

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p><b>AGENDA</b> <b>LODI</b> <b>PLANNING COMMISSION</b></p>	<p>REGULAR SESSION WEDNESDAY, AUGUST 27, 2008 @ 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 – “June 25, 2008”, “July 9, 2008”, & “August 13, 2008”
3. PUBLIC HEARINGS
  - a. Request for Planning Commission approval of a Use Permit to allow Live Entertainment and Dancing at La Luna Restaurant located at 910 South Cherokee Lane. (Applicant: Noe Juarez. File Number 08-U-09). CEQA Status: Exempt Resolution#: P.C. 08-

**NOTE:** The above item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

  - b. Consider recommending approval of a General Plan Amendment to the City Council for Reynolds Ranch. (Applicant: San Joaquin Valley Land Co.; File #08-GPA-01). CEQA Status: Exempt Resolution #: P.C. 08-

**NOTE:** The above item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

  - c. Consider approval of a Tentative Map for Reynolds Ranch. (Applicant: San Joaquin Valley Land Co.; File #08-P-03) CEQA Status: Exempt Resolution #: P.C. 08-

**NOTE:** The above item is a quasi-judicial hearing and requires 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
  - a. Summary Memo Attached.
7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE
8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
9. ART IN PUBLIC PLACES
10. COMMENTS BY THE PUBLIC

## 11. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF

## 12. 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 of 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 2<sup>nd</sup> Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 25, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of June 25, 2008, was called to order by Chair Mattheis at 7:00 p.m.

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

Absent: Planning Commissioners – Kirsten

Also Present: Planning Manager Peter Pirnejad, Deputy City Attorney Janice Magdich, Junior Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“June 11, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Olson second, approved the Minutes of June 11, 2008 as written.

3. PUBLIC HEARINGS

None

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Planning Manager Pirnejad thanked Commissioner White for his service on the Commission.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

- a. Chair Mattheis stated that staff is available to answer any questions regarding the summary memo that is a part of the packet.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

- a. Recommend adoption of new regulations for the creation of Flag Lots within the City of Lodi.
  - Planning Manager Pirnejad stated that Staff has received some requests to continue this item, so that further discussion can be had with area contractors and representatives. He suggested that we continue with the presentation and discussion, Chair Mattheis agreed.
  - Planning Manager Pirnejad gave a brief presentation based on the staff report. He stated that these guidelines were created to give staff (Planning, Fire, and Public Works) minimum guidelines to follow. Each department has their own minimum standards. The current zoning ordinance does not have language for these standards to address this type of application. Staff has also received guidance from the Planning Commission on what they would like to see when the applications are brought before them for approval.
  - Planning Manager Pirnejad responded to the emails received (attached to the back of the minutes) requesting a continuance of this item as summarized below:
    - o John Beckman had several concerns that can be read in detail in his email letter (attached)
      - Planning Manager Pirnejad responded to Mr. Beckman’s concerns by stating:

- Within the body of the letter Mr. Beckman states that developers that build on flag lots should be consulted during the creation of the policy to which Planning Manager Pirnejad stated that that was the intention of staff all along. Staff first brought this item before the Planning Commission back on April 23, 2008 to promote open discussion regarding this issue.
  1. There is more to approving flag lots than just promoting infill - Fire Concerns, Access issues, Lot size issues, big enough = external street.
  2. This concern is encouraged NOT required.
  3. The minimum lot size is the amount of area that is buildable, the flag portion of the lot is unbuildable and is not considered in the total lot size.
  4. The front yard setback for the back lot is reduced from the current requirement of 20 feet because the pole offers them the necessary access to the lot.
  5. No additional parking required – additional parking is provided in the driveway.
  6. This ordinance isn't meant to limit infill, it is intended to address the street presence for fire, public safety, and neighborhood character. Infill creation shouldn't be the only criteria.
  7. This item was to address Planning Commission's concerns regarding privacy of the existing dwelling surrounding the proposed project.
  8. This item is consistent with the direction that the State of California is heading.
- Joe Murphy
  - Mr. Murphy is requesting a continuance, which staff is recommending for this item.
- Pat Patrick
  - Mr. Patrick is requesting a continuance, which staff is recommending for this item.
- Planning Manager Pirnejad stated that he sent an email response to all the parties concerned letting them know that staff would be recommending the continuance of this item to promote further discussion.
- Vice Chair Kiser stated that if the lot will accommodate more than two dwellings he thinks they should still be able to put more than two. He also asked about the two-story dwellings being set back an extra 5'. Planning Manger Pirnejad stated that only the second story will need to be set back the extra 5' to avoid a tall wall.
- Vice Chair Kiser asked about the alley access issue. Planning Manager Pirnejad stated that staff wanted to leave alley access available for discussion on a case by case basis.

Discussion opened up to the Public

- Jeffery Kirst came forward to offer his opinions. Mr. Kirst handed out a rendition of a flag lot showing three separate parcels that would not be able to be done if these guidelines are approved.

Discussion occurred regarding the different ideas for Flag Lots.

Discussion closed to the Public

- Planning Manager Pirnejad stated that these guidelines were not intended to give staff a reason to deny Mr. Kirst's application. His application supersedes these guidelines. In working with Mr. Kirst to get this project to work several considerations have had to be made and issues address that have not come up in the past and this just strengthens the need for a set of guidelines for staff to follow.
- Commissioner Olson stated that she understands the intent of creating guidelines, but doesn't want to see an example like Mr. Kirst's denied because of these guidelines. She would also like to know why there is a requirement for two covered parking spaces. Planning Manager

*Continued*

Pirnejad stated that the requirement for two covered parking spaces is a part of our current Municipal Code.

- Vice Chair Kiser asked about the visibility of the dwelling on the middle lot of the example that Mr. Kirst provided. Planning Manager Pirnejad stated that the purpose is to provide visual access for Police and Fire to all the lots.

Discussion was re-opened to the Public

- Jeffery Kirsts stated that there have been other situations where Administrative Deviations have been granted for lot size. The parking issue would be similar to apartments, when a car is parked in the right-of-way the police are called and the car towed.
- Chair Mattheis asked how the lot size and the relationship of the pole size for Mr. Kirst’s example fit with the neighborhood. Mr. Kirst stated that the issue he had with the pole size was where to start the measurement for the set back for the dwelling units.

Discussion we re-closed to the Public

- Chair Mattheis stated that he would like to look more at the set back issues as related to the pole part of the flag. Planning Manager Pirnejad stated that the staff should state the intent of the setback and let the developer show that they are trying to meet that intent. Chair Mattheis asked if this could be amended in the future when the new zoning code is adopted. Planning Manager Pirnejad stated that it could be altered and will need to be written into the new zoning code.
- Commissioner White asked if there could be separate guidelines set up for a one to two parcel split, one to three and so on. Chair Mattheis agreed with this suggestion. Commissioner White also suggested that staff keep the two covered parking spaces.

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Olson second, continued the request of item 7a to a date to be determined. The motion carried by the following vote:

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

b. Recommend adoption of amended regulations for Site Plan and Architectural Review within the City of Lodi.

- Planning Manager Pirnejad gave a brief presentation based on the staff report. Staff is recommending option two.
- Chair Mattheis asked about the percentage of the applications that would need to be divided. Planning Manager Pirnejad stated that the majority of the applications fall under the discretionary category currently. Staff feels that there will be more of the non-discretionary type applications coming forward in the future.

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Olson second, approved the recommendation of Staff to amended regulations for Site Plan and Architectural Review within the City of Lodi as stated in Resolution PC 08-16. The motion carried by the following vote:

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

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

*Continued*

a. Report on Special Meeting of June 23, 2008.

- Vice Chair Kiser gave a brief report regarding the approval of the new Speed-e Car Wash.

9. ART IN PUBLIC PLACES

None

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

Chair Mattheis thanked Commissioner White for his service.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:30 p.m.

ATTEST:

Peter Pirnejad  
Co-Interim Community Development Director

**Kari Chadwick**

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**From:** John Beckman [johnb@biadelta.org]  
**Sent:** Wednesday, June 25, 2008 1:35 PM  
**To:** Peter Pirnejad  
**Cc:** 'Jaclyn U'; Kari Chadwick  
**Subject:** Planning Commission meeting tonight

Peter,

I understand you are not feeling well – hope you get better for tonight's meeting. I'd like to talk with you about item 7.A.

Directly to the point, amendments to design standards need to be discussed with those who are most likely to be complying with those standards. If a flag lot policy is to be adopted by the Planning Commission then developers who build on flag lots should be consulted during the creation of this policy. The proposed policy creates the following issues:

- 1) The restriction of only two allowable lots is overly burdensome and is in direct conflict with the goals of promoting infill within the City.
- 2) If there are only to be two lots on a flag lot then the lot fronting on the street should be allowed to have a direct driveway to the street and not be required to use the pole portion of the flag as the driveway.
- 3) The width of the pole portion of the flag should not be excluded from the minimum lot dimensions in all cases. There should be guidelines that state when it will be excluded, but it should be allowed in some cases. Again this is overly burdensome and conflicts with the goals of the City to promote infill.
- 4) The pre-determination of what side is to be considered the front, rear and side yards in all cases is again overly burdensome and conflicts with the goals of promoting infill.
- 5) The parking requirements are overly burdensome and directly conflict with the principles of smart-growth and the promotion of walkable neighborhoods where residents will not need two vehicles per home.
- 6) The street presence requirement appears arbitrary and capricious. There may be several legitimate reasons for not maintaining a "presence to the street" or an "orientation to the street" for flag lots. The more restrictions placed on infill development the less likely it is to occur. Each restriction must be justified in relation to the likelihood it will limit the amount of infill created.
- 7) The limitations on second floor windows and decks should be proportional to the characteristics of the neighborhood and not a blanket prohibition based on orientation.
- 8) Requiring the maximization of onsite water absorption and retention is again overly burdensome and will hinder the promotion of infill development.

I would like to see this matter carried over to the next planning commission meeting so these matters can be discussed in greater detail in a forum more conducive to a constructive dialogue and not at a public hearing. Please call me to discuss.

Thank you,

John Beckman  
Chief Executive Officer, BIA Delta  
509 W. Weber Avenue, Suite 410  
Stockton, CA 95203  
(209) 235-7831 Office  
(209) 327-5363 Cell

*Knowledge is Power, but Ignorance is Truly Bliss*

# Item 7a.

**Peter Pirnejad**

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**From:** Joe Murphy [jmurphy@dillonandmurphy.com]  
**Sent:** Wednesday, June 25, 2008 3:33 PM  
**To:** Peter Pirnejad  
**Cc:** J. Jeffrey Kirst  
**Subject:** Planning Commission

Dear Mr. Pirnejad,

I understand there is an item scheduled for Planning Commission tonight having to do with changing the ability to create flag lots. Over the past 23 plus years, I have processed numerous flag lots in the City of Lodi and surrounding communities. I have always found them to be a positive addition to the neighborhood and a great opportunity for infill. In the past, they have given another option to entry level and affordable housing home purchasers.

I only found out about the agenda item today and I have a conflict that does not allow me to attend tonight's hearing. It would be beneficial to have a dialogue with Engineers, Land Surveyors and developers who deal with flag lots before the City changes the criteria that allow them. I respectfully request a continuance of this item to the next available hearing date.

Thank you for your attention on this matter.

Joe Murphy  
Dillon & Murphy  
209-334-6613  
209-334-0723 (Fax)

**Kari Chadwick**

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**From:** Pat Patrick [PPatrick@lodichamber.com]  
**Sent:** Wednesday, June 25, 2008 4:36 PM  
**To:** Peter Pirnejad; Kari Chadwick  
**Cc:** jjkirst@gmail.com; John Beckman - Ext; Russ Munson; Blair King  
**Subject:** URGENT- Flag Lot Adoption Postponed ltr to City.doc  
**Importance:** High  
**Attachments:** Flag Lot Adoption Postponed ltr to City.doc

Peter / Kari:

URGENT!!! for tonight's meeting.  
Pat Patrick



June 25, 2008

TO: Peter Pirnejad

FR: Pat Patrick

RE: Planning Commission Review of Flag Lot Recommendations

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Peter:

Some of our Chamber members have raised some concern about staff's recommendations for Flag Lots coming before the Planning Commission tonight.

It seems that they have not had too much input into this recommendation and are asking for some time before the Planning Commission makes any kind of a new ruling.

The Chamber is respectfully requesting no decision be made tonight but allow the parties who are concerned some time to offer their input into the process with the commission.

I just learned of this today and can not be present tonight to make this request personally. I would however if my schedule allowed because this seems to have considerable interest and concern from the building community.

The Chamber is asking staff to recommend postpone adoption of new guidelines for Flag Lots so more practical input can be given by the business community on these new development standards.

Sincerely,  
Pat Patrick  
President / CEO

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JULY 9, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of July 9, 2008, was called to order by Chair Mattheis at 7:00 p.m.

Present: Planning Commissioners – Heinitz, Hennecke, Kiser, Olsen, and Chair Mattheis

Absent: Planning Commissioners – Cummins and Kirsten

Also Present: Planning Manager Peter Pirnejad, Senior Planner David Morimoto, Junior Planner Immanuel Bereket, and Building Inspector II Bob Vrabel

Chair Mattheis welcomed Commissioner Heinitz back to the Planning Commission.

2. MINUTES

None

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 Mattheis called for the public hearing to consider the request for approval of a Use Permit to allow a Type-41 on-sale beer and wine license at Midtown Taqueria located at 1040 West Kettleman Lane Suite 4. (Applicant: Joe Doumit.; File Number: 08-U-07)

Planning Manager Pirnejad gave a brief PowerPoint presentation based on the staff report. Staff is recommending approval.

Chair Mattheis asked about the title on the Resolution stating that this license is for Taqueria Santa Cruz located at 2533 West Kettleman Lane Suite 403. Planning Manager Pirnejad stated that the resolution for Taqueria Santa Cruz was used as a boiler plate and the incorrect information in the title was missed, but will be changed to Midtown Taqueria located at 1040 West Kettleman Lane Suite 4.

Chair Mattheis asked if the restaurant was currently open. Senior Planner Morimoto stated that the restaurant that was operating in that location has been closed for several months.

Commissioner Heinitz stated that he has some concerns regarding the fact that the applicant is not present and there has been bad history in the area. He would like to the item continued to another date when the applicant can be present.

Commissioner Olson has some questions of the applicant as well regarding the menu showing tequila, but the license request is for a type 41 (beer and wine). Vice Chair Kiser and Commissioner Hennecke agreed.

Hearing Opened to the Public

- None

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Heinitz second, continued the request for approval of a Use Permit to allow a Type-41 on-sale beer and wine license at Midtown Taqueria located at 1040 West Kettleman Lane Suite 4 to a date certain of July 23, 2008. The motion carried by the following vote:

Continued

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

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Mattheis called for the public hearing to consider the request for the Planning Commission to amend conditions of approval for the project site plan and architecture for the building located at 335 East Kettleman Lane (Applicant, Kenneth J. Gini, File # 07-SP-02).

Planning Manager Pirnejad gave a brief PowerPoint presentation based on the staff report. He also pointed out that staff did receive a letter of concern (attached to be back of the minutes) from Mr. Marchick. Staff is recommending approval.

Commissioner Heinitz stated that he feels that the applicant has tried to meet all the original conditions in good faith and after a visit to the site feels the project is well done.

Vice Chair Kiser stated that he also visited the site and believes that the roll-up doors are too narrow to drive a car through. He also feels that the project has enhanced the area.

Commissioner Olson asked if the intent was to make the roll-up doors ADA accessible. Chair Mattheis stated it was not.

Hearing Opened to the Public

- Ken Gini, applicant, came forward to answer questions. He stated that his intent was to meet the requirements set by the Planning Commission. Mr. Gini also stated that the doors will remain closed.

Public Portion of Hearing Closed

- Chair Mattheis stated his appreciation that the applicant has been working with staff to get the conditions modified.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kiser second, approved the request for the Planning Commission to amend conditions of approval for the project site plan and architecture for the building located at 335 East Kettleman Lane as stated in Resolution P.C. 08-17. The motion carried by the following vote:

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

Chair Mattheis thank Bob Vrabel, Building Inspector, for attending the meeting.

Vice Chair Kiser asked for a copy of the ADA regulations used to determine access requirements for this project. Building Inspector Vrabel handed Vice Chair Kiser a copy.

Planning Manager Pirnejad noted that Mr. Doumit, applicant for item 3a has arrived.

4. PLANNING MATTERS/FOLLOW-UP ITEMS

- a. Update Planning Commission on Vineyard Christian Middle School Use Permit, 2301 West Lodi Avenue.

Planning Manager Pirnejad stated that this item and the next are for information only and are in response to discussions had with Commissioners. Staff thought that bringing items of a controversial nature back to the Commission would help to show what has worked and what hasn't.

*Continued*

Commissioner Heinitz stated that out of the three major objectors of the project two have moved and the grand-daughter of the third is attending the school.

Planning Manager Pirnejad gave a brief PowerPoint presentation based on the staff report.

- b. Update Planning Commission on Wine Country Card Room Use Permit, 1800 South Cherokee Lane.

Planning Manager Pirnejad gave a brief PowerPoint presentation based on the staff report.

Vice Chair Kiser asked who owns the ABC License for the bar. Planning Manager Pirnejad stated that a different person owns the license. Vice Chair Kiser stated that that was not how it was presented.

Item Opened for Public Comment

- Steven Schnider, Lawyer for the applicant came forward to clear up the ABC License question. The ownership of the bar in the current location is owned by the same person that owns the cardroom. There is a different owner for the bar on Sacramento Street.

Public Portion Closed

- c. Appoint two representatives from the Planning Commission to attend Development Code Update workshop style meetings.

Planning Manager Pirnejad stated that this item is to ask for two volunteers from the Commission to sit in on meetings with the development community regarding the Flag Lot Development Code item.

Chair Mattheis asked if these meetings are going to be noticed. Planning Manager Pirnejad stated that they will not be noticed. Chair Mattheis asked if there would be any benefit to having these meetings be noticed and open to the public. Planning Manager Pirnejad stated that after the initial meeting the item will then be brought back as a noticed public hearing for the public to voice their opinions.

Commissioner Heinitz and Vice Chair Kiser volunteered to sit in on the Flag Lot meetings.

5. ANNOUNCEMENTS AND CORRESPONDENCE

Planning Manager Pirnejad welcomed Randy Heinitz to the Commission.

Chair Mattheis reminded the Commission that there should not be any discussion of agenda items prior to the meeting being called to order.

6. ACTIONS OF THE CITY COUNCIL

- a. Chair Mattheis stated that questions can be asked regarding the summary memo in the packet.

Planning Manager Pirnejad pointed out a few items of interest.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

- a. Discussion of possible Heritage Tree Ordinance.

Chair Mattheis stated his favor for having a Heritage Tree Ordinance.

Commissioner Heinitz stated his favor for having a Vintage (Heritage) Tree Ordinance. There are several trees that come to mind on the east side of town that preserving them would work in well with any Redevelopment Plan.

Commissioner Olson agreed.

Vice Chair Kiser agreed.

Discussion was had as to how to incorporate some sort of tree preservation into the new Development Code.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

*Continued*

9. ART IN PUBLIC PLACES

None

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. REORGANIZATION

- a. Planning Commission Chair & Vice Chair

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Olson second, approved the appointment of Commissioner Kiser to the position of Chair by a unanimous vote.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Hennecke, Kiser second, approved the appointment of Commissioner Cummins to the position of Vice Chair by a unanimous vote.

- b. Appoint Planning Commission Representative to SPARC, Art In Public Places, and Greenbelt Task Force.

SPARC

Commissioner Kiser volunteered to stay on SPARC. Chair Mattheis pointed out that tradition is to have the Vice Chair be the representative to this committee and would like to first see if Commissioner Cummins has any objections or conflicts to taking this seat before taking any other nominations. Everyone agreed.

Planning Manager Pirnejad stated that in Commissioner Cummins' email he states that he is already sitting on the Greenbelt Task Force.

Art In Public Places

Chair Mattheis stated that because Commissioner Kirsten was recently appointed to this committee that he should remain the representative.

Greenbelt Task Force

Commissioner Heinitz mentioned that maybe Commissioner Mattheis would like to sit on this one. Chair Mattheis would like to wait until the next meeting for nomination on this item considering Commissioner Cummins is already a member and wouldn't want to bump him off if it was his desire to remain a member.

13. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:57 p.m.

ATTEST:

Peter Pirnejad  
Co-Interim Community Development Director

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, AUGUST 13, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of August 13, 2008, was called to order by Chair Kiser at 7:00 p.m.

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

Absent: Planning Commissioners – Hennecke and Olson

Also Present: Co-Interim Community Development Director Peter Pirnejad, City Attorney Stephen Schwabauer, Senior Planner David Morimoto, Assistant Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“June 25, 2008”

“July 9, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner , second, approved the Minutes of June 25, 2008 and July 9, 2008 as written.

No action could be taken on the above minutes because there was not a quorum present.

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 the request continued from July 7, 2008 for Planning Commission approval of a Use Permit to allow a Type-41 on-sale beer and wine license at Midtown Taqueria located at 1040 West Kettleman Lane Suite 4. (Applicant: Joe Doumit)

Assistant Planner Immanuel Bereket gave a brief PowerPoint presentation based on the staff report.

Randy Heinitz asked if there was a quorum present to hear this item. Co-Interim Director Pirnejad stated that the item has been re-advertised as a public hearing therefore the Commissioners present are eligible to vote.

Commissioner Kirsten disclosed that he had met with the applicant to discuss this item.

Hearing Opened to the Public

- Joe Doumit, applicant, came forward to answer questions.
- Commissioner Heinitz asked if the Mr. Doumit was aware of the condition that the local on-site manager will have to attend the mandatory ABC License training. Mr. Doumit stated that the manager lives here in Lodi and will be the person to attend the training.
- Commissioner Mattheis asked about the margaritas that are on the menu because the type of ABC license that is being applied for does not cover hard liquor. Mr. Doumit stated that they will be wine margaritas.

- Commissioner Kirsten stated that he talked with a few of the surrounding tenants and they were in support of the project.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kirsten second, approved the request of the Planning Commission for a Use Permit to allow a Type-41 on-sale beer and wine license at Midtown Taqueria located at 1040 West Kettleman Lane Suite 4 subject to the conditions in resolution P.C. 08-17. The motion carried by the following vote:

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

- 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 the request for Planning Commission approval of a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License and Live Entertainment at 112 W. Pine Street. (Applicant: Benson Ferry Vineyard).

Commissioner Kirsten recused himself because he has property interests in the area. Commissioner Heinitz asked if his property interest fell within the 500 foot radius. Commissioner Kirsten checked the property distance on his laptop and found that it fell outside of the 500 foot mark.

Co-Interim Director Pirnejad gave a brief PowerPoint presentation based on the staff report.

Commissioner Mattheis asked about the Live Entertainment being so close to the hotel. Co-Interim Director Pirnejad stated that the music is to staffs understanding meant to be background music.

Hearing Opened to the Public

- Alan Macisaac, Applicant, came forward to answer questions.
- Commissioner Mattheis asked about the type and hours of the music to be played. Mr. Macisaac stated that the music will lean toward the softer tones and will be shut down at 10 pm.

Public Portion of Hearing Closed

- Commissioner Mattheis asked that “Live Music” be added to condition #8 of Resolution P.C. 08-19. Co-Interim Director Pirnejad stated that the verbiage is in condition #7 in Resolution P.C. 08-20 pertaining to the Live Entertainment portion of the application.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Mattheis, Heinitz second, approved the request of the Planning Commission for of a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License at 112 W. Pine Street subject to the condition in resolution P.C. 08-19. The motion carried by the following vote:

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

Abstain: Commissioners – Kirsten

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Mattheis, Heinitz second, approved the request of the Planning Commission for of a Use Permit to allow Live Entertainment at 112 W. Pine Street subject to the condition in resolution P.C. 08-20. The motion carried by the following vote:

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

Commissioner Kirsten rejoined the Commission.

- c) 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 review and recommend of Transit Oriented Development Design Guidelines to the City Council. (Applicant: City of Lodi Community Development Department).

Co-Interim Director Pirnejad gave a PowerPoint presentation based on the staff report.

Commissioner Heinitz stated his support of the document and asked about the parking problem once you start taking away the small parking lots scattered around the downtown area. Co-Interim Director Pirnejad stated that the parking issue will have to be addressed as they become more prominent. Co-Interim Director Pirnejad stated that having parking problems in a downtown is a sign of economic prosperity.

Commissioner Heinitz asked about subterranean parking. Co-Interim Director Pirnejad stated that cost will more than likely play a factor.

Chair Kiser stated his support of the document and stated that if you are looking at going three stories creating a subterranean parking area could be incorporated when the contractor is required to beef up the foundation.

Commissioner Mattheis stated his support for the document and asked about the conflicts of land use and working with developers. Co-Interim Director Pirnejad stated that the land use will be driven by the development, so by making the guidelines more flexible it gives the developers more room for creativity.

Commissioner Mattheis asked how these will work with our current and future General Plan Land Uses. Co-Interim Director Pirnejad stated that this is just the first step. The Planning Commission and City Council will need to ferret out how the ideas get implemented.

Chair Kiser asked how many stories high the buildings downtown can go. Co-Interim Director Pirnejad stated six stories.

Vice Chair Cummins asked if the Council of Governments (COG) has had a chance to comment on the document. Co-Interim Director Pirnejad stated that the COG and the Railroad Company have both stated their support for the project.

Hearing Opened to the Public

- None

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kiser second, endorse the Transit Oriented Development Design Guidelines and recommend that the Lodi City Council Adopt Transit Oriented Development Design Guidelines as stated in resolution P.C. 08-21. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

- a. Confirm appointments to the Site Plan and Architectural Review Committee and the Greenbelt Task Force.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Cummins second, approved the appointment of Chair Kiser to SPARC. The motion carried by the following vote:

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

MOTION / VOTE:

The Planning Commission, on motion of Chair Kiser, Heinitz second, approved the appointment of Vice Chair Cummins to the Greenbelt Task Force. The motion carried by the following vote:

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

5. ANNOUNCEMENTS AND CORRESPONDENCE

Co-Interim Director Pirnejad stated that a new proposal for 730 S. Cherokee Lane will be coming up for SPARC review in the near future. Chair Kiser reminded the Commission that this is the same property that had the Gas Station project that the Commission denied.

6. ACTIONS OF THE CITY COUNCIL

Co-Interim Director Pirnejad gave a brief oral report on the items in the summary report.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Co-Interim Director Pirnejad stated that staff should be bringing the General Plan Update Alternatives before the Commission soon.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Chair Kiser gave a brief report on the July 21, 2008 meeting.

Co-Interim Director Pirnejad reminded the Planning Commission that the SPARC meetings will be moving to the 2<sup>nd</sup> & 4<sup>th</sup> Wednesdays of the month.

9. ART IN PUBLIC PLACES

*Continued*

Dave Kirsten gave a brief report on the July 23, 2008 meeting.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

Commissioner Heinitz stated that three of the City Council members have expressed a desire to see a Tree Ordinance brought back to them for discussion. He also stated that according to an anonymous source the City is going to be cutting down several trees in Lawrence Park, and after making several phone calls to the City no one has been able to give him any answers.

Commissioner Mattheis stated that he would like the Commission to have another shot at creating an Ordinance that the City Council will like.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:30 p.m.

ATTEST:

Peter Pirnejad  
Co-Interim Community Development Director

# Item 3a.

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

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**MEETING DATE:** August 27, 2008.  
**APPLICATION NO:** Use Permit 08-U-09  
**REQUEST:** Request for Planning Commission approval of a Use Permit to allow Live Entertainment and Dancing at La Luna Restaurant located at 910 South Cherokee Lane. (Applicant: Noe Juarez. File Number 08-U-09).  
**LOCATION:** 910 South Cherokee Lane. (APN: 047-420-09)  
**APPLICANT:** Noe Juarez  
1127 South Mills Avenue  
Lodi, CA 95241  
**PROPERTY OWNER:** The same as above

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the request of Mr. Noe Juarez for approval of a Use Permit to allow Live Entertainment and Dancing at La Luna Restaurant located at 910 South Cherokee Lane, subject to the conditions in the attached resolution.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** NCC, Neighborhood Community Commercial  
**Zoning Designation:** C-2, General Commercial.  
**Property Size:** 33,000 sq. ft.

The adjacent zoning and land use are as follows:

**North:** C-2, General Commercial. The area to the north houses diverse businesses and commercial establishments.  
**South:** C-2, General Commercial. Various types of retail stores are located south of the project site.  
**East:** RE-1, Single Family Residence.  
**West:** C-2, General Commercial. Various types of retail stores are located south of the project site.

**SUMMARY**

La Luna restaurant is located at 910 South Cherokee Lane. The property owner and project proponent, Mr. Noe Juarez, is requesting a Use Permit approval to have dancing and/or music from a band or disc jockey on Friday and Saturday nights from 9:30 p.m. to midnight. The restaurant has a Type 47, On-Sale General license license. The project proponent indicates that the restaurant will continue to operate with a full menu during the live entertainment and dancing, and that the intent is to be more of a lounge than a nightclub. The project proponent has also indicated that the intended market for the lounge is a more mature clientele and the type of music will cater to mature adults and offer salsa dance lessons on a regular basis.

Because of the type of cliental, the applicant does not anticipate the alcohol related problems and excessive noise associated with a typical bar/nightclub.

## **BACKGROUND**

La Luna Restaurant has been in operation at this location for a long time, under different names and ownerships. La Luna Restaurant offers breakfast, lunch and dinner. The restaurant obtained Type 47 On-Sale General license some 23 years ago, prior to implementation of the City's Use Permit process. Neither the Lodi Police Department nor the State Alcoholic Beverage Control indicated that there have been alcohol related problems with the restaurant or with its current operator, who is also the project proponent. The property has not had any zoning violations or problems related to the sale of alcohol. Unused lounge area will be reconfigured to make room for the dance floor at the north end of the restaurant (see floor plan).

## **ANALYSIS**

Section 17.73.020 of the Lodi Municipal Code requires a Use Permit for live entertainment. The Lodi Municipal Code requires live entertainment must be clearly incidental to the primary use of the property. The project proponent is requesting a live entertainment permit in conjunction with a restaurant operation. The live entertainment events will be limited to Friday and Saturday nights (9:30 pm to midnight).

The project proponent is requesting a Live Entertainment permit similar to the one the Planning Commission granted the Casa Mexicana Restaurant on January 14, 2006. The applicant's project description is attached. The applicant has indicated that the restaurant will continue to operate with a full menu during the live entertainment, and that the intent is to be more of a lounge than a nightclub. They have also indicated that the intended market for the lounge is a more mature clientele. Given that the applicant's live entertainment plan will be mostly for Salsa dancing lessons and will cater to mature adults, staff does not anticipate alcohol related problems and excessive noise associated with a typical bar/nightclub.

In order to eliminate potential impacts, staff has included the standard conditions of approval for the existing ABC license as well as conditions for the live entertainment and dancing permit. Staff used comments and conditions that we received from the Lodi Police Department and the Lodi Improvement Committee to formulate conditions involving security. The primary condition is to hold a noticed public hearing after a 6-month period. Six-months will provide the applicant time to operate with live entertainment and dancing while the City evaluates their performance under the requested Use Permit. Because there may be minors on the premises as part of the restaurant, staff is recommending a condition that minors vacate the premises at 9 p.m. Staff is also recommending a condition that professional security be present during lounge hours (9:30 p.m to midnight), a condition that security lighting be added to the eastern and northern elevations of the building, and a condition that the doors of the restaurant shall remain closed with the exception of ingress and egress, during periods of live entertainment and dancing. Exterior lightening shall be configured so there is no glaring onto the neighboring properties.

Because of the change in occupancy requirements, the Fire Marshall and Building Official have reviewed the applicant's request. The Fire Marshal approved the request with a condition that the applicant updates the fire suppression system before the scheduled inspection the second week of December. Failure to update the fire suppression system before the inspection will constitute a violation of the Use Permit and staff will initiate steps to suspend the Live Entertainment permit until the condition is met. The Building Official has indicated that any tenant improvement will require a building permit and the plans will need to be drawn by a

registered engineer or architect. The Police Department has been contacted to determine the history of complaints at the site. There have been no calls or complaints related to alcohol consumption or sales at the business location. In addition, staff is not aware of any alcohol related complaints filed over the years since a restaurant operated at this location. The attached resolution includes a condition to meet the requirements of the Police Department, Lodi Improvement Committee, Fire Marshall and Building Official.

Since there have been no problems with the restaurant up to this point, staff recommends that the applicant be granted the requested Use Permit subject to the noted conditions with a 6-month review period.. If excessive problems or concerns take place during the 6-month period, then Police staff will meet with the applicants to outline additional mitigation. If problems persist, City staff will initiate a public hearing before the Commission to consider additional/amended conditions or revocation of the Use Permit. Staff finds that there is a community desire for this type of live entertainment and would support the application with the attached conditions of approval.

### **ENVIRONMENTAL ASSESSMENTS**

The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §1532, 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 ...the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant impacts are anticipated and no mitigation measures have been required.

### **PUBLIC HEARING NOTICE**

Legal Notice for the Use Permit was published on August 15, 2008. Forty-four public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property.

### **ALTERNATIVE PLANNING COMMISSION ACTIONS**

- Approve the 6-month review with further review at 6 months.
- Deny the 6-month review.
- Continue the Request

Respectfully Submitted,

Concur,

Immanuel Bereket  
Assistant Planner

Peter Pirnejad  
Co-Interim Community Development Director

- ATTACHMENTS**
1. Vicinity Map
  2. Site Plans
  3. Aerial photo
  4. Resolution



Site Plan

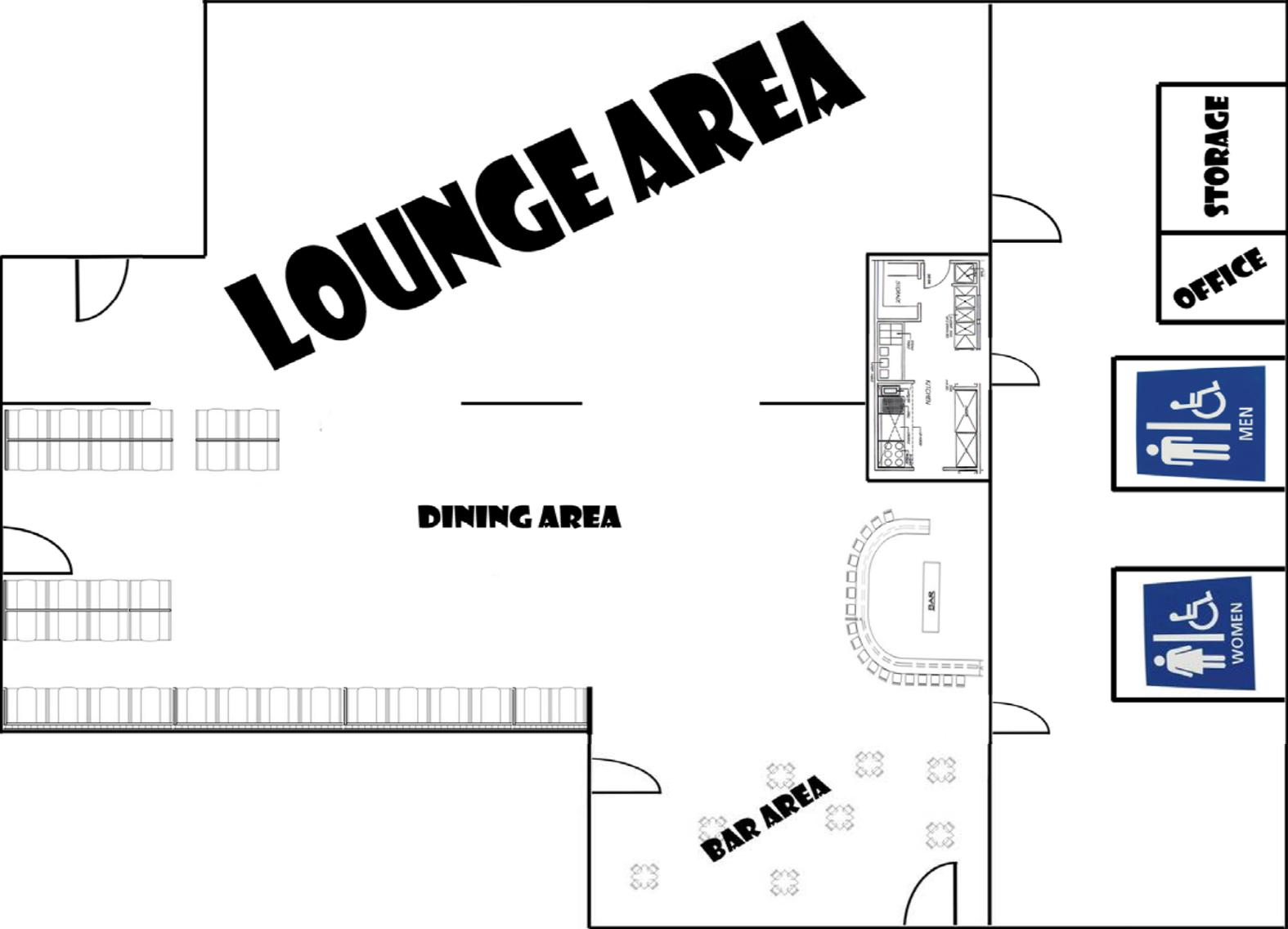
**LA NUNA RESTAURANT**  
**910 SOUTH CHEROKEE LANE**  
**LODI, CA 95242**

**LOUNGE AREA**

**DINING AREA**

**BAR AREA**

**STORAGE**  
**OFFICE**



# Aerial View



**RESOLUTION NO. P.C. 08-22**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF THE NOE JUAREZ FOR A LIVE ENTERTAINMENT PERMIT IN CONJUNCTION WITH A RESTAURANT OPERATION AND TYPE 47 ON SALE GENERAL LICENSE AT 910 SOUTH CHEROKEE LANE.  
(FILE # 08-U-09)**

- WHEREAS**, the Planning Commission of the City of Lodi has held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Municipal Code Section 17.72.070; and
- WHEREAS**, the project proponent is Noe Juarez; and
- WHEREAS**, the property owner is Noe Juarez, and
- WHEREAS**, the property has a General Plan designation of GC, General Commercial and is zoned C-2, General Commercial; and
- WHEREAS**, the project property is located at 910 South Cherokee Lane, Lodi, CA (APN 047-420-09); and
- WHEREAS**, the requested Use Permit to allow live entertainment in conjunction with the operation of a restaurant with a Type 47 On-sale General License and sale of alcohol is an enforcement action in accordance with the City of Lodi Zoning Ordinance; and
- WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

Based upon the evidence within the staff report, project file and testimony presented at the time of the hearing, the Planning Commission finds:

1. The project is categorically exempt according to the California Environmental Quality Act, §15321, Class 21 (a) (2) (Enforcement Action by Regulatory Agency). The permit is being granted under adoption of an administrative decision and no significant impacts are anticipated and no mitigation measures have been required.
2. The project is consistent with the City of Lodi General Plan and Zoning ordinance.
3. The project will be consistent with the surrounding land uses.
4. No land use problems or issues are anticipated as a result of this project.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Live Entertainment Application is hereby approved, subject to the following conditions:

Community Development Department, Planning:

1. The project proponent will defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this permit, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The project proponent shall insure that the serving of alcohol and provision of live entertainment does not create 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 drunkenness, drinking in public, harassment of passerby, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud

noises (especially in the late night or early morning hours), traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.

3. Live entertainment shall be limited to Friday and Saturday evenings between the hours of 9:30 p.m. and midnight, and shall be limited to the interior of the building as delineated in the attached floor plan.
4. Any tenant improvements shall be subject to a building permit review process.
5. Within 6-months of the date of the start of live entertainment a noticed Public Hearing shall be held to review the status of the operation and any concerns or problems. The project proponent shall notify the Community Development Department when the live entertainment portion of the operation commences.
6. At least two security people shall be present during live entertainment hours (Friday and Saturday 9:30 p.m. - midnight). At least one security person shall be stationed at the entrance door checking all identifications. Security personnel shall wear an outer garment that easily identifies them as security personnel to anyone entering the premise. The project proponent shall consult with and obtain approval of the Police Chief and Community Development Director prior to finalizing security procedures.
7. No one under the age of twenty-one (21) years shall be allowed in the premise after the hours of 9:30 p.m. during Live Entertainment nights on Friday and Saturday).
8. Security lighting shall be installed on the exterior of the building or parking lot or where found necessary and appropriate by the Police Chief and Community Development Director. The lighting shall be shielded and low level to avoid glare on neighboring properties. The applicant is responsible for obtaining all necessary permits and approvals for instillation of lighting.
9. No variance from any City of Lodi adopted code, policy or specification is granted or implied by the approval of this resolution.
10. The Live entertainment portion of the operation shall be conducted in a manner that will not adversely impact neighboring properties or businesses.
11. No additional exterior lighting or exterior amplified music shall be permitted as part of this application.
12. The Live Entertainment shall be limited to an area inside the restaurant as delineated in the attached Floor Plan.
13. No exterior signage is approved as part of this application.
14. The project proponent shall provide adequate staffing, management and supervisory techniques to prevent loitering, unruliness, and boisterous activities of the patrons outside the business and in nearby public areas.
15. Noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments. Exterior doors of the restaurant shall remain closed with the exception of ingress and egress during periods of live entertainment and dancing.
16. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.
17. Any significant changes to the interior layout which would alter the primary function of the business as a restaurant shall be subject to review and approval by the Planning Commission.

18. The project and operation of the business shall comply with all applicable requirements of the Municipal Code.

Dated: August 27, 2008

I hereby certify that Resolution No. 08-22 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on August 27, 2008 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

**ATTEST:** \_\_\_\_\_  
**Secretary, Planning Commission**

# Items 3b & 3c

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

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**MEETING DATE:** August 27, 2008

**APPLICATION NO:** 08-GP-01

**REQUEST:** Consider the request of Dale Gillespie on behalf of San Joaquin Valley Land Company LLC, to 1) Approve a Tentative Map; and 2) recommend that the City Council amend to the Land Use Map of the General Plan for the Reynolds Ranch development, a 225 acre mixed use project located on the south side of Harney Lane between State Route 99 and the Union Pacific Railroad (UPRR) track.

**LOCATION:** Southwest corner of East Harney Lane and State Route 99

**APPLICANT:** Dale Gillespie on behalf of San Joaquin Valley Land Company LLC, 1420 S. Mills Ave., Suite K, Lodi, CA 95242

**PROPERTY OWNERS:** Robert & Carolyn Reynolds; Charles & Melissa Katzakian; Sean & S. Varner; Sengsourisack & V. Heuansavath; Issac and D. Zarate; Dominico Della Maggiora, etal; Skinner Ranch Holdings LP; South River Ranch LLC; San Joaquin Valley Land Co.; Delford & E. Seeman; Maria Pelletti, Diane Tsutsumi, etal; William & C. Griffiths; Shirley Ann Helm etal; and Lodi Moose Lodge 634.

**RECOMMENDATION:**

Staff recommends that the Planning Commission 1) Approve a Tentative Map; and 2) Recommend that the City Council amend to the Land Use Map of the General Plan for the Reynolds Ranch development, a 225 acre mixed use project located on the south side of Harney Lane between State Route 99 and the Union Pacific Railroad (UPRR) track.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** O –Office; NCC- Neighborhood Community Commercial; PR- Planned Residential; DBP- Drainage Basin Park; and PQP- Public/Quasi Public.

**Zoning Designation:** Planned Development (39), PD No.39.

**Property Size:** 225.9 acres

The adjacent General Plan designations:

**North:** LDR, Low density residential; MDR, Medium density residential; NCC, Neighborhood/community commercial and HI, heavy industrial.

**South:** PRR, Planned residential reserve.

**West:** PRR, Planned residential reserve.

**East:** (across Hwy. 99) San Joaquin County designation of GA, General Agriculture.

The adjacent land uses are as follows:

**North:** Residential, commercial and industrial uses.

**South:** Rural residential and agricultural uses.

**West:** Rail road tracks, rural residential and agricultural uses.

**East:** State Highway 99, and east of that Agricultural, residential and cemetery uses.

## **SUMMARY**

The applicant received initial approval for the Reynolds Ranch mixed-use project in 2006. The project contained commercial, office and residential uses. Since that date, portions of the project site have begun to develop, including the 20.5 acre Blue Shield office project in the S.E. corner of the project area, as well as some of the street and infrastructure improvements. The applicants are requesting a General Plan amendment to permit a modification of their original land use development plan. The proposed amendment will increase the commercial acreage by 35.1 acres, reduce the residential acreage by 16.3 acres and eliminate the original 14 acre K-12 school site. The overall design of the development will remain similar to the original plan however the commercial portion of the project will expand further to the west, replacing some of the residential acreage of the previous plan. The applicant is also requesting approval of a tentative map that will subdivide the commercial areas into separate parcels and reflect some of the changes resulting from the General Plan amendment.

## **BACKGROUND**

The Reynolds Ranch project was originally approved by the City of Lodi in 2006. An environmental impact report was approved; the properties were annexed to the City; General Plan and Zoning approvals were granted; and a Development Agreement was signed. Subsequently, some work has begun on the project. A portion of the project's street and infrastructure work is currently underway, and the Blue Shield office complex, a major component of the development, is currently under construction. Prior to moving forward on the remainder of the project, the applicant is requesting an amendment to the land use portion of the General Plan to reflect changes in the development plan. Most notably, applicant is requesting an expansion of the commercial acreage to accommodate additional commercial uses and proportionately reduce the residential acreage.

## **ANALYSIS**

Reynolds Ranch is a mixed use project that will have retail commercial, office, hotel, mini-storage and residential uses, along with parks and other public facilities. The original development plan called for the following land uses and acreages:

### **2006 Project Land Uses**

Retail/commercial	40.5 acres	High density senior residential	3 acres
Office	20.1 acres	High density residential	9.1 acres
Mini storage	5.3 acres	Medium density residential	63.9 acres
Public/quasi-public	1 acres	Low density residential	20.6 acres
School	14 acres		
Park/open space	12.3 acres		
Basin	8 acres		

### **2008 Modified Project Land Uses**

Retail/commercial	75.6 acres	Assisted senior housing	11.3 acres
Office	20.5 acres	Senior housing	38.7 acres
Public/quasi-public	1.0 acres	High density residential	9.2 acres
Mini-storage	5.0 acres	Medium density residential	10.1 acres
Hotel	2.6 acres	Low density residential	8.5 acres
Basin	9.0 acres	Existing residences	2.5 acres
Parks/open space	8.0 acres		

The major change between the 2006 Land Use Plan and the proposed 2008 Land Use Plan are in the proportion of commercial and residential land uses. The 2008 Plan will increase the size of the commercial acreage from 40.5 acres to 75.6 acres. The square footage of potential commercial buildings will increase from approximately 350,000 square feet to 750,000 square feet. The additional commercial acreage will push the commercial area to the west of the Reynolds Ranch Parkway/A Street, the main north/south street. The residential acreage will decrease as a result of the increased commercial. The additional commercial acreage will result in a reduction in the residential acreage. The residential use has also changed to an age restricted senior housing product which subsequently eliminated the need for the school site.

The 2006 Plan had 96.6 acres of residential uses with approximately 1,084 units. The 2008 Plan proposes 77.8 acres of residential uses with approximately 1,084 units. The reason the number of housing units remains the same while the acreage decreases is because the number of low and medium density residential units decreases substantially. The low density residential decreases from 20.6 acres to 8.5 acres while the medium density residential decreases from 63.9 acres to 10.1 acres. Conversely, the number of acres of senior housing/assisted senior housing increases from 3 acres to 50 acres. The density of the senior housing units will be higher than the medium and low density residential acreage that it replaces. The senior housing will have higher density because some of the units will be either group housing or attached units, and some units will be multi-story buildings. The end result is more residential units on fewer acres.

### General Plan and Zoning changes

The General Plan amendment request is to amend the current General Plan land use map to reflect the proposed changes in acreage for the commercial and residential areas as follows:

- 1) Change 35.6 acres of PR, Planned Residential land to NCC, Neighborhood Community Commercial.
- 2) Change the 12 acre K-12 school site from PQP, Public Quasi-Public to PR, Planned Residential.

The proposed changes in the General Plan land use map will not require any change in the zoning designation for the project. The entire project is zoned PD, Planned Development. Under the PD zoning, all types of land uses are permitted as long as they are approved by the City as part of a development plan.

Despite the need for a General Plan Amendment, the project will be consistent with the overall vision of the General Plan, which identifies the project site as an area for future development.

**ENVIRONMENTAL ASSESSMENTS:**

In 2006, the Lodi City Council certified an Environmental Impact Report (EIR) for a 220-acre mixed use residential, commercial, and office project known as Reynolds Ranch. The project consisted of a combination of uses including residential, retail, office, senior high density, public use and office space. Completion of the Initial Study checklist has led to the conclusion that the modifications would not result in new potentially significant impacts beyond those already identified in the 2006 Certified EIR. As a result, an Addendum to the existing EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) Section 15162, described below.

**PUBLIC HEARING NOTICE:**

Legal Notice for the Use Permit was published on August 16, 2008. A total of 96 public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property as required by California State Law §65091 (a) 3.

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve the Request with Alternate Conditions
- Deny the Request
- Continue the Request

Respectfully Submitted,

Concur,

David Morimoto  
Senior Planner

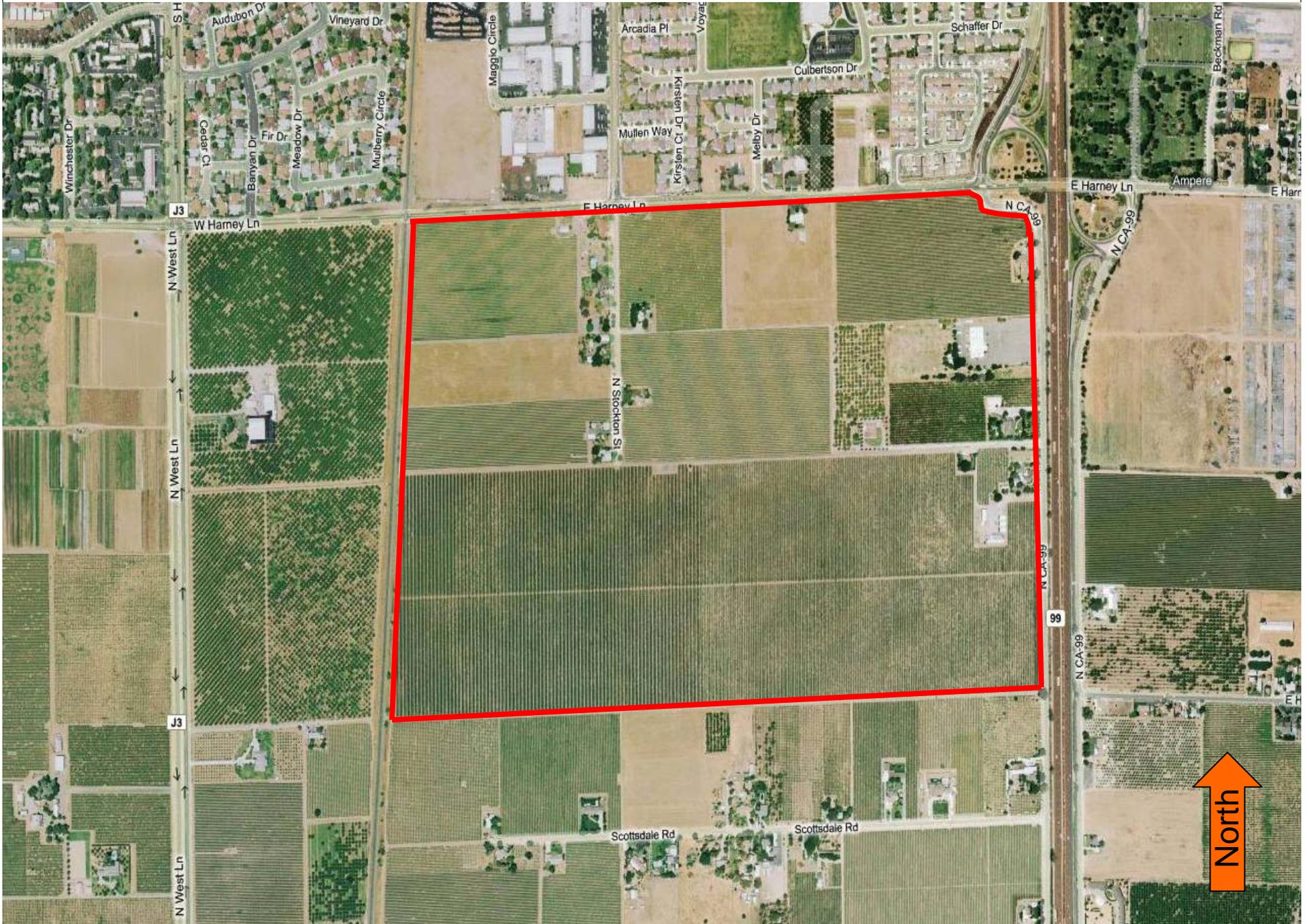
Peter Pirnejad  
Co-Interim Community Development Director

**ATTACHMENTS:**

1. Vicinity Location
2. Aerial Photo
3. Draft Resolutions



# Aerial View



**RESOLUTION NO. P.C. 08-23**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI  
RECOMMENDING APPROVAL OF THE GENERAL PLAN AMENDMENT FOR THE  
REYNOLDS RANCH PROJECT  
(File No. 08-GPA-01)**

**WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan Amendment in accordance with the Government Code; and

**WHEREAS**, the project proponent is Dale Gillespie on behalf of the San Joaquin Valley Land Company LLC, 1420 S. Mills Ave., Suite K, Lodi, CA 95242; and

**WHEREAS**, the property owners are Robert & Carolyn Reynolds; Charles & Melissa Katzakian; Sean & S. Varner; Sengsourisack & V. Heuansavath; Issac and D. Zarate; Dominico Della Maggiora, etal; Skinner Ranch Holdings LP; South River Ranch LLC; San Joaquin Valley Land Co.; Delford & E. Seeman; Maria Pelletti, Diane Tsutsumi, etal; William & C. Griffiths; Shirley Ann Helm etal; and Lodi Moose Lodge 634, Lodi, CA 95241; and

**WHEREAS**, the properties are located at the Southwest corner of East Harney Lane and State Route 99; and

**WHEREAS**, the properties have a General Plan land use designation of Planned Residential Reserve; and

**WHEREAS**, the proposed General Plan designation is Neighborhood Community Commercial, Office, Drainage Basin Park, and Public Quasi Public; and

**WHEREAS**, the Community Development Department prepared an Environmental Impact Report (EIR), consistent with the California Environmental Quality Act (CEQA); and

**WHEREAS**, the EIR was published, posted and circulated between June 9, 2006 and July 24, 2006 for a 45-day public review period; and

**WHEREAS**, the Final EIR, including comments and responses to comments, was certified by the City Council on August 30, 2006; and

**WHEREAS**, consistent with CEQA, an initial study was conducted to analyze potential impacts associated with proposed changes to the project, which initial study demonstrated that none of the circumstances articulated in CEQA Guidelines section 15162 requiring preparation of a subsequent EIR were present; and

**WHEREAS**, pursuant to CEQA Guidelines sections 15162 and 15164 an addendum to the previously certified EIR was prepared, which includes and incorporates the initial study analyzing the proposed project changes, and is attached to this Resolution as Exhibit A and incorporated herein ("Addendum"); and

**WHEREAS**, all legal prerequisites to the approval of this request have occurred.

**NOW, THEREFORE, BE IT FOUND**, as follows, by the Planning Commission of the City of Lodi, based on the entirety of the record before it, which includes without limitation, the City of Lodi General Plan, the City of Lodi Municipal Code, the previously certified EIR, the Addendum

to the EIR and the initial study for the project changes, included and incorporated into the Addendum:

1. The Planning Commission has considered the previously certified EIR and the addendum and finds that changes to the project, which redistribute land uses on the site, do not require major revisions to the previously certified EIR or preparation of a subsequent EIR for the following reasons:
  - (a) Proposed project changes will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. As described in the Addendum, which incorporates the initial study for the modified project, the modified project is still a mixed-use development, similar to the type of project considered in the previously certified EIR. While specific land uses have been adjusted and redistributed, mitigation identified in the previously certified EIR will apply to the project changes, such that these changes will not create any new or substantially more severe significant environmental impacts.
  - (b) There are no changes in circumstances under which the project will be undertaken that will result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. Though the project has been modified, the circumstances under which the project will be undertaken have not changed, therefore, there are no new or substantially more severe significant impacts that will result from any change in circumstances.
  - (c) The City is not aware of any new information of substantial importance that shows that the project will have any significant impacts not discussed in the previously certified EIR, or that significant impacts previously examined will be substantially more severe than shown in the previous EIR, or that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, or that mitigation measures or alternatives that are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment.
  - (d) Accordingly, no subsequent EIR is required for approval of this project, and pursuant to CEQA Guidelines section 15164, an addendum is appropriate for approval of the project.
2. The Planning Commission has considered the proposed General Plan Amendment and finds the proposed Amendment appropriate for the following reasons:
  - (a) Approval of the General Plan Amendment is consistent with the general goals, policies and standards of the City of Lodi's General Plan, because the General Plan contemplates future development of the project site.
  - (b) Approval of the General Plan Amendment to designate the project site a combination of Neighborhood Community Commercial, Office, Drainage Basin Park, and Public Quasi Public would not conflict with other existing plans or policies of the General Plan and serves sound planning practice (Exhibit B). For example, the proposed amendments are consistent with the General Plan's Land Use Element, in that the Amendments facilitate managed growth and support development of commercial and office uses (Land Use Goals A, E, F). The proposed Amendments are also consistent with the General Plan's Housing Element, in that they would facilitate development of a range of housing types and densities (Housing Goal A), including senior-citizen housing (Housing Policies A.11,

A.16). The proposed Amendments are also consistent with the General Plan's Parks, Recreation, and Open Space Element, in that the Amendments provide for park space and trails (Parks Goal A).

- (c) The project site is physically suitable for the proposed General Plan designations, in that the site is generally flat and is not within an identified natural hazard area.
- (d) Approval of the General Plan Amendment will not be materially detrimental to other properties or land uses in the area, will not cause an unnecessary hardship or practical difficulty, will not be detrimental to the health, morals, comfort or welfare of persons residing or working in the project area or to property or improvements in the project area, and is not contrary to the general public welfare.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED**, that the City of Lodi Planning Commission hereby recommends that the City of Lodi City Council approve the proposed General Plan Amendment.

**Dated:** August 27, 2008

I hereby certify that Resolution No. 08-23 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on August 27, 2008, by the following vote:

AYES:           Commissioners:  
NOES:           Commissioners:  
ABSENT:       Commissioners:  
ABSTAIN:       Commissioners:

ATTEST: \_\_\_\_\_  
Secretary, Planning Commission

**REYNOLDS RANCH EIR ADDENDUM**



*Submitted to*

City of Lodi | August 19, 2008



**DESIGN, COMMUNITY & ENVIRONMENT**



REYNOLDS RANCH EIR ADDENDUM

*Submitted to*

City of Los Angeles August 19, 2008



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CITY OF LODI  
REYNOLDS RANCH FEIR ADDENDUM  
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## **I INTRODUCTION**

### *A. Background*

In 2006, the Lodi City Council certified an Environmental Impact Report (EIR) for a 220-acre mixed use residential, commercial, and office project known as Reynolds Ranch (hereafter, “the Project”). The project consisted of a combination of uses including residential, retail, office, senior care, public use and office space. Detailed information on each use is provided in section D of this chapter.

This chapter describes the purpose and content of this report and gives a description of the Project. This chapter also compares the original Project, as analyzed in the 2006 EIR, and the proposed modifications that are now under review. Proposed modifications include conversion of residential uses to senior and senior assisted living uses and consequently, omission of the park and school, a general reconfiguration of housing units and a change in street configuration; these changes will be addressed in detail later in this document.

Completion of the Initial Study checklist in Chapter III of this document has led to the conclusion that the modifications would not result in new potentially significant impacts beyond those already identified in the 2006 Certified EIR. As a result, an Addendum to the existing EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) Section 15162, described below.

### *B. Introduction*

The primary purpose of this report is to conduct an Initial Study of the proposed modifications to the Project to determine whether an EIR Addendum or Supplemental EIR should be prepared. Chapter I presents an introduction and description of the modified Project in relation to the original project. Chapter II presents a summary table of the environmental impacts and related mitigation measures, which references all Project-specific impacts from Table 2-1 of the EIR. In Chapter II, the summary table is followed by a brief summary of the analysis conducted previously in the 2006 EIR. Chapter III pre-

sents the Initial Study checklist analysis of environmental impacts associated with modifications to the Project. Because the Initial Study focuses solely on impacts associated with the modified Project, any impacts associated exclusively with the Reynolds Ranch EIR have been removed from the summary table included in Chapter 2 of this report.

The most applicable CEQA Guideline regarding analysis of the modified project and the appropriate level of review is from Section 15162, which provides:

a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:<sup>1</sup>

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

In connection with the significant impacts previously identified in the EIR, a supplemental EIR is not required unless there is substantial evidence to support a determination that the Project changes will require major revisions to the EIR based on a substantial increase in the severity of these impacts. Under CEQA, substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. Unless the facts support a conclusion that the Project changes would substantially increase the severity of the previously-identified significant and unavoidable impacts in a way that requires major revisions to the EIR, a supplemental or subsequent EIR is not required.

---

<sup>1</sup> The California Environmental Quality Act, Title 14 California Code of Regulations. Chapter 3 Guidelines for the Implementation of the California Environmental Quality Act.

Furthermore, Section 15164 of the 2007 CEQA Guidelines states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 of the Guidelines calling for preparation of a subsequent EIR have occurred. A review of the provisions set forth in Section 15162 and 15163 confirm that none of the conditions apply that would trigger the need for a subsequent EIR or a supplement to an EIR. The Lead or Responsible Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. Additionally, the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. As previously stated and as determined through the analysis provided in Chapter III of this Addendum, the proposed modifications do not constitute substantial changes or involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

### *C. Project Location*

The Project is located in the City of Lodi, California, which is approximately 15 miles north of Stockton and 35 miles south of Sacramento. Lodi, the northernmost city in San Joaquin County, lies between the Sierra Nevada Mountain range to the east and the San Francisco Bay to the west.

#### **1. Regional and Local Location**

Figure 1-1 shows the Project's location in a regional context. The project site is bordered by Harney Lane to the north, Highway 99 to the east, Union Pacific Railroad tracks to the west, and Scottsdale Road to the south. The project area in relationship to the City of Lodi is displayed in Figure 1-2.

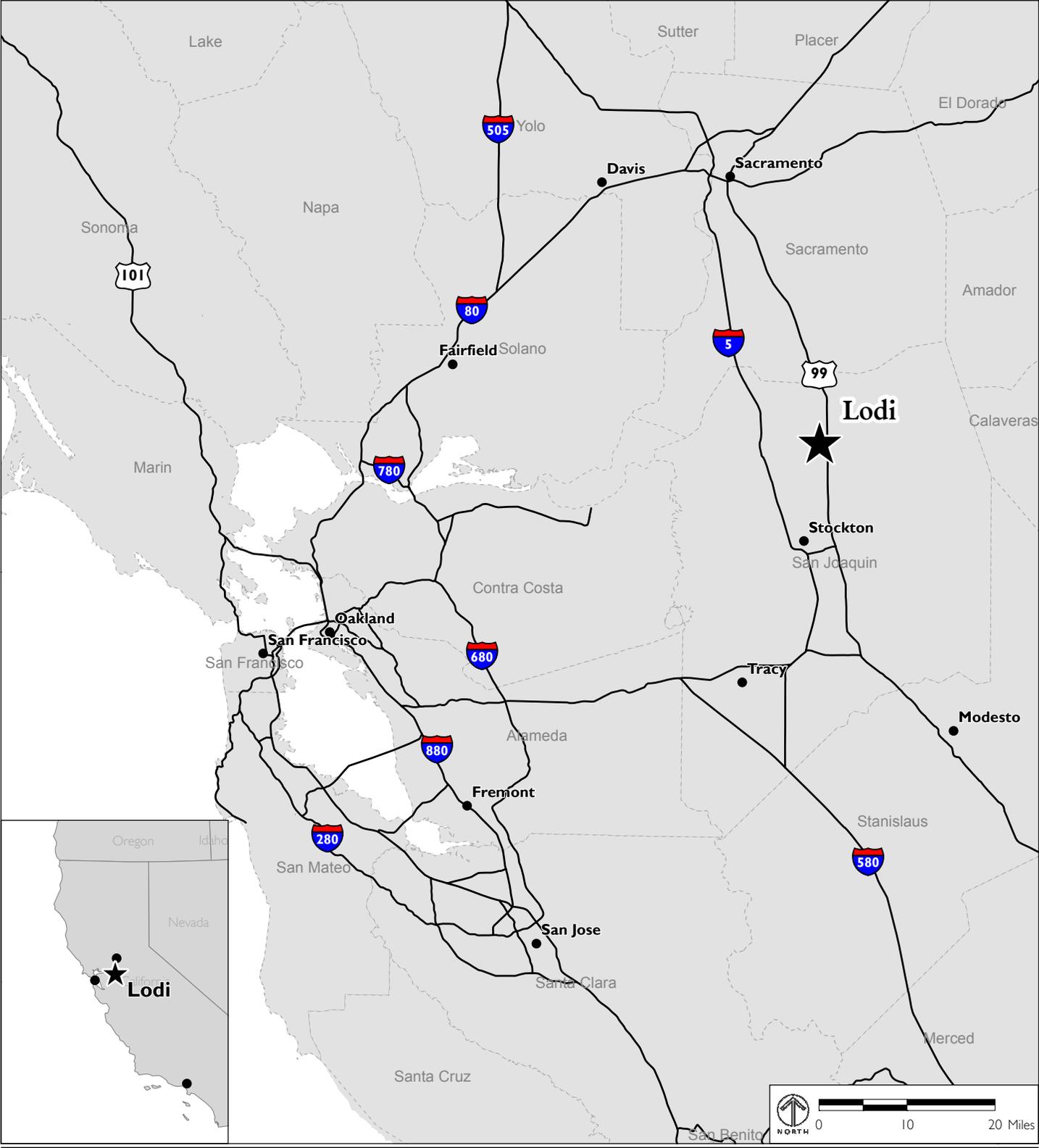


FIGURE I-1  
REGIONAL LOCATION MAP, CITY OF LODI

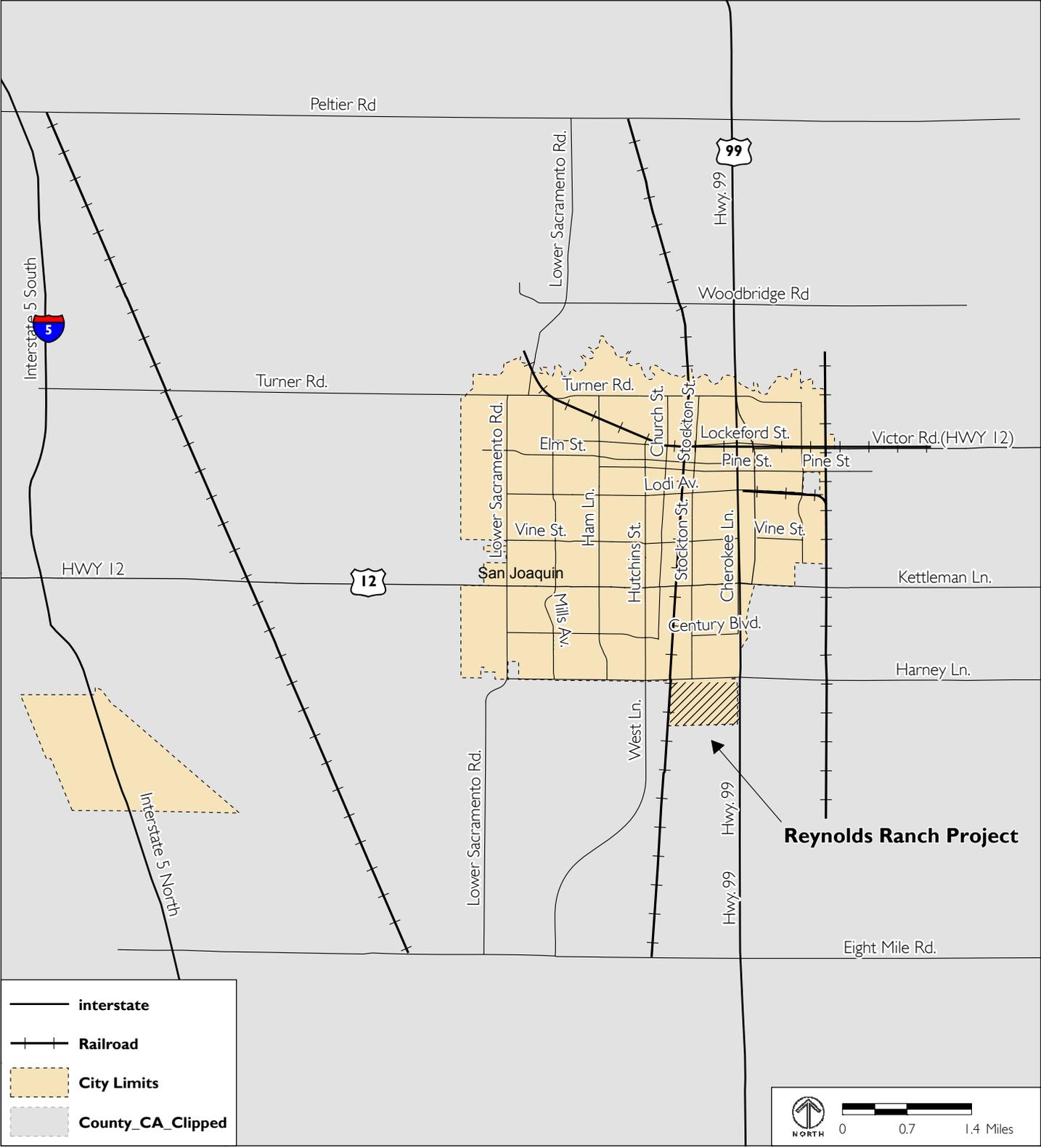


FIGURE I-2

LOCAL LOCATION MAP, CITY OF LODI

## 2. Surrounding Development

Directly to the north of the project, Harney Lane is presently developed with single family residential uses and one industrial use. There is limited residential with heavy agricultural uses to the east and south of the project site. The project site has direct freeway access to State Route 99 along Harney Lane.

### *D. Project Description*

The Project would consist of 22 parcels totaling 225.9 acres. Proposed uses would include senior care, senior housing, high density residential, medium density residential, low density residential, existing residential, office, public, a hotel, park and trails, pond, mini storage, and retail uses. The original site plan, as analyzed in the 2006 EIR, is shown in Figure 1-3. The modified site plan is illustrated in Figure 1-4. In this section, each of the original Project components is described, followed by a description of the Project proponents' proposed modifications.

The major components of the modified Project include residential uses, commercial uses, a hotel and parking. The acreages associated with the original site plan are provided in Table 1-1. Acreages associated with the modified project are provided in Table 1-2.

### **Residential Uses**

This section compares the original project's residential components with the proposed modification. As shown in Table 1-3, the original project proposed 1,084 residential units in over 102.9 acres. Under the modified project, total number of residential units will remain at 1,084. As shown in Table 1-3, the makeup of residential units will change slightly from the original project and the total residential area would be reduced to 77.8 acres.

### **2. Commercial Uses**

This section compares the original project's commercial components with the proposed modifications now under consideration.





Source: Philippi Engineering; Reynolds Ranch Land Plan, June 28, 2007

FIGURE 1-4  
REVISED SITE PLAN

TABLE I-1 **2006 PROJECT LAND USES**

Use	Size	Use	Size
Retail/ Commercial	40.5 acres	High Density Senior Residential	3 acres
Office	20.1 acres	High Density Residential	9.1 acres
Mini Storage	5.3 acres	Medium Density Residential	63.9 acres
Public / Quasi Public	1 acre	Low Density Residential	20.6 acres
School	14 acres	Interchange/ Ramp	4.5
Park, Open Space	12.7 acres	Internal Streets	17.3
Detention Basin	8 acres	<b>TOTAL</b>	<b>220 acres</b>

Source: Willdan, Reynolds Ranch Project EIR, August 2006, page 2.0-19.

TABLE I-2 **2008 MODIFIED PROJECT LAND USES**

Use	Size	Use	Size
Retail	75.6 acres	Senior Graduated Care	11.3 acres
Office	20.5 acres	Senior Housing	38.7 acres
Public	1.0 acre	High Density Residential	9.2 acres
Mini Storage	5.0	Existing Residential	2.5 acres
Parks, Buffer	Trails, 8.0 acres	Medium Density Residential	10.1 acres
Hotel	2.6 acres	Low Density Residential	8.5 acres
Pond	9.0 acres	Interchange	-----
Streets	-----	<b>TOTAL</b>	<b>202 acres*</b>

Note: The total above does not include internal street acreage or highway interchange acreage.

Source: Dale N. Gillespie, RPM Company. Personal email communication with Peter Pirnejad, City of Lodi. June 3, 2008.

**CITY OF LODI**  
**REYNOLDS RANCH FEIR ADDENDUM**  
 INTRODUCTION

TABLE I-3 **CHANGE IN RESIDENTIAL LAND USE**

<b>Designation</b>	<b>2006 EIR Size</b>	<b>2006 Density</b>	<b>Modified Size</b>	<b>Modified Density</b>	<b>Change</b>
High Density Residential	9.1 acres	22 du/acre 200 units	9.2 acres	22 du/acre 202	+ .1 acre + 2 units
Medium Density Residential	63.9 acres	10.3 du/acre, 631 SF Homes	10.1 acres	7 du/acre 71 SF homes	- 53.8 acres - 560 SF homes
Low Density Residential	20.6 acres	5 du/acre 103 units	8.5 acres	5 du/acre 43 units	- 12.1 acres - 60 units
High Density Senior Housing	3 acres	50 du/acre 150 units	N/A	N/A	N/A
Senior Housing with Medical Care	N/A	N/A	11.3 acres	N/A	N/A
Age-Restricted Senior Residential	N/A	N/A	38.7 acres	N/A	N/A

Note: Data that is N/A is unavailable because it was not provided during the synthesis of this report or because the uses were not a part of the 2006 project. These housing designations found in the modified project but not the 2006 project are Age Restricted Residential Housing : duet-style residences for individuals who are 62 years and older, but do not desire an assisted living arrangement or require nursing treatment., and Senior Housing/ Medical Care, which includes both assisted living and skilled nursing treatment for individuals 62 years and older.

Source: Dale N. Gillespie, RPM Company. Personal email communication with Peter Pirnejad, City of Lodi. June 3, 2008.

a. Original Project

The original proposed project consisted of 350,000 square feet of retail that was contained in the northeast corner of the site plan.

b. Proposed Modifications

750,000 square feet of retail are designated by the modified plan. Additionally, in the modified plan, retail would expand west of 'A' Street. A gas sta-

tion and two fast-food restaurants with drive-thru windows are included in the modified project.

### **3. Hotel**

Whereas the previous project concept did not include a hotel use, the proposed plan does. The proposed hotel would cover a 2.6-acre portion of the site. The hotel would provide 104 rooms.

### **4. Parking**

#### **a. Original Project**

The parking ratio was 4 spaces per 41 square foot of building area.

#### **b. Proposed Modifications**

There is 2,288 square feet of parking in the new plan and 519,225 square feet of buildings. The parking ratio is four spaces per 41 square feet of building area; the result is 2,363 parking stalls.<sup>2</sup>

### **5. Vehicular and Pedestrian Circulation**

#### **a. Original Project**

The original project consisted of a proposed “Loop Street”, which would be internal to the site and would give access to the existing Stockton Street and the proposed “A Street”. Proposed “B Street”, a through street, would bisect “Loop Street”. “A Street” would give access to both Harney Road and Highway 99. This street configuration is shown in Figure 1-3.

#### **b. Proposed Modifications**

Under the modified project, the internal circulation plan may include a “Loop Street”; “C Street”, a cul-de-sac would end at the retention basin and pond, “Main Street” would be added, and would connect “A Street” to “B Street.” “B Street” would be a cul-de-sac. This street configuration is shown in Figure 1-4.

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<sup>2</sup> Peter Pirnejad, City of Lodi Co-Interim Community Development Director, email communication with Ted Heyd, DC&E. August 5, 2008.

## 6. Development Agreement Amendment

Though it has not been finalized at this time, it has been concluded that the Development Agreement will not change the project description. Additionally, the Development Agreement will be consistent with both the EIR and the EIR Addendum. City staff and the applicant have indicated that they anticipate no material changes to the Development Agreement beyond extension of payment time frames to accommodate the current housing cycle.<sup>4</sup>

## 7. General Plan

While the proposed project is inconsistent with the land use designations, it is consistent with the overall General Plan vision.

### a. Existing General Plan

The existing City of Lodi General Plan land use designation for the entire project site, which lies within the City's Sphere of Influence, is Planned Residential Reserve. San Joaquin County's General Plan designation for the Project Site is Agricultural.

### b. General Plan Amendments

Like the original project, the modified project would also require a General Plan Amendment. The proposed new land uses are Low Density Residential, Medium Density Residential, High Density Residential, Senior High Density Residential, Senior Graduated Care, Mini Storage, Public, Office and Retail; these uses will be contained under the following zoning designations: Neighborhood Commercial, Office and Planned Residential. Despite the need for a General Plan Amendment, the project would be consistent with the overall vision of the General Plan, which identifies the project site as an area for future development.

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<sup>4</sup> Peter Pirnejad, City of Lodi Co-Interim Community Development Director, email communication with Ted Heyd, DC&E. August 12, 2008.

## **8. Park and Buffers**

### **a. Original Project**

The original project includes a 5.3-acre neighborhood park.

### **b. Proposed Modifications**

Under the modified plan, the park is reduced to 2.0 acres. This change does not require the construction of additional parkland in the City of Lodi because the City currently has 5.5 acres of parkland for every 1,000 residents, satisfying its goal of 2.5 acres of parkland for every 1,000 residents.<sup>5</sup> Moreover, the conversion of residential to senior and senior assisted living uses under the modified project reduces the need for and expected use of the neighborhood parks.

## **9. Tentative Map and Development Plan**

The applicant has submitted the tentative map to the City for review. The map is consistent with the modified site plan, as shown in Figure 1-4. The related development plan would comply with the applicable provision of the 2006 FEIR and this FEIR Addendum.

## **10. Wastewater Master Plan**

Existing wastewater facilities on the project site are made up of rural septic systems. The Reynolds Ranch wastewater collection system is planned to connect to the South Wastewater Trunk Line when future area development gives way to the completion of the trunk line. In the interim, Reynolds Ranch will connect to the Century Boulevard trunk line, which may not have the capacity to handle the peak flow of Reynolds Ranch at built out. A detailed study will need to be conducted prior to completion of the Project. Wastewater flow will be calculated using the 1991 City of Lodi Design Standards and pipes will be sized for peak flow conditions set forth by the Wastewater Peaking Factor chart contained in the City's Design Standards.

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<sup>5</sup> Morimoto, David. Senior Planner, City of Lodi. Personal email communication with Leslie Wilson, Design, Community and Environment, July 14, 2008.

### **11. Storm Drain Master Plan**

A May 2008 study addressed the master storm drain pipe and facilities for Reynolds Ranch. The storm drain master facility includes Collection System A, Collection B and a detention basin with no planned park uses. Reynolds Ranch is the first development project that will connect to the South Regional Storm Drain Facilities, and a retention basin will be used until its capacity becomes inadequate to serve the project site. All storm drain pipes should be designed for peak flow and should have a 1-foot freeboard between the top of curb and the hydraulic grade line.

## II REPORT SUMMARY

This chapter is a summary of the findings from the Reynolds Ranch Project EIR. The summary table from the 2006 certified EIR is included as a reference for the Initial Study Checklist in Chapter 3 of this report, since many of the impacts and mitigation measures from the EIR will pertain to the proposed modifications to the Project.

### A. *Significant Impacts*

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

The project, as analyzed in the 2006 EIR, had the potential to generate environmental impacts in a number of areas that may be significant:

- ◆ Air Quality
- ◆ Biological Resources
- ◆ Cultural Resources
- ◆ Hazards and Hazardous Materials
- ◆ Hydrology and Water Quality
- ◆ Land Use
- ◆ Noise
- ◆ Public Services
- ◆ Traffic and Circulation
- ◆ Utilities and Service Systems

### B. *Unavoidable Significant Impacts*

As determined in the 2006 EIR, Impact 3.1.1 (B), the original project would result in a *significant and unavoidable* impact related to operational emissions of ozone precursors.

Chapter 3, Project Analysis, evaluates the modified Project to determine if any changes to the previous determination would occur.

*C. Summary Table*

Table 2-1 below is a summary of all project-specific impacts and related mitigation measures as found in the Reynolds Ranch EIR. Only those impacts and mitigation measures which pertain to the modified Project are included here for reference.

The table is arranged in four columns 1) environmental impacts; 2) significance prior to mitigation; 3) mitigation measures; and 4) significance after mitigation. A series of mitigation measures is noted where more than one mitigation may be required to achieve a less-than-significant impact.

*D. Conclusion*

In Table 2-1 of this report, two changes have occurred to impacts and related mitigation measures from the previous analysis conducted in the Project EIR. Changes are shown in ~~strike through mode~~ and have been made due to the removal of the school from the project plans.

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>BIOLOGICAL RESOURCES</b>			
<b>Impact 2.1:</b> (Wildlife Movement, Migration, and Nursery Sites) The proposed project would not affect the regional movement of wildlife, wildlife migration patterns, or nursery sites.	Significant	None required	Less than significant
<b>Impact 2.2:</b> (Habitat Conservation Planning) The proposed project is located within the area covered by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCPC) for development.	Significant	<b>Mitigation 2.2</b> Conservation and Open Space Plan (SJMHCPC). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan’s “Measures to Minimize Impacts” pursuant to Section 5.2 of the SJMHCPC.	Less than significant
<b>Impact 2.3(a):</b> (Special-Status Species – Swainson’s Hawk) The proposed project has a low potential to impact the Swainson’s hawk by eliminating marginal foraging habitat and marginal nesting habitat.	Significant	<b>Mitigation 2.3</b> Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson’s hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered ac-	Less than significant

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact

**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>tive nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.</p> <p>Mitigation Measure 2.2</p>	
<b>Impact 2.3(b)</b> Special-Status Species –Western Burrowing Owl) The proposed project would eliminate marginal habitat for the western burrowing owl, including agricultural land with ground squirrel burrows that could provide nesting opportunities for the western burrowing owl. Construction of the proposed project also has the potential to impact individual burrowing owls, if any are present onsite during the time of construction.	Significant	<p>Mitigation Measure 2.1</p> <p>Mitigation Measure2.2</p>	Less than significant
<b>Impact 2.3(c):</b> (Special-Status Species – White-Tailed Kite) The proposed project has the potential to eliminate potential nesting and foraging habitat for the white-tailed kite. Additionally, construction of the proposed project has the potential to impact individual white-tailed kites or their nests if any are present onsite during the time of construction.	Significant	<p>Mitigation Measure 2.1</p> <p>Mitigation Measure2.2</p>	Less than significant

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact

**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

<b>Significant Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance With Mitigation</b>
<b>Impact 2.3(d):</b> (Special-Status Species – California Horned Lark) The proposed project has the potential to eliminate potential foraging and nesting habitat for the California horned lark from the site. Additionally, construction of the proposed project has the potential to impact individual California horned larks or their nests if any are present onsite during the time of construction.	Significant	Mitigation Measure 2.1 Mitigation Measure 2.2	Less than significant
<b>Impact 3.2.3(e):</b> (Special-Status Species – Loggerhead Shrike) The proposed project has the potential to eliminate suitable nesting and foraging habitat for the loggerhead shrike, and construction of the proposed project has the potential to impact individual loggerhead shrikes or their nests if any are present onsite during the time of construction.	Significant	Mitigation Measure 2.1 Mitigation Measure 2.2	Less than significant
<b>Impact 3.2.3(f):</b> (Special-Status Species – Rufous Hummingbird) The proposed project has the potential to temporarily reduce the foraging habitat for the Rufous hummingbird onsite.	Significant	None required	Less than significant
<b>Impact 2.3(g):</b> (Special-Status Species – Bats) The proposed project has the potential to reduce the roosting and foraging habitat onsite for the pallid bat and the greater western mastiff bat.	Significant	Mitigation Measure 2.2	Less than significant

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact

**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 2.4:</b> The project site contains one tree that is protected under San Joaquin County’s tree protection ordinance. This tree is a valley oak that would be classified as a “Heritage Oak Tree” by the County’s ordinance. Development of the project site has the potential to either remove this tree or damage this tree during construction.</p>	Significant	<p><b>Mitigation Measure 2.3</b> Regardless of whether the project develops in a manner that is subject to the San Joaquin County tree protection ordinance (San Joaquin County Code Division 15, Natural Resources Regulations; Chapter 9-1505, Trees), the proposed project shall comply with the ordinance’s “Replacement” requirements (Section 9-1505.4) and “Development Constraints” (Section 9-1505.5).</p>	Less than significant
<b>CULTURAL RESOURCES</b>			
<p><b>Impact 3.1:</b> (Historic Resources): The proposed project would adaptively reuse the Morse-Skinner Ranch House and water tower, a significant historic resource listed on the National Register of Historic Places (NRHP) and eligible for listing on the California Register of Historical Resources (CRHR). The proposed Development Plan and subsequent development of the balance of the 220-acre project site could result in the demolition of a Moose Lodge facility, 12 residences, and ancillary structures. None of these structures are known or expected to be historically significant per Section 15064.5 of the State CEQA Guidelines. However, none of these structures have been evaluated by an architectural historian for historic significance. As such, it cannot be precluded that</p>	Significant	<p><b>Mitigation Measure 3.1:</b> The Morse-Skinner Ranch House and water tank, including the one acre parcel on which it is situated, is listed on the NRHP and it is therefore a historical resource eligible for the CRHR. Any adaptive reuse of the Morse-Skinner Ranch property shall comply with standards set forth by the Secretary of the Interior.</p> <p><b>Mitigation Measure 3.2:</b> The residences, barn, and Moose Lodge that are situated within the 60 acres included in the Development Plan shall be evaluated for the CRHR. Some of these resources, such as the Moose Lodge, were clearly constructed within the last 50 years and are unlikely to be eligible for the CRHR. However, some of the residences may be more than 50 years old and their architectural significance shall be evaluated by a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be con-</p>	Less than significant

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
the removal, alteration, or demolition of these structures would not result in significant impacts on historical resources.	Significant	sulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.	Less than significant
<b>Impact 3.2: (Archaeological Resources) Although not anticipated, grading and construction activities onsite could encounter previously undiscovered archaeological resources.</b>	Significant	<b>Mitigation Measure 3.3:</b> The CRHR eligibility of existing buildings and structures within the 160-acre Concept Plan shall be determined. This will require the services of a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.	Less than significant
<b>Impact 3.2: (Archaeological Resources) Although not anticipated, grading and construction activities onsite could encounter previously undiscovered archaeological resources.</b>	Significant	<b>Mitigation Measure 3.4:</b> The Yokuts who inhabited the project area prehistorically left no apparent archaeological remains on the ground surface within the Study Area. Previous studies in the Central Valley have shown that archaeological sites are sometimes buried (Moratto 1984). If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi.	Less than significant

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>Impact 3.3:</b> (Paleontological and Unique Geologic Features) Although not anticipated, grading and construction activities could encounter previously undiscovered paleontological resources.	Significant	<b>Mitigation Measure 3.5:</b> Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be implemented to the satisfaction of the City of Lodi.	Less than significant
<b>Impact 3.4:</b> (Disturbance of Human Remains) The project site is not known or expected to contain human remains and, as such, the proposed project is not expected to disturb human remains. In the unlikely event that human remains are discovered onsite, existing regulations ensure such remains are handled appropriately.	Significant	No mitigation measures required. Public Health and Safety Code Section 5097.98, as described in the discussion of Impact 3.3.4 on page 3.3-13, further reduces the potential for impacts to human remains.	Less than significant
<b>TRAFFIC AND TRANSPORTATION</b>			
<b>Impact 10.1:</b> The project will require roadway improvements as part of project development for an internal roadway network as well as address impacts resulting from increased travel demand on surrounding streets. As a result, identified transportation improvements are needed to mitigate the potential project traffic impacts upon project buildout.	Significant	<b>Mitigation Measure 10.1:</b> Prior to approval of the first tract or parcel map with the Reynolds Ranch Project, a roadway improvement plan for "A," "B," and "Loop" Streets including a detail plan for an off-street multi-use trail to be utilized within the internal network of trails and pedestrian access within the project shall be required for review and approval by the City's Public Works Department.	Less than significant

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>Impact 10.2:</b> A development of this size and scope will likely be developed over a period of time and in a phased manner. To accommodate a phased development, necessary roadway improvements shall be provided to support the pace of development. A comprehensive and coordinated approach will also be needed to address concurrent development in surrounding areas adjacent to the project.	Significant	<b>Mitigation Measure 10.2:</b> Prior to approval of the first tract or parcel map for Reynolds Ranch Project, the Public Works Department shall review and approve a roadway phasing and improvement plan to ensure that timing of new roadway construction and improvements will be provided as necessary to serve and support new development for “Year 2008 Pre-Project Plus Phase I Project Conditions.” The phasing plan shall also note completion and timing of roadway improvements by other adjacent development to coincide with proposed improvements on the same facilities by the proposed project.	Less than significant
<b>Impact 10.3:</b> Because the project has not identified a specific development plan (layout) for the residential, school, mini-storage and public use facilities, an evaluation of the internal roadway network by a qualified Traffic Engineer shall be necessary once a development plan can be defined to ensure that any potential access or circulation conflicts can be addressed and minimized.	Significant	<b>Mitigation Measure 10.3:</b> As part of the subdivision review process, a roadway improvement plan shall include, but not be limited to providing, the following items: 1) identify all entry/access points for all future development within the project area to ensure proper intersection control and signage, 2) show adequate sight distance in consideration of grading and landscaping at all intersections and drive entries, and 3) identify all bikeways, off-street multi-use trails and sidewalks within the project area. Submittal of the above information is intended to address any potential for vehicle and pedestrian conflicts in the development of the project roadway plan and ensure safe and adequate access for all residents and businesses within the project site.	Less than significant
<b>Impact 10.4:</b> Construction traffic will occur over time during project development. Because of existing and future residential land uses located near or adjacent to the development during construction, operation of such heavy equipment vehicles need to be considered.	Significant	<b>Mitigation Measure 10.4:</b> Proponents of development onsite shall submit a construction Traffic Control Plan to the Public Works Department for review and approval prior to commencing construction on the project and any related off-site improvements.	Less than significant

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>Impact 10.5:</b> The project serving a largely future residential population will require critical fire and police services. Emergency vehicle access is considered a vital function as part of any future roadway network to accommodate safe and efficient access for both future residents and critical emergency services.	Significant	<b>Mitigation Measure 10.5:</b> The design of the internal circulation system and vehicular access will be subject to review and approval by the City of Lodi's Police and Fire Departments prior to issuance any building permits for the project.	Less than significant
<b>Impact 10.6:</b> Future land uses for the project will be required to provide adequate off-street parking facilities. Available on-street parking on future roadways may be limited or, otherwise, prohibited.	Significant	<b>Mitigation Measure 10.6:</b> Prior to map approval and issuance of building permits, ensure that adequate parking demand is satisfied for all proposed uses (i.e. parks, commercial and residential development, etc.) in accordance to the City of Lodi Zoning Ordinance.	Less than significant
<b>UTILITIES AND SERVICE SYSTEMS</b>			
<b>Impact 11.1:</b> (Increase in the Demand for Energy) The proposed project would increase energy demand; however, the Lodi Electric Utility has sufficient capacity available to accommodate the increased demand, provided the applicant pays the fair cost of expanding the electrical infrastructure to meet the need of the City's electrical system.	Significant	None required	Less than significant
<b>Impact 11.2:</b> (Increase in the Demand for Natural Gas) The proposed project would increase the demand for natural gas; however, PG&E has sufficient capacity available to accommodate the increased demand.	Significant	None required	Less than significant

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**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>Impact 11.3:</b> (Wastewater Treatment Requirements) The proposed project would generate wastewater; however, the wastewater generated by the project would not exceed the wastewater treatment capacity of the existing treatment facilities.	Significant	None required.	Less than significant
<b>Impact 11.4:</b> (Increase in the Demand for Water Service) The proposed project would increase water demand. The increased demand could be accommodated by a water supply system that includes two new groundwater wells.	Significant	<b>Mitigation Measure 11.1:</b> To the satisfaction of the City of Lodi Public Works Department, a new well shall be added in the project to support water needs for the project area and shall be included in the first phase of development. The triangular area by the Morse-Skinner Ranch House is a recommended area, although other sites may prove acceptable. A higher fire flow can be maintained by placing the well in the east portion of the project where office and retail fire flows will be higher.	Less than significant
		<b>Mitigation Measure 11.2:</b> To the satisfaction of the City of Lodi Public Works Department, a second well shall be constructed as part of the second phase of development as demands indicate the need. Alternatively, since the project only necessitates a portion of a second well, the well could be constructed offsite and the development pay its fair share of the second well.	
		<b>Mitigation Measure 11.3:</b> Prior to improvement plan approval, a looped water pipeline plan will be developed for the project that will City system and a phasing plan for pipe installation. This plan shall be reviewed and approved by the City Engineer.	
		<b>Mitigation Measure 11.4:</b> To the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure.	
		<b>Mitigation Measure 11.5:</b> To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed water master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the water system for the project meets the requirements of the City water system.	
		<b>Mitigation Measure 11.6:</b> To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required water infrastructure to serve the demands of the project. Funding of water infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.	
		Potential project impacts would be lessened through the project's Infrastructure Master Plan.	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 11.5:</b> (Increase in the Demand for Wastewater Service) The proposed project would increase the demand for wastewater service. The increased demand could be accommodated by an onsite sewer system and improvements to wastewater infrastructure in the project vicinity.</p>	<p>Significant</p>	<p><b>Mitigation Measure 11.7:</b> To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a collection system that will serve the project area shall be prepared. Said analysis shall include sizing of the pipe network, sizing of the pump station modifications, and establishing timing for the pump station modifications.</p>	<p>Less than significant</p>
		<p><b>Mitigation Measure 11.8:</b> To reflect the investment that has been made by existing development and other potential developers, a financing mechanism shall be developed and implemented to the satisfaction of the City of Lodi to fund the modification of the pump station and the station outfall force mains. Funding of the pump station in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.</p>	
		<p><b>Mitigation Measure 11.9:</b> To the satisfaction of the City of Lodi Public Works Department, and as part of the design process, a detailed sewer master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the wastewater system meets the requirements of the City sewer system. Public Works Department, the project proponents shall participate in a financing mechanism to fund the required sewer infrastructure to serve the demands of the project. Funding of sewer infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.</p>	
		<p>Potential project impacts would be lessened through the project's Infrastructure Master Plan.</p>	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>PUBLIC SERVICES</b>			
<b>Impact 9.1: (Schools)</b> The project would add to the city's growing population; however, the impact to schools would be less than significant.	Significant	No mitigation measures required.	Less than significant
<b>Impact 9.2: (Police Service)</b> The project involves the development of an office building, retail commercial center, a mini-storage facility, residential structures, <del>a school</del> , and parking and, as a result, would increase the structures and population served by the Lodi Police Department.	Significant	No mitigation measures required.	Less than significant
<b>Impact 9.3: (Fire Service)</b> The project involves the development of an office building, retail commercial center, a mini-storage facility, residential structures, <del>a school</del> , and parking and, as a result, would increase the structures and population served by the Lodi Fire Department.	Significant	<b>Mitigation Measure 9.1:</b> A fire station is proposed to be constructed as part of the proposed project and will be constructed during Phase II development of the site. This impact would be lessened through the project's design, which includes a designated fire station site that is the subject of Mitigation Measure 9.1.	Less than significant

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>LAND USE</b>			
<b>Impact 7.1:</b> The proposed project could result in a land use conflict with surrounding land uses.	Significant	<b>Mitigation Measure 7.1:</b> The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, etcetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance. b. The conditions of approval for tentative maps shall include requirements ensuring the approval of a suitable design and the installation of a landscaped open space buffer area, fences, and/or walls around the perimeter of the project site affected by the potential conflicts in land use to minimize conflicts between project residents, non-residential uses, and adjacent agricultural uses prior to occupancy of adjacent houses c. Prior to recordation of the final maps 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.	Less than significant

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 7.2:</b> The proposed project would result in the conversion of approximately 200 acres of Prime Farmland to non-agricultural uses.</p>	<p>Significant</p>	<p><b>Mitigation Measure 7.2:</b> Prior to issuance of a building permit, the applicant shall pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland. The City Council, acting within its legislative capacity and as a matter of policy, shall determine the sufficiency of fees paid to mitigate the loss of Prime Farmland. The loss of Prime Farmland caused by the project is mitigated through implementation of Mitigation Measure 7.2. The inclusion of Parcel 058-110-41 on the project site in an active Williamson Act Contract was formally protested by the City with the County Board of Supervisors (Resolution 4449 adopted December 21, 1977). Additionally, the San Joaquin Local Agency Formation Commission adopted a formal resolution upholding the City's protest of the conservation contract because the parcel is located within one mile of the City limits.</p>	<p>Less than significant</p>

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>Impact 5.1: (On-site Hazardous Materials)</b> The Phase I Environmental Site Assessment determined that site conditions at certain locations on the project site constitute potentially significant impacts or potential impediments to future development of the project site and, therefore, require mitigation.</p>	Significant	<p><b>Mitigation Measure 5.1:</b> The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State registered Environmental Assessor with HAZWOPER 40-hour OSHA certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Arterials (ASTM) standards, such as the ASTM's "Standard Guide or Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process". In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the junction of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible.</p>	Less than significant

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p><b>Mitigation Measure 5.2:</b> A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended requirements shall apply; remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site Assessment prepared by Kleinfelder, nc., or any subsequent updated report. The following additional requirements shall apply:</p> <ul style="list-style-type: none"> <li>a. Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and</li> <li>b. If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations.</li> </ul> <p><b>Mitigation Measure 3.5.3:</b> If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations.</p> <p><b>Mitigation Measure 3.5.4:</b> The wells onsite should not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department.</p>	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p><b>Mitigation Measure 3.5.5:</b> An asbestos and lead paint assessment shall be conducted for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply:</p> <ul style="list-style-type: none"> <li>a. A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor; and</li> <li>b. Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition.</li> </ul>	
		<p><b>Mitigation Measure 3.5.6:</b> All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases (See Mitigation Measure 3.5.3). Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) and per Leaking Underground Storage Tank (LUST) guidelines.</p>	
		<p><b>Mitigation Measure 3.5.7:</b> Septic systems which are associated with existing residences shall be removed and/or abandoned in accordance with local, state, and federal regulations. Soil samples shall be collected in the vicinity of said septic systems and leach lines to determine the potential for hazardous materials discharged from the septic systems. Any removal of septic systems shall be performed with oversight provided by the San Joaquin County Environmental Health Department.</p>	
		<p><b>Mitigation Measure 3.5.8:</b> Miscellaneous debris located throughout the project site, and described in the Phase I ESA, shall be removed prior to development activities. Any petroleum products and/or hazardous ma-</p>	

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations.	
		<b>Mitigation Measure 5.9:</b> Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be removed from the project site in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted (See Mitigation Measure 3.5.3).	
		<b>Mitigation Measure 5.10:</b> The vault located in the storage shed along the southern portion of APN 058-110-04 shall be investigated and its nature determined prior to development activity occurring on the project site.	
		<b>Mitigation Measure 5.11:</b> Limited soils samples shall be taken along the project site boundary adjacent to the Union Pacific Railroad right-of-way to determine the presence and levels of metals or hazardous materials associated with the railroad right-of-way.	
<b>HYDROLOGY, DRAINAGE AND WATER QUALITY</b>			
<b>Impact 6.1:</b> (Risk of Flooding as a Result of the Failure of a Levee or Dam): Failure of water supply and/or flood control facilities along the Mokelumne River, including Pardee Dam, Camanche Dam, and the Camanche Dikes, could cause inundation of the project site.	Significant	<b>Mitigation Measure 6.1:</b> None required. Potential project impacts would be lessened by the existing Emergency Action Plan that would be initiated by the East Bay Municipal Utility District.	Less than significant

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 6.2:</b> (Stormwater Drainage System Capacity and Polluted Runoff): The proposed project would replace the existing informal and/or non-existent drainage system onsite with an engineered drainage system. With the proper design the proposed drainage system will have adequate stormwater capacity and would not be a substantial source of polluted runoff.</p>	<p>Significant</p>	<p><b>Mitigation Measure 3.6.1:</b> To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a stormwater collection system that will serve the project and potential future development between Reynolds Ranch and the Woodbridge Irrigation District (WID) canal shall be prepared. Said analysis shall include sizing of the pipe network and sizing of the detention basins and pump station discharging to the WID canal.</p> <p><b>Mitigation Measure 3.6.2:</b> To the satisfaction of the City of Lodi Public Works Department, the proposed pump station shall include provisions for managing the discharge flow rate to serve the needs of the City and to satisfy the terms of the discharge agreement.</p> <p><b>Mitigation Measure 3.6.3:</b> To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi.</p> <p><b>Mitigation Measure 3.6.4:</b> To the satisfaction of the City of Lodi Public Works Department, the detention basin shall include a low flow facility to enhance water quality and to help manage nuisance flows. Other water quality control features shall be incorporated into the project design to improve water quality of the storm discharge to the satisfaction of the City of Lodi Public Works Department.</p> <p><b>Mitigation Measure 3.6.5:</b> To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed drainage master plan shall be developed to identify collection and storage facilities, phasing and other appurtenances needed to insure that the system meets the requirements of the City drainage system.</p>	<p>Less than significant</p>

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 6.3:</b> (Water Quality Standards or Waste Discharge Requirements): The proposed project has the potential to generate water pollutants from construction and from typical urban land uses. Complying with existing requirements ensures the project would not affect the beneficial uses of any receiving waters.</p>	<p>Significant</p>	<p><b>Mitigation Measure 6.6:</b> To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. Funding of drainage infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.</p>	<p>Less than significant</p>
<p><b>Impact 6.4:</b> (Alteration of the Existing Drainage Pattern of the Site or Area, Including through the Alteration of the Course of a Stream or River, in a Manner, Which Would Result in Substantial Erosion or Siltation On or Offsite) The proposed project would alter the site's drainage pattern. However, the proposed drainage of the site would not induce erosion or siltation.</p>	<p>Significant</p>	<p>None required. Potential project impacts would be lessened through the project's Infrastructure Master Plan.</p>	<p>Less than significant</p>

LTS = Less Than Significant S = Significant SU = Significant Unavoidable Impact

**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 6.5:</b> (Alteration of the Existing Drainage Pattern of the Site or Area, Including through the Alteration of the Course of a Stream or River, or Substantially Increase the Rate or Amount of Surface Runoff in a Manner Which Would Result in Flooding On or Off-Site) The proposed project would alter the site's drainage pattern. However, with the proper design of the proposed drainage system, the proposed drainage pattern change would not result in flooding on or offsite.</p>	Significant	<b>Mitigation Measures 6.1 – 6.6</b>	Less than significant
<p><b>Impact 6.6:</b> (Groundwater) The proposed project would increase the amount of impermeable surfaces onsite and, as a result, reduce the site's groundwater recharge potential. In addition, the proposed project would increase the use of groundwater as a water source and contribute to the existing overdraft of the groundwater basin.</p>	Significant	Potential project impacts would be lessened through project design features and the City's water supply strategy.	Less than significant
<b>NOISE</b>			
<p><b>Impact 8.1:</b> Construction of the proposed project would temporarily generate noise above levels existing without the project.</p>	Significant	<b>Mitigation Measure 8.1:</b> All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers.	Less than significant

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TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)

Significant Impact	Significance Before Mitigation		Mitigation Measures	Significance With Mitigation	
	Significant	Mitigation		Significant	Mitigation
<b>Impact 8.2:</b> Increased traffic would generate noise levels above levels existing without the project.	Significant	Mitigation	<b>Mitigation Measure 8.3:</b> Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards.	Less than significant	Less than significant
			<b>Mitigation Measure 7.4:</b> Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berms, or any combination of the two to achieve the desired noise attenuation.		
			<b>Mitigation Measure 8.5:</b> New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berms, or any combination of the two to achieve the desired noise attenuation. Current and future homes located across Harney Lane will be masked from noise associated with major retail uses by the already elevated ambient background freeway noise and by setback distances of approximately 300 feet.		
<b>Impact 8.3:</b> Location of residential uses in proximity to noise sources can result in exposure to noise levels in excess of standards.	Significant	Mitigation	<b>Mitigation Measures 8.3 – 8.8.</b> Potential project impacts would be lessened through project design features, including buffering of sensitive land uses from nearby noise sources.	Less than significant	Less than significant

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**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p><b>Impact 8.4:</b> The proposed project would place sensitive receptors in the vicinity of train noise.</p>	<p>Significant</p>	<p><b>Mitigation Measure 8.6:</b> Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the mini-storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks.</p>	<p>Less than significant</p>
<p><b>Impact 8.5:</b> Detention basin pump noise could result in permanent increases in ambient noise levels above levels existing without the project.</p>	<p>Significant</p>	<p>Potential project impacts would also be lessened through project design features, including buffering of sensitive land uses from the UPRR. <b>Mitigation Measure 8.7:</b> A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences.</p>	<p>Less than significant</p>

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**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>Impact 8.6:</b> Agricultural noise resulting from existing on-going agricultural operations in the vicinity of the project site could impact sensitive receptors onsite.	Significant	<b>Mitigation Measure 8.8:</b> Noisiest agricultural activities will have substantial setback from onsite residences, particularly as the site is progressively developed. Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents.	Less than significant
<b>Impact 8.7:</b> (Location of School Uses in Proximity to Noise Sources) The proposed project includes the placement of an elementary school, a sensitive noise receptor.	less than significant	Potential project impacts would be lessened through project design features, including buffering of sensitive land uses from nearby agricultural uses. <del>No mitigation measures required. This impact would be lessened through project design features, including the proposed location of the school site in the center of the project site away from SR 99 and the UPRR.</del>	Less than significant
<b>Impact 8.8:</b> Potential to temporarily generate vibration and ground borne noise during construction.	Significant	No mitigation measures required.	Less than significant
<b>Impact 8.9:</b> Operation of the project will result in new noise sources.	Significant	No mitigation measures required. This impact will be lessened through project design features, including the placement of sensitive receptors removed from noise-generating land uses.	Less than significant

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**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>AIR QUALITY</b>			
<b>Impact 1.1 (A):</b> (Construction Generated Air Pollutants) Construction of the proposed project would generate air pollutants, including equipment exhaust and fugitive dust.	Significant	<b>Mitigation Measure 1.1:</b> In addition to implementing the “Dust Control Measures for Construction” required by San Joaquin Valley Air Pollution Control District (SJVAPCD), construction onsite shall implement the “Enhanced and Additional Control Measures for Construction Emissions of PM-10” identified in Table 6-3 of the SJVAPCD’s <i>Guide for Assessing and Mitigating Air Quality Impacts</i> . The measures identified in Table 6-3 are as follows: <ul style="list-style-type: none"> <li>◆ Limit traffic speeds on unpaved roads to 15 mph;</li> <li>◆ Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent;</li> <li>◆ Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;</li> <li>◆ Install wind breaks at windward side(s) of construction areas;</li> <li>◆ Suspend excavation and grading activity when winds exceed 20 mph; and</li> <li>◆ Limit area subject to excavation, grading, and other construction activity at any one time. This impact would also be lessened through project design features and compliance with SJVAPD Regulation VIII.</li> </ul>	Less than significant

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**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>Impact 1.1 (B):</b> (Operational Emissions of Ozone Precursors) Operation of the proposed project would generate NOx and ROG, which are ozone precursors, in excess of the SJVAPCD's yearly emission significance thresholds.	Significant	This impact would be lessened through project design features and compliance with SJVAPD Rule 9510.	Less than significant
<b>Impact 1.1 (C):</b> (Operational Emissions of Particulate Matter) Operation of the proposed project would generate particulate matter.	Significant	This impact would be lessened through project design features and compliance with SJVAPD Rule 9510.	Less than significant
<b>Impact 1.1 (D):</b> (Operational Emissions of Carbon Monoxide) Operation of the proposed project would generate carbon monoxide (CO).	Significant	This impact would be lessened through project design features.	Less than significant
<b>Impact 1.2:</b> (Contribution to Cumulative Criteria Air Pollutants) The project would emit ozone precursors (NOx and ROG) at levels that are significant as cumulatively considerable net increases of non-attainment criteria pollutants for the San Joaquin Valley Air Basin.	Significant	This impact would be lessened through project design features and compliance with SJVAPD Rule 9510.	Less than significant
<b>Impact 1.3:</b> (Exposure of Sensitive Receptors to Air Pollution) The proposed project would generate air pollutants that could affect sensitive receptors and the project involves siting sensitive receptors in the vicinity of air pollution generators.	Significant	This impact would be lessened through project design features, compliance with SJVAPD Regulation VIII and Rule 9510, and incorporation of Mitigation Measure 1.1.	Less than significant

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**CITY OF LODI  
REYNOLDS RANCH ENVIRONMENTAL IMPACT REPORT  
REPORT SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES (CONTINUED)**

<b>Significant Impact</b>	<b>Significance Before</b>		<b>Mitigation Measures</b>	<b>Significance With</b>	
	<b>Mitigation</b>	<b>Mitigation</b>		<b>Mitigation</b>	<b>Mitigation</b>
<b>Impact 1.4: (Objectionable Odors)</b> The proposed land uses could be exposed to occasional odors emitted by surrounding agricultural operations.	Significant	Significant	This impact would be lessened through project design features. No further mitigation measures are required.	No	Less than significant

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**CITY OF LODI**  
**REYNOLDS RANCH FEIR ADDENDUM**  
REPORT SUMMARY

### III INITIAL STUDY

This chapter provides an evaluation of potential environmental impacts resulting from modifications to the Reynolds Ranch Project and summarizes whether or not the mitigation measures shown in Table 2-1 would reduce those potential environmental impacts to less-than significant.

#### A. Analysis

The following analysis uses the California Environmental Quality Act (CEQA) Initial Study Checklist. The conclusions in the checklist are based, in part, on a review of the information presented in Table 2-1, to identify impacts associated with the modified project.

Environmental Topic	Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. Land Use and Planning</b>				
Would the project:				
a. Physically divide an established community?			X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

*Findings and Conclusion.* There would be less than significant impacts in regard to land use from the modifications to the Project.

- a. The modified project would remain as a mixed-use development project. As identified in Impact 3.3.1 in the 2006 EIR, the project could result in the demolition of 12 residences, a Moose Lodge Facility and ancillary

structures.<sup>1</sup> The modified project would not result in a greater impact than that already identified in the 2006 EIR and would be reduced to a less-than-significant level through mitigation. Therefore, a *less-than-significant* impact would occur.

- b. Though the project would require a General Plan amendment, it is consistent with many principles of the existing General Plan that promote walkability between uses, a jobs to housing ratio, and a varied housing stock to meet the needs of a diverse population.

As stated in the 2006 EIR, one parcel located on the project site is active under the Williamson Act Contract, however the project modifications do not result in any greater impact than already identified in the 2006 EIR. Conversion of the land to urban uses would not result in a policy conflict with the San Joaquin County General Plan land use designation, however, because the entire project site has been annexed to the City of Lodi, the parcel previously affected by the Williamson Act was removed from the Act.<sup>2</sup> As regulated by Mitigation Measure 3.7.2 of the 2006 EIR, the project is subject to a fee for the conversion of agricultural land and mitigation set forth by the 2006 EIR is adequate to reduce project modifications to a *less than significant* impact.

- c. As stated in the 2006 EIR, the project site is within an open space preserve area identified in the San Joaquin Multi Species Habitat Conservation and Open Space Plan.<sup>3</sup> There are no other habitat conservation or natural community conservation plans that apply to the project site. Mitigation Measures set forth by the 2006 EIR are adequate to reduce potential impacts of the modified project to less-than-significant levels. Therefore, a *less-than-significant impact* would result from modifications.

## 2. Mineral Resources

Per Section 1.0 of the 2006 EIR, “there are no known mineral resources of value or any locally important mineral resource recovery sites within the project area”. Therefore, this topic was previously scoped out of the EIR study.<sup>4</sup> Modifications to the Project will have *no impact* on mineral resources.

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<sup>1</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.3-10.

<sup>2</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.7-20.

<sup>3</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page ES-7.

<sup>4</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 1.0-5.

Environmental Topic	Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. Transportation/Traffic</b>				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?				X
f. Result in inadequate parking capacity ?				X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

*Findings and Conclusion.* Modifications to the Project result in the following impacts in regards to traffic and transportation.

- a. Per Mitigation Measure 3.10.2 of the 2006 EIR: prior to approval of the first tract or parcel map for the Reynolds Ranch Project, the Public Works Department will review and approve the roadway phasing and improvement plan to ensure that new roadway improvements will adequately support new development.<sup>5</sup> The phasing plan shall also note the timing of roadway improvements by other adjacent development so

<sup>5</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.10-55.

that these coincide with proposed improvements on the same roadway facilities for the proposed project.<sup>6</sup> Because the area streets will not exceed carrying capacity, impacts regarding traffic are *less than significant*.

- b. Per Section 3.10.1 of the 2006 EIR, the City's accepted Level of Service LOS on local streets and intersection is a LOS C. However, LOS D is an acceptable condition for state route facilities. Project modifications would result in an increase of 22,236 daily trips (from 28,300 to 50,536) to and from the project site. Assuming the proposed mitigations in the 2006 FEIR are implemented, this increase would not substantially reduce the LOS to unacceptable levels at any intersections or on any roads which would require major revisions. Therefore, the project modifications would have a *less-than-significant* impact in relation to the LOS thresholds.
- c. The modified project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in air traffic patterns. There are no aviation uses on the project site and the modified project would not affect an airport or private airstrip. Therefore, *no impact* would occur.
- d. All roadways and intersections either within the development or interfacing with existing, surrounding roads would comply with applicable design standards in accordance with City code. Compliance would be ensured through the Public Works Department's review of the project circulation plan. Although the built project would likely be in close proximity to agricultural uses, the project modifications would not create a conflict between vehicles entering and exiting the site and the continued operation of farm equipment. Therefore *no impact* would occur.
- e. As required by Mitigation Measure 3.10.5 of the 2006 EIR, the design of the internal circulation system and vehicular access would be subject to review and approval by the City of Lodi's Police and Fire Department prior to issuance of any building permits for the project.<sup>9</sup> This review and approval would ensure that adequate access to and from all portions of the site exists for emergency service responders under the modified project. Therefore, *no impact* would occur.

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<sup>6</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.10-57.

<sup>9</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page ES-24.

- f. As required by Mitigation Measure 3.10.6 of the 2006 EIR, adequate parking demand must be satisfied for all proposed uses (i.e. parks, commercial and residential development, etc.) prior to the issuance of construction permits.<sup>10</sup> Furthermore, under the modified project, the number of spaces proposed would exceed the City's parking requirement. Therefore, *no impact* would occur.
- g. Bike lanes, pedestrian facilities, and five bus stops within the site are planned under the modified project. Furthermore, as required by Mitigation Measure 3.10.3 of the 2006 EIR, the project's roadway improvement plan is required to identify all bikeways, off-street multi-use trails and sidewalks within the project area.<sup>11</sup> Submittal of the above information is intended to address any potential for conflicts between vehicles, pedestrians, and cyclists and thereby ensure safe and adequate access. Therefore, Mitigation Measure 3.10.3, already set forth in the 2006 EIR, is adequate to reduce the potential impacts associated with the modified project to a *less-than-significant* level.

#### 4. Aesthetics

As stated in Section 1.0 of the 2006 EIR, Aesthetics was scoped out of detailed review because the original project did not constitute a specific plan development, but rather a combination of uses that would be fully defined through a phased development plan.<sup>12</sup> The EIR determined that project aesthetics would be evaluated through a future entitlement and environmental review process. This holds true for the modified project as well. The final combination of land uses is not known at this point in the review process. Furthermore, project design details that would allow for a complete evaluation of potential aesthetic impacts do not yet exist. As a result, aesthetics would occur under a future CEQA review.

#### 5. Population and Housing

Though the proposed project will generate population and housing, the focus of the 2006 EIR was the retail and office components contained in Phase I of the development process. Housing and population will be studied in detail in a future environmental assessment.<sup>13</sup> The estimated population growth associated with the project is accounted for in the growth projections set forth in the City of Lodi 1991 General Plan as well as the preliminary projections for the General Plan Update, which is currently underway.<sup>14</sup>

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<sup>10</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page ES-24.

<sup>10</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page ES-23.

<sup>12</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 1.0-4

<sup>13</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 1.0-4.

<sup>14</sup> Peter Pirnejad, City of Lodi Co-Interim Community Development Director, personal communication, August 5, 2008.

The modified project would result in the displacement of some single-family residential homes on Stockton Street. These home owners will be fully compensated by the applicant for the fair market value of their homes, based on an estimate provided by a third party appraiser.<sup>15</sup> The acquisition of homes would be executed through a process mutually agreed to by the applicant and the home owners. Eminent domain would not be exercised.

Environmental Topic	Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. Air Quality</b>				
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

*Findings and Conclusions*

- a. The modified project uses would require a General Plan Amendment. The existing land use designation is Planned Residential. The proposed new land uses are Low Density Residential, Medium Density Residential, High Density Residential, Senior High Density Residential, Senior Graduated Care, Mini Storage, Public, Office and Retail; these uses will be contained under the following zoning designations: Neighborhood Commercial, Office and Planned Residential. Despite the need for a General Plan amendment, the project would be consistent with the overall vision of the General Plan, which identifies the project site as an area

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<sup>15</sup> Dale Gillespie, RPM Company, communication with Peter Pirnejad, City of Lodi Co-Interim Community Development Director, August 14, 2008.

for future development. Even with conversion of hosing to commercial uses, the project would not be inconsistent with the General Plan because the General Plan identifies residential and residential supporting uses as appropriate for this area.

Project consistency with the Air Quality Management Plan is determined on the basis of whether its projected growth is within the City of Lodi's most current growth projections, which are, in turn, factored into the AQMP. The anticipated population growth for this project is within the regional population forecasts, because the projections are within the Housing Element growth cap, adopted in 2004 as part of the General Plan. Therefore, the modified project is not expected to conflict with the projections used to develop the air quality management plan (AQMP). This would be a *less than significant* impact.

- b. The modified project would increase the generation of short-term air pollutants from construction activities and long-term air pollutants from vehicle emissions. Impact 3.1.1 (A) in the 2006 EIR identified impacts that are less than significant, with mitigation, in regards to construction emissions. While the proposed changes to the project will construct different types of units, the finding in the original EIR will remain the same assuming all proposed mitigation measures are in place.<sup>16</sup>

Impact 3.1.1 (B) in the 2006 EIR identified potentially significant operational emissions of ozone precursors. These impacts were found to be significant and unavoidable after all available mitigation measures were in place. With the proposed changes to the project, trip generation will increase 78.6% in relation to estimated trip volumes under the previous project concept. This could increase the production of NO<sub>x</sub> and ROG beyond the levels listed in the 2006 EIR. With all available mitigation measures stated in the current EIR<sup>17</sup> the impact will remain significant and unavoidable.

Impact 3.1.1 (C) in the 2006 EIR identified impacts that are less than significant, with mitigation, in regards to operational emissions of particular matter. Using the same mitigation measures outlined in the EIR<sup>18</sup>, while the emissions will be increased over the levels in the EIR, the impact should be *less than significant*.

Impact 3.1.1 (D) in the 2006 EIR identified impacts that are less than significant in regards to operational emissions of carbon monoxide. While the tons per year of emissions would be higher than outlined in the

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<sup>16</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.1 - 12

<sup>17</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.1 - 14

<sup>18</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.1 - 16

EIR<sup>19</sup>, the levels in the CO “hotspot” analysis should not change. This is because when a hotspot analysis is conducted, the worst-case scenario is analyzed and this assumes highest volume for the peak hour at the worst time of day with the worst-case meteorological conditions. The finding in the current EIR will remain the same. A *less-than-significant* impact would occur.

- c. Per San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII, Rule 9510, the modified project would not cause new significant impacts to the existing air quality standards. Impact 3.1.2 in the 2006 EIR identified potentially significant cumulative impacts of criteria pollutants. These impacts were found to be *significant and unavoidable* after all available mitigation measures were in place. This finding will be the same with the modified project.
- d. Residents of the proposed senior housing project would potentially be exposed to substantial pollutant concentrations. However, Impact 3.1.3 in the 2006 EIR identified impacts that are *less than significant*, with mitigation, in regards to exposure of sensitive receptors to air pollution. There will be no change in this finding with the modified project. A *less than significant* impact would occur.
- e. The proposed uses under the modified project include residential, office and commercial (retail). None of the proposed uses are known to generate offensive odors that could adversely affect a substantial number of people on-site or in the near vicinity. The gas station is most likely to generate objectionable odors but those would likely be localized and intermittent in nature. Impact 3.1.4 in the 2006 EIR identified impacts that are less than significant in regards to objectionable odors. There will be no change in this finding with the modified project. As a result, a *less-than-significant* impact would occur.

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<sup>19</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.1 - 16

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. Noise</b>				
Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

*Findings and Conclusions:*

- a. Impact 3.8.2 of in the 2006 EIR identifies a noise and land use compatibility impact for residential and outdoor recreational space within 145 feet of the Harney Lane centerline. The modified plan reduces the amount of residential uses on Harney Lane to the area between the proposed mini-storage site to the UPRR tracks. Retail development (which is considered to be less noise-sensitive) would replace the residential development in this area. The modified project would not result in any new impacts beyond those already identified above. A noise and land use compatibility threshold of a community noise exposure level (CNEL) of 65 decibels (dB) or less was established for this project in the 2006 EIR. Mitigation Measures

3.8.3, 3.8.4, and 3.8.5 would be adequate to address the traffic noise impacts from Harney Lane with respect to the 65 dB CNEL threshold, to a *less than significant* level.

Impact 3.8.4 identified a potentially significant noise and land use compatibility impact upon proposed residential development resulting from noise along the UPRR railroad line. The relationship of residential land uses to the railroad tracks in the current plan is basically the same as the plan analyzed in the 2006 EIR. The new plan substitutes low-density residential and senior housing for medium-density residential. This change in land use does not change the conclusions because the City of Lodi noise and land use compatibility guidelines are the same for each of these residential densities and housing types. Mitigation Measure 3.8.6, as set forth in the 2006 EIR, would be adequate to mitigate the impact of train noise with respect to the established 65 dB CNEL threshold. A *less than significant* impact would occur.

Impact 3.8.5 in the 2006 EIR addressed the potential effects of noise from the detention basin pump upon proposed residential development. Mitigation Measure 3.8.7, as set forth in the 2006 EIR, would be adequate to address potential impacts resulting from the detention basin pump system. Impact 3.8.6 in the 2006 EIR identified the potential impact of ongoing agricultural noise upon future residents within the Specific Plan. The relationship of the proposed residential uses to the site boundaries has not changed. Mitigation Measure 3.8.8, as set forth in the 2006 EIR, would be adequate to address potential impacts resulting from agricultural operation noise. Project modifications would not result in noise levels that are above the accepted noise standards for this project. Therefore, a *less than significant* impact would occur.

- b. Per Impact 3.8.8, in the 2006 EIR, project construction could temporarily cause groundborne vibration and noise, however, levels are not expected to be excessive because the project would not involve large scale demolition and excavation.<sup>20</sup> This conclusion applies to the modified project as well. Should groundborne vibration and noise occur, the intensity and frequency would not be such that off-site receptors would be adversely affected. Under the modified plan, no residential development would be proposed within the 200-foot screening level setback distance to control ground borne vibration resulting from heavy rail trains. The modified project would not result in any new impacts, and this impact would remain *less than significant*.
- c. Impact 3.8.9 and Section 3.8.6 Cumulative Impacts in the 2006 EIR discuss the potential impact of project-generated traffic on noise levels in the surrounding areas. The modified project traffic report was reviewed

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<sup>20</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.8-17.

to determine how changes in project traffic may affect traffic noise increases along the street network.<sup>21</sup> The analysis focused on Harney Lane where project traffic would potentially have the greatest impact offsite. The modified project would not result in any new impacts along the offsite street network beyond those already identified in the 2006 EIR.

The modified project shows existing residential located along Stockton Street south of Harney Lane to remain. The land use plan analyzed in the 2006 EIR noise study showed new medium-density residential along both sides of Stockton Street south of Harney Lane. Because the existing residential would remain under the modified project, and was not identified as remaining under the original project, there was no analysis of increased noise levels at these existing Stockton Street residences in the 2006 EIR. The connection of Stockton Street to the project's internal street network would occur when the residential development moves forward. Until that time, Stockton Street would remain a cul-de-sac.<sup>22</sup> Currently, the noise environment at these existing residences results primarily from traffic on Harney Lane for those residences located within about 200 feet of the centerline. Noise is also generated from railroad train operations on the Union Pacific Railroad tracks. The existing CNEL along Harney Lane is approximately 68-69 dBA. The existing CNEL resulting from railroad train operations is calculated to be about 57 dBA CNEL. This establishes the residual background noise level at these residences. Traffic projections from the 2008 traffic report were used to estimate noise levels along Stockton Street in the future. The data indicate that the CNEL along Stockton Street would be approximately 56 dBA CNEL at full buildout of the project site. The medium-density residential component proposed west of the existing residential development would provide attenuation of railroad train noise, which would benefit the existing homes. The Stockton Street traffic noise would be substantially above the existing traffic noise for residences to the south along Stockton Street not near Harney Lane. The overall noise levels from current railroad operations would not change substantially. However, the character of the noise environment would change because it would be dominated by local traffic as compared to distant traffic and distant railroad trains. An increase in retail uses will contribute to an increase in ambient noise levels. However, because retail uses were already planned for in this development project, the modifications cause a *less-than-significant* impact to the permanent ambient noise levels.

- d. In the 2006 EIR, Impact 3.8.1 states that the construction of the proposed project would temporarily generate noise above levels existing without the project. As required under mitigation measures 3.8.1 and 3.8.2,

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<sup>21</sup> Reynolds Ranch Draft Report, Traffic Impact and Planning Study, PRISM Engineering, March 21, 2008.

<sup>22</sup> Personal conversation with Peter Pirnejad, City of Lodi Planning, August 2008.

construction would require a permit and would be limited to the hours of 7:00 a.m. and 10:00 p.m. for any heavy equipment anticipated within 500 feet of any residence. Staging areas are to be located away from existing residences and all equipment shall use properly operating mufflers.<sup>23</sup> Additionally, all stationary construction equipment must be placed in a way so that emitted noise is directed away from sensitive receptors nearest the project site.<sup>24</sup> Temporary noise impacts would not substantially worsen under the modified project and existing mitigation measures would be adequate to reduce potential impacts to a *less-than-significant* level.

- e. Because this project is not located in an airport land use plan, *no impact* would occur.<sup>25</sup>
- f. As stated in the 2006 EIR, the closest airport to the project site is the Lodi Airpark, which is approximately 3 miles to the southwest of the site. Because this project is not located near a private air strip, *no impact* would occur.<sup>26</sup>

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. Biological Resources</b>				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X

<sup>23</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page ES-19.

<sup>24</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page ES-20.

<sup>25</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.5-5.

<sup>26</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.8-8.

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

*Findings and conclusions:*

- a. Impacts 3.2.3(a) – 3.2.3(g) in the 2006 EIR identify potentially significant effects of the original project on special status species.<sup>27</sup> The modified project would not result in any new impacts beyond those already identified above. Mitigation measures 3.2.1 and 3.2.2, as set forth in the 2006 EIR, would be adequate to address potential impacts to special status species under the modified project. As a result, a *less-than-significant* impact would occur.
  
- b. The project site does not contain a riparian corridor or other sensitive natural community.<sup>29</sup> Therefore, the modified project would have *no impact* on such resources.

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<sup>27</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page ES-8.

<sup>29</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.2-17.

- c. The project site does not contain any wetlands.<sup>30</sup> Therefore, the project and its modifications would result in *no impact* on such resources.
- d. Due to the absence of water bodies on the project site, the modified project would not affect the movement of any native resident or migratory fish species. Per Impact 3.2.1 of the 2006 EIR, the project would have a less-than-significant impact on wildlife migratory patterns.<sup>31</sup> There are no changes under the modified project that would affect this conclusion. As a result, a *less-than-significant* impact would also occur under the modified project.
- e. Per Mitigation Measure 3.2.3, should project modifications affect or necessitate the removal of the Heritage Oak tree on-site, a Review Authority- approved application is required, per San Joaquin County Code Division 15 Chapter 9-1505. The modified project would not result in the removal of the one Oak tree in the southwestern corner of the site.<sup>32</sup> *No impact* would occur in that the modified project would not conflict with the tree preservation ordinance or any other policies to protect biological resources.
- f. As required by the San Joaquin County Multi-species Habitat Conservation and Open Space Plan (SJMHCPC) and stated by Mitigation Measure 3.2.2 in the 2006 EIR, development of this site includes the payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan’s “Measures to Minimize Impacts”, pursuant to Section 5.2 of the SJMHCP.<sup>33</sup> Through payment of the Open Space Conversion fee, the modified project would have a *less-than-significant* impact.

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<sup>30</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.2-17.

<sup>31</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.2-18.

<sup>32</sup> Peter Pirnejad, City of Lodi, email correspondence, August 7, 2008.

<sup>33</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page ES-8.

<sup>35</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.3-10.

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>9. Cultural Resources</b>				
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			X	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

*Findings and Conclusions:*

- a. Impact 3.3.1 of the 2006 EIR identifies potentially significant impacts on resources of historical significance.<sup>35</sup> These potential impacts are addressed and mitigated to a less-than-significant level through the requirements set forth in Mitigation Measures 3.3.1 - 3.3.3. The modified project would not result in any new, potentially significant impacts beyond those already identified. Accordingly, the specified Mitigation Measures would be adequate to reduce potential impacts under the modified project to a *less-than-significant* level.
  
- b. Impact 3.3.2 of the 2006 EIR identifies potential significant impacts on archeological resources of historical significance. These potential significant impacts are addressed and mitigated to a less-than-significant level through the requirements set forth in Mitigation Measure 3.3.4.<sup>36</sup> The modified project would not result in any new, potentially significant impacts beyond those already identified. Accordingly, the specified Mitigation Measures would be adequate to reduce potential impacts under the modified project to a *less-than-significant* level.

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<sup>36</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.3-2.

- c. The site does not contain unique geologic features and no paleontologic resources have been discovered on-site.<sup>37</sup> The modified project would not result in any new, potentially significant impacts beyond those already identified by Impact 3.3.3 the 2006 EIR. Mitigation Measure 3.3.5, set forth in the 2006 EIR would be adequate to reduce potential impacts under the modified project to a *less-than-significant* level.
- d. Impact 3.3.4 of the 2006 EIR identifies potentially significant impacts on human remains. These potentially significant impacts would be addressed through requirements of Public Health and Safety Code Section 50.9798.<sup>38</sup> The modified project would not result in any new, potentially significant impacts beyond those already identified in the 2006 EIR. Thus, the project modifications would result in a *less-than-significant* impact.

**10. Geology and Soils**

Based on the Initial Study completed for this project in 2006, potential impacts to Geology and Soils were scoped out from detailed review in the 2006 EIR analysis. As stated in Section 1.0 of the EIR, the (original) project did not include pursuit of approvals for site specific development, and evaluation of potential impacts under CEQA would occur when detailed project information became available, including the exact location and nature of new land uses.<sup>39</sup> This applies to the modified project as well. Although there have been changes to the previously proposed site plan, the level of project detail is still such that an evaluation of potential impacts will be appropriate at a subsequent phase of the entitlement process.

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. Hazards and Hazardous Materials</b>				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	

<sup>37</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.3-12 and 3.3.13.

<sup>38</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 3.3-16.

<sup>39</sup> Willdan, Reynolds Ranch Project EIR, August 2006, page 1.0-5.

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

*Findings and Conclusions:*

- a. Whereas the previous project concept did not include a gas station on-site, the modified project does. The construction and operation of a new gas station under the modified Project creates a potentially significant

hazard due to the routine transport and use of fuel and other automotive products. However, the transport of fuel to the station and subsequent storage within underground tanks would be subject to existing hazardous materials regulations. The use of automotive products, such as engine oil and window cleaner do not represent a significant hazard due to the volumes of these substances that would be utilized on-site. Localized spill of these materials may occur, but the volumes would not be such that a significant hazard exists. No hazardous materials would be disposed of on on-site. For the reasons stated above, a *less-than-significant* impact would occur under the modified project.

- b. The transportation of fuel and subsequent storage under the modified project will be subject to existing hazardous materials regulations. Additionally, a fire station will be constructed on-site in Phase II of the project and will provide emergency assistance in the event of a spill. If necessary, a hazardous materials response team could respond to a call on-site. Thus, the impact involving the potential release of hazardous materials into the environment would be *less than significant*.
- c. The nearest existing school to the project site is Montessori Villa Preschool, serving 30-60 children between the ages of two and six.<sup>40</sup> Montessori Villa is located on 2525 S. Stockton, immediately bordering the project site. Lois E. Borchardt Elementary school is .3 miles from the project site and serves approximately 795 children in grades K-6.<sup>41</sup> The impact of hazardous materials on school children would be *less than significant* because operation of the gas station and transportation of fuel to it would be subject to existing hazardous materials regulations. Furthermore, the gas station would be contained to the center of the project site so that it is set away from the school and its receptors.<sup>42</sup>
- d. As stated in Impact 3.5.1 of the 2006 EIR, there are sites within the project area that contained hazardous materials and required mitigation.<sup>43</sup> Mitigation Measure 3.5.1- 3.5.11, which are set forth in the 2006 EIR, would be adequate to address potential impacts to hazardous materials on-site under the modified project. As a result, a *less-than-significant* impact would occur.

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<sup>40</sup> Doe, Krista. Montessori Villa School. Personal communication with Leslie Wilson, DC&E. June 23, 2008.

<sup>41</sup> Gibbons, Tina. Lodi Unified School District. Personal communication with Leslie Wilson, DC&E. June 23, 2008.

<sup>42</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.1-19.

<sup>43</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.5-9.

- e. The project is approximately 3.1 miles away from the Lodi airport. It is not located in an airport land use plan and none of the area airports cause a safety hazard to the project site.<sup>44</sup> Therefore, the modified project would have *no impact* on air safety.
- f. The project site is not located near a private airstrip.<sup>45</sup> The safety of people residing or working on the project site under the modified project would not be affected by air traffic. *No impact* would occur.
- g. As required by Mitigation Measure 3.10.5 in the 2006 EIR, the design of the internal circulation system and vehicular access would be subject to review and approval by the City of Lodi’s Police and Fire Department prior to issuance of any building permits for the project.<sup>46</sup> This review and approval would ensure that adequate access to and from all portions of the site would exist for emergency service responders. Therefore, *no impact* to emergency response or evacuation would occur under the modified project.
- h. The threat of wildland fires at the project site is considered very low because of its agricultural setting. The 2006 EIR found a less than significant project impact regarding the risk of wildland fires.<sup>47</sup> Because project modifications would not introduce new risks or increase existing hazards related to potential wildland fires, a *less-than-significant* impact would occur.

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>12. Hydrology and Water Quality</b>				
Would the project:				
a. Violate any water quality standards or waste discharge requirements?			X	

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<sup>44</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.5-5.  
<sup>45</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.8-8.  
<sup>46</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page ES-24.  
<sup>47</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 4.0-11.

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

Environmental Topic	Significant Impact	Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
j. Inundation by seiche, tsunami, or mudflow?				X

*Findings and Conclusion.* Modifications to the project would result in a *less-than-significant* impact on hydrology and water quality.

- a. As identified in Impact 3.6.3 of the 2006 EIR, the project has the potential to generate nonpoint-source water pollutants typical to urban land uses. The potential pollution would be mitigated through compliance with Section 402 of the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES). In order to meet applicable requirements, the City of Lodi has implemented a stormwater management plan to address post-construction impacts.<sup>48</sup>

There is also the risk of water contamination associated with the construction of the project. These risks include exposed soils and the potential spillage of construction fuels or equipment. Under NPDES requirements, the contractor would be required to develop and implement a stormwater pollution plan (SWPP) that will include Best Management Practices (BMPs) to minimize potential impacts to water quality during construction. Because these requirements would apply to the modified project, a *less-than-significant* impact would occur.

- b. As identified by Impact 3.6.6 of the 2006 EIR, the project involves the conversion of approximately of 220 acres of largely permeable farmland to impermeable surfaces.<sup>50</sup> Modifications to the project would not cause a substantial increase in the project’s impermeable surface area. The construction of a water retention basin on-site will allow for stormwater percolation to occur. Mitigation Measures 3.6.1- 3.6.6, identified in the 2006 EIR, address that stormwater drainage and collection will be constructed or improved to the City

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<sup>48</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-14.

<sup>50</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-13.

<sup>52</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-14.

standards. These measures will be adequate to reduce the potential impacts under the modified project to a *less-than-significant* impact.

- c. The modified project would not alter the course of a stream or river. As addressed by Impact 3.6.4 of the 2006 EIR, the increase in permeable surfaces on the project site will change the drainage pattern in the area. However, the changes would not result in substantial erosion or siltation on- or off-site. Potential impacts under the modified project would be reduced to a *less-than-significant* level through improvements identified in the Infrastructure Master Plan, which includes the construction of a drainage basin on-site.<sup>52</sup> Stormwater generated on-site will be collected in the basin before it is transferred into the Water Irrigation District canal.
- d. The modified project would not alter the course of a stream or river. As addressed by Impact 3.6.5 of the 2006 EIR, the increase in permeable surfaces on the project site will change the drainage pattern in the area and increase the volume and velocity of stormwater runoff from the site.<sup>54</sup> Mitigation Measures 3.6.1 – 3.6.6 in the 2006 EIR would reduce potential impacts to a less-than-significant level. Under the modified project, the same mitigation measures would reduce the potential for on- or off-site flooding to a less-than-significant level. This is considered a *less than significant* due to improvements that will be made through the Infrastructure Master Plan. These improvements include the construction of a drainage basin on-site.
- e. While the project and its modifications would contribute to runoff, the requirements set forth in Mitigation Measures 3.6.1-3.6.6 in the 2006 EIR,<sup>55</sup> would reduce impacts to a less-than-significant level. These same mitigation measures would apply to the modified project and also reduce potential runoff impacts to a *less-than-significant* level.
- f. The project modifications would not otherwise degrade water quality beyond the potential impacts discussed in responses a) and c). Therefore, the modified project would result in a *less-than-significant* impact.
- g. The project site is not in a 100-year flood hazard zone.<sup>56</sup> Therefore, the project and its modifications would have *no impact*.

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<sup>54</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-15.

<sup>55</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-13.

<sup>56</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-11.

- h. Because the project site is not located in a 100-year flood hazard zone, proposed structures would not impede or redirect flood flows.<sup>58</sup> Therefore, *no impacts* would occur.
- i. As stated by Impact 3.6.9 of the 2006 EIR, there is risk of inundation due to dam failure. The existing Emergency Action Plan that would be initiated by the East Bay Municipal Utility District would lessen potential risks under the modified project in the event of a dam break along the Lower Mokelumne River.<sup>60</sup> Therefore, a *less-than-significant* impact would occur.
- j. Because the project is not located near a large body of water, there will be *no impact* from seiche. Similarly, there would be no impact associated with a potential tsunami or mudflow due to the distance from the Pacific Ocean and the relatively flat topography of the project site. Therefore, *no impact* would occur.

Environmental Topic	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. Public Services and Recreation</b>				
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

*Findings and Conclusions:*

<sup>58</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-11.

<sup>60</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.6-20.

- a. **Fire:** As identified by Mitigation Measure 3.9.1 in the 2006 EIR, a fire station would be constructed on-site in Phase II of the development.<sup>61</sup> The station and department staff operating from it would be adequate to meet the service needs of the modified project. Because the station would be built on-site under the modified project, its construction would not result in any new, significant impacts beyond those already identified in the 2006 EIR. As a result, a *less-than-significant impact* would occur.

**Police:** The Lodi Police Department will provide service to the project. As stated in the 2006 EIR, the demand for increased policing will be offset by the increase in tax base from the proposed retail and residential uses.<sup>63</sup> This would also apply to the modified project. In addition, the project will involve the formation of a Community Service District (CSD), the proceeds from which will be used to help finance additional police services, if necessary. Therefore, a *less-than-significant impact* would occur.

It may be that new police stations or expansions of existing stations are required in the future to adequately serve the project, in combination with other projects. If and when the City initiates plans for a new or expanded facility, an environmental evaluation would be conducted to address potential impacts.

**Schools:** As stated in Impact 3.9.2 of the 2006 EIR, the original project had the potential to cause overcrowding at existing schools within the vicinity of the project.<sup>65</sup> Under the modified project, the potential for overcrowding still exists, however due the conversion of residential uses to senior and senior assisted living uses under the modified project, it is not expected that as many families with school-age children will be living on-site. Accordingly, it is expected that there would be a reduced demand on school capacity as a result of the modified project. It is anticipated that when the project is at or near buildout, the necessary financing will be available from the collection of developer fees to pay for any necessary expansions of existing schools or construction of new schools to accommodate students generated by the new development. As a result, a *less-than-significant impact* would occur.

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<sup>61</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.9-5.

<sup>63</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.9-4.

<sup>65</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.9-2.

The potential impacts associated with construction of a new school or expansion of existing schools at a future phase of development would be analyzed under a separate CEQA analysis, when plans are set forth by the school district.

**Parks:** Modifications to the original project do not create the need for additional parkland. Under the modified project, 2 acres of parkland would be created within the project site. Creation of this parkland and construction of related improvements would not result in any potential impacts to the environment beyond those already discussed in the 2006 EIR and this Addendum. Although the original 5.4 acres<sup>66</sup> of neighborhood parkland would be reduced to 2 acres<sup>67</sup> under the modified plan, these modifications would not create the need for additional facilities on or off-site. The City currently has 5.5 acres of parkland for every 1,000 residents, satisfying its goal of 2.5 acres of parkland for every 1,000 residents.<sup>68</sup> Furthermore, it is expected that many of the future residents of the project currently reside within or near the City of Lodi and already use its parks and recreational facilities. Therefore, project residents are not expected to represent an entirely new (park) user population and it is not expected that all residents would regularly use the City's park and recreational facilities. Lastly, due to the conversion of residential uses to senior and senior assisted living under the modified project, it is expected that there would be a reduced demand for parkland both on and off-site. The expected decrease in the number of families with children and adolescents would more than likely translate to reduced demand for park facilities, especially those containing features such as ball fields and playgrounds. As a result, a *less-than-significant* impact on parks would occur.

- b. The project includes the construction of a two-acre park on the project site. Construction of the park will not have an adverse physical effect on the environment beyond the effects already considered in this 2006 EIR and this EIR Addendum. Therefore, a *less-than-significant* impact would occur.

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<sup>66</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 2.0-19.

<sup>67</sup> Phillippi Engineering, Reynolds Ranch Land Plan, March 17, 2007.

<sup>68</sup> Morimoto, David. Senior Planner, City of Lodi. Personal email communication with Leslie Wilson, DC&E, July 14, 2008.

Environmental Topic	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>14. Utilities and Infrastructure</b>				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
d. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
e. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
f. Comply with federal, state, and local statutes and regulations related to solid waste?				X

*Findings and Conclusions.*

- a. Though the modified project would generate increased demand for wastewater treatment, the demand from the project modifications will be adequately met by the improvements identified in the 2008 Waste Water Master Plan. The project modifications would slightly increase the wet weather flow from 2.4 cubic feet per second (cfs)<sup>69</sup> to 2.5 cfs<sup>70</sup>; this is not considered a substantial wastewater increase and would not exceed the existing or proposed wastewater processing capabilities. Therefore, the modified project would not exceed wastewater treatment requirements, and the modified project would have *less-than-significant* impacts.

<sup>69</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.11-11.

<sup>70</sup> City of Lodi, Reynolds Ranch Wastewater Master Plan, May, 29, 2008, page 11.

- b. As stated in Impact 3.11.5 in the 2006 EIR, the project would increase the demand for sanitary wastewater service. Mitigation Measures 3.11.7 - 3.11.10 set forth by the 2006 EIR, would require the construction of new wastewater facilities.<sup>71</sup> These improvements would take place either within the project site or areas that have previously been disturbed through the installation of infrastructure or building construction. As a result, construction of new wastewater facilities under the modified plan would cause *less than significant* environmental effects.
- c. Water supply demand would increase as a result of the modified project. The demand under the original project was 501 acre fee per year (AFY) and would increase to 540 AFY under the modified project, which represent a change of less than 10 percent. The City Public Works Director reviewed the increased water demand levels associate with the modified project and concluded that it was not necessary to update the Water Supply Assessment completed for the original project and presented in Appendix I of the 2006 EIR.<sup>72</sup> Furthermore, Public Works determined that the increase in water supply demand does not warrant any additional mitigation that has not already been considered in the 2006 EIR. Accordingly, the Mitigation Measures 3.11.1 – 3.11.6, set forth from the 2006 EIR, are adequate to reduce impacts related to water supply to a *less tan significant* level.
- d. See b) above.
- e. As stated in the 2006 EIR, solid waste from the project would be transported to the North County Recycling Center and Landfill. The landfill is projected to be open until 2035. It was determined in the 2006 EIR that the facility had adequate capacity to accommodate solid waste generated under the original project. Although the modified project would likely generate an increased amount of waste due to the proposed increase in retail uses, the North County landfill would still have adequate capacity to accommodate the project's disposal needs.<sup>74</sup> Therefore, a *less-than-significant* impact would occur.
- f. As stated on page 3.11-10 of the 2006 EIR,<sup>75</sup> the original project would have complied with applicable solid waste regulations. Although the modified project would alter land uses on the site, compliance with Fed-

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<sup>71</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.11-13.

<sup>72</sup> Sandelin, Wally, Director of Public Works, City of Lodi. Correspondence with Peter Pirnejad, Co-Interim Community Development Director, City of Lodi, June 24, 2008.

<sup>74</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.11-10.

<sup>75</sup> Willdan, Reynolds Ranch Project EIR, August, 2006, page 3.11-10.

eral, State and local statutes related to solid waste would be upheld under the modified project. Because the modified project includes a gas station, conformance with applicable regulations related to the transport, storage, and disposal of hazardous materials and waste would be followed. Therefore, *no impact* would occur related to the modified project's compliance with federal, State and local solid waste regulations statutes.



**RESOLUTION NO. P.C. 08-24**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING  
A TENTATIVE MAP FOR THE REYNOLDS RANCH PROJECT  
(File No.08-P-03)**

**WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan Amendment in accordance with the Government Code; and

**WHEREAS**, the project proponent is Dale Gillespie on behalf of the San Joaquin Valley Land Company LLC, 1420 S. Mills Ave., Suite K, Lodi, CA 95242; and

**WHEREAS**, the property owners are Robert & Carolyn Reynolds; Charles & Melissa Katzakian; Sean & S. Varner; Sengsourisack & V. Heuansavath; Issac and D. Zarate; Dominico Della Maggiora, etal; Skinner Ranch Holdings LP; South River Ranch LLC; San Joaquin Valley Land Co.; Delford & E. Seeman; Maria Pelletti, Diane Tsutsumi, etal; William & C. Griffiths; Shirley Ann Helm etal; and Lodi Moose Lodge 634, Lodi, CA 95241; and

**WHEREAS**, the properties are located at the Southwest corner of East Harney Lane and State Route 99; and

**WHEREAS**, the properties have a General Plan land use designation of Planned Residential Reserve; and

**WHEREAS**, a General Plan Amendment is proposed that would change the properties' designation to include Neighborhood Community Commercial, Office, Drainage Basin Park, and Public Quasi Public; and

**WHEREAS**, the Community Development Department prepared an Environmental Impact Report (EIR), consistent with the California Environmental Quality Act (CEQA); and

**WHEREAS**, the EIR was published, posted and circulated between June 9, 2006 and July 24, 2006, 2006 for a 45-day public review period; and

**WHEREAS**, the Final EIR, including comments and responses to comments, was certified by the City Council on August 30, 2006; and

**WHEREAS**, consistent with CEQA, an initial study was conducted to analyze potential impacts associated with proposed changes to the project, which initial study demonstrated that none of the circumstances articulated in CEQA Guidelines section 15162 requiring preparation of a subsequent EIR were present; and

**WHEREAS**, pursuant to CEQA Guidelines sections 15162 and 15164 an addendum to the previously certified EIR was prepared, which includes and incorporates the initial study analyzing the proposed project changes, and is attached to this Resolution as Exhibit A and incorporated herein ("Addendum"); and

**WHEREAS**, all legal prerequisites to the approval of this request have occurred.

**NOW, THEREFORE, BE IT FOUND**, as follows, by the Planning Commission of the City of Lodi, based on the entirety of the record before it, which includes without limitation, the City of Lodi General Plan, the City of Lodi Municipal Code, the previously certified EIR, the Addendum to the EIR and the initial study for the project changes, included and incorporated into the Addendum:

1. The Planning Commission has considered the previously certified EIR and the Addendum and finds that changes to the project, which adjust and redistribute land uses on the site,

do not require major revisions to the previously certified EIR or preparation of a subsequent EIR for the following reasons:

- (a) Proposed project changes will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. As described in the Addendum, which incorporates the initial study for the modified project, the modified project is still a mixed-use development, similar to the type of project considered in the previously certified EIR. While specific land uses have been adjusted and redistributed, mitigation identified in the previously certified EIR will apply to the project changes, such that these changes will not create any new or substantially more severe significant environmental impacts.
- (b) There are no changes in circumstances under which the project will be undertaken that will result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. Though the project has been modified, the circumstances under which the project will be undertaken have not changed, therefore, there are no new or substantially more severe significant impacts that will result from any change in circumstances.
- (c) The City is not aware of any new information of substantial importance that shows that the project will have any significant impacts not discussed in the previously certified EIR, or that significant impacts previously examined will be substantially more severe than shown in the previous EIR, or that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, or that mitigation measures or alternatives that are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment.
- (d) Accordingly, no subsequent EIR is required for approval of this project, and pursuant to CEQA Guidelines section 15164, an addendum is appropriate for approval of the project.

2. The Planning Commission has considered the proposed Tentative Map and finds as follows:

- (a) The proposed Tentative Map (Exhibit B) is consistent with the City's General Plan, as proposed for amendment, and is conditioned to conform to the standards and improvements mandated by the City of Lodi's Public Works Department Standards and Specifications, and Zoning Ordinance. Land uses proposed for the subdivided parcels comply with the proposed General Plan Amendment. Through the conditions of approval set forth by the City in this resolution, the project will comply with the City's development standards and Municipal Code provisions.
- (b) The size, shape and topography of the site are physically suitable for the proposed residential development, in that the site is generally flat with no unusual or extraordinary topographic features.
- (c) The proposed Tentative Map does not conflict with easements, acquired by the public at large, for access through or use of property within the proposed map.
- (d) The proposed Tentative Map can be served by all public utilities.
- (e) The Tentative Map complies with the requirements of Chapter 16.08 of the Lodi Municipal Code regulating Tentative Maps.
- (f) None of the mandatory findings for tentative map denial within the State Subdivision Map Act, § 66474 apply to this proposal.

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi, that subject to the City Council's approval of the proposed General Plan Amendment, Tentative Map Number 08-P-03 is hereby approved, subject to the following conditions:

Community Development Department, Planning:

1. The developer will defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this Tentative Map, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The Tentative Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
3. The Final Map shall be in substantial conformance to the approved Tentative Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
4. Any building improvements, additions, or exterior remodeling shall be subject to setback, lot coverage, parking and all other zoning code requirements as required by the Lodi Municipal Code or approved Development Plan.
5. The project is still subject to review by the Site Plan and Architectural Review Committee.
6. Applicable agreements, easements and/or deed restrictions for access, use and maintenance of shared, private facilities shall be subject to Community Development Department approval.
7. Unless expressly changed by the terms of this resolution, the project shall continue to be subject to all conditions, exactions, terms, and entitlements previously imposed and generally including but not limited to; City Council Resolution 2006-162, 2006-163, 2006-164, Ordinance 1784 and 1785.

Community Development Department, Building:

8. A building permit is required for any plumbing work and the appropriate submittal documents prepared by a registered engineer or licensed architect shall be submitted to the Community Development Department for complete review and approval.

Public Works Department:

9. The City limits line and Caltrans right-of-way need to be clearly delineated on the map.
10. Parcels 18, 19 and 20 should be shown as a "Designated Remainder". The centerline of Reynolds Ranch Parkway shall be the easterly boundary of the Designated Remainder.
11. Dedication of street right-of-way as shown on the tentative map with the following changes/additions:
  - a. The street rights-of-way, with the exception of Parcel 16, should not be shown as separate parcels on the map.
  - b. The Reynolds Ranch Parkway and a portion of the Harney Lane right-of-way dedications shown as Parcel 17 on the tentative map have already been dedicated as street easements by separate deeds. Show the existing right-of-way dedications on the map.
  - c. The undedicated portion of the Harney Lane right-of-way east of Reynolds Ranch Parkway (Parcel 15 and portion of Parcel 17) should be shown as street right-of-way dedications on the map.

12. Dedication of public utility easements as required by the various utility companies and the City of Lodi. The public utility easement along the Harney Lane frontage of Parcels 1 and 14 and adjacent to the west boundary of Parcel 16 needs to be 12 feet in width.
13. 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 Parcel 16.
14. Submit final map per City and County requirements including the following:
  - a. Preliminary title report.
  - b. Waiver of access rights to the street listed below:
    - i. Harney Lane, except at driveway locations approved by the City.
  - c. Standard note regarding requirements to be met at subsequent date.
  - d. Final Map Guarantee.
15. 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.
16. 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.
17. 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 parcels within the boundaries of the parcel map, 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 within the boundaries of the parcel map and provide deed provisions to be included in each conveyance.

**Dated:** August 27, 2008

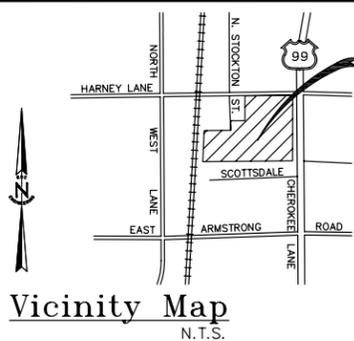
I hereby certify that Resolution No. 08-24 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on August 27, 2008, by the following vote:

AYES:           Commissioners:  
NOES:           Commissioners:  
ABSENT:       Commissioners:  
ABSTAIN:       Commissioners:

ATTEST: \_\_\_\_\_  
Secretary, Planning Commission

# Exhibit A

See Exhibit A of  
Resolution  
P.C. 08-23



Vicinity Map  
N.T.S.

**Owner of Record/Developer:**  
San Joaquin Valley Land Company, LLC  
Skinner Ranch Holdings, LP,  
Reynolds Ranch Partners,  
and South River Ranch, LLC  
c/o RPM Company  
1420 South Mills Ave., Suite 'K'  
Lodi, CA 95242  
Attn: Dale Gillespie  
(209) 333-3400

**Engineer/Applicant:**  
RSC Engineering, Inc.  
2250 Douglas Blvd., Suite 150  
Roseville, CA 95661  
Attn: Rick Chavez  
(916) 788-2884

Topographic Survey provided by Phillippi Engineering, dated 03/12/08.

**Proposed General Plan Designation and Zone:**  
HDR-High Density Residential, SHDR-High Density Residential, LDR-low Density Residential, MDR-Medium Density Residential, DB-Detention Basin, S-School and PD-Planned Development

**Existing General Plan Designation and Zone:**  
NCC-Neighborhood Community Commercial, PR-Planned Residential, O-Office and PD-Planned Development

**APN:**  
058-130-080 - 010, 160 - 190  
058-110-040 & 410

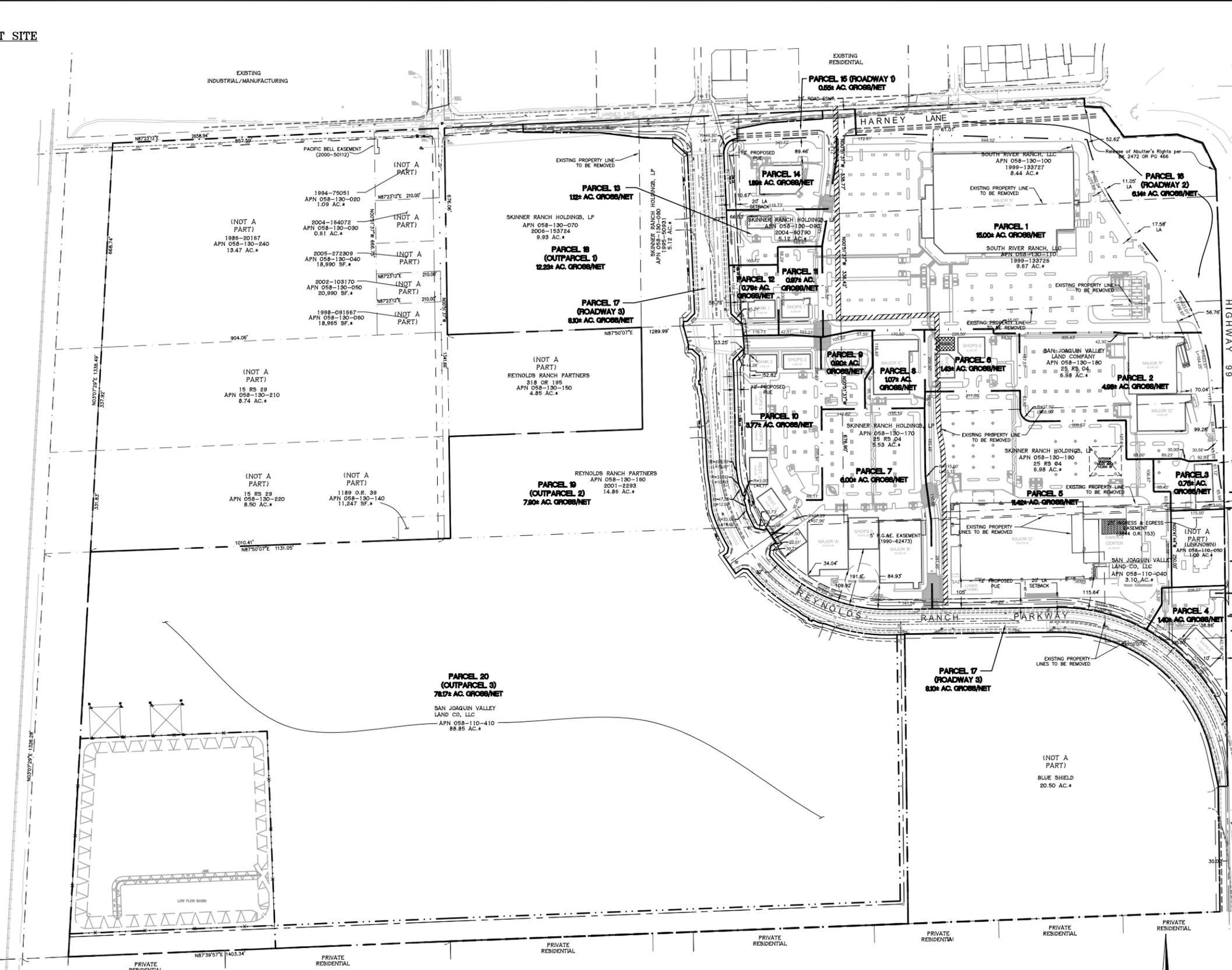
**Existing Net/Gross AC:**

APN 058-130-070	9.93± AC.
APN 058-130-080	5.12± AC.
APN 058-130-090	5.12± AC.
APN 058-130-010	8.44± AC.
APN 058-130-110	9.67± AC.
APN 058-130-160	14.86± AC.
APN 058-130-170	5.53± AC.
APN 058-130-180	6.98± AC.
APN 058-110-190	6.98± AC.
APN 058-110-040	3.10± AC.
APN 058-110-041	88.85± AC.
<b>Total:</b>	<b>164.58± AC.</b>

**Proposed Net/Gross AC:**

Parcel 1:	15.00± AC.
Parcel 2:	4.98± AC.
Parcel 3:	0.75± AC.
Parcel 4:	1.40± AC.
Parcel 5:	11.42± AC.
Parcel 6:	1.43± AC.
Parcel 7:	6.00± AC.
Parcel 8:	1.07± AC.
Parcel 9:	0.90± AC.
Parcel 10:	3.77± AC.
Parcel 11:	0.97± AC.
Parcel 12:	0.79± AC.
Parcel 13:	1.12± AC.
Parcel 14:	1.89± AC.
Parcel 15 (Roadway 1):	0.55± AC.
Parcel 16 (Roadway 2):	6.14± AC.
Parcel 17 (Roadway 3):	8.10± AC.
Parcel 18 (Outparcel 1):	12.23± AC.
Parcel 19 (Outparcel 2):	7.90± AC.
Parcel 20 (Outparcel 3):	78.17± AC.
<b>Total:</b>	<b>164.58± AC.</b>

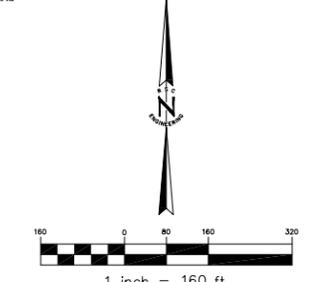
**Utilities:**  
Sewer - City of Lodi Public Works  
Water - City of Lodi Public Works  
Drainage - City of Lodi Public Works  
Electricity - City of Lodi Electric Utility District  
Gas - PG&E  
Telephone - AT&T  
Fire - City of Lodi Fire Department



**NOTES:**  
1) Refer to the final parcel map for accurate lot dimensions and configuration.  
2) Applicant reserves the right to record multiple maps.  
3) Reynolds Ranch Parkway is a recorded street and PUE per 2008-086926, 2008-086927, 2008-085830, 2008-085831, and 2008-085832.

**Legend:**

	Existing Parcel Line (To Be Removed)
	Existing Boundary Line
	Existing Sewer Easement
	Existing Water Easement
	Existing P.U.E. Easement
	Existing Centerline
	Existing Right of Way Line
	Proposed Parcel Line
	Existing Water Easement (To Remain)



PCI / SAN JOAQUIN VALLEY LAND COMPANY

REGISTERED PROFESSIONAL ENGINEER  
RICHARD S. CHAVEZ  
No. 29033  
Mar. 31, 2009  
CIVIL  
STATE OF CALIFORNIA

**RSC ENGINEERING**  
2250 Douglas Blvd., Suite 150  
Roseville, CA 95661  
Ph: 916.788.2884 Fax: 916.788.4408

PROJECT NO. 059-001  
DRAWN BY: C. VARGAS  
CHECKED BY: T. WILSON  
DESIGNED BY: RSC Eng

**TENTATIVE PARCEL MAP  
REYNOLDS RANCH PHASE II**  
HARNEY LANE & HIGHWAY 99  
LODI, CA

SHEET TITLE  
**TM-OV**

SHEET NO.  
**1**  
OF 4

DATE: 08/01/08

Drawing: P:\059-001\Maping\Conceptual\059001\_TentMap\_Phd.dwg  
 User: C:\Users\...  
 Plot Date/Time: Aug 01, 08 - 10:01  
 Plot Size/Other: A4 (11" x 17")

# Item 6a.



**MEMORANDUM, City of Lodi, Community Development Department**

**To:** City of Lodi Planning Commissioners  
**From:** Peter Pirnejad, Planning Manager  
**Date:** Planning Commission Meeting of 8/27/08  
**Subject:** Past meetings of the City Council and other meetings pertinent to the Planning Commission

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In an effort to inform the Planning Commissioners of past meetings of the Council and other pertinent items staff has prepared the following list of titles.

If you have any questions, please feel free to contact the Planning Department or visit the City of Lodi website at: <http://www.lodi.gov/city-council/AgendaPage.html> to view Staff Reports and Minutes from the corresponding meeting date.

Date	Meeting	Title
August 6, 2008	REGULAR	Authorize the City Manager to Enter into a Contract with: 1) PBS&J to Provide Planning Services and Prepare an Environmental Impact Report; and 2) PMC, Inc., to Provide Project Management Services for a Proposed Sutter Gould Medical Facility at West Lane and Harney Lane to be Reimbursed by Applicant.
		Receive Information Regarding New Meeting Day for the Site Plan & Architectural Review Committee.
		Adopt Resolution Opposing State Budget Decisions that Would "Borrow" Local Government and Transportation Funds.
		Adopt Resolution to Implement the Storm Water Development Standard Plans as Required by the State Water Resources Control Board and Set Inspection Fee for Post Construction Best Management Practices as Required in the Standards.
August 12, 2008	SHIRTSLEEVE	Review Transit Oriented Development Design Guidelines.
August 20, 2008	REGULAR	Introduce Ordinance Amending Lodi Municipal Code Chapter 17.81 entitled "Site Plan and Architectural Approval", specifically by Repealing and Reenacting Sections 17.81.060 pertaining to "Committee Actions" and Section 17.81.070 pertaining to "Appeals from the Committee".

**Continued on other side**

<p>August 20, 2008 continued</p>		<p>Set a Public Hearing for September 3, 2008 to consider and approve community input and proposals for uses of the 2008 Mid-Year Allocation of Community Development Block Grant (CDBG) Program Funds and the reallocation of available funds from previous program years.</p>
		<p>Introduce Ordinance Amending Lodi Municipal Code Section 9.18 entitled "Vending on Streets, Sidewalks and Private Property", specifically Section 9.18.050, pertaining to vendor activities in close proximity to City parks, and Section 9.18.110, pertaining to a reference to the California Health and Safety Code.</p>
		<p>Adopt Resolution Amending the Bylaws for Lodi Improvement Committee to allow for a change in their meeting day and when they elect Officers each year.</p>
		<p>Set Public Hearing for September 3, 2008 to consider a General Plan Amendment for Reynolds Ranch.</p>
<p>August 26, 2008</p>	<p>SHIRTSLEEVE</p>	<p>Residential Paint Up – Fix Up Program</p>