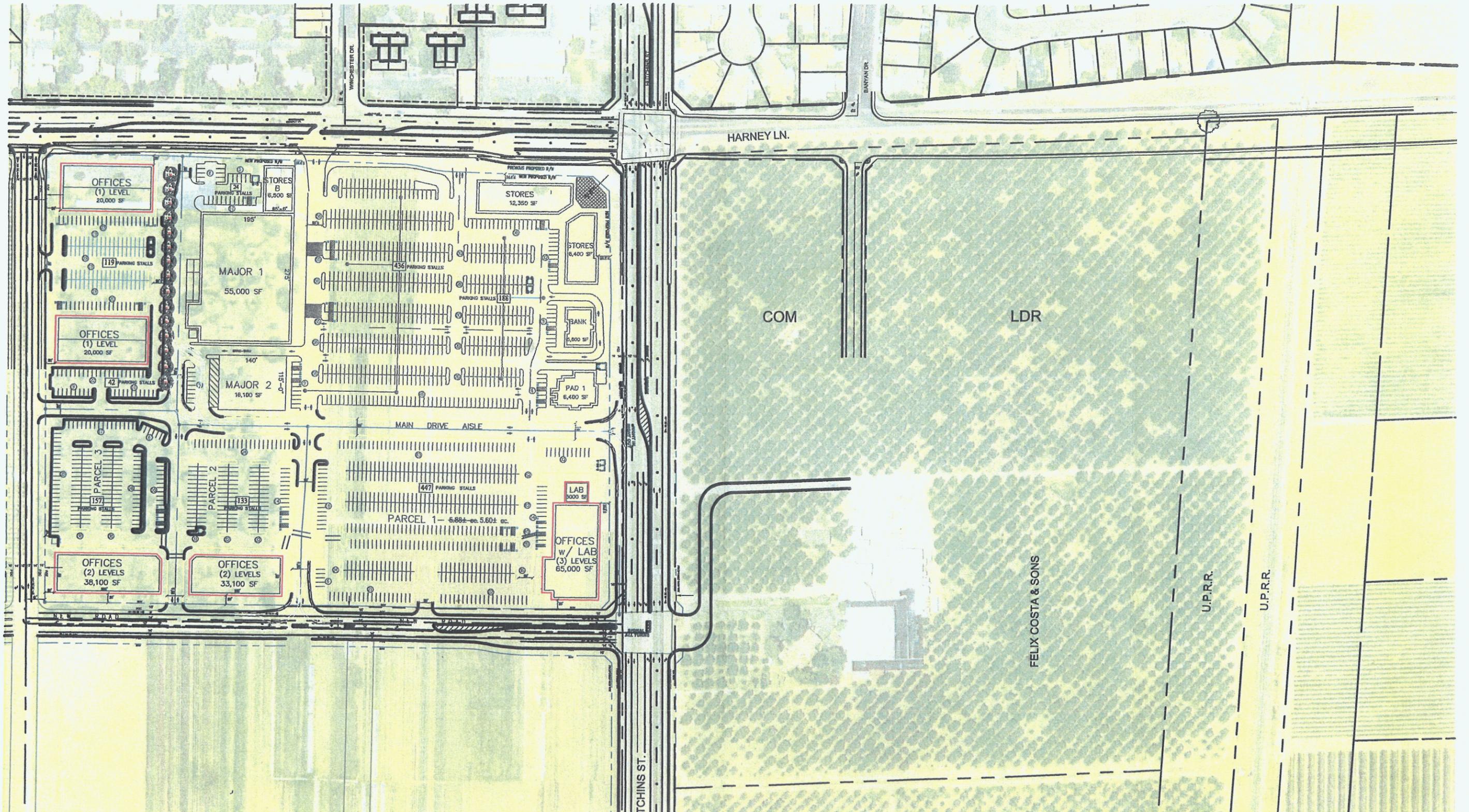


EXHIBIT C



RESOLUTION NO. 2011-199

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING HARNEY LANE SPECIFIC PLAN AND  
CERTIFYING NEGATIVE DECLARATION AS  
ADEQUATE ENVIRONMENTAL DOCUMENTATION  
FOR THE HARNEY LANE SPECIFIC PLAN

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WHEREAS, the Harney Lane Specific Plan covers the area from the city limits on the west to South Stockton Street on the east; and

WHEREAS, after conducting two public meetings, providing two mailings to affected property owners, and meeting individually with concerned residents, staff recommends approving the Harney Lane Specific Plan; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as the lead agency, prepared an Initial Study and Mitigated Negative Declaration and published a Notice of Availability (NOA) announcing that the Harney Lane Specific Plan Draft Negative Declaration had been prepared and was available to the public for review. The NOA was submitted to the State Clearinghouse, distributed to local agencies, sent to interested persons, posted with the County Clerk's office, mailed to all property owners of record within a 300-foot radius of the project boundary, posted on the City's website, and published in the *Lodi News Sentinel*. The 30-day window for review and comment on the draft Negative Declaration commenced on Tuesday, April 12, 2011, and concluded on Wednesday, May 11, 2011; and

WHEREAS, staff recommends that the City Council certify the Negative Declaration as adequate environmental documentation for the Harney Lane Specific Plan.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Harney Lane Specific Plan and hereby certifies the Negative Declaration as adequate environmental documentation for the Harney Lane Specific Plan.

Dated: December 21, 2011

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I hereby certify that Resolution No. 2011-199 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 21, 2011, by the following vote:

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

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Johnson

ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk

The City of Lodi  
**Public Works  
Engineering**



**Continued Public Hearing  
Harney Lane Specific Plan**

Agenda Item G - 1  
December 21, 2011

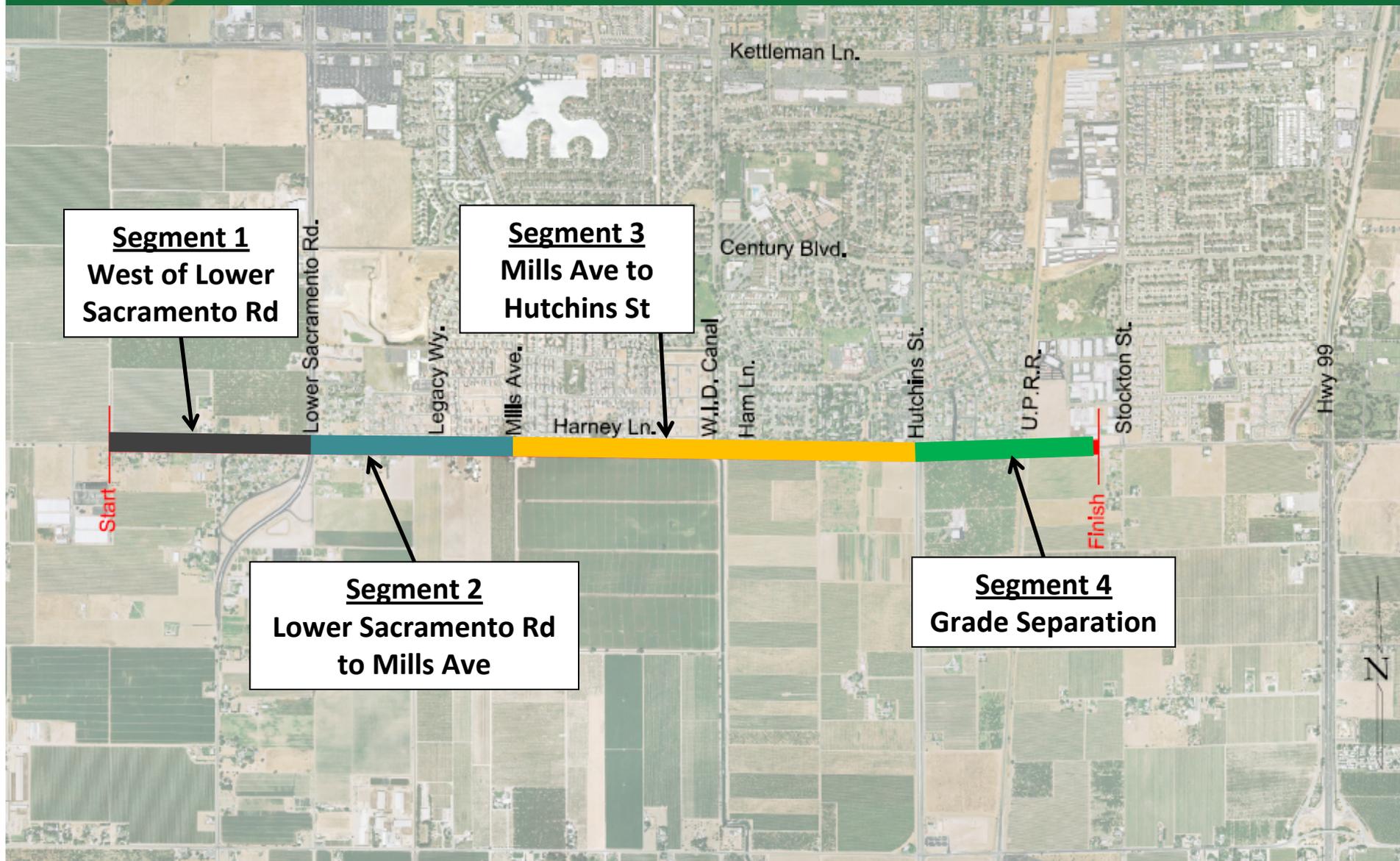


# Purpose

- Establish Future Right of Way – Western City Limit to Hutchins Street
- Inform Public of Planned Future Improvements
  - Four lane expressway east of Lower Sacramento Road
  - Four lane minor arterial west of Lower Sacramento Road
  - Auxiliary lanes at some intersections
- Identify Potential Acquisitions at 47 Properties
  - Dedications required upon development
  - Interim and ultimate plans for construction
  - Need driven by future growth and increased traffic



# Harney Lane Specific Plan



# History



- January 2008 - Shirtsleeve Meeting
- July 2008 – Retained Mark Thomas and Co.
- June 2010 - 1<sup>st</sup> Public Meeting
- June 2010 to October 2010 - One-on-One Meetings (30 meetings)
- November 30, 2010 - Shirtsleeve Meeting
- January 24, 2011 - 2<sup>nd</sup> Public Meeting
- October 5, 2011 – 1<sup>st</sup> Public Hearing

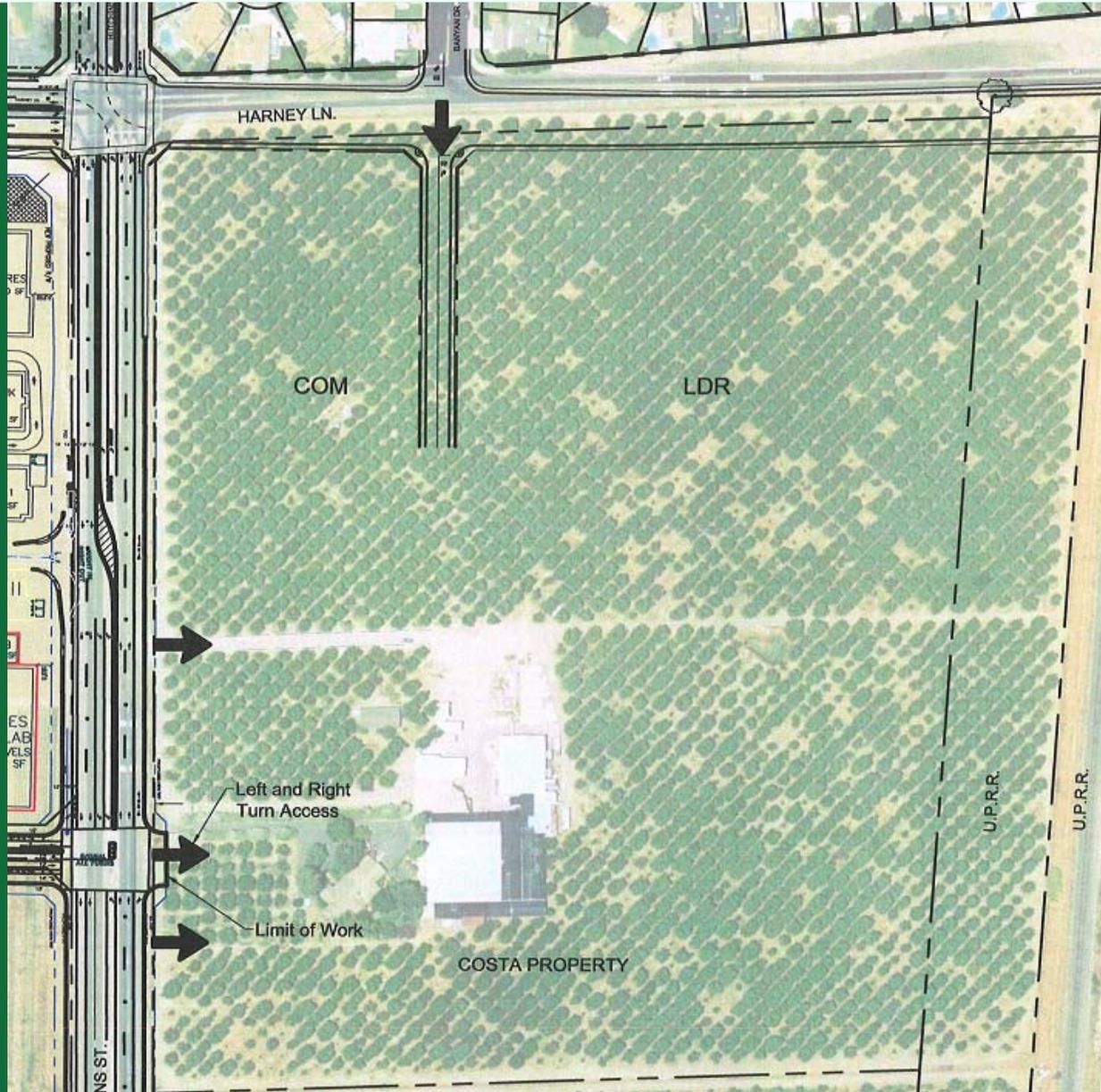


# Costa Agreement

- Access Points on West Lane and Harney Lane
- Signalized Intersection on West Lane
- Harney/West Lane Intersection U-Turn Westbound to Eastbound
- Temporary Construction Easement Acquired as Permanent R/W



# Costa Property Access





Questions?

Memorandum of Understanding  
Harney Lane/West Lane Access

This Memorandum of Understanding is entered between the City of Lodi and \_\_\_\_\_ (“Costa”) regarding the Costa’s access to Harney Lane and West Lane from the Costa property located at the Southeast corner of Harney Lane and West Lane, currently located in the unincorporated area of San Joaquin County.

1. The City agrees to vest the Costa’s access, at the points and in the directions referenced in Exhibit A, to West Lane upon annexation of the roadway into the Lodi City limits. The City further agrees to vest the Costa’s access to Harney Lane upon execution of this MOU at the points and in the directions referenced in Exhibit A.
2. The City will construct or cause others to construct, at no expense to Costa, a signalized intersection on West Lane allowing left and right in and out access to the Costa property at the location referenced in Exhibit A. The improvements shall be constructed at the same time as the earlier of the Harney Lane Grade Separation Project or the Fink Project on the Southwest corner of Harney Lane and West Lane. The City will improve the intersection up to the right of way line as depicted on Exhibit A.
3. The intersection of Harney Lane and West Lane is currently designed and upon any improvements will in the future be designed in such a fashion as to permit west bound Harney Lane traffic to make a u-turn at the intersection and travel east.
4. The Harney Lane Grade Separation project will be constructed and completed in one phase.
5. The City acknowledges that any improvements that would require acquisition of existing orchards for temporary construction easements on the Costa property would so impact the property “temporarily” taken as to necessitate that any compensation be determined as if the acquisition were permanent.

CITY OF LODI, a municipal corporation

COSTA

By \_\_\_\_\_  
KONRADT BARTLAM, City Manager

\_\_\_\_\_

Attest:

\_\_\_\_\_  
RANDI JOHL, J.D., City Clerk

Approved as to Form:

\_\_\_\_\_  
D. STEPHEN SCHWABAUER, City Attorney

\_\_\_\_\_  
STEVE HERUM, Costa Attorney





# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## Exhibit A Costa Property Property Access

