

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 10, 2015**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of June 10, 2015 was called to order by Chair Kiser at 7:00 p.m.

Present: Planning Commissioners – Cummins, Heinitz, Hennecke, Kristen, Olson, Slater and Chair Kiser

Absent: Planning Commissioners – None

Also Present: Community Development Director Steve Schwabauer, Senior Planner Craig Hoffman, Deputy City Attorney John Fukasawa and Administrative Secretary Kari Chadwick

2. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kiser called for the public hearing to consider the request of the Planning Commission for Recommendation to City Council for approval of Development Agreement reducing Community Facility District fees and waiving Vesting Map rights for Rose Gate Subdivision, Van Ruiten Subdivision and Reynolds Ranch Residential Subdivision. (Applicant: City of Lodi; File 2015-18 DA; CEQA Determination: Exempt per Section 15153 – Previous EIRs)

Community Development Director Steve Schwabauer gave a brief presentation based on the staff report. He stated that his concern as a City Manager is that the sustainability of the fee. The Development Agreements will allow the Community Facility District fee to be reset to the 2007 rate and the Tentative Map Impact Fee entitlements will have a narrowed window of opportunity. The Impact Fees were lowered by the City Council to help spur development during the down-turn in the economy.

Commissioner Olson asked if a challenge can be made because it may need a nexus study. Mr. Schwabauer stated that the Development Agreement sidesteps that need.

Senior Planner Craig Hoffman gave a brief presentation regarding the changes made to the resolutions along with the Development Agreements. The changes have been provided on the Blue Sheet versions and reflect the revised dates and correct owner names for each of the projects. Staff is recommending that the Planning Commission make the recommendation to the City Council for approval of the Development Agreements as amended on the Blue Sheet Version.

Chair Kiser, Commissioner Olson, Commissioner Cummins, Commissioner Hennecke, and Commissioner Slater disclosed that they communicated with one or more of the developers regarding these agreements.

Hearing Opened to the Public

- Tom Ducette, representative for Rose Gate, came forward to support the agreements.
- Mark Rishwain, representative for Van Ruiten Ranch, came forward to support the agreements.

Public Portion of Hearing Closed

- Commissioner Kirsten asked how often changes can be made to the Development Agreements. Mr. Schwabauer stated that there is only one active agreement on the books and that is for the Geweke sign. The Development Agreements can be and should be brought back to the Commission for periodic review to ensure that the developer is adhering to the points of agreement.
- Commissioner Hennecke asked if both parties need to agree to any changes. Mr. Schwabauer stated that all parties will have to agree.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Heinritz second, finds that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15153, and adopts a Resolution recommending the City Council approve the Development Agreement reducing Community Facility District fees and waiving Vesting Map rights for Rose Gate Subdivision, Van Ruiten Subdivision and Reynolds Ranch Residential Subdivision subject to conditions of approval contained in the draft Blue Sheet resolution provided. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Heinritz, Hennecke, Kirsten, Olson, Slater and Chair Kiser
Noes: Commissioners – None
Absent: Commissioners - None

3. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

None

4. COMMENTS BY STAFF AND COMMISSIONERS (NON-AGENDA ITEMS)

Commissioner Kirsten stated that the AIPP fund is down to \$125,000 and the current funding stream allows developers to choose to use the funds on their own projects. He would like to see the language changed so that the funds cannot be used on private projects and be funneled through the AIPP and would like to know if that discussion could get some traction with the City Council. Mr. Schwabauer stated that he would be happy to start the discussion and see if the item can get some traction. Mr. Kirsten would like to see an item on the Planning Commission agenda to make a recommendation to the City Council in support of AIPP funds to filter through the committee and not be left to the developers to use on their own projects.

5. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 6:26 p.m.

ATTEST:



Kari Chadwick
Planning Commission Secretary