

RESOLUTION NO. 2007-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI  
APPROVING AND FORWARDING TO SAN JOAQUIN LOCAL  
AGENCY FORMATION COMMISSION FOR ACTION THE REQUEST  
OF TOM DOUCETTE, FRONTIER COMMUNITY BUILDERS, FOR AN  
ANNEXATION OF 151 ACRES OF LAND INTO THE CORPORATE LIMITS  
OF THE CITY OF LODI (WESTSIDE PROJECT)

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WHEREAS, the City Council of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested annexation in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, "Amendments"; and

WHEREAS, the affected properties are located within the Westside Project area totaling 151 acres and are described as follows:

APN	Site Address	Property Owner
029-380-05	351 East Sargent Rd.	Georgia Perlegos Et al
027-040-01	70 East Sargent Rd.	Manna Trust
027-04-020	212 East Sargent Rd.	DHKS Development
027-04-030	402 East Sargent Rd.	Noble D. Fore Jr. II

WHEREAS, the applicant is Tom Doucette, Frontier Community Builders, 10100 Trinity Parkway, Suite 420, Stockton, CA 95219; and

WHEREAS, the applicant represents property owners of the parcels within the Westside project site and these property owners have provided written consent to the project proponent and applicant for this annexation; and

WHEREAS, a Notice of Non Renewal for the Williamson Act Contract on Parcel No. 027-040-01 has been filed; and

WHEREAS, the City of Lodi Planning Commission held public hearings on the proposed annexation on October 11, 2006 and October 25, 2006, and its motion to recommend approval to the City Council was defeated on a 2:5 vote; and

WHEREAS, the City Council certified the Environmental Impact Report (EIR) (EIR-05-01) and adopted Findings and Statement of Overriding Considerations pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council adopted the PD (Planned Development) pre-zoning designation for the Westside Project area on March 21, 2007, by Ordinance No. 1793; and

WHEREAS, the development plan (Westside Land Use Plan) required by Lodi Municipal Code Chapter 17.33, "PD, Planned Development District," consists of a master planned residential community consisting of 745 residential units, 24.7 acres of parks and trails, an elementary school, and related infrastructure; and

WHEREAS, all legal prerequisites to the approval of this request have occurred; and

WHEREAS, based upon the evidence within the staff report and project file, the City Council of the City of Lodi makes the following findings:

1. The EIR (EIR-05-01) was certified and Findings and Statement of Overriding Considerations for the project pursuant to CEQA were adopted by City Council Resolution No. 2007-48.
2. The required public hearing by the Planning Commission was duly advertised and held in a manner prescribed by law.
3. The required public hearing by the City Council was duly advertised and held in a manner prescribed by law.
4. The project site is entirely within the City's sphere of influence, and the City's General Plan designates the project area as "PR," Planned Residential. The General Plan anticipated development of the PR designated properties by 2007.
5. The requested annexation does not conflict with adopted plans or policies of the General Plan and will serve sound planning practice.
6. The parcels in the area proposed to be annexed are physically suitable for the development of the proposed project.
7. The proposed design and improvement of the site is consistent with all applicable standards adopted by the City in that the project, as conditioned, will conform to adopted standards and improvements mandated by the City of Lodi Public Works Department Standards and Specifications and the Zoning Ordinance, as well as all other applicable standards.
8. The size, shape, and topography of the site are physically suitable for the proposed residential development.
9. The site is suitable for the density proposed by the project in that the density is compliant with the PR General Plan designation and the site can be served by all public utilities and creates design solutions for storm water, traffic, and air quality issues. Potential environmental impacts related to utilities were identified in the EIR and found to not be significant because mitigation measures have been incorporated into the project to reduce any impacts to a level of less than significant.
10. Development of the proposed project shall be consistent with the Westside Land Use Plan submitted by Tom Doucette, Frontier Community Builders, 10100 Trinity Parkway, Suite 420, Stockton, CA 95219.

NOW, THEREFORE, BE IT FOUND, DETERMINED, AND RESOLVED that the City Council of the City of Lodi hereby does not wish to continue the Williamson Act Contract on land with the Westside Project area (Parcel No. 027-040-01); and

NOW, THEREFORE, BE IT FURTHER FOUND, DETERMINED, AND RESOLVED that the City Council of the City of Lodi hereby approves and forwards this annexation to the San Joaquin Local Agency Formation Commission for action.

Dated: March 21, 2007

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I hereby certify that Resolution No. 2007-49 was passed and adopted by the City Council of the City of Lodi at a regular meeting held on March 21, 2007, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Katzakian, and Mayor Johnson.

NOES: COUNCIL MEMBERS – Mounce

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – Hansen



RANDI JOHL  
City Clerk

2007-49