



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: April 1, 2008

SUBJECT: Gibson-Ogden Development Project,
Tentative Map 4879

Report in Brief

The Gibson-Ogden development project proposes development of 90 single family lots on 14.47 acres, including the footprint for a future bike-pedestrian overpass landing. The project site is currently owned by the Woodland Joint Unified School District. In coordination with the applicant, Gibson-Ogden Investors, LLC, the School District is requesting entitlements for residential development on the property in order to facilitate a land swap for a future school site in the Spring Lake Specific Plan area. Requested project entitlements include a General Plan Amendment, Zoning Amendment, Southeast Area Specific Plan Amendment, Tentative Map #4879 and a Conditional Use Permit for a Planned Development

It is recommended that the City Council approve the following actions:

- Approve Resolution __ approving the Mitigated Negative Declaration, including the identified mitigation measures, directing that a Notice of Determination be filed and adopting the Mitigation Monitoring Plan.
- Approve Resolution __ amending the City General Plan land Use Exhibit to change the land use designation for 14.47 acres (APN 027-80-008) from Public Service (PS) to Medium Low Residential Density (MLRD)
- Approve Resolution __, amending the Southeast Area Specific Plan Land Use Exhibit to change the specific plan land use designation for 14.47 acres from Medium Density Residential (MDR-20) to Low Density Residential at 7 dwelling units per gross acre (LDR-7).
- Introduce Ordinance ____, rezoning 14.47 acres (APN 027-80-008) from Multiple Family (R-M/PD) to Duplex Residential Zoning (R-2/PD).
- Approve Tentative Subdivision Map No. 4879, creating 90 lots on 14.47 acres plus dedication for a pedestrian/bike overpass, and dedication of public street right-of-way as identified in the Attached Tentative Map.

- Approve a Conditional Use Permit (CUP) for Planned Development (P-D) Overlay that includes modifications to setbacks, lot dimensions, and minimum lot area, street width and design.

Background

On November 16, 2006 the Planning Commission reviewed the proposed General Plan Amendment petition request to change the designation from Public Service to Residential and the corresponding down zoning from MDR-20 to LDR-7. The Commission accepted the petition on a 3-2 vote.

The initial project submittal in April 2007 was for 88 mixed unit lots with an internal round about, overpass and park site. The City, Gibson-Ogden Investors, LLC, and the Woodland Joint Unified School District (WJUSD) worked together to develop a project design which would serve the interests of all parties. The project unit count is now at 90 lots and includes dedication for the future overpass landing. Final resolution on the lot design and overpass landing dedication was reached prior to the March 6, 2008 Planning Commission meeting.

On December 18, 2007, The City and the developer, Gibson-Ogden investors, LLC, and the WJUSD negotiated a tri-part Memorandum of Understanding and Settlement Agreement with regard to payments of such items as Major Projects Financing Program (MPFP) fees, and South East Area Specific Plan (SASP) development impact fees. (The Memorandum of Understanding is included as **Attachment 11** in the February 21, 2008 Planning Commission Report.)

Complete description and detail of the project are included in the Planning Commission staff report for February 21, 2008, included as **Attachment B** and in subsequent reports to the Planning Commission for the March 6, 2008 meeting, **Attachment C**.

Discussion

This item was heard by the Planning Commission at their February 21, 2008 meeting. The public hearing was continued to the March 6, 2008 meeting to allow the applicant and City staff time to investigate conditions of approval related to dedication for the overpass landing. Resolution on the matter has been reached in that the District and Gibson Ogden Investors, LLC has agreed to the condition regarding dedication for the landing as recommended by the City Attorney. To facilitate future development of the overpass, the applicant has submitted a revised design for the three lots north of the landing that would be affected by the construction easement. The applicant has reconfigured the three lots and the units to accommodate the easement setback, (as shown in **Attachment B** in the March 6 report.)

Fiscal Impact

Funds from the General Fund have been utilized for Community Development salaries and the completion of the Initial Study. Future City funds generated through development impact fees will be allocated toward the completion of the Gibson bike-pedestrian overpass.

Public Contact

Noticing has taken the following forms:

- On March 22, a legal notice was published in the Woodland Daily Democrat, notice of hearing was sent to all property owners within 300-feet of the project site, and the item was posted on the City Council agenda.
- In accordance with notification procedures set forth in the City Municipal Code and State Planning Law, public notice for the project before the Planning Commission was provided in two ways: 1) on February 1, 2008 a Notice of Intent and Public Hearing was mailed to the City's interested parties list, the City's CEQA distribution list, the project applicant team, and all property owners within 300-feet of the project site; 2) on February 1, 2008 a legal notice was published in the Woodland Daily Democrat.

Commission Recommendation

The proposed development project was heard before the Planning Commission at their February 21, 2008 and March 6, 2008 meetings. On March 6, 2008 the Commission recommended, on a 7-0 vote that the item be recommended for approval by the City Council.

Environmental Review

A draft Negative Declaration was circulated on February 1, 2008 for a 21-day comment period running from February 1, 2008 through February 21, 2008 (see **Attachment 10**, Negative Declaration, Initial Study and Mitigation Monitoring Plan in the February 21, Planning Commission report). Prior to taking any action to approve the project as recommended, the Planning Commission adopted the Negative Declaration as a final document and made specified findings required under CEQA.

Pursuant to Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines, a Mitigation Monitoring Plan (MMP) has been prepared to ensure that during all phases of the project, the City and any other responsible parties implement the adopted mitigation measures. The applicant has agreed to the mitigation measures.

Recommendation for Action

Staff recommends approval of the proposed project *as conditioned* and that the City Council makes an affirmative motion as follows:

Move that the City Council take the following actions to approve the Ogden/Gibson Development Project based on the Identified Findings of Fact and subject to the identified Conditions of Approval:

- Approve Resolution __ approving the Mitigated Negative Declaration, including the identified mitigation measures, directing that a Notice of Determination be filed and adopting the Mitigation Monitoring Plan.

- Approve Resolution __ amending the City General Plan land Use Exhibit to change the land use designation for 14.47 acres (APN 027-80-008) from Public Service (PS) to Medium Low Residential Density (MLRD)
- Approve Resolution __, amending the Southeast Area Specific Plan Land Use Exhibit to change the specific plan land use designation for 14.47 acres from Medium Density Residential (MDR-20) to Low Density Residential at 7 dwelling units per gross acre (LDR-7).
- Approve Ordinance ____, rezoning 14.47 acres (APN 027-80-008) from Multiple Family (R-M/PD) to Duplex Residential Zoning (R-2/PD).
- Approve Tentative Subdivision Map No. 4879, creating 90 lots on 14.47 acres plus dedication for a pedestrian/bike overpass, and dedication of public street right-of-way as identified in the Attached Tentative Map.
- Approve a Conditional Use Permit (CUP) for Planned Development (P-D) Overlay that includes modifications to setbacks, lot dimensions, and minimum lot area, street width and design.

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Attachments:

Attachment A: Findings and Conditions of Approval dated April 1, 2008
Attachment B: Planning Commission Report from February 21, 2008
Attachment C: Planning Commission Report from March 6, 2008
Attachment D: Resolution for Mitigated Negative Declaration
Attachment E: Resolution for a General Plan Amendment
Attachment F: Resolution for Southeast Area Specific Plan Amendment
Attachment G: Ordinance for Rezoning
Attachment H: Planning Commission Minutes