

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 12, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of November 12, 2008, was called to order by Chair Kiser at 7:00 p.m.

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

Absent: Planning Commissioners – None

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

2. MINUTES

“October 8, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Cummins, Heinritz second, approved the Minutes of October 8, 2008 as written.

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kiser called for the public hearing to consider and recommend to the City Council the Draft Preferred Plan Alternative and report for the General Plan Update.

Interim Director Konradt Bartlam gave a brief introduction for the project and then introduced Rajeev Bhatia from the consulting firm Dyett and Bhatia to give the presentation.

Rajeev Bhatia gave a brief PowerPoint presentation based on the Lodi General Plan Update (GPU), Draft Preferred Plan (DPP) report. Mr. Bhatia stated that once the DPP has been solidified then the work on the other elements that will go into the GPU can be started. The DPP is keeping the compact shape that Lodi currently has. There has been some community center areas incorporated into the plan with residential within a half mile radius, promoting walk-ability. There will be policies within the General Plan to avoid development jumping into the Urban Reserve areas creating pockets of development. The population for this plan is estimated to be at 89,800 and if the entire Urban Reserve area is developed it will be approximately 99,900. The City currently has 27,500 jobs and this plan allows for 72,000 plus another 6,000 in the Urban Reserve area. This would make the job/house ratio for the City about 1.4:1, that ratio is currently 0.88:1.

Commissioner Olson asked if an economic analysis was done concurrently with this report. Mr. Bhatia stated that many aspects of the City's elements were looked at and analyzed. Once the Preferred Plan is chosen there will be another analysis done to be more specific to that plan. Olson asked if the industrial areas were left out due to some of the information gathered. Mr. Bartlam stated that the term Business Park is being used as an all encompassing term for Light Industrial, Heavy Industrial, and Office use. Olson stated that it would be a shame to not give companies that are currently here that would like to grow no place to go. Mr. Bartlam stated that there will be some specific planning done from a Utility Master Plan bases. The plan generates a direction and then policies will generate a direction for the Utility Master Plan. Olson asked about the job balancing ratio. Mr. Bhatia stated that typically there are 1.2 jobs needed per household and when that is in perfect balance with the jobs offered you will have the same number on both sides. Mr. Bartlam

stated that just because it is being shown on the map doesn't mean it will happen. The notion of full build-out is basically a theoretical idea. The plan allows for the best case ideals.

Commissioner Heinritz asked if it wouldn't be prudent to include the Delta College site in the plan. Mr. Bartlam stated that once staff understood that the project was not moving forward then the area was removed from the plan, but just because it is shown or not shown in the plan doesn't mean it will or won't happen. Commissioner Heinritz stated that the General Plan can be amended. Mr. Bartlam stated that is correct, four times a year.

Vice Chair Cummins asked for the definition of Urban Reserve. Mr. Bhatia stated that the Urban Reserve area is used when and if all the urban areas have been developed. Cummins asked about the Mixed Use Centers specifically the area along HWY 12 as you enter the City from the west. Mr. Bhatia stated that the intention there is to have not only commercial uses, but also office and hotels. Mr. Bartlam stated that the mixed use could be horizontal and/or vertical. The center is meant to identify areas. Cummins asked if this is economically viable. Mr. Bartlam stated that yes it can work, for instance; Salisbury Market with Wine and Roses at the corner of Turner Road and Lower Sacramento Road. Cummins asked about the walking path along the irrigation canal. Mr. Bartlam stated that the first time this idea was presented years ago it was not very popular with the residences in the area, but he feels that it is worth looking at it again.

Commissioner Hennecke asked about the area south of the city being designated a Study Area. Mr. Bartlam stated that it is being called a study area because that is exactly what it is. There is an item going before Council that could potentially put the area ½ mile north and south of Armstrong from Hwy 99 to I-5 into a study area and hopefully by the time the General Plan is near completion that study will be further along. Hennecke asked if the area could be considered an Area of Interest and placed in the General Plan. Mr. Bartlam stated that it can be, but it still isn't something that LAFCO has embraced. Hennecke asked about the area to the north and why there isn't any growth being shown there. Mr. Bhatia stated that developing on both sides of the river has a lot of challenges and will be a tough area to develop. Hennecke stated that this could be an area that we could try to lock up in an Area of Interest. Mr. Bartlam stated that the County is also going through their General Plan Update and this is a good time to give them our input for future uses.

Commissioner Mattheis asked if the policies will outline the use of the Urban Reserve areas; east vs west. Mr. Bartlam stated that yes there will be policies that outline the eastern area and a separate policy for the western area. Mattheis asked why leave the urban reserve area uses blank if the City is concerned with providing for the connectivity. Mr. Bartlam stated that by designating land uses within the urban reserve areas gives the wrong impression of growth. The Growth Management policies have priority areas and that would be used to grow into the urban reserve area. Mattheis wanted to clarify if when the City opens up the Urban Reserve areas for development it will create a trigger to open discussions up to the public again. Mr. Bartlam stated that is correct. Mattheis asked what the benefit is to putting the Study Area to the south into the General Plan. Mr. Bartlam stated that by giving the area a designation puts a stamp on it. Mattheis asked about city services going into the area. Mr. Bartlam stated that from a staff perspective it is possible, but there are a lot of players involved. Mattheis asked if services are being contemplated for the area why not bring it into the Sphere of Influence. Mr. Bartlam stated that there is a planning process in the works by the County that is outside the County's General Plan and will be an independent document specific for that area. Mattheis asked about the medium density residential on the eastside and how it effects the density in the area. Mr. Bhatia stated that this could potentially increase the density for the area. Mr. Bartlam stated that implementation of the policies are going to be the heart of the plan. Mattheis asked about the transition from mixed use centers to residential areas and creating more of a step down effect. Mr. Bhatia stated that the intention is to have a step down from the center, commercial/office uses to the residential areas and that will be describe more clearly in the polices. Mattheis asked about the over building of more retail/industrial and how people commuting into the area to work effects the global warming issue and the problem that could be faced with CEQA. Mr. Bhatia stated that will be a consideration when creating the environmental document. Mattheis stated that he thinks that the City may be over reaching a bit in this area. Mr. Bartlam stated that the environmental document will need to address these issues.

Commissioner Kirsten asked if the designation Ag/Open Space placed in Stockton's General Plan is a valid designation in LAFCO's eyes. Mr. Bartlam stated that he is familiar with the designation, but not familiar with Stockton's General Plan Policies that implement that designation. Kirsten stated that he would be interested in knowing the definition and whether or not the designation is binding. Mr. Bartlam stated that he would hesitate to recommend an area as Open Space. He stated that there are several property owners in the Armstrong area that would not appreciate an Open Space designation with out some concessions. Kirsten asked if the Delta College development comes back to the table what about the leap frog policy that will be preventing that development. Mr. Bhatia stated that there can be language added to allow or not allow this type of development. Kirsten asked about the passive park area in regards to the proposed Delta College Site. Mr. Bartlam stated that the language can be written either way. Worst case scenario full blown land use that takes a look at the leap frog aspect and best case scenario decisions are made to accommodate this project within this General Plan. Mr. Bhatia stated that language should be added to plan for not only the college but for the surrounding areas also.

Chair Kiser asked if the area could be put into the Urban Reserve designation. Mr. Bhatia stated that the Urban Reserve area is meant to be contiguous with the area around it. Putting the Delta College campus out on Hwy 12 creates a totally different infrastructure for the area. Mr. Bartlam stated that the decision that staff made to leave it out was based on the decision made by the College Board. The only interest that the City had in that area was the College. Kiser asked to have the difference between a Sphere of Influence and Urban Reserve explained. Mr. Bartlam stated that a Sphere of Influence is an area that the City wishes to designate for future growth and LAFCO must concur. The Urban Reserve is similar, but does not require LAFCO to agree. The reserve states that the City has a desire and interest if the need arises to grow in that area.

Commissioner Hennecke asked if the terminology that the city uses should match LAFCO's. Mr. Bartlam stated that the definitions are different. What the city wants to designate as Urban Reserve will not have the same definition and implementation polices as the Area of Interest that LAFCO uses. Hennecke stated that LAFCO has hinted at the idea that if one entity designating an Area of Interest it would preclude another party from taking possession. Mr. Bartlam stated that he does not have the level of detail about the intent of that definition, but it is a LAFCO definition not a universal definition like Sphere of Influence. Hennecke asked about the Sphere of Influence encompassing Woodbridge. Mr. Bartlam stated there is no intention of annexing land from Woodbridge, but has been a part of the Sphere of Influence since before the current General Plan. As an example, Woodbridge School could not have been annexed if the area had not been in the Sphere, but there is not any intention of annexing any more land in the Woodbridge area. Hennecke stated that the Mountain House Delta College project has not been done well and would not like to see that happen to Lodi.

Vice Chair Cummins asked if the area on Cochran Road has been annexed into the City. Mr. Bartlam stated that Cochran Road is completely a part of the City. There is an area west of Lower Sacramento Road along Taylor Road that has not been annexed. Cummins stated that that is the area he meant and asked if that area is planned to be annexed. Mr. Bartlam stated that yes it is a part of the current General Plan as Planned Residential, but the area getting annexed is in the hands of the property owners.

Chair Kiser called for a five minute recess (8:29)

Chair Kiser called the meeting back to order (8:39)

Hearing Opened to the Public

- Patrick McCuen, developer working on the Delta College Lodi site, came forward to support the addition of the site into the General Plan. Mr. McCuen stated that there is reason to believe that the new board for the College is in favor of pursuing this growth site. He handed in a letter (attached) for the Commission to consider.

- Commissioner Kirsten ask if there is a designation placed in the General Plan for the College what is the likelihood that the College would be inclined to go forward. Mr. McCuen stated that the college got frustrated with the General Plan Amendment process. They would be more inclined to focus on an area that is already designated for them. Kirsten asked if the City were to designate this area for the College would it encourage the Board to move forward with the project. Mr. McCuen stated that it would be considered a generous invitation and would be well received.
- Commissioner Mattheis asked about the land uses used in the sketch plan (attached). Mr. McCuen stated that the colors represent the designations from sketch plan C. Mattheis asked if there would be any reservations of designating the area a mixed use center. Mr. McCuen stated that there would not be any reservations to that suggestion.
- Pat Patrick, Chamber of Commerce, came forward to encourage the Commission to not send the plan on to the City Council with a recommendation. Mr. Patrick stated his reservation of how the designations are defined and how the areas are presented. He would like to see a plan that is geared more toward the encouragement of the wine industry. He agrees with Commissioner Hennecke in regards to the terminology used by the City and how it relates to LAFCO's terminology. What is the likelihood of Lodi growing out to the full growth area as presented in this plan? Mr. Patrick does not think it is likely to happen. The first time that the path along the Woodbridge Irrigation Canal was brought forward the homeowners whose backyards abut it were strongly against the idea and Mr. Patrick does not think that sentiment has changed. He would like to see more consistency with the designations in the plan.
- Commissioner Kirsten asked for clarification on the area in the SE corner of the plan. What would the Chamber like to see for that area? Mr. Patrick stated that the Chamber would like to see the area on the west side of the CCT line be designated as industrial. Kirsten asked if the market recovered and there was a drive to use the land as designated on this plan would the Chamber support that growth. Mr. Patrick stated that the Chamber would support it if it was being market driven, but the odds of that happening based on past experiences in Lodi isn't good.
- Commissioner Hennecke asked if the industrial area along the traction line were to be placed in the plan as the Chamber is suggesting then wouldn't that drive the residential to the west. Mr. Patrick stated that that is only one ingredient in the mix. The City has been operating on little, if no, available industrial property for the last couple of years. Hennecke asked if the chamber has looked at the area north of the Mockelumne River and the Goehring Meat property. Mr. Patrick stated that they have talked with Delta College and Blue Shield, but the infrastructure is difficult and the history of the property is a bit tainted.
- Mike Carouba, Lodi, came forward to present the ideas that the Chamber has come up with. Mr. Carouba handed the Commission a land use map that express the ideas of the Chamber (attached). The Chamber is not recommending the urban growth to the west because of the areas that are already in the process and will probably extend out the growth to the 20 years considering the slow start that the economy is giving us. The Chamber's White papers suggested that there be a new land use that would encourage high density commercial/industrial job sites and in response city staff came up with the Business Park/Office which combines this new land use idea with the M-1 & M-2 designations. This isn't exactly what the Chamber wanted. The Chamber wants a new designation over and above the M-1 & M-2, not a combination of all three into one. New Urbanism is a new concept and the growth of the city should reflect this new concept; for instance the Downtown Mixed Use and the Mixed Use Corridor areas are definitely worth a try; however the Mixed Use Centers placed in the growth areas are not economically viable. Mr. Carouba continued with his comments using the two, Chamber's & Draft Preferred Plan, land use maps to point out the positives and negatives of the Preferred Plan.
- Commissioner Hennecke asked about the proposed development for Delta College. Mr. Carouba stated that the Chamber was not aware of the new interest and the site was not able to be included in the Chamber's plan, but the Chamber is in full support of the idea.

- Commissioner Olson asked about the removal of the Medium Density area to the south in the Chamber's plan. Mr. Carouba stated that there was no intention of removing any of the Medium Density areas to the south; only the Mixed Use Centers.
- Chair Kiser asked about the types of industrial users that the Chamber sees in the area adjacent to the traction line. Mr. Carouba stated that food processors, distribution centers and heavy industrial type businesses that have the need for rail uses.
- Steve Herum, Herum & Crabtree, Attorney representing the Armstrong property owners south of the City and the Fry, Fink and Costa families, came forward to express their concerns. The property owners in the Harney Lane and Armstrong area are afraid that the hard work that they put in 20 years ago to get the PRR designation in the 1991 General Plan will all go to waste. They don't want to come away with less than they currently have. The failure to put a definition to the designation for the area south of Lodi is troubling. The Armstrong Road Agricultural/Cluster Study Area designation is new to the plan and people have not had enough time to digest it. What happens if the County does not adopt the designation that the City is proposing? Mr. Herum would like to see a time out taken to provide more meat to the bones and see of the policies for the more unique designation in more detail. He handed the Commission a copy of the current General Plan with the PRR area south of the City outlined and a sample definition for the new Armstrong Road Agricultural/Cluster Study Area (both attached). The Stockton General Plan had several of the mix use centers in their plan and the same arguments that are being heard here were heard there.
- Commissioner Kirsten asked about the Ag/Open Space designation that is in the Stockton General Plan. Mr. Herum stated that the focus should be more toward the Sphere of Influence area which is where the growth will be. Kirsten asked again if the Ag/Open Space is a binding designation. Mr. Herum stated that like any General Plan designation it can be changed. The area north with the Ag/Open Space designation was done with that property owner's consent.
- Commissioner Hennecke asked about Mr. Herum's take on LAFCO's Area of Interest designation. Mr. Herum stated that that is all it is, a statement that shows interest.
- Pat Stocker came forward to comment on the plan. He stated his objection of this map moving forward to the City Council based on the comments heard here tonight. The area that he would like to focus on is the buffer area. Mr. Stocker stated that he prefers the term Study Area for the south side, because that is what it should be considered. Going east of Hwy 99 was not in the original plan for the Study Area nor is it in the County's RFP. He feels it is premature to include the commercial area that is on the south east corner of Hwy 99 and Harney Lane. Mr. Stocker would like to see the City take an interest in the area north of the Mokelumne River. The same idea for the southern edge of the city should be put toward the northern edge. He would like to see the Urban Reserve area to the east moved back to the southern edge of the city because he does not feel that this area would be conducive for residential. Mr. Stocker would like to have a little more time to process this before it is sent on to the City Council.
- Commissioner Kirsten asked Mr. Stocker to point out the area of his property east of Hwy 99 that is zoned AL5 along Hogan Lane. Mr. Stocker with the use of a laser pointer complied. The property has been zoned AL5 since the 1990 when the County's General Plan was adopted.
- Bruce Fry, Lodi, came forward to encourage the Commission not to pass this plan on to the City Council until people have a chance to digest the new designations that have been added. Mr. Fry stated that he agrees with the comments that have been made so far. He would have liked to have seen the current General Plan map made available for comparison purposes when the alternative plans were being discussed.
- Jim Migliori, Petrovich Development, came forward to support the area designation in the SE corner of Harney Lane and Hwy 99 which he has an interest in.

- Anne Cerney came forward to make comments. Ms. Cerney stated that she lives in Lodi and will not benefit from the growth of Lodi. The comments that have been made here tonight have been very one sided and they have been made by people that will benefit by the growth of Lodi. There is going to be an item going before the City Council in the near future that consists of the County asking for money to fund an environmental document that will effect the Ag designation south of the City of Lodi which will in turn benefit some of the people that have spoken here tonight. Ms. Cerney stated that elections have consequences referring to the City of Stockton's Council election and the effect it will have on the concept of the greenbelt between our two Cities.

Public Portion of Hearing Closed

Chair Kiser called for a five minute break (10:14).

Chair Kiser called the meeting back to order (10:18)

- Commissioner Heinitz asked what the procedure should be from here regarding more time. Mr. Bartlam stated that it is up to the Commission at this point. Commissioner Heinitz would like to see more time for the public to digest this plan and consider the Delta College site.
- Commissioner Olson stated that she would like to see the Industrial area placed alongside the traction line vs the Business Park/Office.
- Commissioner Kirsten agreed with Commissioner Olson regarding the area along the traction line. Kirsten stated that there are four new people on the Delta College Board and would like to see if there really is any interest in the Lodi site. He would like to see the site placed back on the map if there is interest.
- Commissioner Hennecke stated that he would also be in favor of placing the Delta College site back on the map if there could be some kind of confirmation directly from the College Board. He would like to see the Industrial designation used along the traction line. He would also like to get in alignment with LAFCO in regards to the designations.
- Commissioner Mattheis stated support for the plan. He would like to see encouragement for infill projects. He likes the mixed use centers and is looking forward to seeing the policies that will go along with those designations. He feels the Urban Reserve areas are responsible planning and would like to see them stay in the plan. Mattheis agrees with the other Commissioners in regards to the corridor along the traction line, but from what staff has stated the Business Park/Office designation will allow for that flexibility. He would like to see a detailed market analysis regarding the large chunk of Commercial on the SE corner of Hwy 99 and Kettleman Lane. The AL5 designation, what happens if that designation goes away? Mr. Bartlam stated that he will address that at the next meeting. Mattheis is not in favor of adding the Delta College site with just the hope that they will come and fill it. The main concern is that once there is residential designated for that area there could be a push to grow east with more residential when the time comes for the next General Plan. Mattheis suggested putting the area for the college into a Urban Reserve designation.
- Vice Chair Cummins would like to see the new plan put into the news paper and placed on the City's website to help encourage more comments.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Cummins second, tabled the request of the Planning Commission to consider and recommend to the City Council the Draft Preferred Plan Alternative and report for the General Plan Update.

Continued

Ayes: Commissioners – Cummins, Heinitz, Hennecke, Kirsten, Olson, Mattheis, and
Chair Kiser

Noes: Commissioners – None

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

Summary Memo Attached

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Mr. Bartlam brought up some calendar items that are ready to be brought before the Commission before the end of the year and with the City Council using the December 10th meeting to hear the Lodi Shopping Center Appeals. December 18th was discussed as a possible special meeting for the Commission.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten stated that there was a meeting, but because to the late hour will bring everyone up to date at the next meeting.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 10:40 p.m.

ATTEST:

Konradt Bartlam
Interim Community Development Director