

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 18, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of December 18, 2008, was called to order by Chair Kiser at 7:00 p.m.

Present: Planning Commissioners – Cummins, Hennecke, Kirsten, Mattheis, Olson, and Chair Kiser

Absent: Planning Commissioners – Heinitz

Also Present: Interim Community Development Director Konradt Bartlam, Assistant Planner Immanuel Bereket, Deputy City Attorney Janice Magdich, Consultant Rajeev Bhatia, and Administrative Secretary Kari Chadwick

2. MINUTES

“November 12, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Cummins second, approved the Minutes of November 12, 2008 as written.

3. 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 request for Certification of the proposed Negative Declaration as an adequate environmental documentation for the proposed Tentative Parcel Map; and

Request for approval of a Tentative Parcel Map to divide Two Parcels into Seven Lots at 1235 E. Kettleman Lane and 1150 Beckman Road. (Applicant: Geweke Construction & Development, File #'s: 08-ND-03 & 08-P-06).

Assistant Planner Immanuel Bereket gave a brief PowerPoint presentation based on the staff report. Mr. Bereket went through the amendments in the resolution for this project as shown on the Blue Sheeted version presented to the Commission.

Hearing Opened to the Public

- John Farris, Geweke Construction, came forward to answer questions.

Public Portion of Hearing Closed

- Commissioner Kirsten stated his support of the project.
- Chair Kiser stated his support for the project.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Olson, Kirsten second, approved the request for Certification of the proposed Negative Declaration as adequate environmental documentation for the proposed Tentative Parcel Map subject to the conditions in the Resolution. The motion carried by the following vote:

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Ayes: Commissioners – Cummins, Hennecke, Kirsten, Olson, Mattheis, and Chair Kiser
Noes: Commissioners – None
Absent: Commissioners – Heinitz

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Hennecke, Olson second, approved the request for approval of a Tentative Parcel Map to divide Two Parcels into Seven Lots at 1235 E. Kettleman Lane and 1150 Beckman Road subject to the conditions in the Resolution. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Hennecke, Kirsten, Olson, Mattheis, and Chair Kiser
Noes: Commissioners – None
Absent: Commissioners – Heinitz

- b) 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 and recommend to the City Council the Draft Preferred Plan Alternative and report for the General Plan Update.

Interim Director Konradt Bartlam gave a brief presentation based on the staff report, which included a summary of the changes made to the plan based on comments made at the last meeting. Staff is recommending that the Planning Commission recommend to the City Council approval of the Draft Preferred Plan that is being presented tonight. The Plan puts emphasis on infill growth with the Mixed Use Corridor areas. It is important for the plan to be in line with the City's policies. The City is split into three priority areas for the Growth Management Process; area one being worth the most points and area three being worth the least. This was done to control the way the City should grow and it has worked very well. Staff will be recommending that this policy stay in place with the area west of Lower Sacramento Road being a priority area one, the area south of Harney Lane being priority area two and the area west of the existing city boundary be priority area three. Since the last meeting the Lodi Unified School District has fine tuned their needs for school areas which are reflected in this new plan.

Commissioner Hennecke asked about the Urban Reserve area on the east side of the City being part of the 2% growth calculation. Mr. Bartlam stated that it is not part of that 2% because it is intended to be used as Industrial reserve, not residential. Hennecke asked why it is necessary to designate reserve areas at all. Mr. Bartlam stated that there are several reasons for the designation. One of which is to avoid a costly revision to the General Plan at a later date and another is to meet State requirements for housing for this area which is the purpose of the west reserve area. The State frowns on the City's Growth Management Program because of the limited growth potential it provides.

Commissioner Mattheis asked about the deletion or shifting of the high density area that was in the western growth area. Mr. Bartlam stated that when the school site was moved further south it made sense to add a basin/park area adjacent to it shrinking the very large park area at the north end of the area. Mattheis asked about the shrinking of the Mixed Use area in the southern part of the plan. Mr. Bartlam stated that staff went back and took a closer look at the scale of the area and found that this ten acre area is sufficient. Staff feels that it is still enough to create an anchor for the neighborhood. Mr. Bhatia added that the mixed use areas will be encouraging high density residential. Mattheis stated his preference for the position of the Mixed Use Center in the southern area and wanted to know why it wasn't placed in a more central location to be in a position to accommodate the Urban Reserve to the west. Mr. Bartlam stated that the positioning of the designation on Mills Avenue made the most sense and when the School District moved the school site the designation was moved to the opposite side of Mills to accommodate the change. Mattheis asked about the High Density area near the Downtown. Mr. Bartlam stated that that area has remained the same from the previous plan, but is intended to reflect what is currently there and provide some flexibility for re-use.

Commissioner Mattheis disclosed that he met with representatives from Capital Avenue Development regarding the plans for the Delta College site.

Commissioner Mattheis asked about the Delta College site and shouldn't there be some discussion on what the Land Uses will be if it is going to be included in some of the alternatives late on. Mr. Bartlam stated that there are a couple of different options that can be taken regarding this site. One is to include it and the detailed Land Uses in the Plan and another is to include the area in the plan as an Urban Reserve area. Commissioner Mattheis stated that he would like to have some discussion on the alternatives so that the Commission can give their input and some direction. Mattheis asked about the infill areas and new uses and what is included in those areas. Mr. Bartlam stated that the policies for these areas will be development along with the environmental document. The Mixed Use Centers and the Downtown Mixed Use are intended to give broad policy and then through the Development Code be able to drill down and give a more refined definition of the best uses (i.e. having High Density or Office use directly adjacent to a Retail Center).

Commissioner Olson asked about the process behind the Growth Management process. Mr. Bartlam stated that the Growth Management Program was implemented in 1991. The residential projects that apply for growth management get scored on a variety of levels. The projects that fall in the priority area one or two will get higher points than a project that is in priority area three. Infrastructure and School proximity are also considered in the scoring process. Olson asked if development or impact fees play a part in what is developed. Mr. Bartlam stated that development fees are not a part of the current process. The entire area including the Urban Reserve will need to be a part of the Master Planned for infrastructure purposes.

Chair Kiser asked about an underpass on Century Blvd. Mr. Bartlam stated that the current General Plan does have an underpass on Century as part of the plan. He is also aware that in recent history the City has been thinking of selling their right-of-way adjacent to the rail line. Kiser stated that when the City brought that before the Commission it was the Commissions recommendation not to sell the property. He feels that this is an ideal location for an underpass and would like to see it kept in the new General Plan. Mr. Bartlam stated that it is an appropriate recommendation for the Commission to make.

Commissioner Hennecke asked as follow-up from the last meeting about the Woodbridge area being in the Sphere of Influence. Mr. Bartlam stated that the area has been in the Sphere since before the current General Plan, but the City has no intention of annexing the area.

Chair Kiser called for a brief recess (8:12pm)

Chair Kiser called the meeting back to order (8:19pm)

Hearing Opened to the Public

- Pat Stocker, property owner along Hogan Lane, came forward to comment. Mr. Stocker stated that the Planned Residential Reserve (PRR) designation should be considered as a viable designation for the southern edge of the City. He would like to see a growth management process put in place for the way the retail grows as well. He is concerned that the area on the south east corner of Hwy 99 and Harney Lane will get developed before other areas that have been approved are fully developed. He expressed his concerns for the park area that follows the Woodbridge Irrigation Canal and just how well that has been thought out and how much input the property owners adjacent to it have been given.
- Pat Patrick, CEO Chamber of Commerce, came forward to comment. Mr. Patrick stated that there are three areas of concern; first, the statement by city staff within the plan regarding the wine industry being a focus of growth, the industrial area should be just as much of a focus; and second, the urban growth area to the west should be turned into Urban Reserve because the City has several areas currently on the map in the red hash marks which represents approximately 2500 homes that have already been approved and have no set date for ground breaking; third, the plan seems to be over saturated with retail/commercial areas and he believes in what Mr. Stocker stated regarding some phasing process being implemented for this use also.
- Commissioner Mattheis asked how far out should the area of interest go to the west. Mr. Patrick stated that ideally all the way to I-5, but looking at an area of interest that goes to the RR tracks should be considered.

- Commissioner Kirsten asked about the Chamber's vision for growth in 20, 30, or 40 years. Mr. Patrick stated that infill should be made a priority if the priority is to have a focus on the Wine Industry. Kirsten stated that based on Mr. Patrick's comments the Chamber doesn't want to see the City grow to the west or south. Mr. Patrick stated that if market forces are driving the building then he can see the necessity, but he doesn't believe that it will happen in this plans time. Kirsten stated that if it isn't planned for and the market starts to drive it then what. Mr. Patrick stated that he is a believer in market forces, but this just seems like a lot.
- Jim Migliori, commercial developer for the area in the SE corner of Hwy 99 and Harney Lane, came forward to express his dislike of the phasing idea for commercial. Commissioner Kirsten asked what is the down side of phasing commercial areas. Mr. Migliori stated that the market drives the building and placement of the centers. The proximity to Hwy 99 makes the area a desirable area for tenants and with the highway overpass improvements scheduled to be made it just makes sense to do the improvements on both sides of the highway at the same time.
- Mike Carouba came forward make comments. Mr. Carouba pointed out the letter sent in by Mr. Costa which was blue sheeted for the Commission. He stated that the meeting that Mr. Bartlam had with interested property owners that had concerns with the Mixed Use Centers must have worked because those people are not in attendance tonight. He would like to see the PRR Designation on the southern edge from the current General Plan kept in place with the new Plan. He would like to see the growth area on the western edge changed to Urban Reserve. He is concerned with the narrow strip of commercial property on the south west corner of Vine Street and Lower Sacramento Road. He would like to see some of the commercial growth areas placed in a Commercial Reserve Designation.

Public Portion of Hearing Closed

- Commissioner Kirsten asked about the Commercial designation on Vine and Lower Sac. Mr. Bartlam stated that the request came from the property owner. It is on a signalized intersection and warrants the designation.
- Commissioner Hennecke asked about the Open Space designation along the Irrigation Canal regarding discussion with property owners along the area. Mr. Bartlam stated that during the stakeholder meetings the Woodbridge Irrigation District stated that they would be open to more discussion on the idea. Hennecke stated that he would like to see all canal areas in the city limits have that designation or none of them. Hennecke asked if the City has ever used it's entire 2% residential growth allocations. Mr. Bartlam stated that if you were to look back you may find one or two years where the City met it's 2% allocation limit. He also reminded the Commission that the residential growth areas designated on the plan only represent 1.5% residential growth including the pipeline project as identified.
- Vice Chair Cummins asked about the Mixed Use Designation definition that Mr. Costa refers to in his email letter. Mr. Bartlam stated that Mr. Costa was a part of the meeting he held and he is correct with his statement. Cummins asked if there is a standard number of years for a General Plan to span (Stockton has chosen 25). Mr. Bartlam stated that it is historically a 20 year horizon. Cummins asked about the Delta College site and what would be the process in the future if it isn't included in this plan. Mr. Bartlam stated that there has to be some sort of linkage to allow for infrastructure. The question will be what that linkage will look like. If during this next year, the College Board changes its mind about the site, it could be included in the Final Plan.
- Commissioner Mattheis stated that he is not sure the plan is ready to be approved tonight. He prefers to leave the urban growth and Urban Reserve areas to the west in the plan. He does not feel there needs to be a phasing process placed on the Commercial/Retail areas; the market should take care of the need for growth there. The PRR should not be included to the south because that along with the Urban Reserve area would put the City over it's 2% potential growth per year for a 20 year plan. A Greenbelt Designation is the direction that we need to be looking in if the City is truly interested in protecting the buffer areas

around the City. The Century Blvd. underpass is a viable solution for traffic in that area and warrants more discussion. When the Alternatives for the Environmental Impact Report (EIR) come forward for discussion, Commissioner Mattheis would like to see a more detailed discussion regarding the Delta College site and how it will work in the future plans for the City.

Mr. Bartlam requested a brief recess.

Chair Kiser called for a brief recess (9:10pm)

Chair Kiser called the meeting back to order (9:13pm)

- Chair Kiser stated that he appreciates all the work that has gone into the plan. He would like to see the Delta College site incorporated somehow. The Century Blvd underpass should be left open for discussion.
- Commissioner Hennecke stated his appreciation for the changes in plan and does not see the Delta site as something to hold the plan up for. He believes that if the City Policies call for a 2% growth the General Plan should take that into consideration even if that goal is not met.
- Mr. Bartlam stated that Staff will bring the Alternatives for the EIR that Staff is looking at back to the Commission at a future date for further discussion.
- Commissioner Kirsten asked where the communication stands with the Delta Board. Mr. Bartlam stated that the City Manager has been in discussions with Dr. Rodriguez. Dr. Rodriguez does not want to assume what the new board will want to do and with the main supporter of the project resigning from the board it is a wait and see situation. City Staff has been in support of a possible College site and if we can assist that process by being flexible with our plan it may help.
- Chair Kiser asked what action should be taken at this point.
- Mr. Bartlam stated that based on the Commissions comments he would suggest passing this document on to the Council with the Commissions recommendation.
- Commissioner Mattheis asked about the Alternatives being a part of that recommendation before forwarding it on to the City Council. Mr. Bartlam stated that staff is suggesting that the Delta site and the PRR designation to the south be studied as alternatives in the Environmental Document. The alternatives can't be studied until the Preferred Plan is in place.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Mattheis, Hennecke second, approved the request to consider and recommend to the City Council the Draft Preferred Plan Alternative and report for the General Plan Update. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Hennecke, Kirsten, Olson, Mattheis, and Chair Kiser
Noes: Commissioners – None
Absent: Commissioners – Heinitz

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

Mr. Bartlam stated that the Lodi Shopping Center Item will be back before the Commission on January 14, 2009 and the hearing will be held in the Theatre at Hutchins Street Square.

Commissioner Cummins stated that he will not be able to attend the meeting and with Commissioner Mattheis needing to recuse himself Chair Kiser asked if any of the other Commissioners would be

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unable to make the meeting for quorum purposes. The other Commissioners stated that they would be able to attend.

6. ACTIONS OF THE CITY COUNCIL

Summary Memo Attached

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Mr. Bartlam stated that he recommended to the City Manager that the Development Code should follow the General Plan.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten stated that he would give an update at the next meeting.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:28p.m.

ATTEST:

Konradt Bartlam
Interim Community Development Director