

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p>AGENDA LODI PLANNING COMMISSION</p>	<p>REGULAR SESSION WEDNESDAY, APRIL 9, 2014 @ 7:00 PM</p>
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For information regarding this agenda please contact:

Kari Chadwick @ (209) 333-6711
Community Development Secretary

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the Community Development Department, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the Community Development Department as soon as possible and at least 24 hours prior to the meeting date.

1. ROLL CALL
2. MINUTES – None
3. PUBLIC HEARINGS
 - a. Request for Planning Commission to consider a Use Permit to allow a Type-48 On-Sale Beer, Wine and Distilled Spirits for The Barking Dog at 302 N. California Street. (Applicant: David Smith; File 13-U-15; CEQA Determination: Exempt per Section 15321)
 - b. Request for Planning Commission approval of:
 - I) Growth Management Allocation for 145 Low Density Residential Lots 55 Medium Density Residential Lots and 88 High Density Units; and
 - II) A Vested Subdivision Map for the Van Ruiten Ranch Subdivision, a 74 acre, 288 unit subdivision; and
 - III) Adopt Development Standards for the subdivision known as Van Ruiten Ranch Subdivision located within Planned Development 41 Zoning District.

(Applicant: Bennett Homes.; File #'s: 13-S-02 and 13-GM-02; CEQA Status: Project Environmental Impact Report, State Clearinghouse No. 2005092096, Certified on November 15, 2006)
 - c. Request for Planning Commission approval of a Use Permit to allow a personal fitness training studio within an existing industrial building located at 700 E. Pine Street. (Applicant: Carl Hultgren; File 2014-05 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects)

NOTE: The above items are quasi-judicial hearings and require disclosure of ex parte communications as set forth in Resolution No. 2006-31

4. PLANNING MATTERS/FOLLOW-UP ITEMS
5. ANNOUNCEMENTS AND CORRESPONDENCE
6. ACTIONS OF THE CITY COUNCIL
7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
8. ART IN PUBLIC PLACES
9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

10. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF (NON-AGENDA ITEMS)

11. ADJOURNMENT

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

****NOTICE:** Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.

Right to Appeal:

If you disagree with the decision of the commission, you have a right of appeal. Only persons who participated in the review process by submitting written or oral testimony, or by attending the public hearing, may appeal.

Pursuant to Lodi Municipal Code Section 17.72.110, actions of the Planning Commission may be appealed to the City Council by filing, within ten (10) business days, a written appeal with the City Clerk and payment of \$300.00 appeal fee. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. Contact: City Clerk, City Hall 2nd Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

Item 3a

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: April 9, 2014

APPLICATION NO: Use Permit Amendment: 13-U-15

REQUEST: Request for Planning Commission to consider a Use Permit to allow a Type-48 On-Sale Beer, Wine and Distilled Spirits for The Barking Dog at 302 N. California Street. (Applicant: David Smith; File 13-U-15; CEQA Determination: Exempt per Section 15321)

LOCATION: 302 / 310 N. California Street
Lodi, CA 95240
APN: 037-250-05

APPLICANT: Mr. David Smith
12511 Mundy Rd.
Lodi, CA 95240

PROPERTY OWNER: Ken and Charlene (Cronin) Baker
P.O. Box 379
Lodi, CA 95241

FOR CONSIDERATION

Staff recommends the Planning Commission review the staff report and open the public hearing for comment. Based upon the public hearing, if the Commission feels it has enough information to make an informed decision, consider the Use Permit application. Staff may need to modify conditions to respond to public comments and concerns.

The draft resolution has been prepared for the Planning Commission to approve the Use Permit to allow the sale of beer, wine and distilled spirits Alcoholic Beverage Control (ABC) Type 48 license at 302 / 310 N. California Street, subject to conditions in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Mixed Use Corridor
Zoning Designation: Mixed Use Corridor
Property Size: 27,675 sq. ft. sq. ft. (Bar measures 1200 sq. ft.)

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Mixed Use Corridor	Mixed Use Corridor	Commercial with residential uses
South	Mixed Use Corridor	Mixed Use Corridor	Residential uses
East	Mixed Use Corridor	Mixed Use Corridor	Commercial uses
West	Mixed Use Corridor	Mixed Use Corridor	Commercial with residential uses

There are residences within 150 feet of the proposed bar use to the south and west.

SUMMARY

The applicant's proposal is to re-establish a neighborhood bar (the Barking Dog). The proposed use is located at the northeast corner of California Street and Lockeford Street. The project site has a long history as a bar site with 2009 – 2011 under a different ownership. The applicant is requesting a Type 48 ABC license. Attachments A and B identify project location of floor area.

The project site was historically grandfathered as a bar because of continuous use that predated the City Use Permit requirements. The project has been vacant since late 2011 and now must re-establish the Type 48 ABC license to operate as a bar with the City issuing a Use Permit.

The City has the opportunity to condition the Use Permit and have a better tool to control and limit nuisance activities.

BACKGROUND

In the fall of 2009, Mr. Christian Cole leased the Barking Dog Bar and rebranded the site the California Street pub. During the California Street Pub operations, the site was a constant violation with numerous City departments. A June 11, 2011 Planning Commission staff report (Attachment D) is included that summarizes activities, violations and attempts to rectify illegal activities. The Planning Commission denied the June 11, 2011 request to expand activities to an outdoor patio area based upon numerous violations.

The property owners terminated the lease with Mr. Cole in late 2011 and have been working to correct violations and re-establish the previous neighborhood bar.

ANALYSIS

The applicant is proposing:

- Re-establishing the Barking Dog
- A neighborhood bar with operating hours of 7:00 am to 11:30 pm seven days a week.
- Casual environment with TVs and sports viewing.
- No live music.
- No outside areas for patrons.
- Not a dance club.
- No outside secondary businesses.
- Resolving previous code violations.

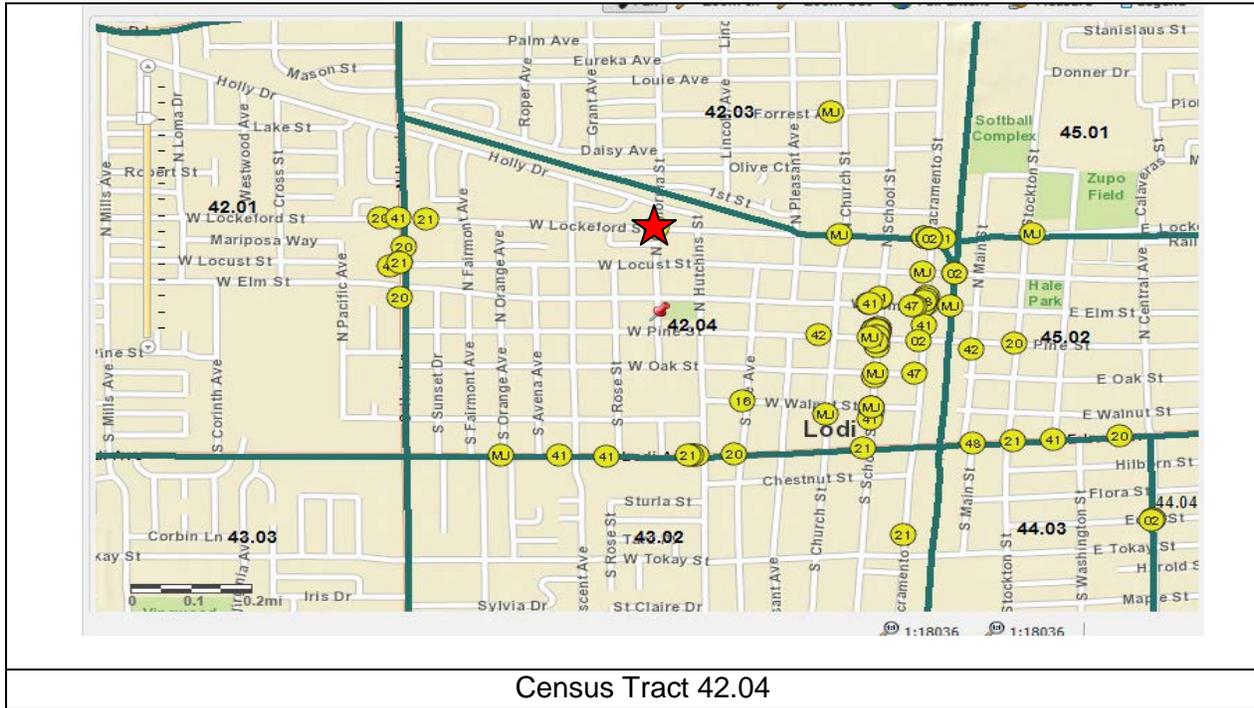
The site has not operated as a bar site since the later part of 2011. The intended use requires a Use Permit that allows the City to impose conditions designed to avoid, minimize potentially adverse effects on surrounding properties.

As part of the application, the applicant was requested to circulate a petition to the closest residents. That is included as Attachment C.

The proposed bar has a maximum occupancy of approximately 49 persons, there are 20 seats with an estimated busiest time having 30 customers.

Per Land Use Code Section 17.22.030, onsite consumption of alcohol is permitted in the Mixed Use Corridor (MCO) zoning designation, subject to a Use Permit. The City established the Use Permit requirement to gain local control over whether or not a license is appropriate for a particular location and place conditions upon the use. The State Department of Alcoholic

Beverage Control primarily controls license issuance, based on concentration of licenses within a particular Census Tract.



The project site is within Census Tract 42.04, which covers the area north of Lodi Avenue, west of the U.P.R.R., south of Lockeford Street and east of Ham Lane. The area is over-concentrated as defined by ABC for licenses. The majority of the ABC licenses occur along Ham Lane or the downtown area. There is not another ABC license within ½ mile.

Based upon the applicant's project description and the conditions contained in the draft resolution, staff is of the opinion, the Planning Commission can make the findings required for a public need and necessity and a Use Permit for alcoholic license.

The discretionary Use Permit procedure enables the Planning Commission to impose conditions designed to avoid, minimize potentially adverse effects. Staff believes that the Planning Commission can make the required findings to approve the requested Use Permit. The required findings are as follows:

1. *The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Development Code.* **Comment:** The proposal involves the re-establishment of a historic neighborhood bar use. The proposed use would be located in an existing building located within the Mixed Use Corridor (MCO) Zoning District, which allows sale of alcohol for on-site consumption in accordance with Development Code Section 17.22.030. The intent of the MCO zoning district is to provide for a range of uses to serve area residents. The proposal has the potential to be consistent with this intent, subject to satisfying the conditions of approval and maintaining the neighborhood bar project description. A project that is a nuisance or code violation is never consistent with surrounding uses.

2. *The proposed use is consistent with the General Plan and any applicable specific plan. **Comment:** The General Plan land use designation for this area is Mixed Use Corridor, which provides for a wide range of uses. A neighborhood bar is consistent with this land use designation as long as the project is consistent with the conditions of approval and does not become a nuisance.*
3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements. **Comment:** A neighborhood bar is consistent with the scale of the area and the surrounding uses. The previous Barking Dog bar existing for decades without violations and complaints. A neighborhood bar can exist at this site, if it is maintained in a manner consistent with the project description and conditions of approval. A project that is a nuisance would not be consistent with the surrounding area.*
4. *The location, size, design, and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity. **Comment:** The proposed use complies with all requirements as set forth for the issuance of this Use Permit, in that the site is adequate in size, shape and topography for the proposed use, consisting of an existing building. The proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building.*
5. *The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines. **Comment:** The project was found to be Categorical Exempt according to the California Environmental Quality Act, §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision for the use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures are required.*

Staff sent a copy of the application to various City departments for comment and review. Their comments and requirements have been incorporated into the attached resolution. Heightened conditions of approval are proposed to ensure the bar is not operated in a negative manner or without adequate oversight. To this end, staff is recommending the new use be reviewed in six months after occupancy to review how the owners conduct the business and that the establishment is operating in compliance with all applicable ABC and City regulations. If problems or concerns related to the sale of alcoholic beverages occur in the future, staff and/or the Planning Commission may initiate a public hearing where the Commission would have the ability to amend conditions or revoke the Use Permit.

ENVIRONMENTAL ASSESSMENT:

The project was found to be Categorical Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures are required.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, March, 29 2014. Forty-eight (48) public hearing notices were sent to all property owners of record within

a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who expressed their interest of the project.

MOTION FOR CONSIDERATION

Should the Planning Commission determine the Use Permit can be approved without becoming a neighborhood nuisance, the following motion is suggested:

“I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321 and approve the Use Permit to allow the sale of beer, wine and distilled spirits Alcoholic Beverage Control (ABC) Type 48 license at 302 / 310 North California Street subject to the findings and conditions of approval contained in the draft Resolution.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

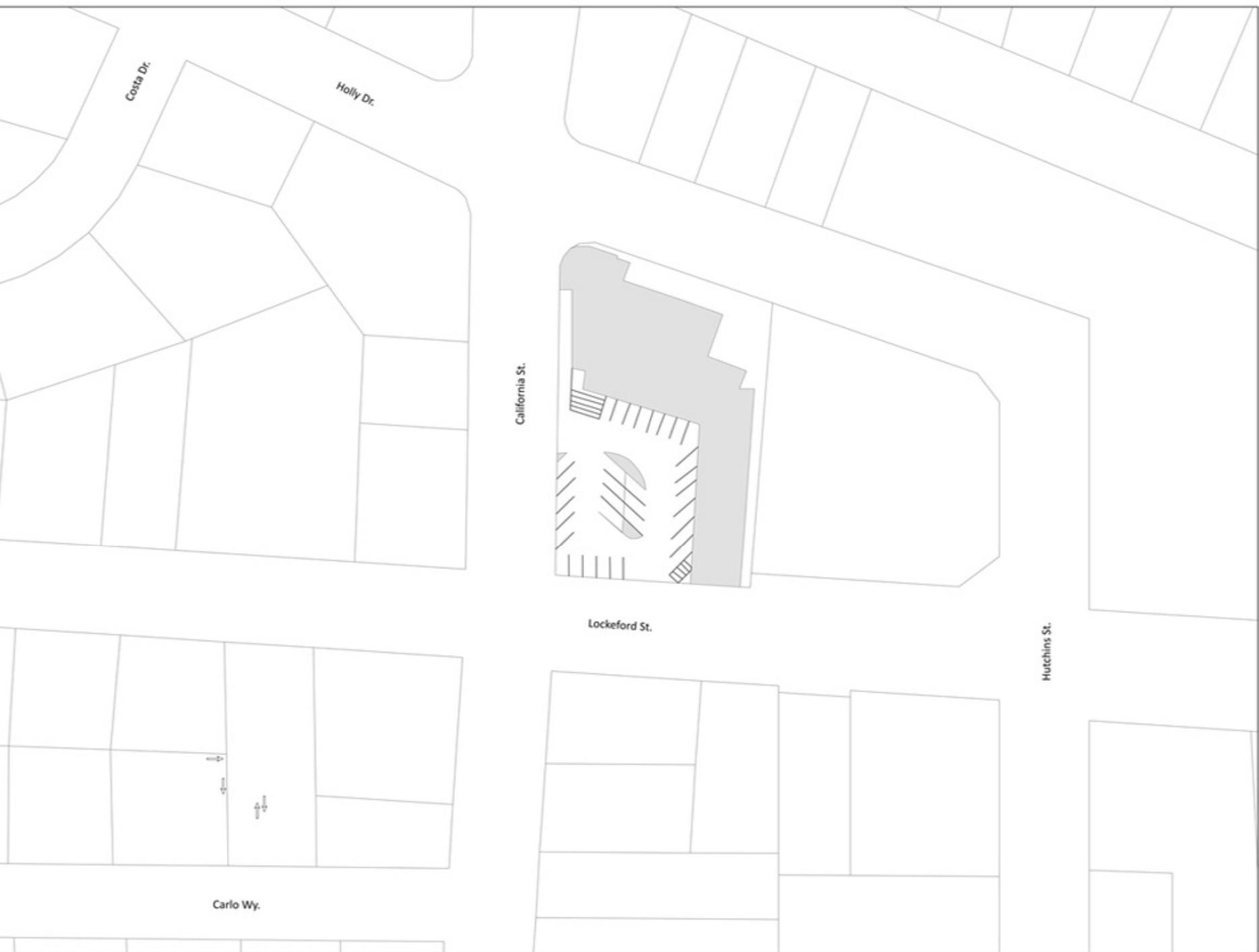
ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Site Plan / Floor Plan
- C. Neighborhood Petition
- D. June 11, 2011 Planning Commission Staff Report
- E. Draft Resolution

VICINITY MAP



302 / 310 North California Street



302 North California Street
APN: 037-250-05

SITE PLAN

Not oriented

N. Hutchins Street

Sidewalk

Salvation Army

Salvation Army

Under Block Wall 14.3' Tall

Under Block Wall 14.5' Tall

Entrance/Exit to patio

PATIO

Walk Way

4' Wide Walk Way

Technical Service

Women's Restroom

Men's Restroom

Staff Restroom

Existing Bar

Golden Trade

Office

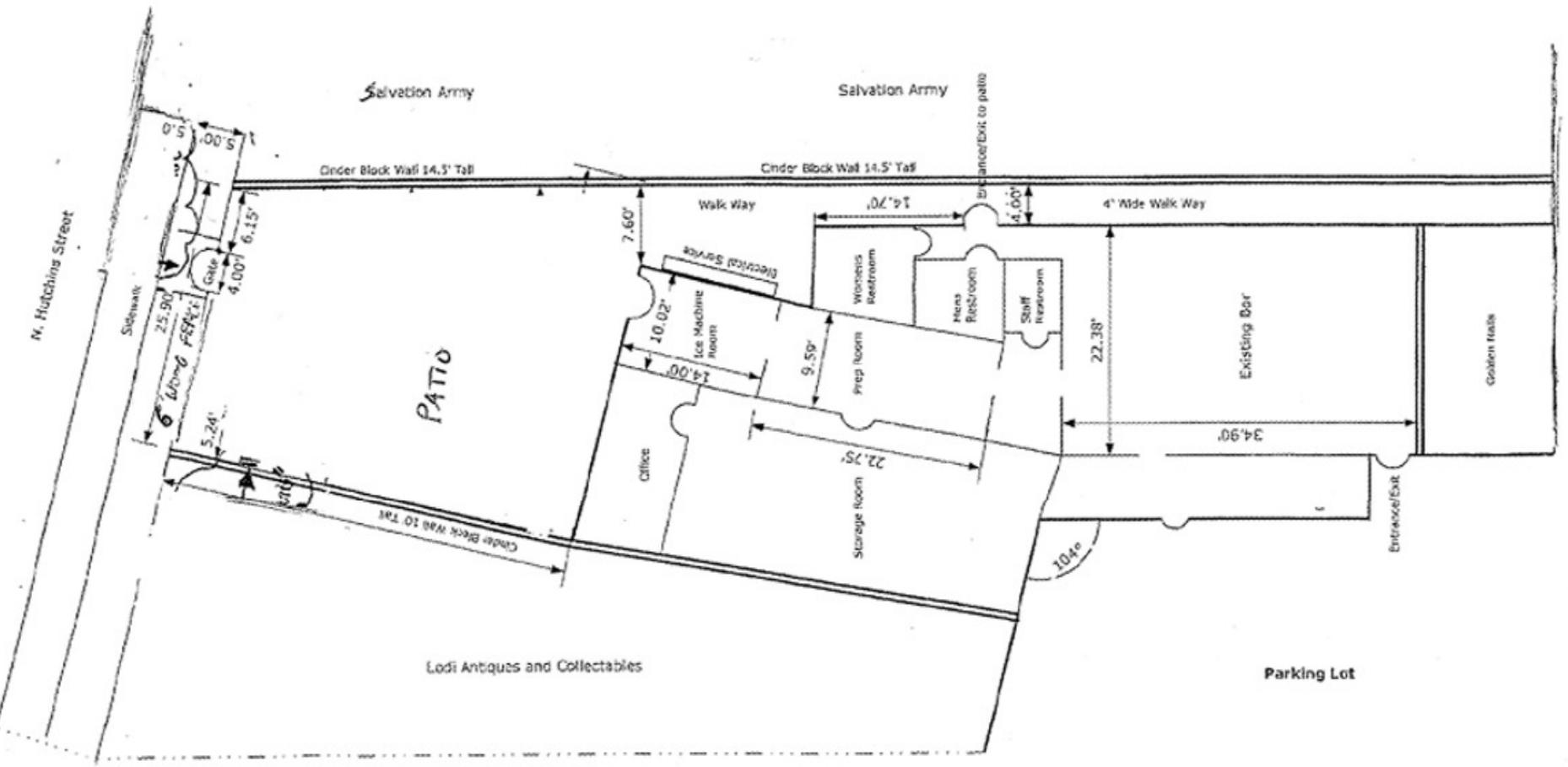
Prep Room

Storage Room

Entrance/Exit

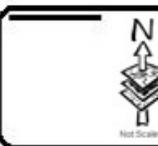
Lodi Antiques and Collectables

Parking Lot



302 North California Street
 APN: 037-250-05

Floor Plan



**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: June 8, 2011

APPLICATION NO: Use Permit: 11-U-06

REQUEST: Request for Planning Commission approval of a Use Permit to allow outdoor seating/standing and drinking area at California Street Pub (formerly Barking Dog) in conjunction with their existing Type-48 On-Sale General ABC license at 302 North California Street (Applicant: Christian Cole, on behalf of Thirsty Inc., dba California Street Pub. File Number: 11-U-06.)

LOCATION: 302 North California Street
APN: 037-250-05
Lodi, CA 95240

PROPERTY OWNER: Cathern Hawkins TR
440 Stasal Avenue
Jackson, CA 95642

APPLICANT: Christian Cole, on behalf of Thirsty Inc., dba California Street Pub.
310 North California Street
Lodi, CA 95240

RECOMMENDATION

Staff recommends the Planning Commission deny the requested Use Permit based on findings in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: GC, General Commercial

Zoning Designation: C-2, General Commercial

Property Size: 27,675 sq. ft. sq.

The adjacent zoning and land use are as follows:

North: C-2, General Commercial. The existing uses north of the project site are developed with residential uses.

South: RE-1, Single Family Residences. The area immediately south of the project site contains a variety of residential uses.

East: C-2, General Commercial.

West: C-2, Neighborhood Commercial. A variety of commercial uses and the area further west of the project site consists of single family residences. There is only approximately 150-ft of distance between the project site and the residences to the west.

SUMMARY

The applicant is proposing to expand an existing bar/pub to include outdoor seating and serving area with sales of alcoholic beverages for on-site consumption. The bar, California Street Pub formerly known as Barking Dog, currently holds a Type-48 On-Sale General ABC license that predates the City's Use Permit requirement. As such, their serving area is limited to the building envelop. However,

the owner, Mr. Christian Cole, would like to utilize the patio for serving and consumption of alcohol. According to the applicant the outdoor seating area would measure approximately 1,300 sq. ft and would feature full-service bar. It would be open until 2:00 a.m. As proposed, the outdoor area would seat approximately 40 people. Under the Lodi Municipal Code, bars, nightclubs, and restaurants that wish to sell alcohol are subject to the approval of a discretionary permit by the Planning Commission as a conditional use. The purpose of a Use Permit is to allow the proper integration of uses into the community which may only be suitable in specific locations in a zoning district, or only if such uses are designed and operated in a particular manner on the site or subjected to a specific set of operating conditions. The Planning Commission may either deny this application or approve it with conditions it deems necessary. However, staff recommends that Planning Commission deny the Use Permit request due to site incompatibility, call for police services, and recent history of the bar's conduct, which has severely undermined the public's peace, safety and welfare.

BACKGROUND

The current owner purchased the bar in the fall of 2009. At that time, the bar was known as the Barking Dog and offered live entertainment services during limited hours. Staff informed the applicant any material expansion or alteration of the nature of the business or alteration of the premises would require City permits, including a Use Permit (Attachment F). Since the date of that letter, the applicant installed various improvements without necessary permits in violation of the City Codes. Improvements installed effectively created an expanded serving area in the patio. City staff learned of this development via an interview published on the Lodi Sentinel on Friday, February 19, 2010. City staff informed the applicant that improvements installed require City review and approval. The applicant did not respond to the City until July 6, 2010 when they submitted a building permit to convert the patio to bar service area. This building permit sought to address installation of a 7-ft fence constructed without a permit. The applicant was informed to make revisions to the plans.

On July 20, 2010, the City received a transmittal letter from the Department of Alcoholic Beverage Control (ABC) to review and approve the applicant's request to utilize the patio as serving area (attachment G). Staff informed ABC that the use of the patio area as serving area constituted material expansion of the bar and, therefore, required a Use Permit review and approval by the Planning Commission (Attachment H).

On Tuesday, October 5, 2010, the Lodi Sentinel published an article regarding the business in which the applicant discusses in detail the availability of food service in conjunction with the bar operation (attachment I). City staff initiated investigation of the latest developments and learned that the applicant installed a substandard kitchen. Staff sent a notice to the applicant on October 14, 2010 (attachment J) to install commercial grade kitchen with appropriate permits if they wished to continue to serve food. Staff contacted the County Environmental Health Department to ascertain whether or not the agency had an opportunity to review the applicant's food service operations in conjunction with the bar operation. The Environmental Health Department provided the City with their records which effectively demonstrate there has never been a commercial kitchen at the project site, despite the applicant's assertions (attachment K).

On October 14, 2010, the applicant was issued a Notice of Order for various outstanding and additional violations which ranged from installation of a kitchen, to loud music, unruly patrons, to a need to submit a Use Permit to use the patio as an expansion of the bar. At the request of City staff, the applicant met with the City staff on October 15, 2010 to discuss all outstanding matters. City staff stressed to the applicant the need to comply with all City and State requirements governing bars, food services, and building code matters. The applicant submitted revised plans on March 3, 2011, two days before the permit expired. The revised plans were deemed incomplete and returned to the applicant to make corrections. He then submitted revised plans on May 11, 2011 and those plans were approved on May 19, 2011. The approved plans only relate to the fence and installation of concrete in the back patio area. It does not authorize the sale of alcohol in the patio area. It should

also be noted the applicant ceased to serve food some time ago, but staff isn't certain as to when this occurred. The applicant submitted a Use Permit on March 1, 2011.

ANALYSIS

Site Layout: The site consists of neighborhood commercial center located at 310 North California Street, at the intersection of California Street and Lockeford Street. The site contains a single structure with multiple tenant spaces. The subject tenant space is located within the building that is located along the northern property line, facing Hutchins Street. The majority of storefronts face the parking lot which faces Lockeford Street and California Street. The parcels to the south are comprised of various types of residences. The two parcels to the west are commercial uses but parcels beyond those two commercial lots are exclusively residential. Parcels to the north (beyond Hutchins Street) are all residential. The nearest residential zone is located approximately 60-feet from the project parcel (attachment L).

Floor Plan: The existing floor plan consists of bar area, bathrooms, storage, office, a DJ booth and other accessory rooms. Although not shown on the floor plan, the bar includes a dancing stage within the building. According to approved maximum room occupancy per the Lodi Fire Marshall, the bar (interior) maximum occupancy of 86 persons. The patio (in the rear) features removable beach-type chairs, barstools and tables. According to the California Building Code 2010, the patio area has maximum occupant load (capacity) of 71 persons. The applicant's Use Permit request relates to this area and it would be used to expand the building area.

Parking/Circulation: The project site provides 30 onsite common parking spaces. These parking spaces are shared amongst the tenants. Access to the parking spaces are provided from Lockeford Street and California Street. Parking requirements for neighborhood commercial centers are based on a flat rate for all uses in the center, and not by describing each use in the center individually, unless the center has a high concentration of uses with similar peak hours of operation. The City Code requires bars to provide one space for every four seats. The bar currently has 18 seats/chairs and, therefore, it is required to provide five spaces. Because of the different hours of operation amongst the various tenants, the 30 spaces are adequate during the day time when the bar is not open for business.

Staff notes that the bar currently has maximum room occupancy of 86 persons. However, the City's Zoning Ordinance calculates parking demands based on available seating rather than per square feet of floor area. Most jurisdictions use the latter formula as it accurately captures the parking demands. For example, as proposed, the patio area will add approximately 1,300-square-feet of seating area to the space. This new area will have a maximum occupancy load of 71 persons but would only provide 18 removable chairs. Based on the Municipal Code requirements, the project would have to provide additional 5 parking stalls (1/4 chairs). Even though the proposal nearly doubles the bar's occupancy capacity, the City's parking requirements fail to capture the actual parking demand. Based on the number of complaints staff has received from adjacent businesses, property owners and residents, the bar currently does not have sufficient onsite parking. Residential Neighbors to the south, in particular, have complained of bar patrons parking on the residential streets due to the lack of onsite parking spaces and making loud noises when they start their cars at late night hours. However, because of the grand-fathered-in status of the bar and the City's current parking demand calculation methodology in effect, there isn't much the City could do to address the parking shortage issues.

Commercial Entertainment: The establishment currently offers a full bar with entertainment on a daily basis until 2:00 am. For entertainment there are various "DJs", open microphone night, single musicians and singers, juke box, amplified music, live entertainment, karaoke, and patron dancing. In accordance with the requirements of the State Department of Alcoholic Beverage Control, the bar does not allow patrons under 21 years of age in the establishment.

Project Review and Comments:

The applicant's project was referred to the Police, Fire and Building Departments for review and recommendation. The key issues related to approval of a billiard/pool halls, bars, taverns, and nightclubs involve the appropriateness of the location and whether or not such establishments can operate without detriment to nearby residential uses and general welfare of the surrounding area. The City of Lodi encourages the development of arts and culture and recognizes that entertainment establishments, such as nightclubs, support such activities. However, entertainment establishments that are not properly operated can create an environment with the potential for excessive noise generation and disorderly conduct by patrons, particularly at closing times, with resultant adverse public safety impacts on the surrounding businesses and residential communities. This has occurred with this bar on numerous occasions. The City has experienced a number of serious problems related to patron conduct and lack of effective management (see attachments M and N). Recent incidents have included physical fights involving multiple individuals, disturbances of the peace, and traffic violations. Other problems experienced include public drunkenness, vandalism of cars and businesses, public urination, and other illegal and disruptive activities. Noise impacts generated by late night traffic because of unruly patrons have caused surrounding residences to lodge complaints with the Lodi Police Department and ABC. For instance, the applicant submitted the Use Permit request on March 1, 2011. There have been a total of 34 calls for service to the Lodi Police Department since the application was submitted. The Lodi Police have had to spend an inordinate amount of time responding to these incidents to prevent and control major disturbances, which has affected other areas of the City by depleting the availability of police resources.

Staff recommends the Planning Commission deny the Use Permit request as the existing and proposed conditions do not mitigate all the concerns of incompatibility between the residential and commercial uses. Staff believes the project site is too close to residences, creating an incompatible mix of land uses. Noise from the bar has adversely impact nearby residences and businesses. Attached reports from the Lodi Police Department and ABC detail the amount of complaints from nearby residences. According to Section 17.72.070 of the Zoning Ordinance, Use Permit may be approved if the Planning Commission can make the following finding:

In granting any use permit, the Planning Commission shall find that the establishment, maintenance or conducting of the use will not, under the circumstances of the particular case, be detrimental to the health, morals, comfort or welfare of persons residing or working in the neighborhood of the proposed use, or to property or improvements in the neighborhood, or will not be contrary to the general public welfare (LMC 17.72.080).

In staff's opinion, the finding necessary to approve the Use Permit request cannot be made due to the conduct of the bar. On March 23, 2011, the applicant admitted he violated the ABC's requirements and offered to pay a fine in lieu of suspension. However, ABC declined the applicant's offer and decided to suspend the license for 15 days and that the beginning date of suspension will be announced according to ABC's requirements. On May 22, 2011, the Lodi Police Department responded to a report of a large fight in the parking lot. Upon arrival, they arrested three people, including one who fled to nearby residence by jumping over a fence. These types of incidents occur with alarming frequency due to the bar's patrons and lack of effective management. Therefore, staff recommends the Commission deny the Use Permit request.

ENVIRONMENTAL ASSESSMENTS

The project was found to be Categorical Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures have been required.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published on May 28, 2011. Forty-nine (47) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project. Staff received total of 7 protest letters (Attachment O).

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve with additional/different conditions
- Deny the SPARC request
- Continue the request

Respectfully Submitted,

Concur,

Immanuel Bereket
Assistant Planner

Konradt Bartlam
Community Development Director

ATTACHMENTS:

- A. Vicinity Map
- B. Aerial Photo
- C. Site Plan
- D. Floor Plan
- E. Correspondence with the applicant
- F. Code Violation letter dated March 31, 2010
- G. ABC Transmittal Letter
- H. Staff Correspondence with ABC
- I. Lodi Sentinel Article
- J. Code Violation letter dated October 14, 2010
- K. Department of Environmental Health Records
- L. Zoning Map
- M. ABC Reports
- N. Police Department Records
- O. Protest Letters
- P. Resolution

RESOLUTION NO. P.C. 14-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
APPROVING THE REQUEST OF DAVID SMITH FOR A USE PERMIT 13-U-15 FOR A
TYPE 48 ABC LICENSE TO ALLOW SALE OF BEER, WINE AND DISTILLED
SPIRITS AT 302 / 310 NORTH CALIFORNIA STREET**

- WHEREAS,** the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Municipal Code, Section 17.40; and
- WHEREAS,** the project proponents are Mr. David Smith, 12511 Mundy Rd. Lodi, CA 95240; and
- WHEREAS,** the project parcel is owned by Ken and Charlene (Cronin) Baker, P.O. Box 379, Lodi, CA 95241; and
- WHEREAS,** the project is located at 302 / 310 North California Street, Lodi, CA 95240 (APN: 037-250-05); and
- WHEREAS,** the property has a General Plan designation of Mixed Use Corridor and is zoned Mixed Use Corridor (MCO); and
- WHEREAS,** Census Tract 42.04 in which the proposed bar is to be located is over concentrated of licenses allowing on premise consumption of alcoholic beverages; and
- WHEREAS,** because Census Tract 42.04 has an over-concentration of On-sale beer, wine and distilled spirits alcohol licenses, the Planning Commission must make a finding of necessity and/or public convenience in order to permit the issuance of an additional Alcohol Beverage Control license in this tract; and
- WHEREAS,** based upon the facts and analysis presented in the staff report, and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of this particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
- WHEREAS,** all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project was found to be Categorically Exempt according to the California Environmental Quality Act Section 15321, Class 21. The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures are required.
2. The sale of alcoholic beverages for on-premise consumption as part of a bar is a permitted use in the MCO Zoning District, subject to a Use Permit. The site is suitable and adequate for the proposed use because establishment of a restaurant/bar on this site would not create negative impacts on businesses in the vicinity.

3. On-sale of beer, wine and distilled spirits, in accordance with a Type 48 Alcoholic Beverage Control License and with the conditions attached herein, would be consistent the Mixed Use Corridor General Plan Land Use Designation and MCO Zoning District.
4. The proposed use is consistent with the General Plan because commercial uses such as the one proposed are permitted in accordance with Land Use Policy subject to a discretionary review.
5. The proposed use would not have a substantial adverse economic effect on nearby uses because operation of a bar in accordance with applicable laws and under the conditions of this Use Permit is anticipated to be an economic benefit to the community.
6. The harmony in scale, bulk, coverage and density of the proposed project is consistent with and compatible to the existing built-in environment and land uses around the subject site, in that the proposed Barking Dog Bar will be located within an existing building, with no exterior/patio area additions, thereby maintaining the approved scale, bulk, coverage and density of the building.
7. The availability of public facilities and utilities is adequate to serve the proposed use, in that the Barking Dog Bar will be located within a building where public facilities and services are currently provided, including sewer, water, electricity, phone, etc.
8. Steps will be taken by the Applicant/Operator to reduce the number of incidents resulting from the over-consumption of alcohol including the proper training and monitoring of employees serving alcohol; the careful screening of IDs of customers to avoid sales to under-aged individuals; limiting the number of drinks sold to individual customers to avoid over-consumption; providing properly trained on-site security to monitor customer behavior both in and outside of the establishment; and working with the Lodi Police Dept. to resolve any problems that may arise.
9. The proposed use can be compatible with the surrounding use and neighborhood if the business is conducted properly and if the Applicant/Operator works with neighboring businesses and residents to resolve any problems that may occur.
10. The proposed use would not be detrimental to the general welfare of persons residing and working in the immediate vicinity, the neighborhood or the community at large because the sale of alcohol with a bar operation is not associated with detrimental impacts to the community, with appropriate conditions.
11. The sale of alcoholic beverages at this location can meet the intent of the MCO Zoning District and can provide a public convenience or necessity for customers of the business.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Use Permit Application No. 13-U-15 is hereby approved, subject to the following conditions:

Community Development-Planning

1. The applicant/project proponent and/or property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this Use Permit approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this Use Permit approval on any grounds whatsoever. The City of Lodi shall

promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

2. The applicant/project proponent and/or property owner and/or developer and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
3. Starting from the effective date the business commences the sale of beer, wine and distilled spirits, this Use Permit shall be subject to a six-month and one-year review by Community Development Department and/or the Police Department. If the Community Development Department/Police Department determines it necessary, the Use Permit shall be subject to review by the Planning Commission to consider the business's operation for compliance with the conditions of the Use Permit, and in response to any legitimate complaints thereafter. Further, the City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the Use Permit may be subject to review and revocation by the City of Lodi after a public hearing and following the procedures outlined in the City of Lodi Municipal Code. Additional reviews may be prescribed by the Community Development Department, the Police Department and/or Planning Commission as needed during and after the one year probationary period.
4. If operation of this use results in conflicts pertaining to parking, noise, traffic, loitering, public safety or other impacts, at the discretion of the Community Development Department, this conditional use permit may be referred to the Planning Commission for subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit bound upon applicable findings.
5. "Last call" for alcohol sales shall be at 11:00 p.m. for a period of one year from commencement of use and close of business will be at 11:30 p.m. At the end of the one year period, the applicant may submit a written request to the Community Development Department and Police Department for review to allow alcohol sales to extend to a later time. The Community Development and Police Department may approve, deny or refer the request to the Planning Commission.
6. The City Council, Lodi Police Department, the Planning Commission and City staff may, at any time, request that the Planning Commission conduct a hearing on this Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
7. The Applicant/Operator and/or successors in interest and management shall insure that the sale of alcohol does not cause any condition that will cause or result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: disturbances of the peace, illegal drug activity, public intoxication, drinking in public, harassment of people passing by, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises, traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.

8. The business shall have interior security video cameras operating during all hours that the business is open. The videotapes of the security video cameras shall be maintained for a minimum period of 30 days, and the videotapes must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. The video cameras must be positioned in a way to capture the facial features of anyone entering the business and include cameras that capture all money handling areas. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the owner of the business must comply with the request within 7 calendar days. The Chief of Police can also require that the business change the position of the video cameras if it is determined that the position of the cameras do not meet security needs. The owner of the business must comply with the request within 7 calendar days. The said security video camera shall be installed and approved prior to business opening.
9. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 30 calendar days of effective date of this Use Permit. Records of each owner's, manager's and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Lodi. The business owner shall be responsible for on-going training to accommodate changes in personnel.
10. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of ABC license issued to the Barking Dog.
11. The Barking Dog proposal is described as a neighborhood bar with operating hours of 7:00 am to 11:30 pm, seven days a week. Casual environment with TVs and sports viewing. No live music. No outside areas for patrons. Not a dance club. No outside secondary businesses. Resolving previous code violations. The Barking Dog establishment will operate consistent with this description.
12. The establishment will not have live bands and entertainment.
13. No outside alcohol service. No outside areas for patrons. This includes the back patio.
14. Not a dance club.
15. Prior to operation, the proposed use will resolve all previous violations and code infractions.
16. No person who is in a state of intoxication shall be permitted within the business nor shall an intoxicated patron be sold additional alcoholic beverages. It is the responsibility of the business owner/operator to ensure no patron in state of intoxication is allowed into the premise.
17. Prior to commencement of the use, the applicant shall prepare and submit a practical program for controlling litter, spills, and stains resulting from the use on the site to the Community Development Department for review and approval. The program shall include a detailed time frame for the policing and cleanup of the public sidewalk and right-of-way in front of the subject property as well as the adjacent public right-of-way (25 feet north and south of the subject property) not just in front of the subject tenant space. Failure to comply with that program shall be considered a violation of the Use Permit and shall be subject to administrative remedy in accordance with Chapter 17.40 and Chapter 17.76 of the City of Lodi Municipal Code.

18. The subject property and its immediate surrounding shall be maintained neat and clean at all times. The subject property and its immediate surrounding shall be maintained free from debris and graffiti at all times. The property owner shall remove any debris or graffiti within 24-hours upon notification by the City. Litter on the site and any litter scattered on nearby property, streets, and sidewalks shall be removed daily. If necessary, the applicant shall steam clean the project site and its immediate surrounding premises as often as needed.
19. In the event of graffiti or other extraneous markings occurring, the applicant/operator and/or successors in interest and management shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
20. Any change in operational characteristics, expansion in area or other modification to the approved plans shall require an amendment to this Use Permit or the processing of a new Use Permit.
21. The applicant/project proponent and/or property owner and/or developer and/or successors in interest and management shall be responsible for the control of noise generated by the subject facility including, but not limited to, noise generated by patrons and employees. All noise generated by the proposed use shall comply with the provisions of Chapter 9.24 and other applicable noise control requirements.
22. The applicant shall obtain Operational Permits from the Lodi Fire Department, Fire Prevention Bureau. The Operational Permits shall be obtained prior to commencement of sale of alcohol. The Fire Department may be contacted at 25 East Pine Street, Lodi, CA 95240-2127. Phone Number (209) 333-6739.
23. The applicant shall obtain a tenant improvement permit prior to occupancy. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2013 California Building Code. Please review our policy handouts for specific submittal procedures. The Building and Safety Division may be contacted at 221 West Pine Street, Lodi, CA 95240-2127. Phone number (209)333-6714.
24. The applicant shall obtain all required permits and licenses from the California Department of Alcoholic Beverage Control and the San Joaquin County Health Department prior to commencement of the use and maintain said permits at all times while the use is operating. Copies of all permits and licenses shall be submitted to the Community Development Department prior to commencement of the use.
25. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
26. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.
27. The California Building Code (Title 24 Section 11B-202) requires that existing buildings, when alterations are made, shall be verified for compliance with disabled access requirements. These requirements shall apply only to the specific area of alteration and shall include an accessible entrance, an accessible route to the altered area, at least one accessible restroom for each sex, telephones and drinking fountains (if existing), and when possible additional items such as parking, storage and alarms.

28. The applicant shall submit complete and adequate tenant improvement plans to the Building Division for review and approval. The said plans shall be based on the City of Lodi Building Regulations and currently adopted 2013 California Building Code.

I certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on April 9, 2014 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST _____
Secretary, Planning Commission

Item 3b.

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: April 9, 2014

APPLICATION NO: Subdivision Application: 13-S-02
Growth Management Allocation: 13-GM-02

REQUEST: Request for Planning Commission approval of:

- a) Growth Management Allocation for 145 Low Density Residential Lots 55 Medium Density Residential Lots and 88 High Density Units; and
- b) A Vested Subdivision Map for the Van Ruiten Ranch Subdivision, a 74 acre, 288 unit subdivision; and
- c) Adopt Development Standards for the subdivision known as Van Ruiten Ranch Subdivision located within Planned Development 41 Zoning District.
(Applicant: Bennett Homes.; File #'s: 13-S-02 and 13-GM-02; CEQA Status: Project Environmental Impact Report, State Clearinghouse No. 2005092096, Certified on March 21, 2007)

LOCATION: Lower Sacramento Road / Century Boulevard
APN: 058-030-14, 15, 17, 18
Lodi, CA 95240

APPLICANT: Bennett Homes, Inc.
Dennis Bennett
P.O. Box 1579
Lodi, CA 95241

PROPERTY OWNER: Van Ruiten Ranch Limited
Jim Van Ruiten
340 W. Highway 12
Lodi, CA 95242

RECOMMENDATION

Staff recommends that the Planning Commission recommend to the City Council approval of the request of Bennett Homes for 288 growth management allocations and a vesting subdivision map for the proposed Van Ruiten Ranch Subdivision to be located at Lower Sacramento Road / Century Blvd., subject to conditions in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public, Open Space
Zoning Designation: Planned Development 41 (PD-41)
Property Size: 74 acres

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Low Density Residential, Medium Density Residential, High Density Residential	Planned Development 41 (PD-41)	Vacant Land
South	Low Density Residential, Medium Density Residential, Open Space	Planned Development 41 (PD-41)	Vacant land / Cherry Orchard
East	Medium Density Residential, Open Space	Medium Density Residential, Open Space	Vacant and DeBenedetti Park
West	San Joaquin County	San Joaquin County	Agricultural use

SUMMARY

The proposed vesting subdivision map seeks to create 200 single family lots with a 5 acre high density lot. The project includes a 5.8 acre regional detention basin, 5.15 acre park site and 15.2 acre school site. The proposed uses are consistent with the General Plan and Zoning designations. The project is accessed of the Century Boulevard extension with access points to the north and south.

BACKGROUND

The project site was annexed into the City of Lodi as part of the Southwest Gateway area. The City of Lodi certified the project EIR, State Clearinghouse No. 2005092096, on March 21, 2006. The Project EIR was prepared as a program-level EIR, pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 *et seq.*).

Subsequently, the City of Lodi adopted the Lodi General Plan in April 2010. This land use document utilizes the same land use designations as the previous annexation documents. The Lodi Zoning/Development Code was adopted in March 2013.

On June 17, 2013, Bennett Homes submitted an application for the Van Ruiten Ranch Subdivision project, which includes a Vesting Tentative Subdivision Map and review of the development standards for the Planned Development Unit.

ANALYSIS

Existing Conditions: The subject site consists of a vacant 74-acre parcel located at the extension of Century Boulevard, west of Lower Sacramento Road. The parcel represents 74 acres of the 257 acre “Southwest Gateway Project” annexed into the City in 2007. Surrounding land uses include agricultural land to the north, south and west and urban uses to the east. The topography of the site is relatively flat and vineyards make up the entire site.

Vesting Subdivision Map: The proposed Vesting Tentative Map would subdivide the project parcel into 145 low density residential single-family lots, 55 medium density residential single-family lots, 1 high density lot (5.03 acres – 4.2 acres net) for future development, 1 - 5.83 acre detention basin, 1 - 5.15 acre park site, 1 - 15.2 acre future school site and associated public roadways.

The typical low density residential lot is 65 X 105 and 6,800 sq. ft. The typical medium density residential lot is 40 X 95 and 3,800 sq. ft. The high density parcel is 4.2 acres in size net and anticipates 88 residential units. The development is separated into 3 distinct areas based upon density with varying housing types specified for each area.

The Planning Commission is embodied to review the vesting tentative map and recommend approval or denial of the vesting map to the City Council. If the Commission approves, a Final Map for a subdivision of five or more parcels must be prepared, filed, processed and recorded as set forth in Chapter 17.54 (Parcel Maps and Final Maps), to complete the subdivision. The City Council has a final say on the approval or disapproval of the vesting tentative map.

In accordance with Lodi Municipal Code Section, 17.52.130, an approved Tentative Map is valid for 24 months after its effective date (Section 17.66.130). At the end of 24 months, the approval shall expire and become void unless, the applicant petitions the Planning Commission for an extension and the Commission grants an extension in accordance with Lodi Municipal Code Section 17.52.130 (B)(1).

Access and Circulation: The project is accessed by the extension of Century Boulevard with access points to the north and south consistent with land use diagrams in the General Plan. The project incorporated the extension of Westgate Drive from the north. The overall circulation pattern anticipates development to the north, south and west. Streets have detached sidewalks to create a tree canopy consistent with historical Lodi residential areas.

General Plan Compliance: The project site includes General Plan Land Use designations of Low Density Residential, Medium Density Residential, High Density Residential, Open Space and Public/Quasi Public. The proposed project is consistent with the current General Plan (2010) land use designations, layout and required density.

The Low Density Residential designation mandates density ranges between two (2) to eight (8) units per acre. The Medium Density Residential designation mandates density ranges between eight (8) to twenty (20) units per acre. The High Density Residential designation mandates density ranges between twenty (20) to thirty-five (35) units per acre. The Van Ruiten Ranch project densities are: Low Density Residential – 5 units per acre, Medium Density Residential – 8.0 units for acre and High Density Residential 21 units per acre. The General Plan Land Use Policy 3 (LU P3) prohibits development at less than the minimum and maximum density prescribed by each residential land use category. The proposed project does comply with applicable General Plan density requirements.

Zoning Compliance: The project site is zoned Planned Development 41 (PD-41). Planned Development zoning designations provide flexibility in the application of development standards that will produce development projects of superior quality, including retention of unique site characteristics, creative and efficient project design, etc., than would have been achieved through strict application of the development standards required by the primary zoning district. The proposed project is divided into three distinct land uses areas; low density, medium density and high density. The project provides for a wide range of housing options for the community.

Planned Development Guidelines: The applicant has prepared the Van Ruiten Ranch Planned Development Standards and Guidelines. The organization of these guidelines is presented as a series of community design components that when combined create a comprehensive project design. The chapters highlight and articulate the various community design components, establishing specific development guidelines and standards for how the project will develop.

As depicted in the development plans, the applicant is proposing to use several different elevation styles throughout the subdivision. The elevations use varying massing and architectural articulations. In addition, the subdivision is expected to allow custom homes and other builders to build homes at the project site, which will add architectural variations. Staff believes that the proposed design will provide not only an attractive streetscape, but interesting views from neighboring property owners as well.

The project also includes a preliminary landscape plan that generally places one large street tree in each front yard among other accent landscaping including various shrubs, ground cover and lawn. The

landscaping plan would have to comply with the requirements of the Lodi Municipal Code Section 17.03.070 which regulate landscape water efficiency.

Growth Management Compliance: The allocation system gives priority through point assignments to projects that reduce impacts on services, infrastructure, and resources. The ordinance sets an annual growth limit of two percent of the City’s population, compounded annually. Once the amount of allocation units is figured, the City requires that the allocation units be distributed among housing types as follows; 65 percent low density, 10 percent medium density and 25 percent high density. For example, the following explains the 447 units available for 2014:

1. Calculate two percent of the City’s current population: **62,930 x 2% = 1,258.6**
2. Divide 1,259 by the average number of persons per household 1,259/2.812 = 447.72
3. Divide the 447.72 (448 du) units into the 3 housing types:
 - 65% low density = 291 units
 - 10% medium density = 45 units
 - 25% high density = 112 units

In 2013, the City Council expired allocations accumulated since 2008. In the five-year period since 2008, 2,235 allocations were added to the reserve. The Council eliminated 800 Low Density and 1,435 High Density allocations. This Council action created a new balance of 4,634 as detailed below in **Table A**.

Table A: Growth Management Allocation History

Density	Available Allocations		
	Total Available for 2012	2% Allocations for 2013	Total Available for 2013
Low (0.1-7)	2,995	291	3,286
Medium (7.1-20)	557	45	602
High (20.1-30)	1,122	112	1,234
TOTAL	4,634	448	5,122

Table B identifies the available Allocations in 2013, Allocations provided to projects in 2013 and those available for 2014.

Table B: Growth Management Allocation for 2014

Density	Available Allocations			
	Total Available for 2013	Total Allocated in 2013 (Rose Gate)	2% Allocations for 2014	Total Available for 2014
Low (0.1-7)	3,286	- 232 (3,054)	291	3,345
Medium (7.1-20)	602	- 0 (602)	45	647
High (20.1-30)	1,234	- 0 (1,234)	112	1,346
TOTAL	5,122	4,890	448	5,348

As indicated above in the background discussion, the present project is being reviewed for growth management allocations for 2014. The applicant has submitted an application for 145 low density growth management allocation units (0.1-7 units/acre), 55 medium density growth management allocation units (7.1-20 units/acre) and 88 high density growth management allocation units (20 plus

units/acre). **Table C** identifies the 2014 Total Allocations, the requested Allocations for the project, and the remaining overall Allocations.

Table C: Growth Management Allocation for Van Ruiten Ranch

Density	Available Allocations			
	Total Available for 2014	Requested Allocation for Van Ruiten Ranch	Remaining Allocations for 2014	Total Remaining for 2014
Low (0.1-7)	3,345	145	145 – 291 (146)	3,200
Medium (7.1-20)	647	55	55 – 45 (-10)	592
High (20.1-30)	1,346	88	88 – 112 (24)	1,258
TOTAL	5,348	288	160	5,060

Staff recommends approval of the growth allocations requested.

Conclusion

Staff sent a copy of the application to various City departments for review and comment. Their comments and requirements have been incorporated into the attached resolution. Staff believes that the Commission can make the findings in order to approve the proposed project, subject to conditions outlined in the attached resolution. The proposed vesting tentative map, as described in the code compliance sections above, is consistent with the current General Plan (2010).

The proposed exclusively residential development aligns with the residential land use designations and densities assigned to site in the current General Plan. The site for the proposed subdivision is suitable for the density and type of development proposed in that it is a flat piece of land. Also the design of the subdivision and type of improvements would not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision in that there are no existing public access easements on the site. Further, as stated in the code compliance sections above, the applicant has proposed development standards for this subdivision that are consistent with the historical development of the City.

ENVIRONMENTAL ASSESSMENT

The project is subject to the requirements of the California Environmental Quality Act (CEQA). All potentially significant environmental impacts were publicly disclosed and made available for comment via Lodi Annexation Environmental Impact Report, State Clearinghouse No. 2005092096, dated April 2006, prior to any decisions to approve any part of the whole project. On March 21, 2007, the City Council adopted Lodi Annexation Environmental Impact Report, State Clearinghouse No. 2005092096, and Mitigation and Monitoring Plan that analyzed environmental impact aspects of the proposed project.

Subsequently, the City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public and Open Space.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, March 29 2014. Sixteen (16) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff’s recommendation, the following motions are suggested:

1. “I move that the Planning Commission adopt a Resolution finding that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Van Ruiten Ranch development and recommend the City Council approve the requested growth allocation and vesting tentative subdivision map.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

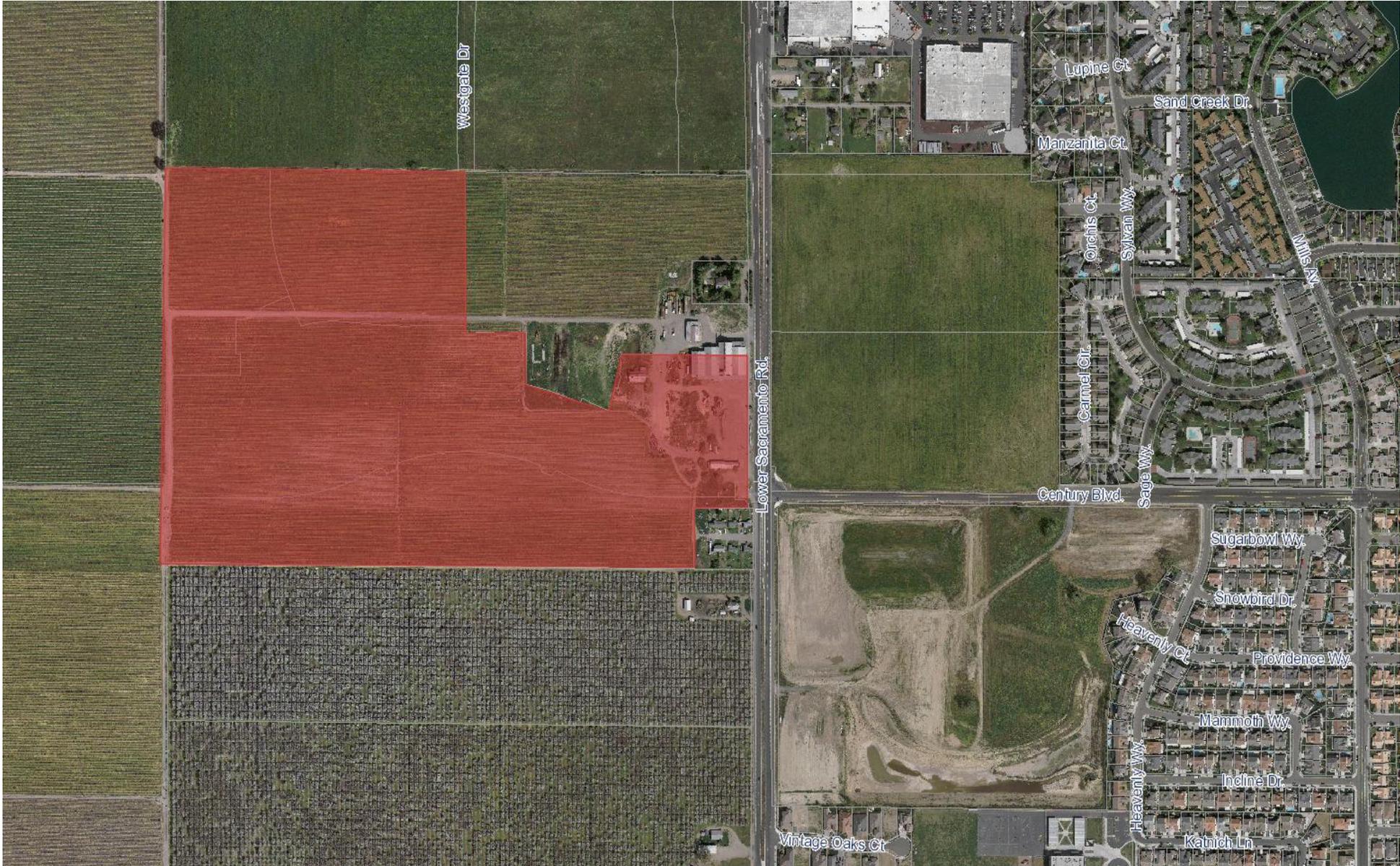
Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

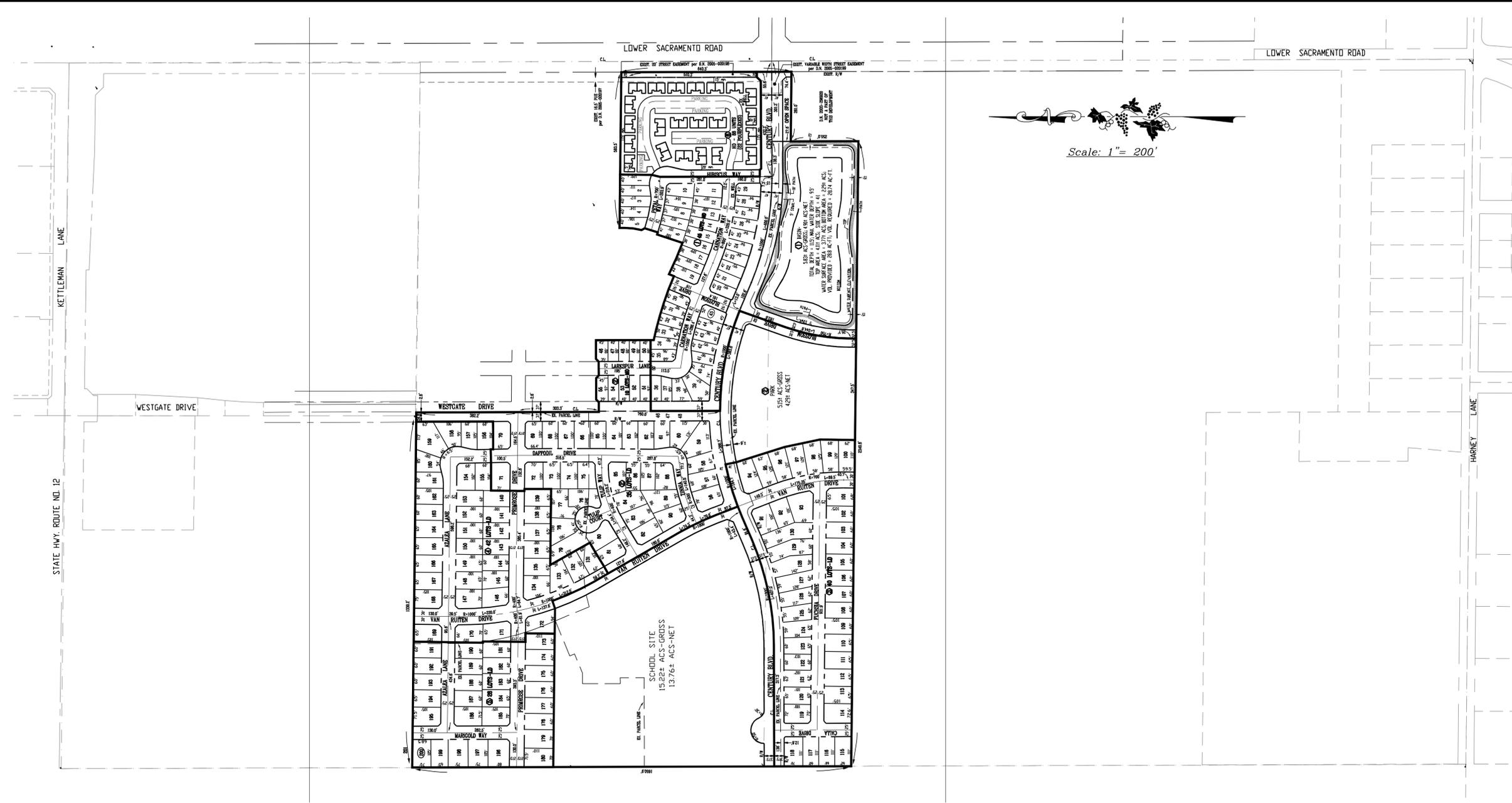
ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Subdivision Map
- C. Planned Development Standards
- D. Draft Resolution

VICINITY/ AERIAL MAP



Lower Sacramento Road / Extension of Century Boulevard



Scale: 1" = 200'

PROPERTY OWNER
VAN RUITEN RANCH, LTD.

DEVELOPER
BENNETT DEVELOPMENT
P.O. BOX 1597
LODI, CA 95241-1597
PH: (209) 334-6385

PLAN PREPARER:
BAUMBACH & PIAZZA, INC.
323 W. ELM ST.
LODI, CA 95240
PH: (209) 368-6618

A.P.N. & SITES ADDRESS:
A. P. N.: 058-030-14, 15, 17, & 18
SITES ADDRESS: NORTH LOWER SACRAMENTO ROAD
at CENTURY BOULEVARD

GENERAL PLAN DESIGNATION & PROPOSED ZONING:
GENERAL PLAN DESIGNATION: PR (PLANNED RESIDENTIAL)
ZONING: PD 41 (PLANNED DEVELOPMENT)

REQUESTED ALLOCATION:
145 LOW DENSITY RESIDENTIAL UNITS
55 MEDIUM DENSITY RESIDENTIAL UNITS
88 HIGH DENSITY RESIDENTIAL UNITS

PROPOSED DENSITY & LAND USE:

AREA	GROSS AREA	LAND USE/LOT SIZE	# OF UNITS	PROPOSED DENSITY
L.D.	(Acres)			
①	6.92	M.D.R./ 3,200 SF (min.)	45	6.5 UPA
	5.83	DRAINAGE BASIN	N/A	N/A
	0.43	OPEN SPACE	N/A	N/A
②	9.30	L.D.R./ 5,500 SF (min.)	35	3.8 UPA
	1.23	M.D.R./ 3,200 SF (min.)	10	8.1 UPA
	5.15	PARK	N/A	N/A
③	9.53	L.D.R./ 6,000 SF (min.)	40	4.2 UPA
④	9.87	L.D.R./ 6,000 SF (min.)	42	4.7 UPA
⑤	5.79	L.D.R./ 6,000 SF (min.)	28	4.8 UPA
⑥	5.09	H.D.R. / N.A.	88	17.3 UPA
	15.22	SCHOOL SITE	N/A	N/A

SUMMARY:
NUMBER OF LDR UNITS = 145
NUMBER OF MDR UNITS = 55
NUMBER OF HDR UNITS = 88
TOTAL # OF UNITS = 288

OPEN SPACE = 0.43± ACS.
DRAINAGE BASIN = 5.83± ACS.
PARK = 5.15± ACS.
SCHOOL SITE = 15.22± ACS.
RESIDENTIAL AREA = 47.73± ACS.
TOTAL GROSS AREA = 74.36± ACS.

NO.	REVISIONS	DATE	BY	DRAWN	SEP	DESIGN	SEP

CAUTION
0 1/2 1
Do not scale drawing if this bar does not measure 1 inch.

APPROVED BY _____
RCE NO. _____ DATE _____

PREPARED IN THE OFFICE OF:
BAUMBACH & PIAZZA, INC.
CIVIL ENGINEERS
323 WEST ELM STREET
LODI, CALIFORNIA 95240
DESIGNED UNDER THE SUPERVISION OF:
STEVEN E. PECHIN RCE 42764

PREPARED FOR:
BENNETT DEVELOPMENT/VAN RUITEN RANCH, LTD
P.O. BOX 1237
LODI, CA 95241
(209) 367-7600

VAN RUITEN RANCH
DEVELOPMENT PLAN-200 SCALE
MARCH, 2014

SHEET 1 OF 1
JOB NO. 12036
FILE NO. G-1422

**VESTING TENTATIVE MAP
VAN RUITEN RANCH**

BEING A PORTION OF THE WEST HALF
OF SECTION 15, T.3N., R.6E., M.D.B.&M.
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH, 2014 SCALE: 1" = 100'
SHEET 1 of 2

PROPERTY OWNER
VAN RUITEN RANCH, LTD.

DEVELOPER BENNETT DEVELOPMENT
P.O. BOX 1597
LODI, CA 95241-1597
PH: (209) 334-6385

MAP PREPARER: BAUMBACH & PIAZZA, INC.
323 W. ELM ST.
LODI, CA 95240
PH: (209) 368-6618

A.P.N. & SITUS ADDRESS:
A. P. N.: 058-030-14, 15, 17, & 18
SITUS ADDRESS: 14509 NORTH LOWER SACRAMENTO ROAD
LODI, CA 95242

GENERAL PLAN DESIGNATION & PROPOSED ZONING:
GENERAL PLAN DESIGNATION: PR (PLANNED RESIDENTIAL)
ZONING: PD 41 (PLANNED DEVELOPMENT)

PROPOSED PHASING and DENSITY:					
PHASE NO.	LAND USE	GROSS AREA (Acres)	NET AREA (Acres)	# OF UNITS	NET DENSITY
①	MDR	6.92	5.96	45	3,200 SF 8 UPA
	Basin	5.83	4.90	N/A	N/A
	Open Space	0.43	0.17	N/A	N/A
②	LDR	9.30	8.05	35	5,500 SF 4 UPA
	MDR	1.23	1.07	10	3,200 SF 9 UPA
	Park	5.15	4.29	N/A	N/A
③	LDR	9.53	8.52	40	6,000 SF 5 UPA
④	LDR	9.87	8.97	42	6,000 SF 5 UPA
⑤	LDR	5.79	5.79	28	6,000 SF 5 UPA
⑥	HDR	5.09	4.23	88	N/A 21 UPA

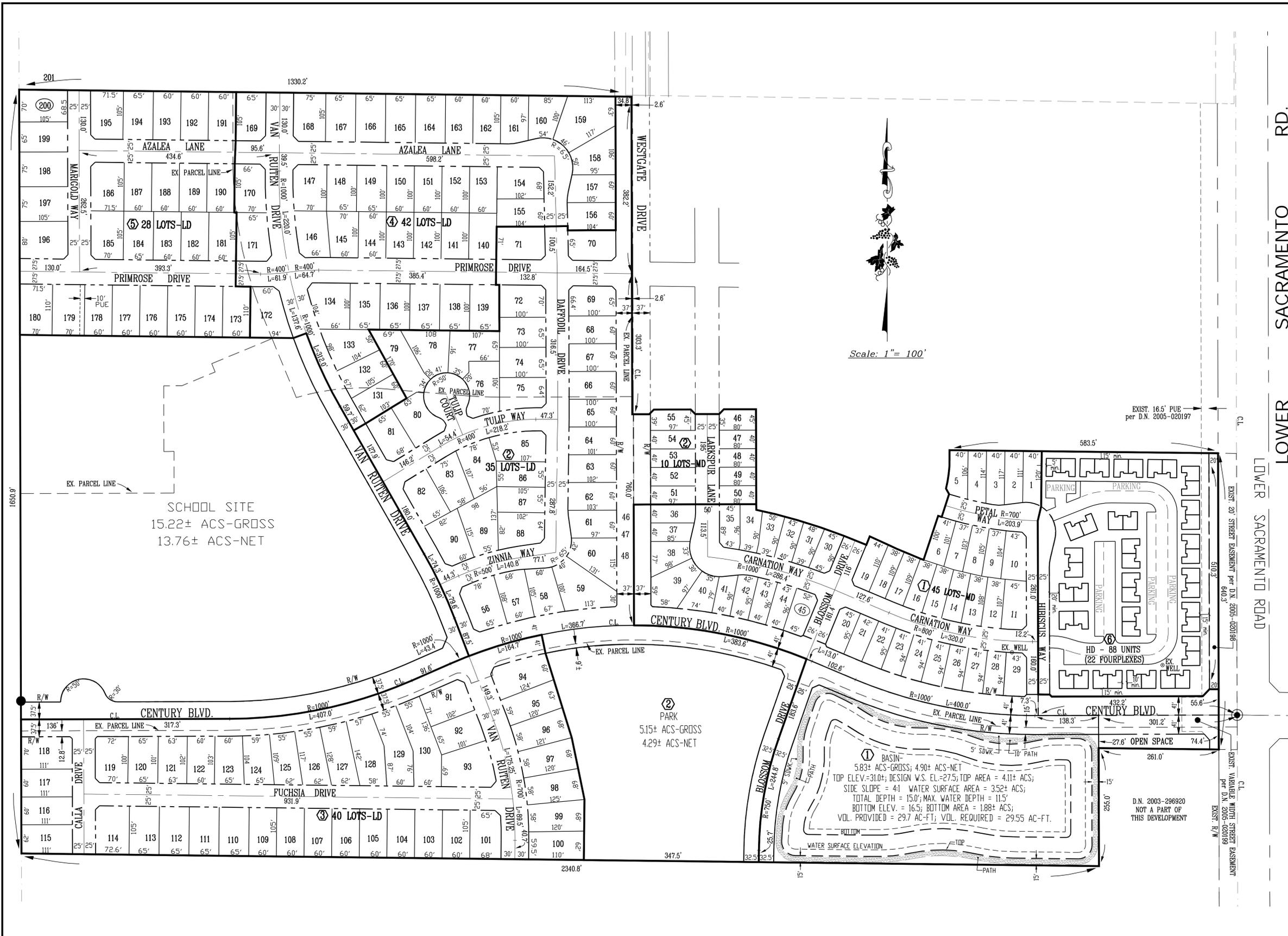
SUMMARY:
NUMBER OF LDR-TYPE UNITS = 145
NUMBER OF MDR-TYPE UNITS = 55
NUMBER OF HDR-TYPE UNITS = 88
TOTAL # OF UNITS = 288

OPEN SPACE = 0.43± ACS.
DRAINAGE BASIN = 5.83± ACS.
PARK = 5.15± ACS.
SCHOOL SITE = 15.22± ACS.
RESIDENTIAL AREA = 47.73± ACS.
TOTAL GROSS AREA = 74.36± ACS.

LEGEND

R/W RIGHT-OF-WAY
CL CENTERLINE
PUE PUBLIC UTILITY EASEMENT
SF SQUARE FEET
ACS ACRES
UPA UNITS PER ACRE
EX. EXISTING
① INDICATES PHASE NUMBER

- NOTES:**
- THIS DEVELOPMENT CONTAINS 74.36± TOTAL ACRES, CONSISTING OF 200 LOTS, 88 HIGH DENSITY UNITS, DRAINAGE BASIN, PARK SITE, OPEN SPACE, AND A SCHOOL SITE.
 - THIS PROJECT WILL BE DEVELOPED IN PHASES, AS SHOWN ON THIS TENTATIVE MAP, WITH MULTIPLE FINAL MAPS.
 - THIS PROPERTY IS NOT SUBJECT TO A 100-YEAR FLOOD.
 - UTILITIES:
WATER - CITY OF LODI
SEWER - CITY OF LODI
STORM DRAIN - CITY OF LODI
ELECTRICAL - CITY OF LODI EUD
GAS - PG&E
TELEPHONE - SBC
 - SEE SHEET 2 FOR: STREET CROSS-SECTIONS, TYPICAL PLOT PLANS, BUILDING SETBACKS, TYPICAL LOT COVERAGE, DETAILS OF SOUND WALL, AND LANDSCAPING STANDARDS.



Scale: 1" = 100'

NO.	REVISIONS	DATE	BY	DRAWN	DESIGN
0				SEP	SEP
				APPROVED BY	
				RCE NO.	DATE

PREPARED IN THE OFFICE OF:
BAUMBACH & PIAZZA, INC.
CIVIL ENGINEERS
323 WEST ELM STREET
LODI, CALIFORNIA 95240
DESIGNED UNDER THE SUPERVISION OF:
STEVEN E. PECHIN RCE 42764

PREPARED FOR:
BENNETT HOMES/VAN RUITEN RANCH, LTD
P.O. BOX 1237
LODI, CA 95241
(209) 367-7600

VAN RUITEN RANCH
VESTING TENTATIVE MAP
MARCH, 2014 SCALE: 1" = 100'

SHEET 1 OF 2
JOB NO. 12036
FILE NO. G-1422

**VESTING TENTATIVE MAP
VAN RUITEN RANCH**

BEING A PORTION OF THE WEST HALF
OF SECTION 15, T.3N., R.6E., M.D.B.&M.
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA
MARCH, 2014 SCALE: AS NOTED

SHEET 2 of 2

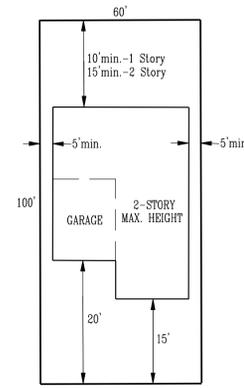
PROPERTY OWNER
VAN RUITEN RANCH, LTD.

DEVELOPER BENNETT HOMES
P.O. BOX 1597
LODI, CA 95241-1597
PH: (209) 334-6385

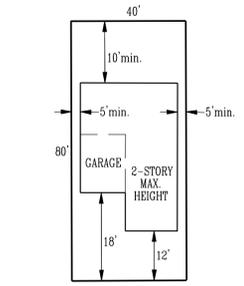
MAP PREPARER: BAUMBACH & PIAZZA, INC.
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LODI, CA 95242

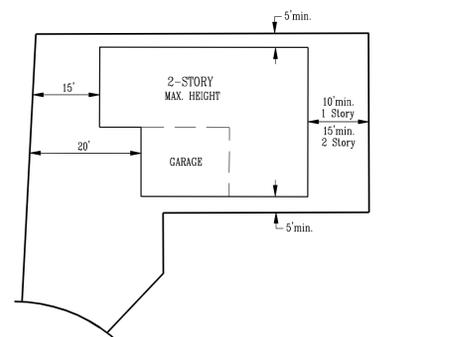
DEVELOPMENT STANDARD	LOT TYPE		
	LDR	MDR	HDR
Minimum Lot Area	5,500 SP	3,200 SP	n/a
Typical Street Frontage width	55'-75'	35'-45'	n/a
SETBACKS (minimums)			
Front Yard			
Living Space	15'	12'	20'-public street 10'-private side
Garage	20'	20'	n/a
Porch/Balcony	12'	10'	10'-public street 8'-private side
Rear Yard			
Living Space (1-story)	10'	10'	15'
Living Space (2-story)	15'	10'	15'
Porch/Balcony/Patio cover	10'	10'	10'
Interior Side Yard			
Living Space	5'	5'	5'
Garage	5'	5'	n/a
Parking Area	n/a	n/a	5'
Porch/Balcony	3'	3'	3'
Street Side Yard			
Living Space	10'	10'	10'
Garage	20'	18'	n/a
Porch/Balcony	8'	8'	8'-public street 6'-private side
Parking Area	n/a	n/a	10'
LOT COVERAGE (maximums)			
1-Story Unit	60%	60%	n/a
2-Story Unit	50%	55%	60%
HEIGHT LIMITS			
Buildings	2 Stories; not to exceed 35'		
Fences	6'	6'	6'
Arbor/Trellis	12'	12'	12'
Accessory Structures	6' within 3' of side or rear property line 6'-12' not less than 5' from any side or rear property line. Accessory Structures not permitted in front yard setback. No Accessory Structures exceeding 12' height.		
PARKING	2 Spaces/unit 2 Spaces/unit 1.33 Spaces/unit		



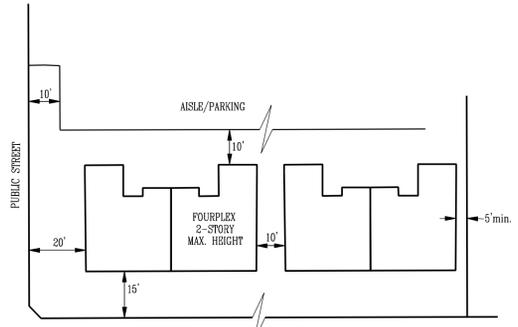
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LDR-TYPE LOT SIZE**



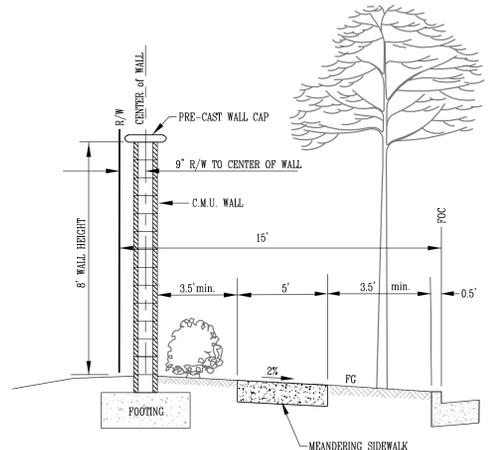
**TYPICAL LOT
MDR-TYPE LOT SIZE**



**TYPICAL LOT
LDR-FLAG-TYPE LOT**

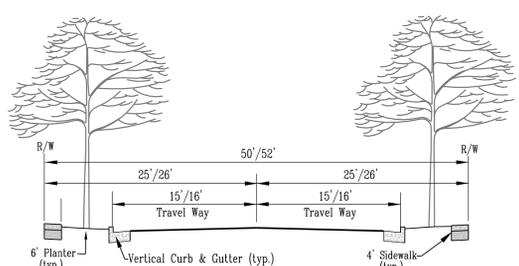


**TYPICAL LAYOUT
HDR-TYPE DEVELOPMENT**

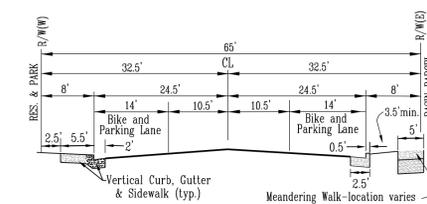


**WALL/PLANTER SECTION
NOT TO SCALE**

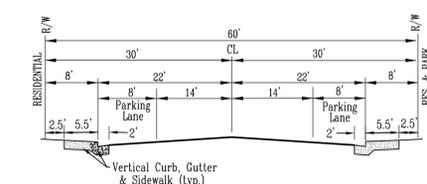
PARKWAY AND PLANTER LANDSCAPING TO INCLUDE TREES AT A RATIO OF ONE (1) TREE PER LOT, MINIMUM. THREE (3) TREES SHALL BE PROVIDED AT CORNER LOTS (2 TREES ALONG LONGER FRONTAGE SIDE). TREES SHALL BE 15 GALLON SIZE, MINIMUM, FROM CITY'S ADOPTED TREE LIST, SPACED AT 30 FOOT INTERVALS, MINIMUM.



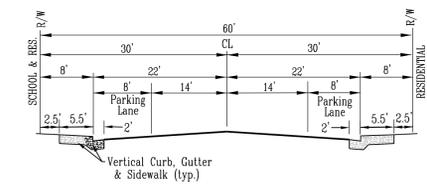
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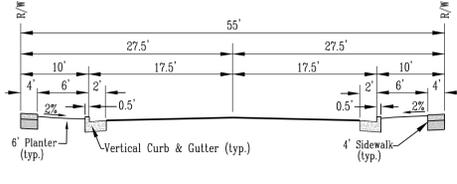
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(MINOR COLLECTOR STREET)
NOT TO SCALE**



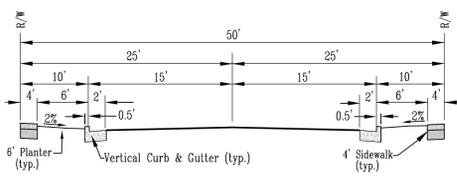
**VAN RUITEN DRIVE-SOUTH of CENTURY BLVD.
(MINOR COLLECTOR STREET)
NOT TO SCALE**



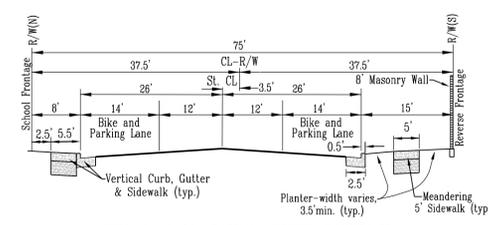
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(MINOR COLLECTOR STREET)
NOT TO SCALE**



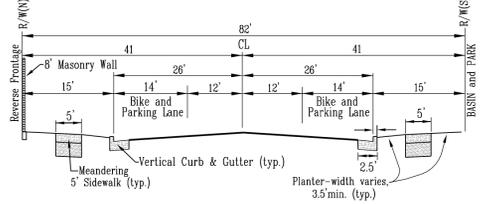
**PRIMROSE DRIVE
(STANDARD RESIDENTIAL STREET)
NOT TO SCALE**



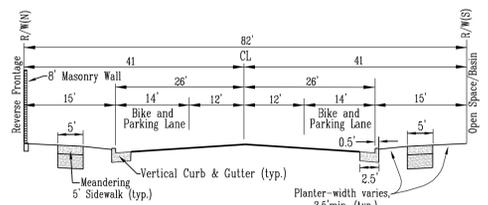
**INTERIOR STREET TYPICAL CROSS SECTION
(MINOR RESIDENTIAL STREET)
NOT TO SCALE**



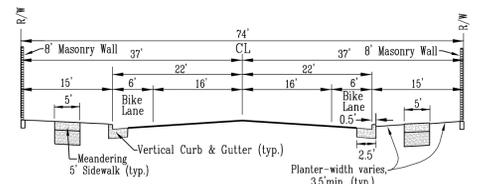
**TYPICAL CROSS SECTION-CENTURY BOULEVARD
(WEST LIMIT OF PROJECT TO VAN RUITEN WAY)
MINOR COLLECTOR WITH PARKING ON BOTH SIDES
NOT TO SCALE**



**TYPICAL CROSS SECTION-CENTURY BOULEVARD
(VAN RUITEN DRIVE TO HIBISCUS WAY)
PARKING ALONG BOTH SIDES
NOT TO SCALE**



**TYPICAL CROSS SECTION-CENTURY BOULEVARD
(HIBISCUS WAY TO LOWER SACRAMENTO ROAD)
NO PARKING AT CORNERS
NOT TO SCALE**



**TYPICAL CROSS SECTION-WESTGATE DRIVE
(MINOR COLLECTOR WITH NO PARKING-BOTH SIDES)
NOT TO SCALE**

NO.	REVISIONS	DATE	BY	DRAWN	SEP	DESIGN	SEP
0	1/2	1					

CAUTION: Do not scale drawing if this bar does not measure 1 inch.

PREPARED IN THE OFFICE OF:
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VAN RUITEN RANCH
VESTING TENTATIVE MAP
MARCH, 2014 SCALE: 1" = 100'

SHEET 2 OF 2
JOB NO. 12036
FILE NO. G-1422

Van Ruiten Ranch

Planned Development
Standards & Guidelines

April 2014



BENNETT
HOMES, INC.



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Chapter 1: INTRODUCTION

1.1 OVERVIEW

The Van Ruiten Ranch community is a vibrant, compact neighborhood inspired by Lodi's continued high quality of life and small-town character. As a reflection of Lodi's historic neighborhoods, the Van Ruiten Ranch community includes tree-lined, pedestrian- and bicycle-friendly streets and homes with attractive, high quality architecture.

The document to follow constitutes the Van Ruiten Ranch Planned Development (PD) Standards and Guidelines. The purpose of the document is to establish development and design standards, including conditions and restrictions related to size, timing and sequence of development, to ensure a quality project in accordance with the City of Lodi 2010 General Plan. These guidelines shall be applied to all development within the project to ensure that Van Ruiten Ranch develops as a cohesive community. The Guidelines, once approved, are binding on the project, and shall be implemented consistent with the provisions set forth in the City's Municipal Code.

1.1.1 PD Organization

As a guiding document for Van Ruiten Ranch, the organization of these guidelines is presented as a series of community design components that when combined create a comprehensive project design. The chapters to follow highlight and articulate the various community design components, establishing specific development guidelines and standards for each component. These components include:

- Chapter 1 **Introduction** – Provides an overview of the project, establishes the regulatory framework, and gives a summary of the PD organization.
- Chapter 2 **Residential Uses** – Elaborates on residential uses by providing development standards and architectural guidelines. Site design standards are also included in this chapter.
- Chapter 3 **Parks, Open Space & Community Facilities** – Discusses distribution, location and standards for parks, open space, and basin features. This includes landscaping standards, lighting and street furniture guidelines. A discussion of community facility availability is also included in this chapter.
- Chapter 4 **Transportation** – Identifies the proposed roadway network in the community and establishes guidelines for vehicular, bicycle and pedestrian circulation.
- Chapter 5 **Implementation & Phasing** – Discusses project phasing, future development applications, and amendment procedures.



1.1.2 Context & Setting

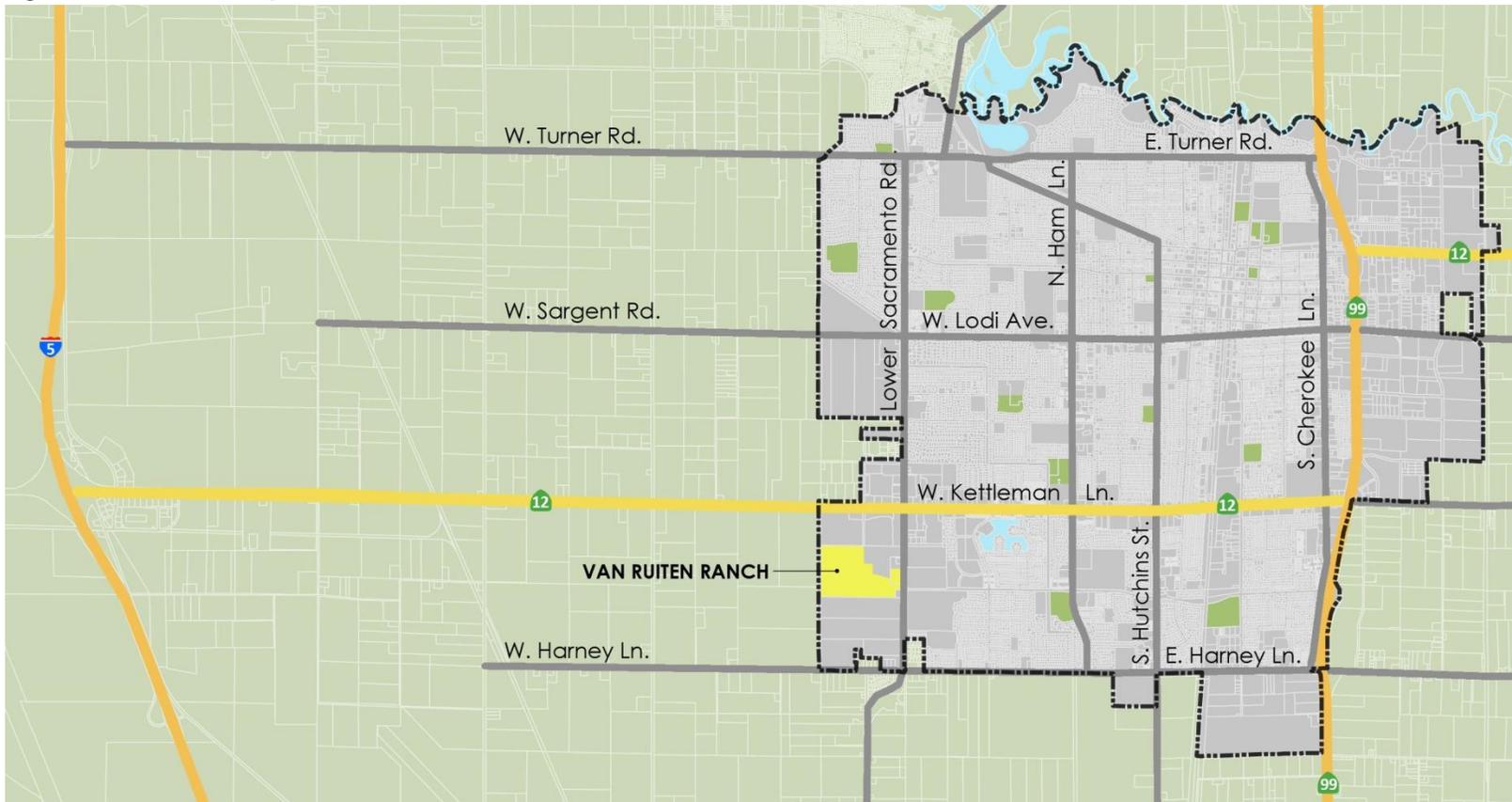
The Van Ruiten Ranch (the “project”) neighborhood is located on a 74-acre site in the City of Lodi. The project is located in the southwestern portion of the incorporated city, generally bounded by Lower Sacramento Road to the east, Kettleman Lane to the north, future development and Harney Lane to the south, and the existing Lodi City Limits (2008) to the west. (Figure 1) Extensions of existing Century Boulevard and Westgate Drive will provide access through the proposed neighborhood.

Surrounding land uses consist of existing residential neighborhoods and the planned DeBenedetti Community Park to the east; agricultural land and a commercial corridor along Kettleman Lane and Lower Sacramento Road the north; and agricultural land and tree orchards to the south and west.

The project site currently consists of four parcels of undeveloped land. The site is utilized for agricultural row crops and is currently planted with vineyards. One residence and a series of farming-related structures are located along Lower Sacramento Road, north of the Century Boulevard intersection.

The requirements of CEQA have been met for the Project by the certification of the Lodi Annexation Environmental Impact Report (Westside) [EIR-05-01] and adoption of Findings and Statement of Overriding Considerations for the Project by City Council Resolution in March, 2007. Subsequently, the City of Lodi 2010 General Plan identified consistent land use designations for the project site and the General Plan Final EIR, including comments and responses to comments, was certified by the City Council on April 7, 2010.

Figure 1: Location Map



1.1.3 Relationship to Existing Plans

The Van Ruiten Ranch Planned Development (PD) is a guiding document to insure a quality community and coordinated implementation and phasing. The intent of these guidelines is to implement the goals and policies of the City of Lodi 2010 General Plan and create community-specific goals and development standards unique to Van Ruiten Ranch neighborhood.

The standards provided in this document are intended to supplement the City of Lodi Development Code. As a Planned Development, the Van Ruiten Ranch PD can establish unique or more specific standards to create design flexibility in achieving project goals. Where these Guidelines are silent or unspecified, the Lodi Development Code shall apply. Amendments to these Guidelines and the standards herein are subject to administrative review and approval.

The Van Ruiten Ranch site is currently planned for development in the City of Lodi 2010 General Plan and is designated with a mix of uses: Low, Medium, and High Density Residential, Public/Quasi-Public, and Open Space. The site is zoned for Planned Development, Public Quasi Public, and Open Space on the City of Lodi Zoning Map. The entitlement application for the Van Ruiten Ranch project is consistent with the policy and zoning documents in place.

1.2 COMMUNITY FRAMEWORK

The 74-acre Van Ruiten Ranch Master Plan is a compact residential neighborhood with a mix of residential densities. Designed as a reflection of Lodi's historic neighborhoods, the community features tree-line streets and architecture that relate to the surrounding character and context. The diversity of housing types and sophisticated palette of high quality architectural finishes provides a vibrant streetscape. The mix of varying single-family lot sizes and housing types encourages a diverse community with various income levels and lifestyle options within the neighborhood. At the confluence of Century Boulevard and Westgate Drive is a 5-acre park that creates a unique sense of place and provides recreation opportunities within walking distance to residents. The design of the Van Ruiten Ranch neighborhood will create a seamless extension of

the surrounding established community: variety of architecture, grid of streets (walkable), pedestrian connections, and a network of parks and open spaces.

1.2.1 Vision & Objectives

The vision for the Van Ruiten Ranch neighborhood is to create a new community inspired by the elements that make traditional small towns desirable places to live: a diverse mix of quality homes in different shapes, sizes, materials and colors located near public spaces, schools, open spaces, parks, and neighboring shopping opportunities—a place of readily accessible amenities, attractive neighborhoods and a strong sense of place throughout. This mixed use, pedestrian friendly, compact community is expected to be a positive addition to the City of Lodi because it is one that embraces and implements the City's core values as expressed in the 2010 General Plan. To that end, the following objectives are proposed for the project:

- Protect adjacent farmland and the existing urban edge;
- Promote a mixed-use, compact development pattern linked to regional transportation systems;
- Promote a balance of uses—housing, schools, parks and recreation—that support a healthy community;
- Create livable, walkable, and safe environments with a distinct community identity and sense of place;
- Encourage an efficient use of energy and resources through sustainable design practices;
- Provide a diversity of recreational opportunities;
- Create friendly and inviting streetscapes through landscaping and design elements that reflect a high quality development;
- Encourage high quality architecture and urban design;
- Provide a diversity of housing choices—streets, paths and links to public transit; and
- Create safe and accessible links between neighborhoods and community facilities to adjacent shopping areas and the surrounding community.

1.2.2 The Plan

The Van Ruiten Ranch project proposes a variety of housing choices in close proximity to employment and services. The project includes approximately 288 residential units, ranging from conventional single family homes to apartments. The park, school, and network of sidewalks create a walkable neighborhood with a strong sense of place.

A 15-acre school site is located along the western edge of the Van Ruiten Ranch neighborhood. This planned facility is consistent with the City of Lodi 2010 General Plan. Should the School District decide in the future not to purchase this land,

an alternative site plan with 65 single-family residential units has been approved as part the entitlement application.

The PD Schematic Plan and School Site Alternative depicts the arrangement of uses (Figure 2A & B), and Table 1 summarizes the land uses and calculates the proposed densities.

Figure 2A: PD Schematic Plan



Figure 2B: PD Schematic Plan with School Site Alternative



Table 1: Land Use Summary

Land Use District		2010 General Plan / Zoning Designations	Use	Acres (N)	Units	Density (du/ac)
Low Density Residential	LDR	LDR / LDR (PD)	Single Family Residential	31.3	145	5
Medium Density Residential	MDR	MDR / MDR (PD)	Single Family Residential	7.0	55	8
High Density Residential	HDR	HDR / HDR (PD)	Multi-Family Residential	4.2	88	21
Public Quasi Public	RMX	PQP / PQP (PD)	School	13.8	65*	5
Open Space	P/OS	MDR / R-1A (PD)	Parks, Open Space & Detention	9.4	-	-
Roadway				8.7		
Total				74.4	288/353*	7 avg./6

*Alternative site plan with 65 additional units if school site does not develop in the future.

Chapter 2: RESIDENTIAL USES

2.1 OVERVIEW

The purpose of the guidelines and standards for the Residential District is to ensure a complete and high quality community, with consistency of design and compatibility across housing types. The guidelines that follow provide clear standards for the development of a community that sustains a high quality of life. This section provides design standards and criteria intended to encourage creative and unique neighborhood solutions that enhance connectivity and create a cohesive community that is an asset to the City and its residents.

These guidelines and standards address the following issues:

- Development Standards
- Architectural Guidelines
- Site Design

2.2 RESIDENTIAL DISTRICTS (RD)

The Van Ruiten Ranch neighborhood proposes a mix of residential densities by creating three residential districts: low, medium, and high density residential. These three districts have a comprehensive range of housing options that emulate the neighborhoods of Old Lodi and Eastside, providing homes for a diverse community. The mix of residential densities allows for flexibility that is necessary to create unique and innovative homes for the neighborhood. The residential districts are organized to facilitate phasing, in an effort to support efficient development.

The City of Lodi General Plan allows for a density range of 2 to 8 dwelling units per acre in Low-Density Residential (LDR) areas, 8 to 20 dwelling units per acre in Medium-Density Residential (MDR) areas, and 15 to 35 dwelling units per acre in High-Density Residential (HDR) areas. The RD Districts established herein are consistent with the above General Plan density ranges.

The Residential Districts will be developed in accordance with the City of Lodi's Zoning Standards, and these PD Guidelines. The RD allows for some non-residential uses, namely park and open space uses, consistent with the City of Lodi Development Code.

2.3 DEVELOPMENT STANDARDS

This section offers development standards for a broad range of housing types and lot configurations that fall within each of the three (3) residential districts. The variety of housing and lot configurations listed herein provides for future flexibility based on market demand and economic conditions; although new entitlements may be necessary to implement some housing types, the PD Standards and Guidelines shall apply to future proposals and in most cases without requiring a PD amendment.

The location of and juxtaposition of homes is paramount to attaining the vision for the community. The development and dimensional standards are a significant part of creating a pleasing streetscape and determining the proper functioning of the home on the lot and the relationship between homes and the surrounding environment. To follow are standards for each of the three Residential Districts.

2.3.1 Low Density Residential (LDR)

The Low Density Residential District is envisioned to be located on the west end of the community surrounding the school site. This District provides a variety of single-story and two-story homes, and is designed to seamlessly integrate with the neighborhoods located to the North and South. The different possible lot configurations for the LDR district are conventional front-loaded and rear-loaded alley accessed lots.

Figure 3 depicts a typical front-loaded low density lot layout. Dimensional and density standards for the LDR District are provided in Table 2.

2.3.2 Medium Density Residential (MDR)

The Medium Density Residential District is located centrally, with advantageous proximity to the park. Compact in nature, homes will contribute to a vibrant streetscape within the Van Ruiten Ranch community. These housing types are envisioned to maintain Lodi's historically compact form, and contribute to its small-town character. The different possible housing types for the MDR district are:

- Front-loaded
- Alley Accessed
- Cluster Housing (I-Court, T-Court)
- Small lots, attached or detached

Figure 4A and Figure 4B depict a typical attached and detached medium density lot configuration. Dimensional and density standards for the MDR District are provided in Table 2.

2.3.3 High Density Residential (HDR)

The High Density Residential District is designed to increase the variation of housing types, and accommodate for Lodi's increasingly diverse population. These housing types are envisioned to be located along the east side of the project boundary. The range of high density homes possible include, but are not limited to, the following housing types:

- Fourplexes
- Duplexes
- Halfplexes
- Cluster Housing
- Condominiums
- Apartments
- Townhomes
- Small lots, attached or detached

Figure 5 depicts an example of the types of housing intended for the HDR district. Dimensional and density standards for the HDR District are provided in Table 2.

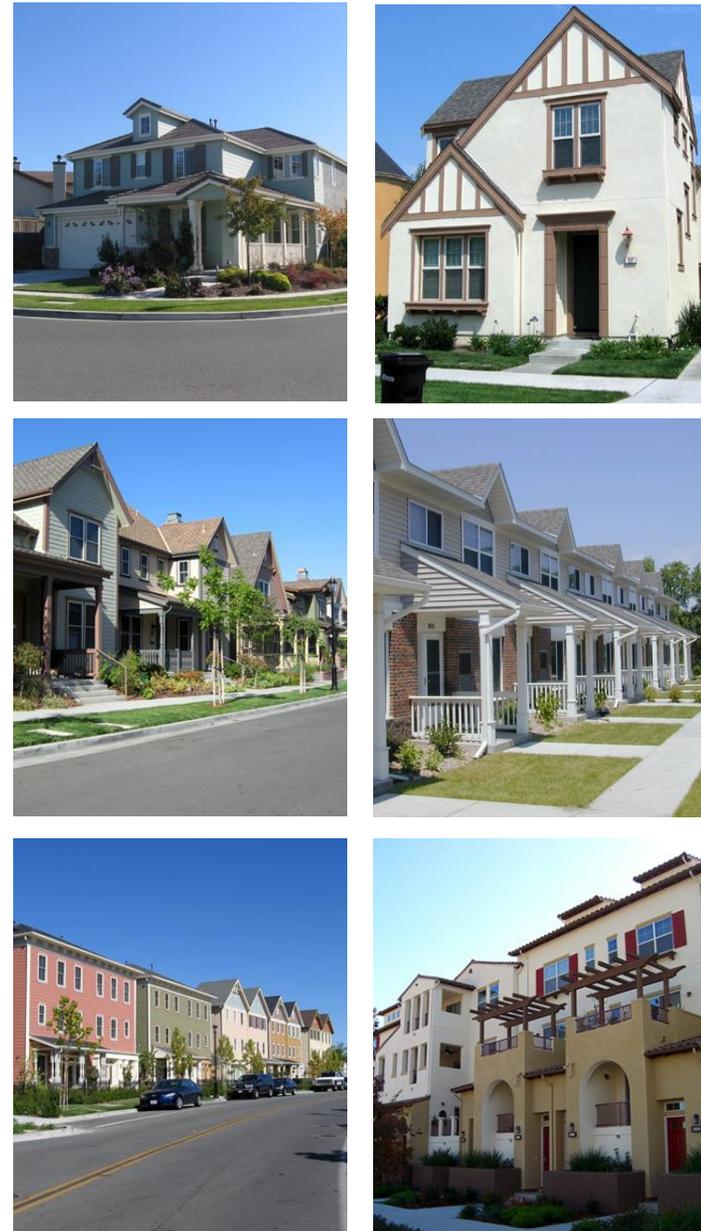


Figure 3: **Low Density Residential Lot Typical**
(Conventional Front-Loaded)

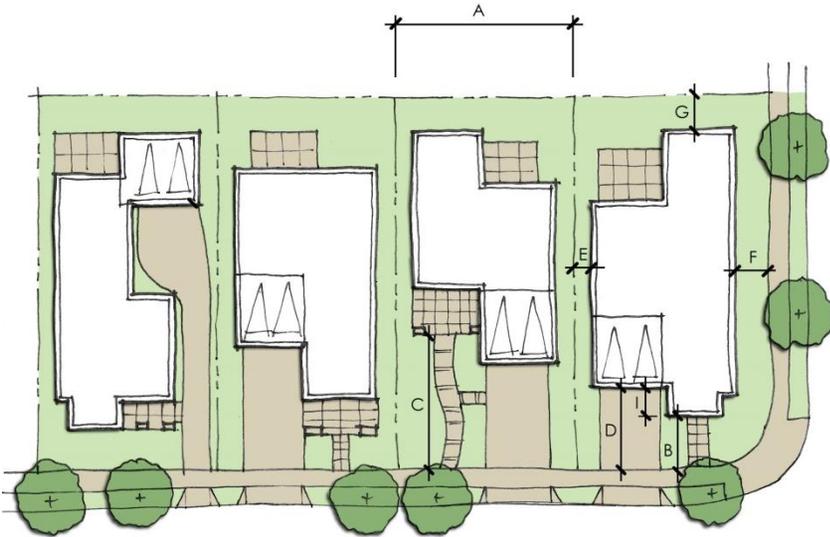


Figure 4A: **Medium Density Residential Lot Typical** (Small Lot)

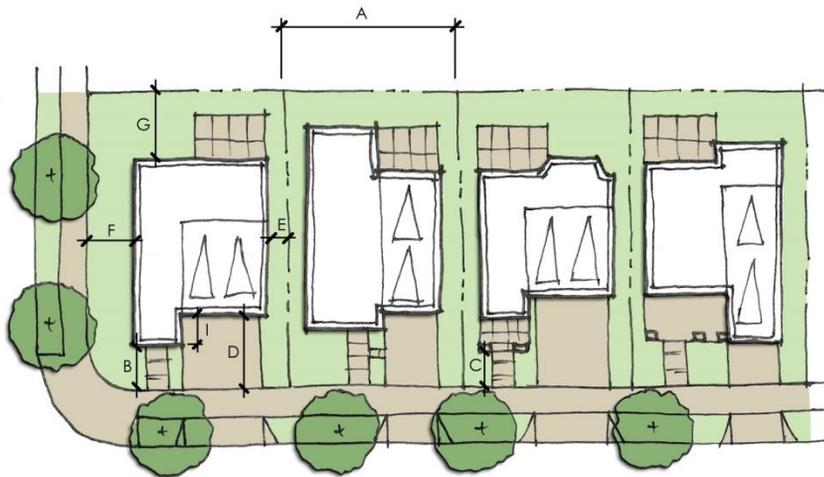
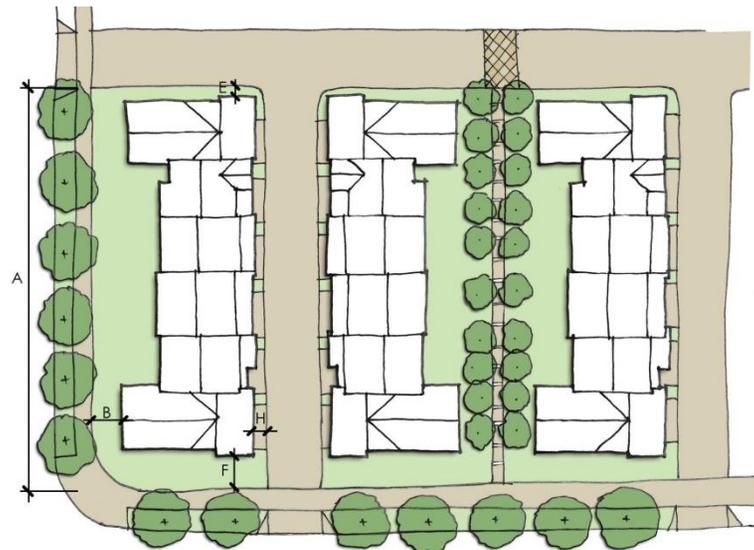


Figure 4B: **Medium Density Residential Lot Typical** (Detached)



Figure 5: **High Density Residential Lot Typical** (Attached)



For conceptual planning purposes only. Actual lot dimensions and housing types may vary pending future submittals.

Table 2: Residential Dimensional Standards *

		LDR	MDR		HDR
			Detached	Attached	
	Density	2 - 8 du/ac.	8 - 20 du/ac.		15 - 35 du/ac.
	Minimum Lot Area (Square Feet)	5,000	3,000	N/A	N/A
	Maximum Lot Coverage ¹	60%	65%	65%	70%
A	Minimum Lot Width (Feet)	40	30	N/A	N/A
	Minimum Lot Depth (Feet)	75	70	N/A	N/A
	Minimum Lot Frontage along Public Streets (Feet)	30	20	N/A	N/A
	Minimum Front Setbacks - From Public Street (Feet) ³				
B	To living area	15	10	10	10
C	To porch or entry	12.5	10	10	10
D	To garage	20 ²	18 ²	18 ²	N/A
	Minimum Front Setbacks - From Private Drive (Feet) ³				
	To living area	N/A	N/A	4	4
	To porch or entry	N/A	N/A	4	4
	To garage	N/A	N/A	4	N/A
	To second story living area	N/A	N/A	2	N/A
	Minimum Side Setbacks (Feet) ³				
E	Interior lots	5	3	3	5
F	To public street	10	10	10	10
	To open space	5	5	5	N/A
	Zero lot line	5 / 0	4 / 0	4 / 0	4 / 0
	Minimum Rear Setbacks (Feet) ³				
G	To living area	10	10	10	5
	To recessed garage	N/A	5	3	N/A
	To detached garage	5	5	5	5
H	To garage from alley	5	5	5	5
I	Setback from living area to garage	5	3	N/A	N/A
	Maximum Building Height	35	35	35	45
J	Minimum Distance between Buildings	6	6	6	6
	Parking Standards (off-street) Dimensions				
	Spaces required per unit	AS DEFINED IN THE LODI DEVELOPMENT CODE			
		2, covered			1, covered

¹ Coverage Exceptions: An additional 100 square feet of accessory structure(s) may be built on the lot as long as the maximum lot coverage is not exceeded.

² Side-facing garage does not front onto public street and shall have the "to living area" setback.

³ Projections, including roof overhangs, fire places, bay windows, media nooks, and architectural details, may encroach up to 2.5' into front, side, and rear setbacks, as long as there is consistency with the Building Code.

* Residential and Dimensional Standards provide for future flexibility by allowing a variety of housing and lot configurations; entitlements may be necessary to implement some housing types.

2.4 ARCHITECTURAL GUIDELINES

The architectural vision for the Van Ruiten Ranch community is inspired by the small-town character and diversity of architecture found in Lodi's historic neighborhoods. The community proposes a variety of architectural styles and general guidelines that encourage variation in building forms and flexibility of design solutions. The following architectural guidelines are formed out of a specific design philosophy inspired by the desire of the residents to live in a safe, comfortable, and inviting community that promotes a sense of identity and fosters social interaction.

2.4.1 Design Philosophy

The core of the Van Ruiten Ranch community design philosophy is the idea of balanced, liveable homes. The community design philosophy was developed to allow for the creation of innovative, unique homes that possess modern amenities with traditional style. The following elements of the design philosophy will be the framework for the community's design aesthetic:

a. Livability

- The purpose of all design elements of the community shall be to ensure a high quality of life for its future residents.
- Building and floor plan design shall not only be aesthetically pleasing, but also designed for the express purpose of creating a relaxing and enjoyable home.
- High quality, spacious floor plans are always encouraged over compact plans that forgo a balanced home in an effort to increase the quantity of bedrooms.
- Floor plans that allow for a "bonus room" to be used for recreation and/or leisure are encouraged.

b. Indoor/Outdoor Integration

- All homes are encouraged to maximize the connection between the home and the surrounding environment as the climate is part of Lodi's unique identity.
- Integration of the outdoor environment with homes can be achieved through the design of outdoor kitchens and dining areas as well as through patios, balconies, screened porches, and window design.



- c. Quality of Design and Design Compatibility
- The high quality design of the Van Ruiten Ranch community is crucial to its establishment of a cohesive community identity.
 - All entries into the Van Ruiten Ranch neighborhood shall exhibit high quality design and materials that welcomes residents and visitors.
 - Enhancing the design of corner lots to reflect the design philosophy is encouraged. Due to the high visibility of corner lots, the community as a whole is largely impacted by their design. The quality of corner lot design reinforces the character of the Van Ruiten Ranch neighborhood.
 - All homes are encouraged to contain the highest quality modern amenities that promote ease and flexibility for the residents. Although homes have contemporary features, a more traditional style should be employed to allow the community to blend well with Lodi's established communities.

2.4.2 Guidelines

The architectural guidelines are crafted to create an intimate neighborhood with a strong sense of place and a pedestrian-oriented streetscape. The following guidelines are provided to create a framework within which developers, builders and designers can have flexibility to create unique homes.

- a. Form & Orientation
- Variable building and garage orientations are encouraged along the streets to create visual diversity and interesting streetscapes. The same house plan, or closely similar elevation, may not be placed on two adjacent or consecutive lots.
 - Use of roof overhangs, porches, balconies, trellises, patios, and low walls are encouraged to add interest to the streetscape.

- b. Elevations & Projections
- All visible elevations shall be made interesting by means of articulation of facades, varied roof lines, window placement and shape, and variety in exterior colors, finishes, and detailing.
 - Enhanced side and rear elevations shall be required whenever those elevations face a public or private street, park, or other public space.
 - Rear and side elevations must match front elevations in terms of window treatments, roof lines and materials
 - Roof lines may be made interesting by use of gables, hips, dormers, and roof planes that create variations in planes.
 - Roof pitch, elevation styles, and materials should be consistent with the architectural style of the building.
- c. Materials
- Use of high quality materials such as stucco, brick, stone, and wood is encouraged.
 - Accent materials may include stone veneer, painted wood trim, and shutters.
 - T-111 siding is prohibited.
 - Roofing material shall be concrete tile or composition shingle, and should be consistent with the architectural style of the building.
- d. Colors
- Color selection should match the overall neighborhood design theme palette, and be consistent with the building's architectural style.
 - Buildings should be painted with a variety of color palettes to provide diversity, visual interest and to make each individual building unique.

- e. Garages
 - Three car and tandem garages shall be encouraged to provide maximum flexibility for future residents.
 - Variety in garage configurations is encouraged to avoid a garage-dominant streetscape.
 - Garage configurations may include attached, detached, recessed, and side-loaded.

- f. Trash Storage
 - All trash, recycling, and green waste containers shall be screened from view of public streets.

2.4.3 Styles

Inspired by the architecture of Old Lodi and Eastside neighborhoods, the homes of Van Ruiten Ranch represent the next generation of distinctive design. Borrowing from the heritage of the past and looking to the future, Van Ruiten Ranch strives to create a timeless and seamless integration of the nearby desirable neighborhoods. An array of styles will be carefully positioned throughout the site; the styles are a mix of historic and current design ideas.

The illustrations, photos, and graphics shown in this section are not meant to be prescriptive. Rather, they are meant to demonstrate typical examples of the variety of footprints, elevations, and design elements possible while indicating minimum architectural design characteristics that capture the character envisioned for the neighborhood. Alternative architectural styles are subject to administrative review and approval.

a. Italian

Italian architecture descends from a rich history of finding art and beauty in the built form. Influenced by ancient Greek and Roman architecture, Italian style architecture is based on classical forms—arches, columns, domes—and strong symmetry.

Characterized by rich texture and warm earth-tones, this rustic, informal style embodies the elements of the design philosophy: livability and balance of indoor/outdoor living. The Italian architecture found in Van Ruiten Ranch is a 21st century interpretation, combining Italian and Tuscan styles. The following architectural elements will apply to Italian style homes within Van Ruiten Ranch:

- Low pitched or flat roof
- Tall appearance with overhanging eaves
- Natural textures and colors
- Recessed entryways
- Arched windows and doors
- Stone and wrought iron decorative accents
- Wall materials of stucco or brick
- Tuscan columns or arcades
- Traditional or Juliette balconies
- Balanced, often symmetrical, shape

DETAILS



Figure 6: Italian Style Pattern Design



COLOR & TEXTURE



b. Spanish

The Spanish style of architecture developed out of a desire to compliment the Mediterranean climate and topography. This style emphasizes the indoor-outdoor relationship through its use of balconies, windows, and courtyards.

The Spanish style in Van Ruiten Ranch will encompass elements of both Spanish and Monterey architectural style. Characterized by its two-story design with porches, tiled roofs, and wood detailed balconies, this style emulates an open plan to capture views of the surrounding environment, taking full advantage of the mild climate.

The following architectural elements will apply to Spanish homes within Van Ruiten Ranch:

- Simple massing and volumes
- Shallow and moderately pitched roof with little to no overhang
- Flat concrete tile, "S" tile, or barrel tile roof materials
- Stucco or brick exterior
- Decorative wrought-iron accents
- Classically-inspired arched porches
- Decorative shutters with head or sill trim
- Cantilevered balconies (Monterey)
- Exposed rafter tails
- Open floor plans

DETAILS



Figure 7: Spanish Style Pattern Diagram



COLOR & TEXTURE



c. Craftsman

The Craftsman style became part of the California vernacular as the gold rush brought new people, cultures, and economic success to the state. The style is best recognized for its large front porches with square columns and a hipped or gabled roof.

The Van Ruiten Ranch Craftsman style is a hybrid design including elements of bungalow—both inspired by the high quality materials and craftsmanship. The design will include updated lines and simplified forms, while reflecting vernacular qualities of established Lodi neighborhoods. The following architectural elements will apply to Craftsman homes within Van Ruiten Ranch:

- Low pitched, gabled or hipped roof
- Thick, square and/or tapered columns
- Horizontal siding detail
- Multi-pane windows
- Decorative shutters
- Brick or stone accents
- Exaggerated eaves
- Prominent and spacious front porches
- Exposed brackets
- Decorative wood shutters

Figure 8: Craftsman Style Pattern Diagram



COLOR & TEXTURE



DETAILS



d. Farmhouse

Farmhouse architecture formed as early settlers brought architectural themes from their old world cultures to the west. Characteristic elements such as covered porches and dormer windows were inspired by Cape Cod, Greek Revival, New England Salt box architecture. Farmhouse architecture is reflective of Lodi's agriculture

The Farmhouse style in the Van Ruiten Ranch community is a modern take on the quintessential farmhouse, and reflective of Lodi's the agricultural heritage. Drawing from a rich material palette, the style provides all the warmth and character innately found within the vernacular while modifying its rustic roots through precise lines and forms, resulting in a more versatile, fresh aesthetic. An appropriate mix of the following elements shall apply to Farmhouse homes within Van Ruiten Ranch:

- Flat tile or composition roofing material
- Gable roof forms
- Metal roof element over porch
- Stucco exterior
- Board and Batten accents
- Dormer elements
- Porch element
- Stone or Brick accents

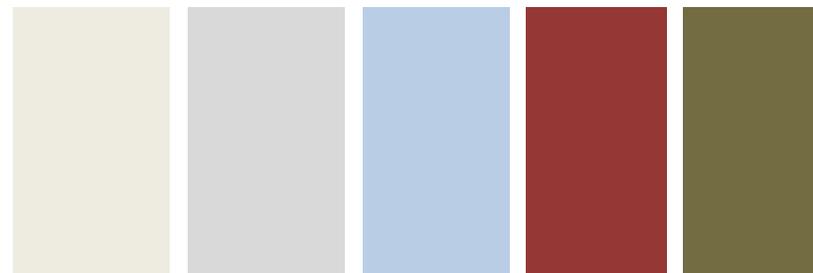
DETAILS



Figure 9: Farmhouse Style Pattern Diagram



COLOR & TEXTURE



2.5 SITE DESIGN

2.5.1 Parking

Private parking is provided on each residential lot at a minimum of two covered spaces per unit for the front-loaded low and medium residential lot types and a minimum of 1.33 spaces for the high density residential lot type. Covered parking must be a garage or carport, either attached to or detached from the home. The minimum dimensions for a private garage or carport is 10-ft by 20-ft. Driveway lengths vary depending on unit type and shall be consistent with Table 2, Dimensional Standards.

Public and guest parking is provided by on-street, parallel parking consistent with the City of Lodi standard residential street section.

2.5.2 Landscaping

On individual single-family lots, the builder shall provide front yard landscaping and irrigation. Front yard landscaping should consist of at least one deciduous tree a minimum of 15-gallons in size. This will achieve a cohesive, tree-lined pedestrian friendly realm that is inviting and visually pleasing to residents and visitors alike.

Chapter 3: **PARKS, OPEN SPACE & COMMUNITY FACILITIES**

3.1 PARK & OPEN SPACE OVERVIEW

The Van Ruiten Ranch community provides park and open space areas intended to create a variety of recreational opportunities, with both active and passive spaces, to cater to a wide range of users. This system will create a cohesive outdoor environment that complements the surrounding neighborhood form and plays an integral role in shaping the community as a whole. The amenities provided in the park and open space district will enhance the educational, recreational, and cultural life of residents and promote interaction within the neighborhood and the surrounding Lodi community.

Three park and open space elements define the Van Ruiten Ranch community:

- A 5-acre neighborhood park, envisioned with a variety of outdoor amenities for the community;
- A system of open space areas, including a detention basin, landscaped to create prominent entry features and respite areas throughout the community; and
- A network of sidewalks and on-street, shared bicycle lanes that provide connection throughout the community and to the surrounding neighborhoods.

The parks and open space system will greatly enhance the visual nature, quality of life, housing desirability, and the overall community image. To follow are standards and guidelines for each of the park and open space features.

3.1.1 Neighborhood Park

The Neighborhood Park is intended for use of all residents within the neighborhood and the community at large. The park should be easily accessed by the pedestrian and bicycle circulation network from all areas within the neighborhood.

The City currently has a parkland, open space and storm drainage requirement goal of eight acres per thousand persons, of which 5 acres must be constructed for park and recreation uses only (City of Lodi 2010 General Plan). Parkland dedication may be met through on-site dedication, payment of a fee in lieu of dedication, or a combination of the two. The Van Ruiten Ranch total dedication obligation is 7.2 acres (assuming maximum build-out and school site conversion to residential) of combined park, open space and storm drainage. Based on the park acreage minimums defined by General Plan Policy P-P2, the Van Ruiten Ranch neighborhood must provide for a 5-acre park and recreation facility.



The Van Ruiten Ranch community provides 5.0 acres of unencumbered parkland at the confluence of Century Boulevard and Westgate Drive. As envisioned by the 2010 General Plan, the Neighborhood Park within the Van Ruiten Ranch community is the northern portion of a larger park, shared by the future community located to the south. Although the park located within the project area must be designed and constructed as a stand-alone park, it also must function as part of the larger whole. Figure 10 illustrates how the Neighborhood Park may be designed and how the two separate facilities may function together to become one larger, cohesive park.

The Neighborhood Park is envisioned to provide social gathering and respite areas in close proximity to homes. The park provides for the relaxation and recreational needs of the community and may also include more active recreational facilities such as basketball courts or horseshoe pits. Neighborhood Parks provide for the aesthetic needs at this major intersection in the community, creating inviting and engaging landscape features that welcome residence and visitors to the community.

Figure 10: Park Illustrative Plan



For conceptual planning purposes only. Actual design and layout may vary pending future submittals.

The design of the Neighborhood Park shall be consistent with the following standards and guidelines:

- Provide a range of active and passive facilities consistent with Table 6-3 in the City of Lodi 2010 General Plan. These park amenities may including but not limited to, basketball court, bocce ball court, horseshoe pit, sitting areas, picnic areas, plazas and other gathering areas, game and event lawn, gazebo and other garden features;
- Landscape structures, such as gazebos, arbors and orchard-style plantings, landscaping, are encouraged to create focus and a sense of place;
- A variety of small public plazas and gathering and event spaces should be provided within the Neighborhood Park;
- Pedestrian and bicycle linkages should connect parks to the surrounding neighborhood and the adjacent future community to the south;
- A consistent landscape palette should be employed within the Neighborhood Park. Refer to the City's tree ordinance and plant list for acceptable trees, shrubs and groundcover; and
- Refer to Section 3.3 for lighting and furniture standards.

3.1.2 Open Space / Detention Basin

The open space network provides continuity and a consistent backdrop to the amenities, features and built environment of the community. Common open space areas include landscaped buffers and detention facilities. These open space and detention areas will be dedicated to the City; once dedicated, maintenance of these areas will be the responsibility of the City of Lodi.

The design of these various open space features shall be consistent with the following standards and guidelines:

- All landscape areas should be designed and landscaped consistent with park standards (contained herein) as to create a cohesive outdoor environment throughout the community;
- Provide landscaped areas adjacent to adjacent roadways;
- Detention facilities, located along the southern project boundary, should be attractively landscaped and maintained as an amenity to the community. Walking trails should be provided around these facilities, where feasible;
- Pedestrian and bicycle linkages should connect open spaces to surrounding parks and neighborhoods;
- A consistent landscape palette should be employed within open space and detention facilities. Refer to the City's tree ordinance and plant list for acceptable trees, shrubs and groundcover; and
- Refer to Section 3.3 for lighting and furniture standards.

3.2 LANDSCAPING STANDARDS

The intent of the landscape design within each district is to provide continuity throughout the community. Landscaping guidelines specify standards for streetscapes and public spaces. Through the use of deciduous and evergreen plant material, year round interest will be given to the site with an evenly layered plant design. This layered plant design helps to frame views and highlight special features, and can also screen or diminish adverse views and utilities.

The streetscape within the Van Ruiten Ranch community is unified through a consistent palette of ground cover, shrubs, and street trees. The street trees create a canopy along all public streets to increase aesthetics of the neighborhood while providing shade, a walkable environment, and emulating the established historic neighborhoods of Lodi. All street trees should be a minimum of 15 gallons in size at the time of planting, and centered in the parkway strip or behind the sidewalk. A mix of evergreen and deciduous trees is encouraged as primary and accent tree options. Refer to the City's tree ordinance and plant list for acceptable trees, shrubs and groundcover.

The landscaping of public spaces should be carefully considered to attract visitors. Trees with a consistent canopy should be used in areas where shade is desirable. In general, the landscaping of public spaces should complement the other features and amenities of the area, becoming a backdrop to pedestrian activities.

The following landscape guidelines and standards apply to the Van Ruiten Ranch community:

- Landscaping should be used to define outdoor spaces, softening and complementing structures, and should also be used for utilitarian qualities;
- Provide landscaping to screen parking, loading, storage and equipment areas;
- Provide landscaping to shade and enhance the streetscape, parking areas, and outdoor gathering places;
- Detention facilities should be planted to create the appearance of natural vegetation, with careful consideration of plant selection to ensure survival and compatibility of a proper functioning drainage system;
- Landscaping shall be designed to meet the Water Efficient Landscape Requirements defined by Section 17.30.070 in the City of Lodi Development Code; and
- Where feasible and desirable, landscape strips and median islands should be landscaped and programmed for the treatment and conveyance of storm water run-off.

3.3 LIGHTING & FURNITURE

Lighting is an important element in the landscape and should be used to contribute to a safe and attractive environment. Lighting is also used to reinforce the community's overall design theme and create a consistent sense of place by adding a common, thematic element that is repeated along roadways, or within parks and open spaces.

Site furniture is encouraged within the parks and open space system, both within programmed public spaces and within more passive landscaped lots. The driving goal for the use of landscape elements is to create enjoyable outdoor spaces and furnish comfortable amenities for relaxation and leisure. Site furniture visible from public streets, plazas, and pedestrian linkages should be of compatible style and design. Fixtures and furniture may vary in style, color, and materials from this standard design if they are used in enclosed courtyards, or other locations where land uses require unique appeal.

The following guidelines and standard apply to lighting and site furniture throughout the community:

- Ornamental street lights, similar to those found in historic Lodi, shall be located along public streets;
- Exterior lighting, including in parks and open space areas, should be architecturally integrated with the style of the buildings and colors and materials used;

- Architectural lighting may be used to highlight special features on or around the building, or to illuminate key entrances or other areas of access;
- All lighting should utilize cut-off type fixtures to minimize glare and visibility from adjacent areas, and should be the appropriate size and height given the activities for which they are designed;
- Where feasible and desirable, public landscaped areas should employ pedestrian amenities, such as benches, drinking fountains, lighting, and trash receptacles; and
- The design of lighting and site furniture should be compatible throughout the community.

3.4 ENTRIES & MONUMENTATION

Entry features and monumentation create an identity or “sense of place” for a community. Entries provide a rhythm to the streetscape, acting as a defining element that reinforces the overall architectural and landscape design theme. Located at Century Boulevard and Lower Sacramento Road, the entry feature for Van Ruiten Ranch is a combination of plant material, hardscape elements, and signage. (Figure 11)

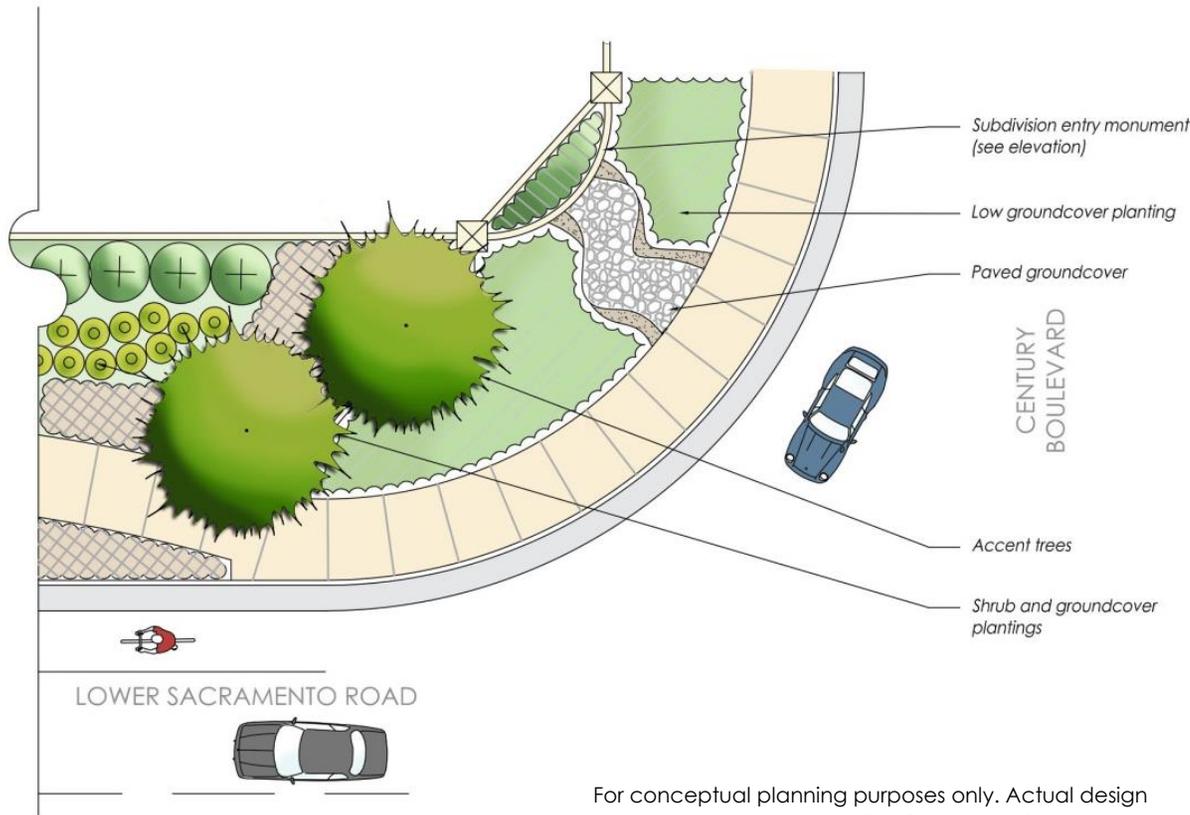
The following guidelines and standards apply to entry features and monumentation:

- Project identification signage or thematic logos may be incorporated into pilasters or low walls;
- Street corners may incorporate hardscape elements including enhanced paving, pilasters, walls, raised planters and pedestrian gateways;
- Groupings of evergreen and deciduous flowering trees shall be used to highlight each entry;
- Thematic landscaping material consistent with Section 3.2 will set the tone for the Van Ruiten Ranch community; and
- Must not interfere with vehicular sight lines.

Figure 11: Entry Monument @ Century Boulevard



ENTRY - ELEVATION
(North & South side of Century Boulevard)



ENTRY - PLAN
(North & South side of Century Boulevard)

For conceptual planning purposes only. Actual design and layout may vary pending future submittals.

3.5 SIGNAGE

Identification signage is permitted on all entry features, within parks and open spaces, and the recreation center. Sign text should only be permitted to identify the Van Ruiten Ranch neighborhood or other way-finding signs throughout the community. Entrance feature signage is regulated by Title 17, Chapter 17.34 of the City of Lodi Development Code, and is subject to the permitting requirements of the City.

All sign elements should be consistent with the guidelines listed below, subject to the provisions of the City of Lodi Development Code and review and approval by the Planning Director:

- Signage should maintain visual consistency throughout the community;
- Color and material options for signs should always compliment the architectural style of the building;
- Signage should be scaled appropriately for the given location;
- Signage text should be kept to a minimum and scaled appropriately for placement and legibility purposes;
- Wall signs, monument signs, and low-profile freestanding signs are encouraged;
- Signage for pedestrian and bicycle way-finding is encouraged;
- Lighting is allowed to illuminate signage at night, but should be designed appropriately to not create hazardous glare for pedestrians, bicyclists, and vehicles;
- Neon signs are not permitted; and
- At the entry areas, features and monument signs are encouraged to identify and enhance the community image, and create a sense of arrival.

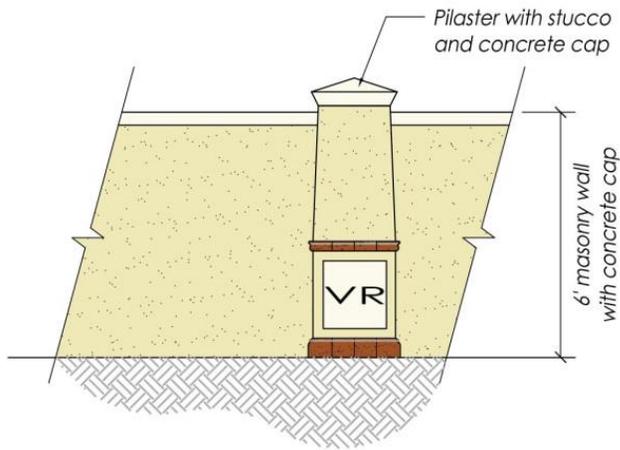
3.6 FENCING & WALLS

Walls and fences are intended to provide screening between adjacent uses, help to define edges of roadways, and provide privacy and security for private property. It is anticipated that there will be limited use of walls, except where needed for sound attenuation and where desired for entry features or for screening unsightly elements, such as trash areas. The material and design for the walls and fencing may vary throughout the community, depending on the need and the location. Masonry, wood, and wrought iron fences are permitted in the Van Ruiten Ranch neighborhood. (Figure 12)

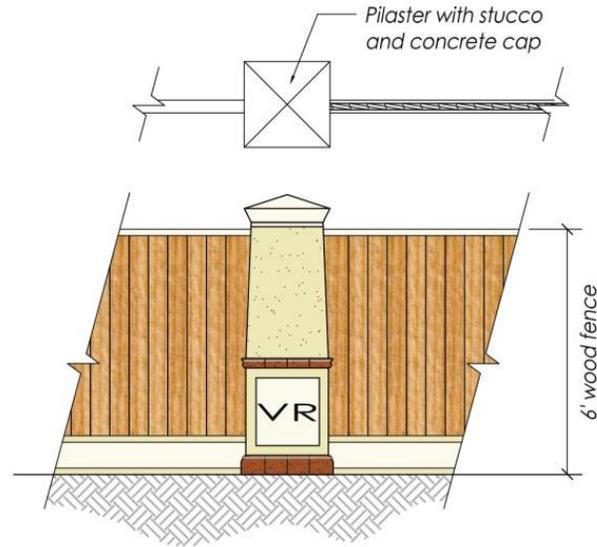
The following wall and fencing standards apply to the Van Ruiten Ranch community:

- Walls and fences will not be permitted if they aren't deemed necessary for specific screening, gateway, aesthetic, security, or noise attenuation purposes;
- Tall walls and fences are discouraged along internal roadways, as they diminish the street scene;
- Walls and fences, used at property frontages or for screening, should be designed as an extension of the building's architecture;
- Where long expanses of wall or fence are unavoidable, articulation in the form of wall offsets or landscaping should be implemented; and
- Where security fencing is required, a combination of solid and open grill work is encouraged. Barged or razor wire fences are prohibited.

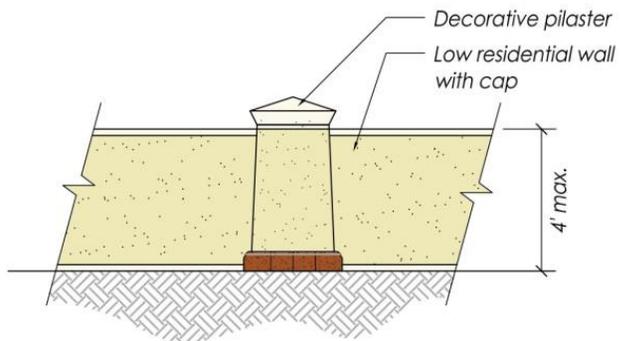
Figure 12: Fence & Wall Design



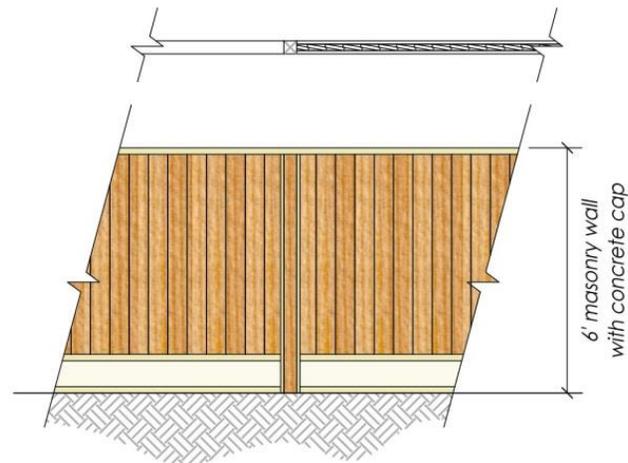
Masonry Soundwall Design



Enhanced Wood Fence Design



Low Residential Wall Design



Standard Wood Fence Design

For conceptual planning purposes only. Actual design and layout may vary pending future submittals.

3.7 COMMUNITY FACILITIES

Community facilities and services are necessary to serve the future population of the Van Ruiten Ranch neighborhood. This planned development will place new demands on City services, such as schools, fire and police protection, and other cultural facilities. To follow is a general description of the availability of these community facilities and a general indication of how these facilities may be affected by the Van Ruiten Ranch neighborhood.

3.7.1 Schools

The Van Ruiten Ranch community is located within the Lodi Unified School District (LUSD). The development will contribute to growth-related demands for new schools within the District. Build-out of the neighborhood is expected to generate approximately 72 elementary school students, 20 middle school students, and 40 high school students (based on 289 residential homes).

Van Ruiten Ranch provides a 15-acre site for a new K-8 school, consistent with the City of Lodi 2010 General Plan and LUSD plans.

3.7.2 Fire Protection

Fire protection services for the Van Ruiten Ranch community are currently provided by the Lodi Fire Department. Fire Station 3 is located in the southwest section of town and would serve the The Van Ruiten neighborhood.

As of 2008, the Fire Department had 59 personnel, including 51 firefighters, company officers, or battalion chiefs. The City of Lodi has an Insurance Service Office (ISO) rating of Class 3. A Class 3 ISO rating indicates that the Fire Department is strategically placed throughout the City, and has adequate personnel, equipment, and expertise to serve the current population. The department met the National Fire Protection Association's response time criteria of 6 minutes for 90% of calls. (City of Lodi 2010 General Plan)

As Lodi grows, fire capacity will have to be regularly evaluated to ensure sufficient personnel and appropriate location of stations in order to maintain acceptable levels of service.

3.7.3 Police Protection

Police protection is provided by the Lodi Police Department. As of 2008, the Police Department had 118 full-time employees and 120 volunteers, with 78 sworn officers. (City of Lodi 2010 General Plan)

As Lodi grows, police capacity will have to be regularly evaluated to ensure sufficient personnel and appropriate location of stations in order to maintain acceptable levels of service.

3.7.4 Cultural Facilities

There are no current, or planned, cultural facilities located within the Van Ruiten Ranch neighborhood.

Chapter 4: **TRANSPORTATION**

4.1 **TRANSPORTATION NETWORK**

The Transportation Network is designed to provide for the efficient movement of goods and people, allowing for several modes of transportation including automobile, bicycle, and pedestrian. Circulation in Van Ruiten Ranch provides additional roadway, bicycle, and pedestrian linkages between the site and the surrounding neighborhoods, improving connectivity within this portion of the City.

The Transportation Network is designed with a well-connected hierarchy of travel modes, allowing for efficient flow of vehicular traffic while encouraging and facilitating walking, biking, and other alternatives to single-occupancy vehicles. Streets are designed as a modified grid to keep with the character of Lodi's urban area. This chapter provides the requirements and guidelines for roadways, bikeways, and walkways. (Figure 13)

Figure 13: **Circulation Network Diagram**



4.1.1 Vehicular Circulation

The vehicular circulation network is designed to effectively link the entire community in a modified grid pattern that provides for multiple points of access to disperse automobile traffic and decrease potential congestion. Connections with existing roads and future extensions of existing roads allow for efficient access to local and regional locations. Points of entry from connector roads have been located to disperse traffic without inhibiting the efficient flow and functioning of major roads. Refer to Section 3.2 for more detailed information regarding landscaping and plant selection along public roadways.

The proposed facilities include the following:

Lower Sacramento Road forms the eastern boundary of the neighborhood. The General Plan proposes to widen this roadway to a 6-lane arterial to accommodate future development in the area. Funding of improvements to Lower Sacramento Road will be the responsibility of the City.

Century Boulevard is an extension of an existing roadway, providing access to the project from the east. As the primary entry to the neighborhood, Century Boulevard is envisioned to have entry monumentation at the intersection of Lower Sacramento Road. Within the community, Century Boulevard is a minor collector street that includes a 6' on-street, striped bicycle lane and a detached 5' pedestrian sidewalk. Parking is prohibited on Century Boulevard at the project entry, and is limited to the north side of the street adjacent to the school. (Figure 14)

Westgate Drive provides access to the project from the north end of the community and terminates at the Neighborhood Park and Century Boulevard. Westgate Drive is designed as a minor collector street with a 6' on-street, striped bicycle lane and a 5' detached sidewalk. Parking is prohibited on both sides of the roadway. (Figure 15)

Blossom Drive provides access from Century Boulevard to the future development located to the south. Blossom Drive is designed as a minor collector street with a 6' on-street, striped bicycle lane, parking along both sides of the street, and a 5' detached sidewalk. (Figure 15)

Van Ruiten Drive is a minor collector street providing secondary north-south access through the site, connecting to future developments located north and south of the neighborhood. Van Ruiten Drive is designed with parking on both sides and an attached 5' sidewalk. (Figure 16)

Local Residential Streets form a modified grid pattern within the Van Ruiten Ranch community. The neighborhood utilizes both a City of Lodi standard residential street section and a minor residential street section. Both of these facilities provide a parkway strip and detached 4' sidewalk. Street trees and other landscaping are paramount to the success of the streetscape program. (Figure 16)

Figure 14: Century Boulevard Street Sections

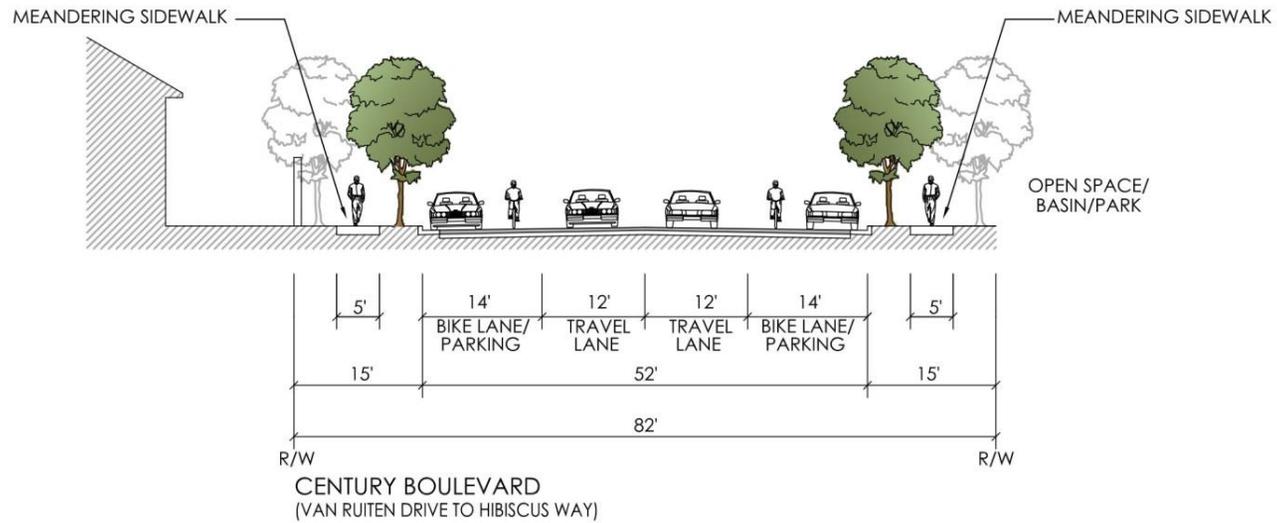
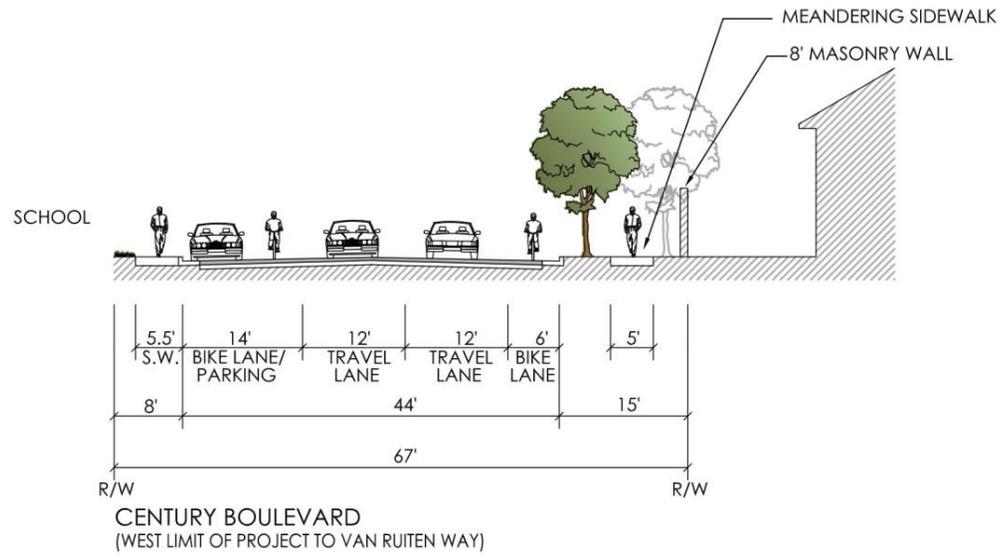


Figure 15: Westgate Drive & Blossom Drive Street Sections

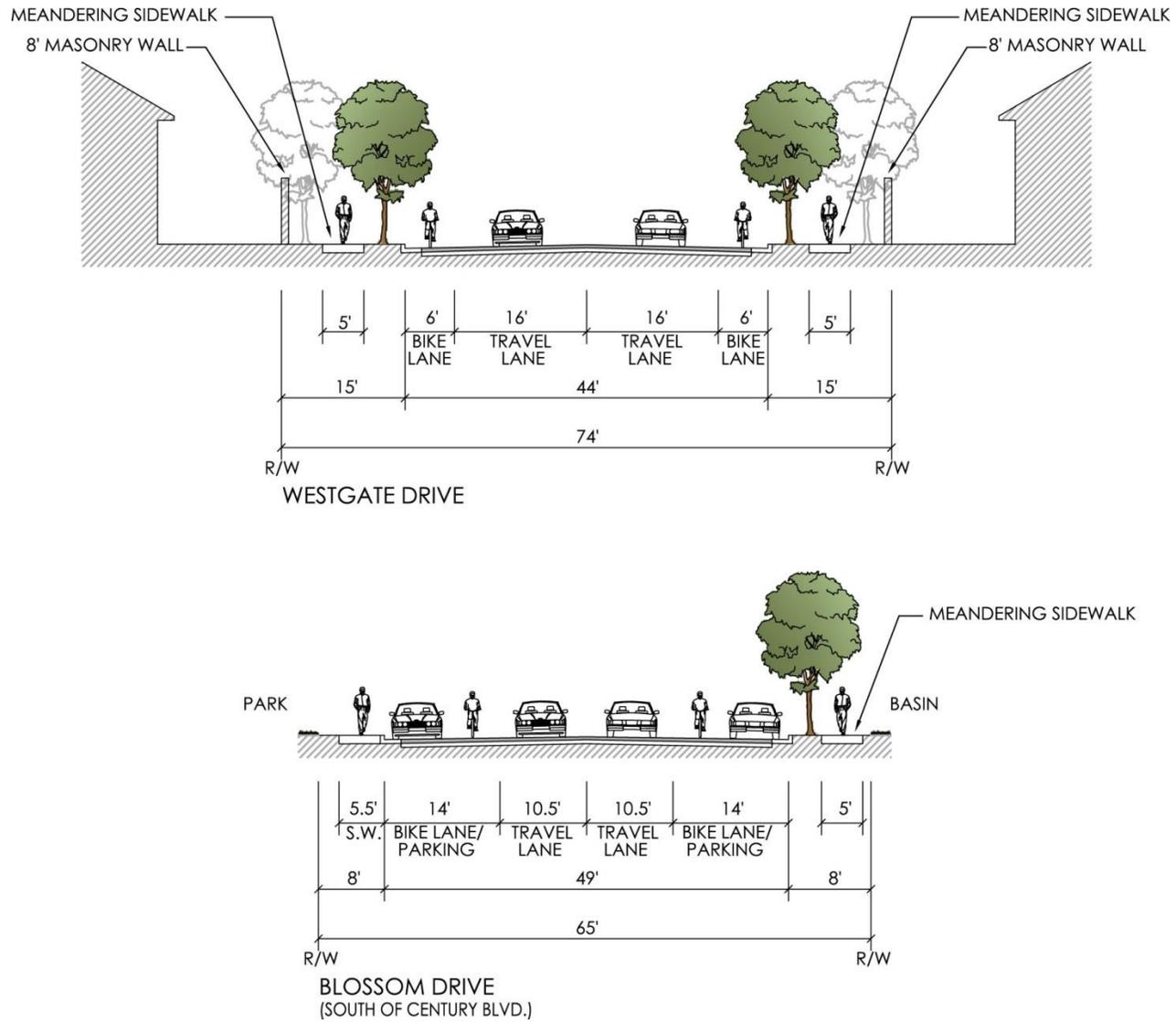
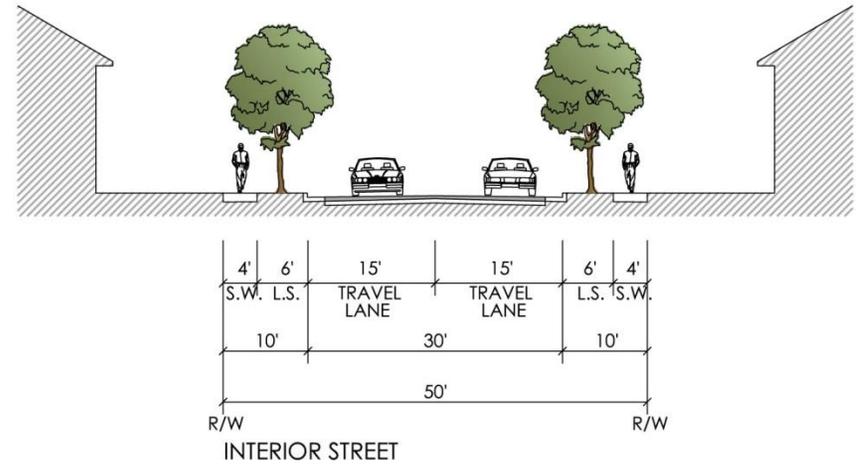
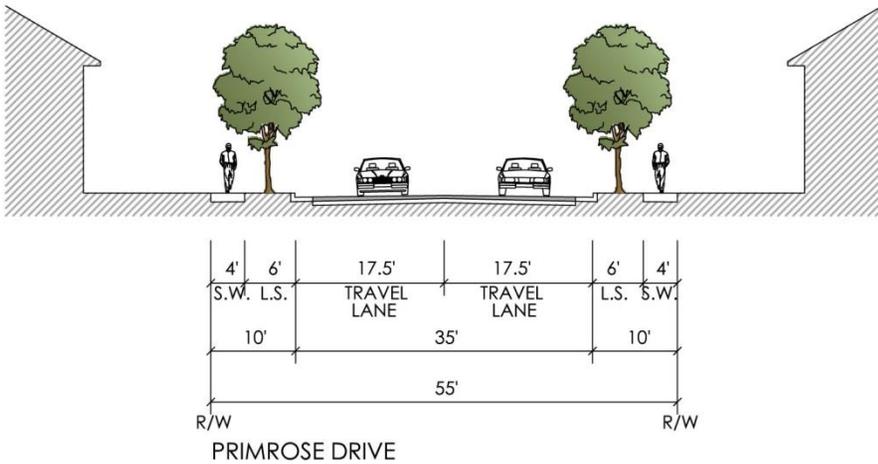
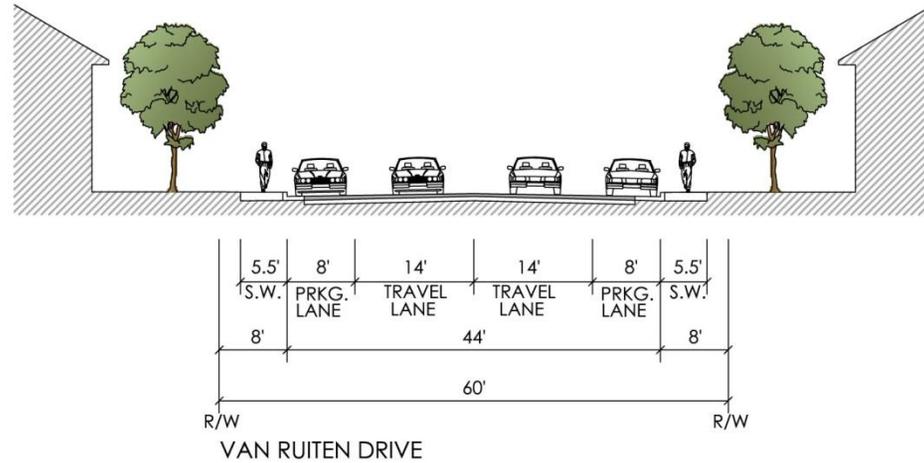


Figure 16: Van Ruiten Drive & Residential Street Sections



4.1.2 Bicycle & Pedestrian Circulation

A comprehensive system of bikeways and pedestrian walkways are provided throughout the Van Ruiten Ranch community. These facilities allow for convenient access within and to adjacent neighborhoods, thereby encouraging cycling and walking as an alternative mode of transportation.

The Bikeway System for Van Ruiten Ranch is comprised of both Class II and Class III facilities. The Class II Bikeway on-street facility with a dedicated, striped travel lane is provided along Century Boulevard, Westgate Drive, and Blossom Drive south of Century Boulevard. This type of facility is provided on Century Boulevard, Westgate Drive, and Blossom Drive, consistent with the Bicycle Network envisioned by the City of Lodi 2010 General Plan. A Class III Bikeway facility is provided along Van Ruiten Drive.

The pedestrian circulation system is a network of sidewalks along all public rights-of-way within the community. A 5-foot sidewalk is provided along the park and school; a minimum 4-foot sidewalk is provided on all local residential roads. This comprehensive network of pedestrian walkways will encourage walking to school, and allows convenient connections to the park and open space features within the community, as well as to other nearby destinations.

4.2 MULTI-MODAL GUIDELINES

The Multi-Modal Guidelines outline standards which preserve the connectivity and safety of the Transportation Network, while enhancing the quality of the neighborhood and its aesthetic distinctiveness, as well as bicycle and pedestrian friendliness. To follow are guidelines and standards for community streets and trails within the Van Ruiten Ranch neighborhood:

- Community streets should imbue a strong sense of place and establish a unique and distinctive neighborhood character;
- Community streets should be designed for the safety of all users;
- Encourage a multi-modal community through the design of streets and trails that accommodate safe movement of vehicles, bicycles, and pedestrians;
- Streets should be designed on a modified grid to create maximum internal connection, encouraging an open and accessible network to improve the distribution of traffic throughout the Transportation Network;
- Multiple points of access through the community is encouraged, to maximize the number of streets that carry traffic and the distribution of traffic loads from each development area;
- Sidewalks and other off-street pedestrian linkages should be provided;
- On-street bicycle paths should be provided, creating connections to the surrounding neighborhoods;
- A consistent landscape palette should be employed on community streets; and
- Coordinated street lights and street furniture (Section 3.3) should be implemented to create an attractive and inviting streetscape environment.

Chapter 5: **IMPLEMENTATION & PHASING**

5.1 **PHASING**

Development of the Van Ruiten Ranch community is expected to occur in phases to enable the developer to respond to market demand and to assure that the infrastructure is adequate to support the project. Construction of off-site and on-site infrastructure shall be phased in accordance with the Van Ruiten Ranch phasing plan and Conditions of Approval. Provisions for construction of roadways to

provide access to the development and the extension of necessary utilities and infrastructure such as roadways, water, sanitary sewer and storm drain facilities will be necessary in early phases of development. The Phasing Plan represents a logical estimate of the order in which areas will develop. Actual sequence of phasing may vary, and may be further delineated into sub-phases as determined by economic and market conditions. (Figure 17)

Figure 17: **Phasing Plan**



5.2 FUTURE DEVELOPMENT APPLICATIONS

The Planned Development (PD) standards and guidelines provided herein apply to all future development applications. Subsequent to the approval of the Van Ruiten Ranch PD, individual project applications will be reviewed to determine consistency with this document and other regulatory documents.

Specific applications for individual residential tracts within the project shall be processed as follows: (1) The Planning Director shall review, and has the ability to approve, each individual application for consistency with the Van Ruiten Ranch PD Guidelines contained herein. Zoning, use and design standards shall be applied to each proposal to ensure consistency with the overall character envisioned for the PD; (2) if an application fails to meet the standards established in the Van Ruiten Ranch PD Guidelines, the application shall be processed at the Planning Commission level.

This protocol is intended to facilitate streamlined application processing for proposals consistent with the Van Ruiten Ranch PD Guidelines. It also permits flexibility and Planning Commission oversight for non-traditional proposals, and proposals determined to substantially deviate from the standards prescribed in both documents.

5.2.1 Design Review

These Guidelines implement the goals and policies of the City of Lodi 2010 General Plan while creating specific community goals and development standards unique to this project. The City of Lodi will use the standards established in these guidelines to review subsequent development proposals within the Van Ruiten Ranch community. Following approval of these guidelines, all development, including tentative and final maps, land use activity and maintenance plans must comply with the Van Ruiten Ranch PD Guidelines. Amendments to these Guidelines and the standards herein are subject to administrative review and approval.

5.3 PD GUIDELINES AMENDMENTS

The procedures for development under, as well as amendments to, the PD Guidelines are set forth in the City of Lodi Municipal Code, Title 17, Chapter 17.28 Overlay Zoning District.

RESOLUTION NO. 14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF BENNETT HOMES FOR APPROVAL OF VESTED SUBDIVISION MAP FOR VAN RUITEN RANCH SUBDIVISION, A 74-ACRE, 288 UNIT SUBDIVISION AND 288 GROWTH MANAGEMENT ALLOCATION REQUEST AT LOWER SACRAMENTO ROAD

- WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Vested Subdivision application, in accordance with the Lodi Municipal Code, Section 17.74; and
- WHEREAS**, the project site is located at Lower Sacramento Road / Century Boulevard, Lodi, CA 95240 (APN: 058-030-14, 15, 17, 18); and
- WHEREAS**, the applicant is Bennett Homes, Inc., c/o Dennis Bennett, P.O. Box 1579, Lodi, CA 95241; and
- WHEREAS**, the project properties owners of record are Van Ruiten Ranch Limited, c/o Jim Van Ruiten, 340 W. Highway 12, Lodi, CA 95242 ; and
- WHEREAS**, the applicant, Bennett Homes, has filed the “Van Ruiten Ranch” Vested Subdivision Map and Growth Management Application with the City of Lodi; and
- WHEREAS**, City Council Resolution No. 2010-41 adopted by the City Council on April 7, 2010, approved the land use designation as Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public and Open Space, for the project site; and
- WHEREAS**, the City Council by Ordinance No. 1869, which became effective on March 21, 2013, granted Planned Development Zone P-D(41), to allow Low Density Residential, Medium Density Residential, High Density Residential, Public / Quasi Public and Open Space for the project site; and
- WHEREAS**, the City Council by Resolution No. 2007-48, which became effective on March 21, , 2007, approved certified an Environmental Impact Report (EIR), State Clearinghouse No. 2005092096, for the annexation of the project site; and
- WHEREAS**, a copy of the Environmental Impact Report (EIR), State Clearinghouse No. 2005092096, is kept on file for public review within the Community Development Department by the Community Development Director at 221 West Pine Street, Lodi, CA; and
- WHEREAS**, the City Council by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan; and
- WHEREAS**, a copy of the Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, is kept on file for public review within the Community Development Department by the Community Development Director at 221 West Pine Street, Lodi, CA; and
- WHEREAS**, the Vested Subdivision Map contains 74 acres, 200-single family residential lots, a high density parcel and 288 overall units and is located at Lower Sacramento Road / Century Boulevard and is consistent with the density ranges of the General Plan; and
- WHEREAS**, the Community Development Department did study and recommend approval of said request; and
- WHEREAS**, after due consideration of the project, the Planning Commission did conditionally approve the project; and

WHEREAS, the Planning Commission's recommendation is based upon the following findings and determinations:

1. The proposed design and improvement of the tentative subdivision, as conditioned, will conform to the standards and improvements mandated by the adopted City of Lodi Public Works Department Standards and Specifications, Zoning Ordinance, as well as all other applicable standards.
2. The standard size, shape and topography of the site is physically suitable for residential development proposed in that the site is generally flat and is not within an identified natural hazard area.
3. The site is suitable for the density proposed by the tentative subdivision map in that the site can be served by all public utilities and creates design solutions for storm water, traffic and air quality issues.
4. The standard design of the proposed tentative subdivision and the proposed improvements are not likely to cause substantial environmental damage or injure fish or wildlife or their habitat in that the site has been previously disturbed by agricultural activities and no significant environmental issues or concerns were identified through the Initial Study prepared for this development.
5. The design of the proposed tentative subdivision and type of improvements are not likely to cause serious public health problems in that all public improvements will be built per City standards and all private improvements will be built per the California Building Code.
6. The design of the proposed tentative subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed tentative subdivision.
7. The vested subdivision is conditioned to construct public street improvements thereby insuring that an adequate Level of Service is maintained on the roadways within the area.
8. An Environmental Impact Reports and Mitigation Monitoring and Reporting Program, Environmental Impact Report (EIR), State Clearinghouse No. 2005092096, were prepared for this project in compliance with Public Resources Code section 21000 et seq, and were independently reviewed and certified by the City Council. All potentially significant environmental impacts were publicly disclosed and made available for comment prior to any decisions to approve any part of the whole project. On March 21, 2007, the City Council adopted an Environmental Impact Report and Mitigation Monitoring and Reporting Program for all aspects of the proposed project. all mitigation measures for the project identified in the initial study and accompanying studies are hereby incorporated into this approval.
9. The project is required to comply with all the mitigation measures outlined for the project in the Environmental Impact Report and in the Mitigation Monitoring and Report Program.
10. The vested subdivision map allows for the orderly growth of Lodi in that the Land Use and Growth Management Element allows for the development of Low Density Residential, Medium Density Residential, High Density Residential on the project site.
11. Said Vested Subdivision map complies with the requirements of Article 5 of the Lodi Development Code, governing subdivision maps.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED, by the Planning Commission of the City of Lodi hereby recommends that the City Council approve the Vested Subdivision Map, associated Development Standards for the Van Ruiten Ranch Subdivision, and award Bennett Homes 145 low density growth management allocation units, 55 medium density growth management allocation units and 88 high density growth management allocation units, subject to the following development conditions and standards:

1. The property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
2. This recommendation for approval by the Planning Commission shall not constitute an authorization to begin any construction.
3. The developer shall comply with all the applicable requirements of the City's Community Development Department including Planning and Building Divisions; Public Works, Fire and Electric Utility Departments; and all other applicable local, state and federal agencies. It is the responsibility of the applicant to check with each agency for requirements that may pertain to the project.
4. The Vesting Tentative Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
5. The Final Map shall be in substantial conformance to the approved Vesting Tentative Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
6. The developer shall install, on each residence, minimum four-inch high block style numbers for address identification. The numbers shall be in color that is contrasting to the background surface to which they are adhered and shall be readily visible from the street during the day and night. The construction drawings for the house plans shall identify the location of the address boxes or numbers on the house façades, along with a detail or keynote that describes how the house numbers will be illuminated or made identifiable from the street.
7. The developer shall submit detailed landscape and irrigation plans (concurrently with the improvement plans) for the review and approval of the Parks & Recreation Department. The landscape plan shall include, in addition to normal landscape and irrigation details, screening of any above ground utility vaults and anti-siphon water valves.
8. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
9. A conceptual fencing/wall plan shall be submitted for the entire subdivision with the grading plan and a detailed fencing/wall plan shall be submitted with the improvement plans for each phase of development. The design, height, and location of walls shall be subject to approval of the Community Development Director prior to approval of improvement plans. Where fencing is adjacent to public parks and/or trails, plans shall be approved by the Recreation Commission at the time of park plan approval. When the adjacent area is sloped, the fence/wall design shall include a 4' bench (sloped no more than 2%) along the fence/wall for maintenance purposes, as determined by the Parks and Recreation and Cultural Services Department.
10. The project shall incorporate all applicable mitigation measures as specified in the adopted Final Revised Environmental Impact Report EIR-05-01 (State Clearinghouse No. 2005092096) for the project.
11. Pursuant to project Environmental Impact Report, State Clearinghouse No. 2005092096, prior to recordation of the final map(s) for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department (Land Use Mitigation Measure 1).

12. Pursuant to project Environmental Impact Report, State Clearinghouse No. 2005092096, Agriculture Resources Mitigation Measures 2 and 3, the applicant shall provide and undertake a phasing and financing plan (to be approved by the City Council) for one of the following mitigation measures:
 - a. Identify approximately 74 acres to protect for a period of time to be determined (but not less than 15 years) as an agricultural use in a location as determined appropriate by the City of Lodi in consultation with the Central Valley Land Trust; or
 - b. Pay a fee equal to the value of 74 acres as determined by an independent qualified consultant retained by the City in consultation with the Central Valley Land Trust. The City will determine to whom the fee shall be paid.
13. Pursuant to project Environmental Impact Report, State Clearinghouse No. 2005092096, Biological Resources Mitigation Measures 1, 2, and 3, the applicant shall contact the San Joaquin County Council of Governments (SJCOG, Inc) for a pre-ground disturbance survey, to be performed by an SJMSCP biologist, to determine applicable Incidental Take Minimization Measures (ITMMS). The City shall not authorize any form of site disturbance until it receives an Agreement to Implement ITMMS from SJCOG, Inc. The City shall not issue a building permit for the proposed project until the San Joaquin County Council of Governments determine what, if any, Incidental Take Minimization Measures (ITMMS) apply to the project and until the San Joaquin County Council of Governments verifies all applicable ITMMS have been fully and faithfully implemented.
14. If archeological materials are uncovered during any construction or pre-construction activities on the site, all earthworks within one hundred feet (100') of these materials shall be stopped, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find, and outline appropriate mitigation measures, if they are deemed necessary.
15. All stub end streets planned for future continuation and undeveloped cul-de-sacs shall be temporarily protected with warning barricades and redwood headers to be approved by the City Engineer.
16. The developer shall pay for and install all street name signs, traffic regulatory and warning signs, and any necessary street striping and markings required by the City Engineer. Street striping and markings shall be raised ceramic markers or thermoplastic material, as directed by the City Engineer.
17. Road or street names shall not duplicate any existing road or street name in the City, except where a new road or street is a continuation of an existing street. Road or street names that may be spelled differently but sound the same shall also be avoided. Road or street names shall be approved by the Fire Chief and the Community Development Director.
18. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the City Plans and all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
19. The developer shall ensure finished pad elevations are at a minimum one foot above the 100 year base flood elevation as shown on the latest Federal Emergency Management Agency (FEMA) floodplain maps for San Joaquin County, California. The developer shall be responsible for all necessary activities, applications, documentation and costs to amend floodplain maps for their development.
20. In accordance with the Growth Management and Infrastructure/Public Facilities Element of the City's General Plan, the environmental review prepared for this project, and the regulations of

the applicable school districts, the Developer shall demonstrate that adequate provision is made for school facilities. To the extent permitted by law, this may include the payment of school facility mitigation fees adopted by the Lodi Unified School district, or alternative financial arrangements negotiated by agreement between the Developer and the applicable school districts.

21. A master street tree plan shall be approved by the Public Works Department for each phase of this vesting tentative subdivision map. A minimum of one street tree shall be provided for each lot within this subdivision. On corner lots, three street trees shall be provided; one on the shorter lineal frontage and two on the longer lineal frontage. Street trees shall be a species selected from the City's adopted tree list, shall be a minimum fifteen (15) gallon size, spaced at thirty (30) feet intervals, and planted as reflected in the Engineering Department's Standard Plans and Specifications, with branches above average eye level. The trees selected shall be deep rooted and drought tolerant. Location and species shall be to the approval of the Public Works Department.
22. The developer, in order to reduce tracking of mud throughout the City, shall be responsible for cleaning up or any expenses incurred by the City for cleaning up mud, debris, etc. from City streets that is attributed to this project during construction.
23. Construction activities shall be limited to the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday, consistent with the City's Ordinance.
24. The Developer shall notify all purchasers of homes or lots, either through the Department of Real Estate Subdivision Report or, if there is no Subdivision Report, through a statement signed by each buyer and submitted to the City, that the this subdivision is adjacent to an agricultural area, and as such, there are ground and aerial applications of chemicals, and early morning/night time farming operations which may create noise and dust, etc. In addition, all purchasers of homes or lots shall be made aware of the future possibility of oil and gas well exploration on surrounding and adjacent properties and that farm animals may be kept on adjacent properties that may be outside the City limits. The wording and format for notifying home buyers of this information is subject to approval by the Community Development Director.
25. All conditions of approval for this project shall be written by the project developer on all master building permit plan check sets submitted for review and approval. It is the responsibility of the developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. If the subdivision is to be built out using master plans. Please follow City of Lodi, Community Development Department Policies and Procedures # B-[08]-[13] Plan Submittal - Residential Master Plans and # B-[08]-[14] Permit Processing – Production Homes.
26. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

City of Lodi Fire Department

27. The developer shall comply with all applicable requirements of the California Fire Code and the adopted policies of the City of Lodi.
28. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 of the California Fire Code and an unobstructed vertical clearance of not less than 13 feet 6 inches. (Ord. No. 1840, § 1, 11-17-2010)
29. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

30. The developer shall install on-site and/or boundary water mains, fire hydrants and related services. Hydrants shall adhere to the City's standard details, with their location determined by the Fire District and City Engineer, and shall be installed and in service prior to any combustible construction on the site. Public fire hydrant spacing and distribution shall be determined as follows:
- a. At 300 feet spacing in high density, commercial, industrial zoning or high-value areas;
 - b. At 500 feet spacing in low density residential areas;
 - c. At 1000 feet spacing in residential reverse frontage;
 - d. A fire hydrant shall be located within 200 feet of the radius point of all cul-de-sacs;
 - e. Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:
 - i. Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazards or both;
 - ii. On major arterials where there is more than four lanes of traffic;
 - iii. Width of street in excess of 88 feet;
 - iv. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvement Plans for the City of Lodi.
31. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

City of Lodi Public Works Department

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:

32. Use the 2012 City of Lodi Storm Drainage Master Plan design criteria for all pipe sizing calculations and basin sizing calculations. Storm drain coefficient of runoff, C-factor, for low-density residential shall be a minimum of 0.4, medium-density residential shall be a minimum of 0.5 and high-density residential shall be a minimum of 0.5. The rainfall intensity used for design of the pipelines shall be based on a five-year, 48-hour rain event. Be sure all pipelines and basins locations follow the Master Plans.
33. The permanent basin will require outfall structures, including a storm water pump station lifting water from the basin to the pipeline at the intersection of Lower Sacramento Road and Century Boulevard. The pump station shall be sized to service Basins I-1, I-2 and I-3, in accordance with the Storm Drain Master Plan. Developer will also be required to connect the existing 48-inch diameter storm drain pipe in Century Boulevard to the existing 48-inch diameter storm drain pipe that discharges to the pump station at Beckman Park.
34. All pump stations shall have mechanical trash screening capabilities (1/2-inch sphere size), oil skimming capabilities, automatic controls, flow and level measuring gauges, SCADA remote control and all-weather access. SCADA communication facilities are required that connect the Control Center at the Water Treatment Plant and each pump station to permit flow pacing between the inter-related pump stations.
35. An overland flood release pathway shall be incorporated into the streets and circulation design plan for each subarea. For example, when any particular catch basin is obstructed or overwhelmed with water, the street drainage design (high points and low points) for that subarea shall be calculated so that no water shall pond higher than the lowest right of way elevation without releasing the excess water toward the planned flood release point of the subarea.
36. Use the 2012 City of Lodi Water Master Plan design criteria for all calculations, pipeline sizes and pipeline locations. As shown in Appendix D, a 10-inch water main shall be located on the western edge of the development for water circulation purposes, as shown in the City's Water Master Plan. Water line may follow proposed north/south street alignments that are located within 500 feet of the west limit of the project.

37. Developer shall dedicate a street easement (up to 10 feet wide) to the City of Lodi adjacent to the easterly project boundary. The purpose of the street easement is to construct the ultimate roadway section of Lower Sacramento Road while accommodating the existing transmission poles, future landscaping and reverse frontage wall.
38. As part of Phase 2, provide a water connection onto Westgate Drive at Primrose Drive. The water connection will conform to the Water Master Plans by connecting the 8-inch water main to the 10-inch water main in Westgate Drive.
39. Add temporary blow-off valves per Standard Plan 409 (or temporary hydrants) to the ends of all dead-end water mains planned for future extension.
40. Provide locations of all water valves and fire hydrants within the development. All water valves and fire hydrants shall have a maximum spacing conforming to the City Design Standards section 4.501 and 4.502, respectively. Install up to five water automatic flushing valves at locations to be determined.
41. With Phase 2 of the project, Westgate Drive shall connect to Kettleman Lane if the Lodi Shopping Center project has not extended Westgate Drive first. The Lodi Shopping Center project is conditioned to extend Westgate Drive and all of the underground utilities (water, recycled water, wastewater and storm drainage) from Kettleman Lane to the northern edge of this development. However, the extension of Westgate Drive and the underground utilities shall be built by whichever development occurs first. If Phase 2 of this development occurs first, a reimbursement agreement may be obtained through the City for the portion of Westgate Drive outside of the development.
42. Label the width of the sidewalk in the typical cross section for Westgate Drive.
43. Show masonry walls along Westgate Drive in the typical cross section. No reverse frontage walls constructed of wood will be allowed.
44. Provide all necessary traffic signs for the entire subdivision, including any necessary traffic signs needed along Westgate Drive and Century Boulevard.
45. All dead-end streets shall install barricades per City of Lodi Standard Plans 128.
46. Install public improvements, including street widening, bicycle lane, curb and gutter, sidewalk, landscaping and reverse frontage masonry wall improvements within the limits of the signal modification/intersection improvements required at Century Boulevard and Lower Sacramento Road.
47. Use the 2012 City of Lodi Wastewater Master Plan design criteria for all calculations, pipeline sizing and pipeline locations. Revise the Westgate Trunk Line and the City's Wastewater outfall pipeline to match the pipe sizing shown in the Master Plans. The 48-inch Domestic Outfall pipeline shall be resized to a 42-inch pipe.
48. Abandon the existing 42-inch wastewater pipeline in Lower Sacramento Road north of Century Boulevard and install new 42-inch wastewater pipeline in Century Boulevard. The Developer shall pay all installation costs; however, pipe material costs will be reimbursed by City upon acceptance of the pipeline installation work.
49. Per the Master Plans, the future high/medium-density residential properties located between Westgate Drive and Lower Sacramento Road and north of Century Boulevard must have their wastewater flow south into Century Boulevard wastewater main(s).
50. With Phase 2 of the project, the City's 24 or 42-inch Domestic and 30-inch Industrial Wastewater Outfall pipelines shall be relocated from Lower Sacramento Road (MH R1109/MH R1119) to Westgate Drive by this project if the Lodi Shopping Center project has not relocated the pipeline first. The Lodi Shopping Center project is conditioned to relocate the 24 or 42-inch and the 30-inch wastewater pipeline; however, the wastewater pipelines shall be relocated by whichever

development occurs first. Pipe materials shall be determined by City. The Developer shall pay all installation costs; however, pipe material costs for both pipelines will be reimbursed by City upon acceptance of the pipeline installation work. The existing public utility easement and access easement shall be abandoned.

51. The Domestic Outfall and Industrial Waste pipeline realignment shall intercept existing pipelines with manhole or vault structures upstream of existing diversion structure located at the westerly end of the development. No pipeline penetrations will be allowed in the existing diversion structure.
52. Wastewater infrastructure construction sequence shall not interfere with operations associated with the Domestic Outfall or Industrial Waste pipelines.
53. Developer shall be responsible for preserving the integrity of the existing Domestic Outfall and Industrial Waste pipelines during all phases of Project construction.
54. Developer shall obtain a Public Utilities Easement from the adjacent property owner to the west of the project limits for the installation of the domestic and industrial wastewater pipelines.
55. Provide a slope easement or retaining wall along the boundary of the development for all grade differentials of one foot or greater.
56. Provide a wall easement for the public masonry wall footings along all parcels that will have a public masonry wall along their property.
57. The park/basin shall not have two basins in the future. Provide details showing the design of the future basin as one basin and showing placement of the park/basin amenities.
58. The park amenities will require the following items:
 - a) Bike rack
 - b) Water play
 - c) Basketball
 - d) Bocce
 - e) Horseshoes
 - f) Playground
 - g) Picnic tables
 - h) Picnic shelter (rental) BBQ
 - i) Passive area
 - j) Fields
 - k) Trees
 - l) Turf
 - m) Irrigation booster pump
 - n) Restroom
 - o) Drinking fountain
 - p) Furniture
 - q) Lights
 - r) Signs
 - s) Handicap parking
 - t) Maxicom Equipment or equivalent
59. The development must conform to the General Plan Bike Master Plan. Provide a Class II bike route along Century Boulevard, Westgate Drive and Blossom Drive, as shown in the Master Plan.
60. All landscaping proposed within the development must conform to the City of Lodi Landscape Maintenance Ordinance.

61. Engineering and preparation of improvement plans and estimate are required per City Public Improvement Design Standards for all public improvements prior to final map filing. Plan submittal to include:
- a) Approved tentative map, signed by the Community Development Director.
 - b) Approved detailed utility (water, wastewater, storm drainage, recycled water and circulation) master plans, including engineering calculations, for all phases of the development. Storm drainage facilities design shall conform to the City of Lodi Storm Water Development Design Standards. Plans must include recycled water (purple pipe) master plans.
 - c) Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed geotechnical engineer.
 - d) Grading, drainage and erosion control plan.
 - e) Copy of Notice of Intent for NPDES permit, including storm water pollution prevention plan (SWPPP) and WDID number.
 - f) Reverse frontage wall, landscaping and irrigation system. Minimum wall height shall be 6 feet above the adjacent pad and/or ground elevation or as required by Community Development Department to satisfy general plan requirements.
 - g) Street tree planting plan for parkway strip along lot frontages. Requires approval of the Community Development Director and Public Works Director.
 - h) All utilities, including street lights and electrical, gas, telephone and cable television facilities.
 - i) Joint Trench plans.
 - j) All street improvements within the development.
 - k) Traffic striping plan for Century Boulevard and Westgate Drive.
 - l) Signal modification plans if there are impacts to the signals or loop detectors in Century Boulevard at the Lower Sacramento Road intersection and in Westgate Drive at the Kettleman Lane intersection.

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

62. 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.
63. Installation of all public utilities and street improvements within the limits of the map, plus the following "off-site" improvements:
- a) Street improvements in Westgate Drive from Kettleman Lane to the north end of the development.
 - b) Installation of curb, gutter, sidewalk, street lights and landscaping along Westgate Drive from Kettleman Lane to the north end of the development.
 - c) Installation/extension of the wastewater, water, recycled water (purple pipe) and storm drainage public mains from the intersection of Century Boulevard and Lower Sacramento Road to the west end of the project site and from the Westgate Drive and Kettleman Lane intersection to the north end of the development.
 - d) Utility and service stubs (water, recycled water, wastewater, electric, telephone, cable, etc.) for the parcels adjacent to the west subdivision boundary, the south subdivision boundary and the north subdivision boundary.
 - e) Transit amenities, including, but not limited to, bus stops, bus pullouts, bus shelters and signage, in conformance with the GrapeLine Short Range Transit Plan and as approved by the Transit Manager.
64. 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. The Developer will be required to provide warranty security in the amount of 10% of the value of the

public improvements. The warranty period will be two (2) years, commencing on the date of acceptance of the public improvements.

65. The project will install landscape areas along Lower Sacramento Road, Century Boulevard and Westgate Drive. After the City accepts the landscape improvements, the Developer will be required to maintain the landscaping for two years. Provide a two-year maintenance agreement and surety for the landscaping along Lower Sacramento Road, Century Boulevard and Westgate Drive.
66. Project design and construction shall be in compliance with applicable terms and conditions of the City's Stormwater Management Plan (SMP) and shall employ the Best Management Practices (BMPs) identified in the SMP.
 - a) Stormwater Development Standards will be required for this project. The design of projects containing more than 10 units in a home subdivision is required to follow these Standards.
 - b) State-mandated construction site inspections to assure compliance with the City of Lodi Storm Discharge Permit are required. The fee for the inspections is the responsibility of the Developer and must be paid prior to map filing or commencement of construction operations, whichever occurs first.
67. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA) and California Title 24. Project compliance with ADA standards is the Developer's responsibility.
68. The City of Lodi is a participant in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). An application for evaluation of the project site with respect to SJMSCP requirements shall be submitted to the San Joaquin Council of Governments (SJCOG) prior to commencement of any clearing, grading or construction activities on the project site.
69. The following improvements shall be constructed with the first phase:
 - a) Full width street and public utility improvements along the Century Boulevard Phase 1 boundary, including installation of a reverse frontage wall, landscaping and irrigation.
 - b) Traffic striping modifications in Century Boulevard.
 - c) Traffic signal modifications at Century Boulevard and Lower Sacramento Road.
 - d) Transit amenities, including, but not limited to, bus stops, bus pullouts, bus shelters and signage, in conformance with the GrapeLine Short Range Transit Plan and as approved by the Transit Manager.
 - e) Temporary connection into the Domestic Outfall pipeline.
70. The following improvements shall be constructed with the second phase:
 - a) Full width street and public utility improvements along the phase 2 boundary, including Century Boulevard and Westgate Drive; installation of a reverse frontage wall; landscaping; and irrigation.
 - b) The water system shall have a minimum of two connections to the City system. A connection from Kettleman Lane, south down Westgate Drive and connecting to the water line in Century Boulevard will be required.
 - c) Realignment of the Domestic Outfall and Industrial Waste pipelines to the diversion structure.
 - d) The park and the amenities listed shall be installed.
 - e) All required public improvements shall be installed, including the extension of Century Boulevard, extension of Westgate Drive to Kettleman Lane, completion of the realignment of the Domestic and Industrial wastewater outfall pipelines and the 10-inch water line along the west side of the development.
71. The following improvements shall be constructed with the third phase and all remaining phases:
 - a) Each phase shall be required to have a minimum of two connections to the City water system and two access points for traffic circulation.

72. All shared driveways will require private access and maintenance agreements that must be recorded and submitted to the City.
73. Dedication of public utility easements as required by the various utility companies and the City of Lodi.
74. Acquisition of the following easements outside the limits of the map:
 - a) Utility easements for the relocation of the Domestic and Industrial wastewater outfall pipeline and 10-inch water pipeline for APNs 058-030-12 and 058-030-13 to the approval of the Public Works Director.
75. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report and shall indemnify the City against any and all hazardous materials and/or ground water contamination for all property/easements dedicated to the City.
76. Submit final map per City and County requirements including the following:
 - a) Preliminary title report including copies of all referenced exception documents.
 - b) Waiver of access rights at:
 - i) All lots adjacent to Lower Sacramento Road, Westgate Drive and Century Boulevard.
 - c) Standard note regarding requirements to be met at subsequent date.
77. Payment of the following:
 - a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
 - b) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of project acceptance.
 - c) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.
 - d) Stormwater compliance inspection fee prior to map filing or commencement of construction operations, whichever occurs first.
 - e) Annexation into the City of Lodi Community Facilities District – Estimated at \$10,000.
 - f) Reimbursement fees per existing agreements:
 - i) Resolution No. 2007-52 – Reimbursement for Lower Sacramento Road (Kettleman Lane to Harney Lane) improvements in the amount of \$596,004 in 2007. This number is adjusted annually until time of payment.

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.
78. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed Van Ruiten Ranch subdivision, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all lots in the subdivision and provide deed provisions to be included in each conveyance.
79. Reverse frontage walls, landscaping and irrigation improvements in Century Boulevard, Westgate Drive and Lower Sacramento Road and street trees in the parkways in the public rights-of-way within the subdivision boundaries are required and shall be constructed by the Developer at the Developer's expense to the approval of the Public Works Director and Community Development Director.
80. The Developer shall provide for on-going maintenance and replacement of reverse frontage walls, landscaping and irrigation improvements, street trees in the parkways, as well as other public services as set forth in Resolution No. 2007-59 approved by the City Council on April 4,

2007, by annexation to the City of Lodi Community Facilities District No 2007-1 prior to final map filing. All costs associated with annexation to the District shall be the Developer's responsibility. Developer shall be responsible for the regular and ongoing maintenance and replacement of the landscaping and irrigation improvements and street trees in the parkways until the first revenues are received by the City from the District.

81. Obtain the following permits:

- a) San Joaquin County well/septic abandonment permit.
- b) Caltrans encroachment permit for work within their right-of-way.
- c) City of Lodi encroachment permit for work within their right-of-way.
- d) Construction General Permit for the SWPPP.

Dated: April 9, 2014

I certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on April 9, 2014 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST _____
Secretary, Planning Commission

Item 3c.

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: April 9, 2014

APPLICATION NO: Use Permit: 2014-05 U

REQUEST: Request for Planning Commission approval of a Use Permit to allow a personal fitness training studio within an existing industrial building located at 700 E. Pine Street. (Applicant: Carl Hultgren; File 2014-05 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects)

LOCATION: 700 East Pine Street (Old DMV Building)
Lodi, CA 95240
APN: 043-230-25

APPLICANT: Carl Hultgren
4533 Quail Lakes Drive
Stockton, CA 95207

PROPERTY OWNER: Katzakian Credi Trust
c/o Ron Katzakian
1811 Grand Canal #5
Stockton, CA 95207

RECOMMENDATION

Staff recommends that the Planning Commission approve the Use Permit to allow a personal fitness training studio within an existing industrial building located at 700 East Pine Street, subject to the conditions outlined in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Industrial
Zoning Designation: Industrial
Property Size: 1.01 acres – 43,995 sq ft.

The adjacent zoning and land use are as follows:

ADJACENT ZONING DESIGNATIONS AND LAND USES			
	GENERAL PLAN	ZONE	LAND USE
North	Industrial	Industrial	Industrial uses
South	Industrial	Industrial	Industrial / office uses
East	Industrial	Industrial	Vacant lot / Highway 99
West	Industrial	Industrial	Residence

SUMMARY

The applicant requests approval of a Use Permit to occupy vacant industrial building totaling 3,585-square-feet for a personal fitness training studio. The project site has a General Plan Land Use Designation of Industrial and is zoned Industrial, which permits the proposed use subject to a Use Permit. The project meets all applicable development standards and will not impact existing land uses in the immediate area.

ANALYSIS

The applicant applied for Planning Commission approval of a personal fitness training studio at 700 East Pine Street. The Studio provides individual and group training sessions. The maximum amount of people at the training facility is 20. The interior of the Studio's space is primarily open consisting of a reception area and exercise area. There are restrooms and storage areas (See Exhibit C). There are approximately thirty-five (35) parking spaces provided, including two (2) handicap spaces (See Exhibit B).

A Use Permit allows the comprehensive review of sensitive uses and ensures the proper integration of these uses into the community. These uses may only be suitable in specific locations, and only if such land uses are designed or constructed in a manner on a site that is consistent with zoning regulations and with the required findings for a Use Permit outlined in §17.40.040(F) of the City of Lodi Development Code. A Use Permit review allows the opportunity to address any specific issues related to the proposal and to prevent or mitigate any adverse impacts to the surrounding area.

Land Use Compatibility: The project site encompasses approximately 1.01-acres and is developed with 1 building measuring 3,585 sq. ft in area. The property is zoned Industrial on the City of Lodi Zoning Map, and is designated Industrial on the General Plan Land Use Map. Surrounding land uses include a combination of industrial type land uses, and various service type uses. A personal fitness studio/facilities in the industrial zoning district requires discretionary review and approval of a Use Permit per Lodi Development Code § 17.24.030.

Parking: There are approximately 35 existing parking stalls. The applicant will be using approximately 20 stalls at a maximum. Parking will not be an issue on the project site.

The proposed use has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies will not arise. Trip generation for the subject use has been determined by staff to be consistent with the overall intensity of development of the site.

Noise: All fitness activities will occur within the building envelope; therefore, staff does not anticipate any adverse noise impacts upon the surrounding area. If the facility becomes a concern regarding noise, a condition has been added to allow for review of the permit by the Community Development Department or, if needed, returned to the Planning Commission for additional conditions or even revocation of the permit.

Signage: No signage is proposed as part of this application; however, any signage would be required to conform to sign standards established by the Lodi Municipal Code Section 17.34, and would require plan submittal for review and approval by Community Development Department prior to installation.

The discretionary Use Permit procedure enables Planning and other city staff to impose conditions designed to avoid, minimize or mitigate potentially adverse effects of a certain use upon the community or other properties in the vicinity. Staff believes that the Planning Commission can make the required findings, in accordance with Lodi Development Code § 17.40.040(F), to approve the requested Use Permit. The required findings are as follows:

1. *The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Development Code.* **Comment:** The proposed project site is within an existing 3,585-square-foot building located within an Industrial zoning district, which permits personal fitness studios subject to Use Permit approval, including any specific condition required for the proposed use in the district in which it would be located. The use conforms to the parking requirement for a fitness studio.
2. *The proposed use is consistent with the General Plan and any applicable specific plan.* **Comment:** The General Plan land use designation for the project site is Industrial, which permits the proposed use. The facility center is naturally restricted by size and space allocation

within the building in a manner that limits occupancy, and will be subject to operational conditions that govern day to day operational aspects necessary to ensure that parking and traffic impacts do not interfere with the primary daytime land uses in the area. The conditions for the restriction of the conditional use are consistent with the General Plan, will not effect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent neighborhood areas.

3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.* **Comment:** The proposed use is within a 3,585 square feet vacant building. There are no changes to the site and the proposed use is consistent with the Zoning Code and the General Plan policies. As such, the subject site is adequate in size and shape to accommodate the proposed use within an industrial area with all the required off-street parking provided on the subject site. Further, the project will not have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.
4. *The location, size, design, and operating characteristics of the proposed use is compatible with the existing and future land uses in the vicinity.* **Comment:** The proposed use complies with all requirements as set forth for the issuance of this Use Permit, in that the site is adequate in size, shape and topography for the proposed use, consisting of an existing building. Second, the site is located in an industrial area that is accessible from public streets. Existing street networks are adequate in size and shape to accommodate the quantity and quality of traffic generated by the proposed use without any significant impacts to the street system. Third, the proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building.
5. *The proposed project is in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines.* **Comment:** The project is found to be categorically exempt from CEQA review under 14 CCR §15332. Class 32 consists of projects characterized as in-fill development meeting the following conditions: (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations, (b) the proposed development occurs within city limits on a project site of no more than five (5) acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site of the proposed project can be adequately served by all required utilities and public services.

Staff believes the Commission can make the required findings to approve the Use Permit as proposed. The use of a fitness training studio is appropriate for the proposed location in that it would occupy an existing vacant industrial building. A fitness facility is a use that generally promotes and encourages healthy living within the community. In staff's opinion, the proposed use would not produce any adverse impacts on the adjacent properties in terms of noise, parking, litter, disorderly behavior, or other objectionable influences. The permit is conditioned to mitigate typical concerns related to fitness centers and other similar establishments. If, in the future, concerns arise, and the Director/Police Department determines it necessary, the Use Permit can be subject to review by the Planning Commission to consider the business's operation for compliance with the conditions of the Use Permit. The City further reserves the right to periodically review the area for potential problems

ENVIRONMENTAL ASSESSMENT

The project is categorically exempt from CEQA review under 14 CCR §15332. Class 32 consists of projects characterized as in-fill development meeting the following conditions: (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations, (b) the proposed development occurs within city limits on a project site of no more than five (5) acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site of the proposed project can be adequately served by all required utilities and public services.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, March, 29 2014. Fourteen (14) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest in the project.

RECOMMENDED MOTION

Should the Planning Commission agree with staff’s recommendation, the following motion is suggested:

“I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15032 and approve the Use Permit for the Pure Form PFT to operate within the Industrial zone subject to the findings and conditions of approval contained in the draft Resolution.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve with modified conditions.
- Deny the Use Permit Amendment, providing reasons the required findings could not be met.
- Continue the request.

Respectfully Submitted,

Concur,

Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

ATTACHMENTS

- A. Vicinity / Aerial Map
- B. Plot Plan
- C. Floor Plan
- D. Draft Resolution

VICINITY / AERIAL MAP



700 E. Pine Street



VICINITY MAP



PROPOSED REMODEL FOR: PURE FORM PFT 700 E. PINE ST. LODI, CA.

PROJECT DATA:

PROJECT OWNER MRS. KATZAKIAN
PINE STREET
LODI CA

PROJECT LEASE CARL HULGREN
4533 QUAIL LAKES DR.
STOCKTON, CA 95207

PROJECT LOCATION 700 E. PINE ST.
LODI, CA.

PROJECT DESCRIPTION REMODEL FOR
PERSONAL FITNESS
TRAINER

OCCUPANCY A3

CONSTRUCTION TYPE VB [△]

OCCUPANT LOAD 72 OCCUPANTS

FIRE SPRINKLERS NO

AREAS:

EXISTING BUILDING 3585 S.F.

OCCUPANT LOAD CALCULATION					
ROOM	FLOOR AREA (S.F.)	OCCUPANT LOAD FACTOR		OCCUPANT LOAD	
		BUILDING CODE	PLUMBING CODE	BUILDING CODE	PLUMBING CODE
1 EXERCISE ROOM	2909 S.F.	50	30	58	97
2 RECEPTION	94 S.F.	50 [△]	30 [△]	2	3
3 WOMEN'S RESTROOM	214 S.F.	50	0'	4	0'
4 MEN'S RESTROOM	162 S.F.	50	0'	3	0'
5 HALL	104 S.F.	50	0'	2	0'
6 UTILITY	102 S.F.	50	5000	2	0'

MINIMUM PLUMBING FIXTURES CALCULATION			
TOTAL OCCUPANT LOAD = 100 OCCUPANTS			
MEN = 50 [△]		WOMEN = 50	
MEN: FIXTURES REQ'D:		WOMEN: FIXTURES PROVIDED	
WATER CLOSET	1	WATER CLOSET	1
URINAL	1	URINAL	1
LAVATORY	1	LAVATORY	1
WOMEN: WATER CLOSETS LAVATORY 2 [△]		WOMEN: WATER CLOSETS LAVATORY 2 [△]	

PROJECT CONSULTANTS		
SCOPE - CO.	CONTACT - ADDR.	PHONE #S
ARCHITECTURAL & STRUCTURAL ENGINEERING: MIKE SMITH ENGINEERING	CONTACT: MIKE SMITH 4 N. MAIN STREET LODI, CA 95240	Ph. = (209) 334-2332 Fax = (209) 334-0102 e-Mail = mike@mseng.comcastbiz.net
MECHANICAL: BLACKWELL HEAT & AIR	CONTACT: MARK BLACKWELL 727 N. SACRAMENTO ST. LODI, CA 95240	Ph. = (209) 369-0991 e-Mail = bwmechanicalinc@yahoo.com
ELECTRICAL: MUELLER ELECTRIC	CONTACT: MIKE MUELLER 1001 Black Diamond Way Lodi, CA 95240	Ph. = (209) 367-0334 e-Mail = muellerelect@sbcglobal.net

NOTES:

1. AIR CONDITIONING EQUIPMENT IS EXISTING. MECHANICAL WORK IS LIMITED TO NEW DUCTING AND NEW DIFFUSERS.

2. NO APPLICATION FOR UNREASONABLE HARDSHIP EXCEPTION TO DISABLED ACCESS REQUIREMENTS FORM WAS SUBMITTED. THE ENGINEER OF RECORDS STATES THAT BUILDING IS CURRENTLY IN COMPLIANCE WITH ACCESSIBILITY REQUIREMENTS AS SPECIFIED BY 2013 CBC, SECTION 11B-202.4 THE BUILDING INSPECTOR SHALL FIELD VERIFY THAT THE FRONT ENTRANCE, PATH OF TRAVEL TO THE ALTERED AREA, ONE RESTROOM FOR EACH SEX, AND DRINKING FOUNTAINS ARE IN COMPLIANCE.

SHEET INDEX:

CS	COVER SHEET, SITE PLAN & PROJECT DATA
A1	PROPOSED FLOOR PLAN
A1.1	EXISTING FLOOR PLAN [△]
A2	ENLARGED FLOOR PLAN & INTERIOR ELEVATIONS
A3	ROOM FINISH SCHEDULE & DOOR SCHEDULE
DA	DISABLED ACCESS STANDARDS
S1	CEILING FRAMING PLAN & FRAMING SECTIONS
E1	ELECTRICAL FLOOR PLAN
E2	PANEL SCHED, ONE LINE DIAGRAM
M1	MECHANICAL FLOOR PLAN
P1	PLUMBING PLAN

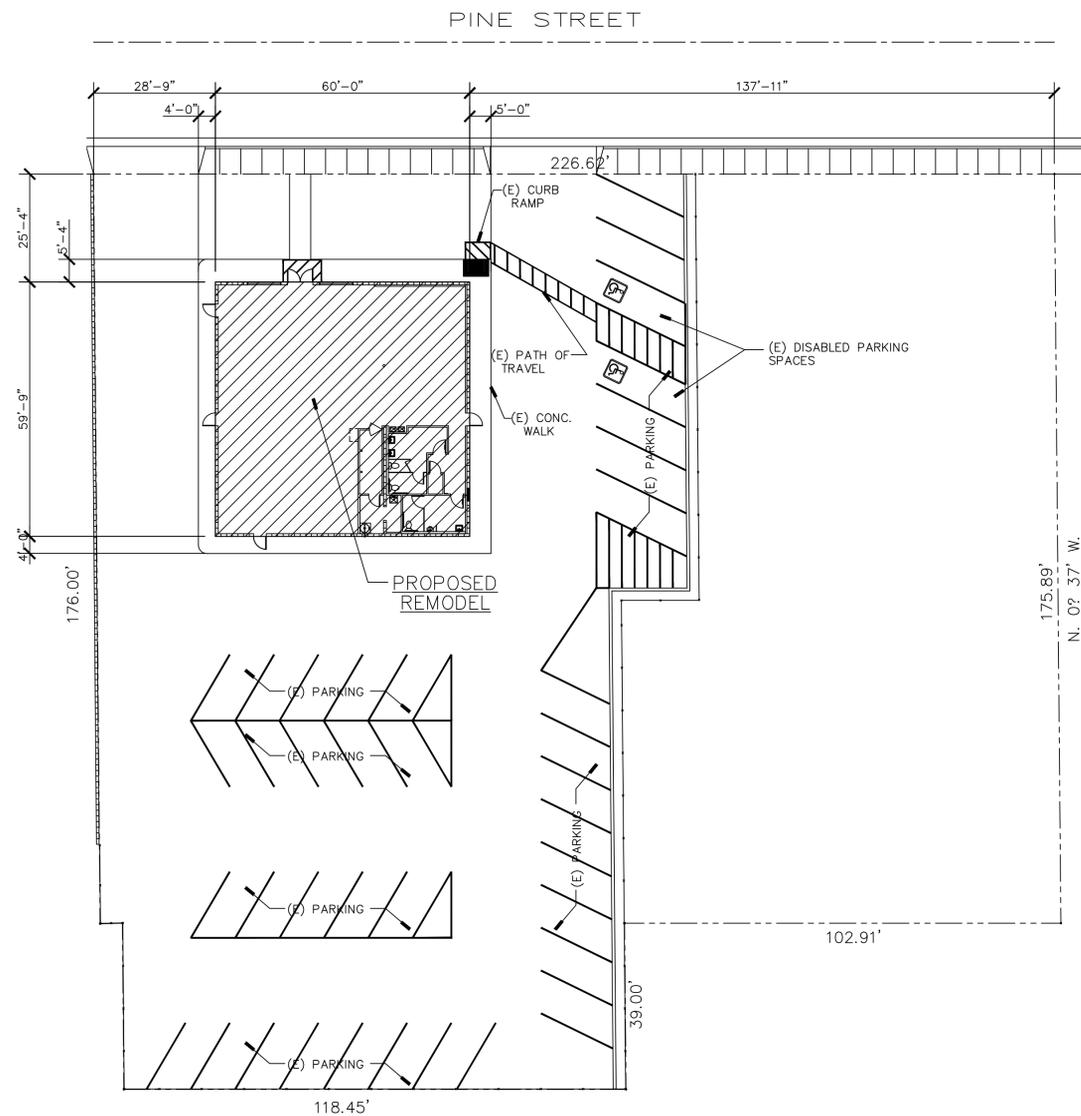
CODE COMPLIANCE

ALL WORK PERFORMED SHALL BE IN ACCORDANCE TO THE LATEST EDITION OF APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO:

- 2013 CALIFORNIA BUILDING CODE, (CBC)
- 2013 CALIFORNIA RESIDENTIAL CODE, (CRC)
- 2013 CALIFORNIA ELECTRICAL CODE, (CEC)
- 2013 CALIFORNIA GREEN BUILDING CODE, (CGBC)
- 2013 CALIFORNIA MECHANICAL CODE, (CMC)
- 2013 CALIFORNIA PLUMBING CODE, (CPC)
- 2010 CALIFORNIA ENERGY CODE, (CEC)
- 2013 CALIFORNIA FIRE CODE, (CFC)
- 2013 CALIFORNIA HISTORICAL BUILDING CODE
- 2013 CALIFORNIA EXISTING BUILDING CODE
- 2013 CALIFORNIA REFERENCED STANDARDS CODE

SCOPE OF WORK:

1. CONSTRUCT NEW RESTROOMS, RECEPTION COUNTER AND UTILITY ROOM.
2. INSTALL NEW LIGHTING.



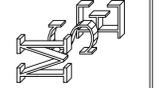
SITE PLAN



1" = 20'-0"

REVISIONS	BY
△ 2/19/14	RM

MIKE SMITH
ENGINEERING, INC.
4 NORTH MAIN STREET
LODI, CALIFORNIA 95240
PHONE (209) 334-2332



TITLE:
COVER SHEET
SITE PLAN

PROJECT:
PROPOSED REMODEL FOR:
PURE FORM PFT
PROJECT LOCATION:
700 E. PINE ST.
LODI, CA.

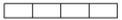


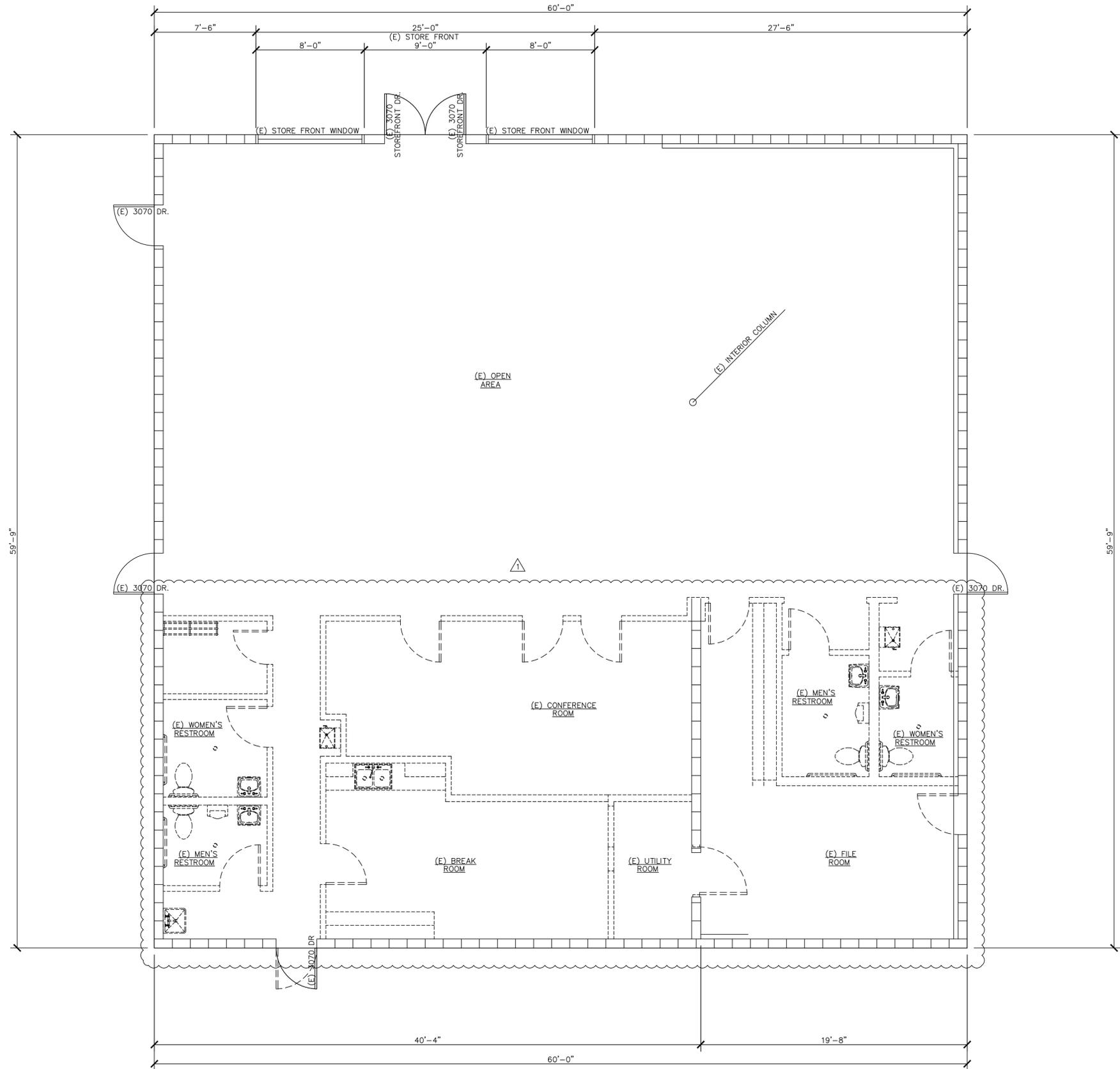
DRAWN JCS/WSC
CHECKED MS
DATE 10/16/13
SCALE AS NOTED
JOB NO. 13161
SHEET



1 OF 10 SHEETS

WALL LEGEND:

	(E) 8" CMU WALL
	(E) 4" STUD WALL @ 16" TO BE REMOVED
	

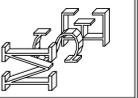


EXISTING FLOOR PLAN



REVISIONS	BY
△ 2/19/14	RM

**MIKE SMITH
ENGINEERING, INC.**
4 NORTH MAIN STREET
LODI, CALIFORNIA 95240
PHONE (209) 334-2332



TITLE:
EXISTING FLOOR PLAN

PROJECT:
PROPOSED REMODEL FOR:
PURE FORM PFT
PROJECT LOCATION:
700 E. PINE ST.
LODI, CA.



DRAWN JCS/WSC
CHECKED MS
DATE 11/21/13
SCALE AS NOTED
JOB NO. 13161
SHEET

A11

RESOLUTION NO. P.C. 14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING A USE PERMIT (2014-05 U) TO ALLOW A PERSONAL FITNESS STUDIO AND TRAINING FACILITY WITHIN AN EXISTING INDUSTRIAL BUILDING LOCATED AT 700 EAST PINE STREET

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Development Code, Section 17.40; and

WHEREAS, the project site is located at 700 East Pine Street, Lodi, CA 95240 (APN: 043-230-25); and

WHEREAS, project proponent is Carl Hultgren, 4533 Quail Lakes Drive, Stockton, CA 95207; and

WHEREAS, the project property owner is Katzakian Credi Trust, c/o Ron Katzakian, 1811 Grand Canal #5, Stockton, CA 95207; and

WHEREAS, the property has a General Plan designation of Industrial and is zoned Industrial; and

WHEREAS, the requested Use Permit to allow a personal fitness studio and training facility within an existing industrial building located at 700 East Pine Street; and

WHEREAS, pursuant to City of Lodi Zoning Ordinance § 17.42.020, this resolution becomes effective ten (10) business days from its adoption in the absence of the filing of an appeal; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project is found to be categorically exempt from CEQA review under 14 CCR §15332. Class 32 consists of projects characterized as in-fill development meeting the following conditions: (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations, (b) the proposed development occurs within city limits on a project site of no more than five (5) acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site of the proposed project can be adequately served by all required utilities and public services.
2. The proposed project site is within an existing 3,585 square-foot building located within an Industrial zoning district, which permits personal fitness studio subject to Use Permit approval, including any specific condition required for the proposed use in the district in which it would be located. The use conforms to the parking requirement for a fitness studio.
3. The General Plan land use designation for the project site is Industrial, which permits the proposed use. The facility center is naturally restricted by size and space allocation within building in a manner that limits occupancy, and will be subject to operational conditions that govern day to day operational aspects necessary to ensure that parking and traffic impacts do not interfere with the primary daytime land uses in the area. The conditions for the restriction of the conditional use are consistent with the General Plan, will not effect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent neighborhood areas.
4. The proposed use is within a 3,585 square feet vacant building. There are no changes to the site and the proposed use is consistent with the Zoning Code and the General Plan policies. As such, the subject site is adequate in size and shape to accommodate the proposed use within an industrial area with all the required off-street parking provided on the subject site. Further, the project will not have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.

5. The harmony in scale, bulk, coverage and density of the proposed project is consistent with and compatible to the existing and proposed land uses around the subject site, in that the proposed health club facility will be located within an existing building, with no additions or expansions to the approved exterior thereby maintaining the approved scale, bulk, coverage and density of the building with no impacts upon the surrounding neighborhood.
6. The availability of public facilities and utilities is adequate to serve the proposed use, in that the proposed health club facility will be located within an existing building where public facilities and services are provided, including sewer, water, electricity, phone, etc.
7. The subject site will have adequate pedestrian and vehicular circulation and parking available, in that there is an adequate vehicle access point. Pedestrian movements are facilitated by paved and continuous path of travel that connects to the public sidewalk and the sidewalk accesses adjacent properties.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Use Permit Application No. 2014-05 U is hereby approved, subject to the following conditions:

1. The property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
2. The property owner and/or developer and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
3. The Lodi Police Department, the Planning Commission and/or City Staff may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
4. Music and business related noise shall be maintained at a level that does not disturb neighboring tenants during all hours the martial arts academy is open. No sound may emanate from the building, uses, or other operations which cause a disturbance or nuisance, or violate City noise standards.
5. The Use Permit shall be vested within six (6) months from the effective date of approval. A building permit for the tenant improvements allowed under this Use Permit shall have been obtained within six (6) months from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended pursuant to the Lodi Municipal Code.
6. The applicant shall adhere to the operations plan approved by the Planning Commission. Any proposed changes to the operation that would intensify the use shall be subject to review by the Planning Commission.
7. On-site signage shall be allowed in accordance with the standards of the Lodi Municipal Code, and shall be submitted to the Community Development Department prior to installation for review and permitting.
8. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited outside the tenant space, onto neighboring properties, or onto the public right-of-way. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times. Graffiti shall be removed within twenty-four hours after issuance of a notice of order.

9. The project proponent shall submit a building permit for tenant improvement for review and approval by the Lodi Building and Safety Division.
10. The applicant/project proponent and/or developer and/or successors in interest and management shall obtain Operational Permit issued by the Lodi Fire Department, and meet all the conditions outlined in therein. The Fire Department may be contact at the Lodi Fire Department, 25 East Pine Street, Lodi, CA 95240-2127. Phone Number (209) 333-6739.
11. In the event the use hereby permitted under this permit is: (a) found to be in violation of the terms and conditions of this permit; (b) found to have been obtained by fraud or perjured testimony; or (c) found to be detrimental to the public health, safety or general welfare, or a public nuisance; this may initiate a revocation procedures in accordance with the City of Lodi Municipal Code.
12. A copy of the approved Resolution shall be incorporated into the plans prior to the submittal for plan check. Failure to meet any conditions of approval for this development shall constitute a violation of the Use Permit.
13. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
14. No variance from any City of Lodi adopted code, policy or specification is granted or implied by the approval of this resolution.

Dated: April 9, 2014

I certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on Wednesday, April 9, 2014 by the following vote:

- AYES:** Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:

ATTEST: _____
Secretary, Planning Commission