




Planning Commission Staff Report

Date: March 5, 2021

Item Initiated By: Raffi Boloyan, Community Development Director

Authorized By: Raffi Boloyan, Community Development Director 

Prepared By: George Osner, Consulting Planner
Raffi Boloyan, Community Development Director

Subject: **SUPPLEMENTAL Information for March 9, 2021 Planning Commission Hearing on Adoption Hearing of Dixon General Plan 2040 and Associated Final Environmental Impact Report (FEIR)**

BACKGROUND

On February 17, 2021, a notice of availability and public hearing notice for the March 9, 2021 Planning Commission hearing was issued. In addition, the Draft General Plan 2040, Final EIR and Mitigation Monitoring and Reporting Program and the Staff Report were published on the city's web site for public review and review by the Commission.

Staff notes that following the mailing of the notice and posting of Hearing Draft General Plan on the City's web site, it was discovered that a few minor edits resulting from the Final EIR did not make it into the Hearing Draft of the General Plan. Therefore, the Hearing Draft was updated and reposted on the web site and a memo was prepared to outline the two items that corrected.

This memo serves as a supplement to the Staff Report that was previously distributed and includes some further staff recommended refinements, along with any correspondence that has been received to date with staff response, suggested meeting format and

STAFF RECOMMENDED EDITS

The following are additional edits/refinements to the Draft General Plan which are recommended by staff:

- 1. Further refinement of Campus Mixed Use land use designation definition (Page 3-15), as shown by ~~strikethrough~~ for deleted text and underline for new text**

Campus Mixed Use

The Campus Mixed Use (CAMU) designation is intended to foster new mixed-use employment districts with a range of job-generating uses, housing, and easy access to the regional transportation network. The CAMU designation would promote clusters of related light industrial, manufacturing, office, research & development, retail, hotel, service, and residential uses on large parcels near or adjacent to I-80 and SR-113 at gateways to the city. The CAMU designation is primarily intended to support mixed-use development projects, however single-use projects may also be permitted ~~so long as a mix of uses is developed throughout the CAMU designation~~. Mixed use can be vertical and/or horizontal. Allowable FAR is 30% to 60% (combined residential and nonresidential uses) and maximum allowable residential density is 30 dwelling units per acre. Corresponding zoning will be performance-based in order to promote flexibility and minimize non-conformance issues of existing uses.

Staff Analysis: The proposed change to the language would more clearly articulate that a single use, non-mixed use, project is allowed in the CAMU designation.

2. Further refinement to Land Use Policy LCC5-6 (Page 3-27), as shown by ~~strikethrough~~ for deleted text and underline for new text

LCC-5.6 In the Campus Mixed Use land use designation shown on Figure LCC-4, permit warehouse and distribution uses subject to a development agreement establishing a financial mechanism to provide for ongoing revenue generation to the City from those uses and environmental review ~~to ensure there are no new or substantially more severe impacts than identified in the 2040 General Plan EIR~~, which may include additional mitigation measures, to ensure there are no new or substantially more severe impacts than identified in the 2040 General Plan EIR."

Staff Analysis: The proposed change to the language would clarify that any warehouse or distribution center can be considered within the General Plan 2040 designation, and that environmental review would be required to demonstrate that there are no new or substantially more severe impacts and mitigation measures can be used, if they reduce any such impacts. Staff is supportive of this modification.

PUBLIC COMMENTS

Given that the staff report was produced at the start of the public hearing period, there were no public comments received at that time. Since that time, staff has received 1 letter, a copy of which is attached.

This letter from Lewis Development cites two main issues.

- First, the density range for the Corridor Mixed Use (CMU) designation has a density range of 14-28 units per acre. Their proposal has a lesser density, 9 units/acre, based on neighborhood feedback and concerns on the project. Therefore, they suggest that the CMU text could be revised to only include an upper density limit (or the range revised to lower the low end to 9 or less)

Staff Response: In terms of the density, the density range, is used to show the typical range of density and the upper limit of density for a land use designation. Although there is no policy in the General Plan that requires any new development to only be built within that range or at the mid to high end of the range, the idea behind the density range is to establish the expectation for intensity of development. Without a lower range, someone could propose a single family home, in an area that is designated for mixed use, medium density residential. As currently drafted, the policy states, with the *bolded* text as the tangible section of their concern:

Corridor Mixed Use

*The Corridor Mixed Use (CMU) designation is intended to foster a mix of retail and commercial uses, supported by housing. Mixed use can be vertical and/ or horizontal, and the allowable range of uses includes large format retail, shopping centers, offices, hotels and housing. On larger sites, more than one use is required. On smaller sites, a single use may be permitted. Allowable FAR is 50% to 200% for single-use developments and 80% to 240% for mixed-use developments (combined residential and non-residential uses). **Allowable residential density is 14 to 28 dwelling units per acre, with densities on the lower end of that range where proposed development abuts low density residential development.** Corresponding zoning will be performance-based in order to promote flexibility and minimize non-conformance issues of existing uses.*

As noted above, there is language that allows projects at the lower end of the range, where proposed development abuts low density residential. This would mean that a project could be built no less than 14 units to acre. Should the Commission find that this comment is warranted, further edits to this text could be made to allow densities lower than the range, where proposed development abuts low density residential development. This change would need to be balanced with the City's desire to promote increased density along the North 1st St corridor. A potential edit could be:

Allowable residential density is 14 to 28 dwelling units per acre, with densities on the lower end or below of that range where proposed development abuts low density residential development.

- Second, they identify a concern with a potential park being shown on their property. The potential park designation is illustrated on the Land Use Map (Figure LCC-4 on page 3-13 and Figure PSF-2 on page 6-18). The yellow star is shown on their properties, and the yellow star is defined as “potential park (generalized location)”

Staff Response: In regard to the potential park location, staff agrees that North 1st St frontage is not an ideal location for a park and there are no specific locations yet identified for the 4 potential parks shown on these maps. Staff believes the word “generalized location” adequately describes that the location is generalized, but also concurs that language could be added to further clarify this and note that specific locations for future parks have not been identified. The commenter has suggested adding “no park location has been selected” to the text after “generalized location”

Any further letters or emails received distribution of this supplemental report (after Thurs 3/5 at 5pm), will be compiled distributed to the Commission by Monday, 3/8 by 5pm and Tuesday 3/9 by 5pm.

MEETING FORMAT

In advance of the meeting, we would like to inform you of the anticipated format for the meeting, to help you gather and organize your thoughts. We will have the General Plan and EIR consultant present and making the majority of the presentation. In addition, staff will have representatives from Community Development and Public Works Departments present to answer any questions in their applicable topic areas

The meeting would follow the typical process, but for the Commission Discussion section, we'd suggest that you take those by chapter contained in the General Plan:

1. **Staff Presentation.** We anticipate staff presentation of 25 minutes, given the extensive history and complexity of the topic
2. **Applicant Presentation** - None
3. **Commission Questions of Staff** – Ask any questions of staff
4. **Public Hearing and Comment** - Accept any public comments
5. **Commission Discussion and Action** - For this section, staff would like to suggest that the Commission focus their comments, discussion and questions, chapter by chapter, as listed in the table of contents. Each chapter could be discussed, with each Commissioner having the opportunity to provide their input for that chapter and then once that chapter is completed, moving to the next one. This will help the Commission, public and staff follow the discussion
 - a. Introduction
 - b. Natural Environment
 - c. Land Use and Community Character
 - d. Economic Development
 - e. Mobility
 - f. Public Facilities and Services
 - g. Other Comments/Miscellaneous

ATTACHMENTS

1. Public correspondence
 - Letter from Rob White of Lewis Land Developers, dated 3/3/21

On Line Location for the Documents Previously referenced in March 9, 2021 Staff Report:
<https://www.ci.dixon.ca.us/438/General-Plan-Update>

- Draft General Plan 2040 (*Public Hearing Draft Published February 23, 2021*)
- Memo RE Hearing Draft General Plan 2040 Amendment, Dated 2-23-21
- Mitigation Monitoring and Reporting Program (*Published February 2021*)
- Final EIR /Response to Comments (*Published February 2021*)
- Draft EIR (*Published July 8, 2020*)

Lewis Land Developers, LLC

9216 Kiefer Boulevard
Sacramento, CA 95826
(916) 363-2617

Rob White
Vice President
Lewis Planned Communities
Direct: (916) 403-1718

March 3, 2021

Mr. Joe Quinn, Chair
Commissioners Jack Caldwell, Randy Davis, Baudelio Diaz, and Janet Koster
Planning Commission
Community Development Department
City of Dixon
600 East A Street
Dixon, CA 95620

RE: Input on Corridor Mixed Use in Draft General Plan 2040 Update

Dear Dixon Planning Commission Chair Quinn and Commissioners:

Lewis Land Developers, LLC (Lewis) has been working with the staff of the City of Dixon since early 2019 on the Lincoln Square project - a mixed use residential and retail project on about 13 acres at the southwest corner of California State Highway 113 (Lincoln Highway) and North Lincoln Street (Vaughn Road). Lewis submitted an application for our project on October 6, 2020.

It has come to our attention that based on the most recent Draft General Plan 2040 Update document to be reviewed at the Planning Commission meeting on March 9, 2021, Lewis' current project application would not conform to the proposed new land use designation and thereby cause Lewis to be unable to obtain project approvals in a timely manner.

The background for how we arrived at this point is laid out below. The noted areas of concern are described on Page 2 and suggested simple solutions are described on Page 3.

BACKGROUND

Lewis initially engaged in early 2019 with the City leadership, City manager, and the previous community development director on planning of a mixed-use project. It was shared with Lewis that the City had been commencing a General Plan update since 2015 and that the project we were describing would conform with that General Plan update. The City also informed Lewis that a previous project consisting of 3-story apartment buildings had been recently denied and therefore encouraged Lewis to develop a project consisting of single-family detached homes complemented with a commercial or retail use on the corner of Hwy 113 and North Lincoln Street.

As a result of those discussions, Lewis subsequently developed a project consisting of single-family detached residential at about 8 dwelling units per acre with auto-oriented retail uses on the corner. This initial plan was shared with the City and additional input was received.

After further refining the project plan in coordination with the City staff, Lewis representatives presented development options at the Dixon Planning Commission on August 26, 2019 to gain feedback from the community. Lewis took that feedback and further developed our project plan, looking for interested retail uses that would fit the stated community desires. We also continued to work with the community development director on the residential portion of the plan, arriving at a single-family detached residential product that Lewis has successfully developed in nearby Fairfield. Small modifications were made to ensure enough parking in the driveway of each home and increase the side-yard setbacks. This resulted in a density of just under 9 units per acre.

It was our intent to submit an application in early 2020 when the pandemic changed the outlook on retail and the proposed users were no longer viable. We continued to work on the residential plan with staff while we looked for new retail uses.

Lewis was able to secure a car wash retail user in late summer 2020 and submitted an application to the City in early October 2020. We also noted for staff that the retail portion of the project plan was conceptual only as an exciting family-owned retail user was emerging for the corner that would also result in sales/use tax revenue for the City. Due to the discreet nature of the discussions, we shared this information with the City manager and just a few key staff.

With staff transition occurring at that time in the community development department, Lewis continued to focus on communicating with the City manager about the potential new retail use and stated that we would submit an updated application as soon as we had secured their development plans. After significant work with this Northern California-based retail user, Lewis has been able to secure a combination retail use of car wash (as originally planned), larger format convenience store, and fuel sales. The retail brand is one known for their recent development work with cities like Brentwood, has locations in over 30 Northern California cities, and has invested in the level of design and site planning that are reflective of an owner-user.

Over the last two months, Lewis has been in the process of updating our project application with this new user and is submitting these plans to the community development department by the end of this week (March 5th). The proposed land use map for this updated project application is attached for your reference and demonstrates how the small lot, detached residential and corner retail use can integrate seamlessly with the surrounding existing uses.

ITEMS FOR CONCERN

Based on significant input over the last 20 months from City staff and the community, Lewis has developed a mixed-use project application that reflects the transitional opportunities of moving towards a mixed-use approach for the northern Lincoln Highway corridor while still being sensitive to the existing residential and surrounding uses. We think that our current application with a residential density of about 9 dwelling units per acre reflects the transition from the less dense neighborhood to the west (at about 5 units per acre) with the City's desire for higher density along the Lincoln Highway corridor.

However, the Draft General Plan 2040 Update being reviewed by the Planning Commission has three items that are of concern to Lewis and will prevent us from being able to continue forward with our project application. These include:

- **Floor Area Ratio (FAR) and Density**

Page 3-15: Corridor Mixed Use (CMU) designation – Figure LLC-4 (attached) designates this project site as “Corridor Mixed Use” and the description of CMU on page 3-15 (attached) includes the requirements of:

- “Allowable FAR is”... “80% to 240% for mixed-use developments (combined residential and non-residential uses).”; and
- “Allowable residential density is 14 to 28 dwelling unit per acre (DU/AC).”
- **Potential Park Location**
Page 3-13: Figure LLC-4, Land Use Designations – the southern half of the project property has a gold star indicating this as a potential park location. It is noted in the legend that this is a “generalized location.” However, this property has been discussed as a residential and commercial/retail project site for many years and is not ideal for a park location.

None of these proposed conditions – FAR, dwelling units per acre, and park location – would be consistent with the Lewis project application and ignores the many months of on-going discussion that Lewis has had with the City. We assume this is merely oversight and provide a possible solution below that does not require significant work on the part of the City to modify the Draft General Plan so that Lewis would be able to proceed with our project in a timely manner.

REQUEST

There are three simple changes to the Draft General Plan 2040 Update that Lewis requests that the Planning Commission consider:

1. **FAR and Density** - For the CMU designation, Lewis requests that the Planning Commission recommend that the FAR and residential density have a similar flexible description like that proposed for “Downtown Mixed Use (DT).” On page 3-15, the DT designation states, “*maximum allowable FAR is 300% (combined residential and non-residential uses) and maximum allowable residential density is 30 dwelling units per acre.*” For consistency, the CMU designation could similarly state the desired upper limits of FAR and density without specifying a lower threshold, providing the City with maximum flexibility as it moves towards more density.

Suggested Text Revision to CMU designation: “*Maximum allowable FAR is 200% for single-use developments and 240% for mixed-use developments (combined residential and non-residential uses). Allowable residential density is up to 28 dwelling units per acre, with densities on the lower end where proposed development abuts low density residential development.*”

If this change to remove the lower threshold is unacceptable, we request that the Planning Commission instead implement a lower threshold FAR of 30% and density of 9 dwelling units per acre, allowing for a very small lot and dense, detached single-family residential use that is reflective of the neighborhoods to the west. As you will note on the attached Lewis’ project site plan, the proposed residential lots are smaller than the existing home lots to the west and density much above this would not be reflective of providing a reasonable transition of FAR and densities from the existing neighborhoods into the proposed project.

2. **Potential Park Location** - For the generalized location of the proposed park, Lewis recognizes the City’s desire to provide outdoor public amenities. However, the current site is not an appropriate location due to the interface with a large street to the east (Lincoln Highway) in juxtaposition with use by children. In reviewing the available property in this area, better locations away from the major streets exists for these neighborhood serving amenities.

Suggested Figure LLC-4 Revision: Lewis requests that the legend be even more descriptive and note that “no park location has been selected.” Moving the location of the gold star is even more desirable, though not required for Lewis to successfully move forward with our project.

We realize that a significant amount of work has gone into the General Plan Update process and are encouraged by the forward momentum that the City has taken. As a developer that is assessing additional opportunities in Dixon, we try to work cohesively with the community and City staff to bring forward projects that contribute to the overall well-being and economic vitality of the City.

Lewis believes that the project application we have submitted to the City helps provide unique residential design that trends towards higher density while being sensitive to the adjacent neighborhoods. The project also provides a retail use that generates on-going revenue for Dixon while satisfying market demand for additional amenities like an up-scale car wash. With these requested minor changes to the Draft General Plan Update, Lewis can proceed forward with bringing a quality new neighborhood and family-owned retail partner to Dixon.

Lastly, this last year has demonstrated that the market has reacted in uncertain ways, with residential demand in the Sacramento Valley being at historic levels and retail users having many uncertainties. Lewis believes this project strikes a balance of providing a unique residential product that will be welcome in the Dixon market with a solid retail use that has staying power and is owned and operated by a Northern California-based family. But now that we have a solid plan, we need to move swiftly through the process to ensure that this plan can be developed. We hope to be back at Planning Commission this summer requesting approvals and having a General Plan Update that is supportive of this project will help ensure that possibility.

Thank you for your consideration. Lewis Land Developers, LLC looks forward to our continued partnership on this project.

If you have any questions, please contact me at (916) 403-1718 or rob.white@lewismc.com.

Sincerely,

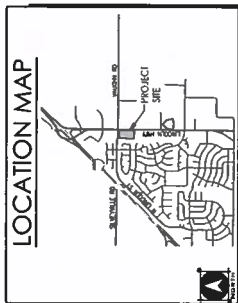


Rob White
Vice President – Lewis Planned Communities

cc: Jim Lindley, City Manager – City of Dixon
Raffi Boloyan, Community Development Director – City of Dixon
Doug Mull, Senior Vice President - Lewis Planned Communities

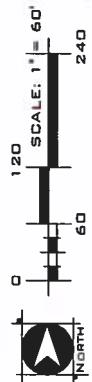
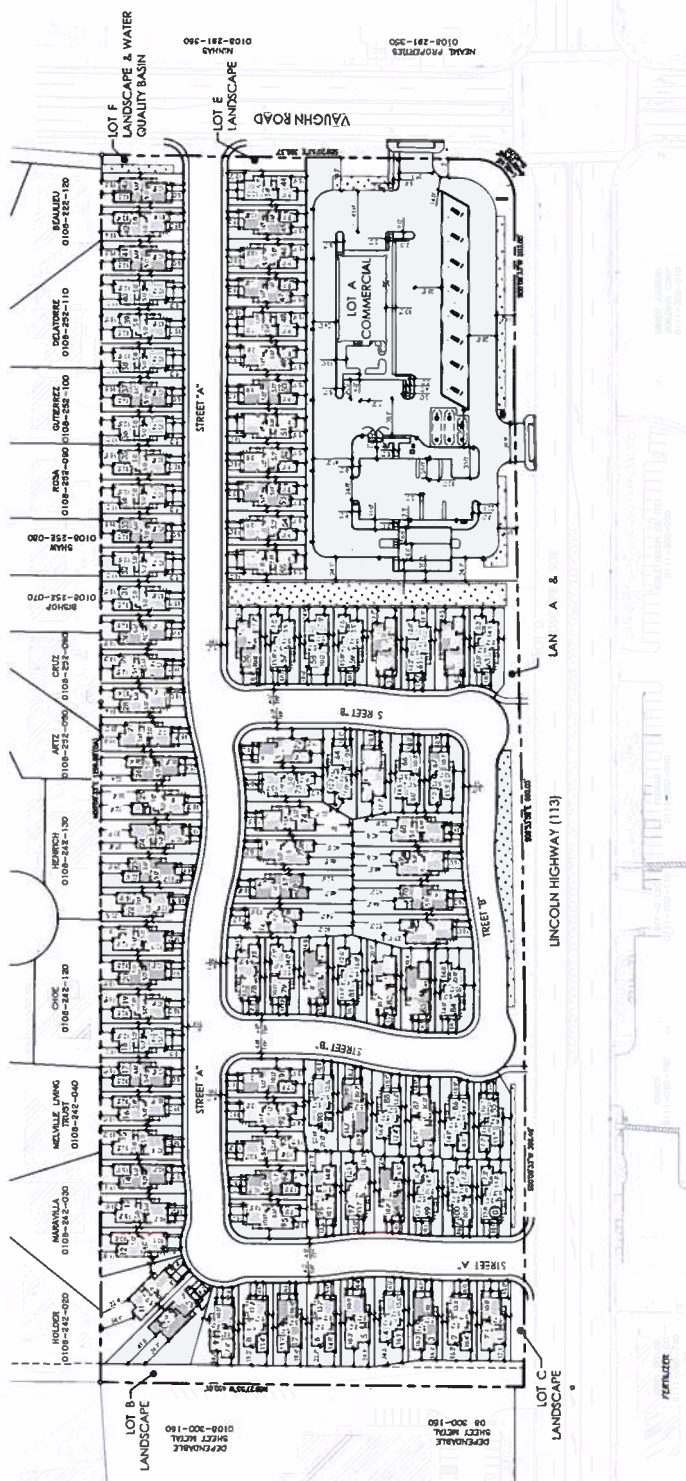
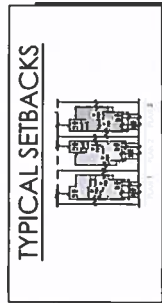
Attachments:

1. Lincoln Square – Proposed Land Use Plan
2. City of Dixon Draft General Plan 2040 Update; pages 3-13 (Figure LLC-4) and 3-15.



HOUSING SUMMARY

LOT	UNIT LARGE	PRECEDENCE
ASST	12	1
THAN	1	1
NOTE: "WIDE" - 1/4"	1/4"	1/4"
NOTE: AND/OR SUBJECT TO CHANGE		



LINCOLN SQUARE
DIXON, CA
FEBRUARY 2021

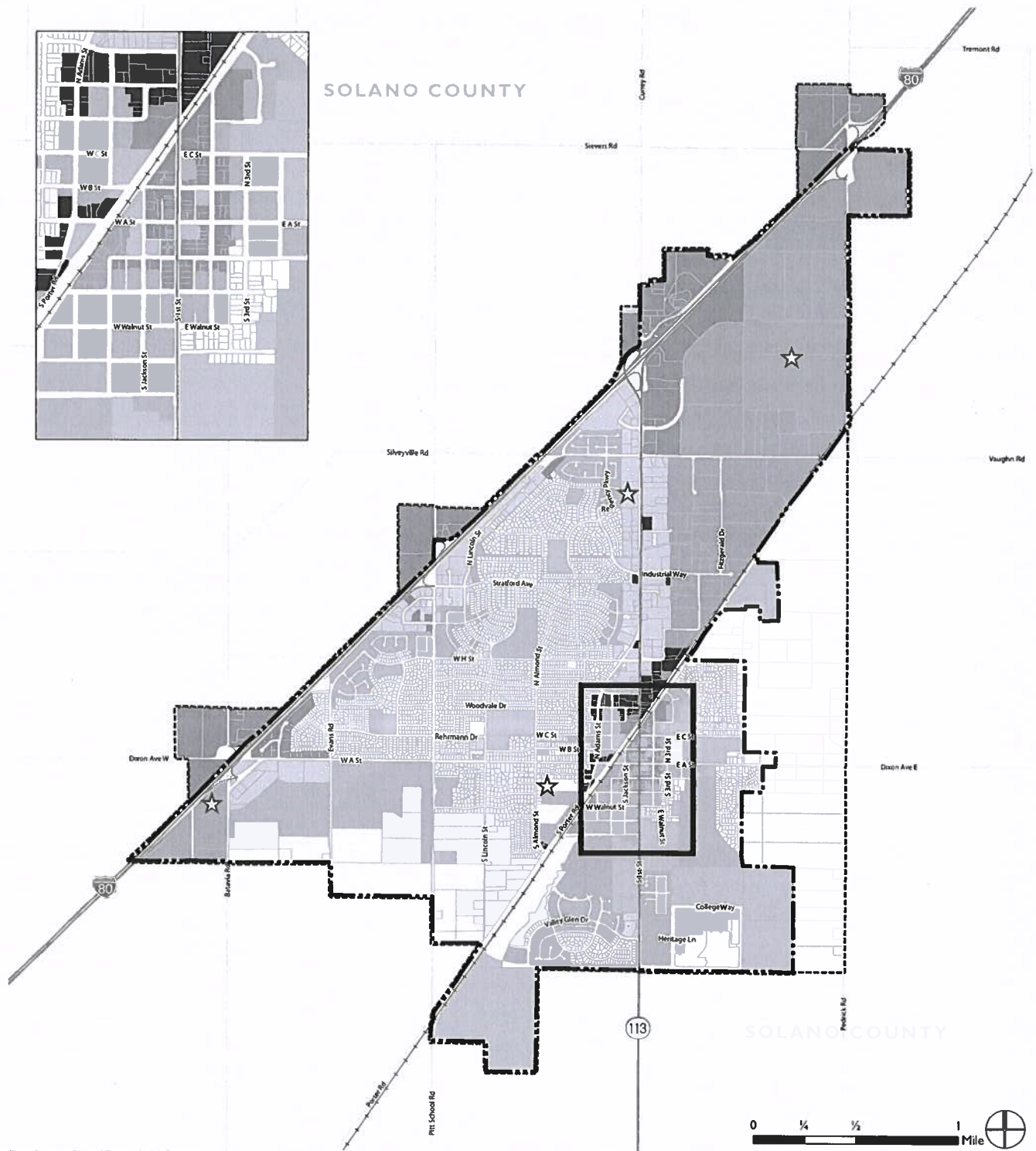
Lewis Community Developers
A Member of the Lewis Group of Companies
9218 WEBER BOULEVARD SACRAMENTO, CA 95826

SITE PLAN
SHEET 3 OF 11

WOOD ROGGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
4870 WILLOW ROAD, SUITE 106 T 925.647.1656
PASADENA, CA 91107 F 925.647.1857

1. Work by Lewis Community Developers (LSD) for Lincoln Square (LSD) in Dixon, CA. Project No. LS-21-01. Date: 2/1/2021. 1:18 PM. January 2021

Figure LCC-4: Land Use Designations



Data Source: City of Dixon, 2019; Dyett & Bhatia, 2019

Land Use Designations

- Residential**
 - Low Density Residential
 - Medium Density Residential
- Mixed Use**
 - Corridor Mixed Use
 - Downtown Mixed Use
 - Campus Mixed Use

- Commercial**
 - Neighborhood Commercial
 - Regional Commercial
 - Service Commercial
- Other**
 - Industrial
 - Public Facilities
 - Parks

- ★ Potential Park (generalized locations)
- Railroad
- Dixon City Limit
- ... Sphere of Influence



MIXED USE

Downtown Mixed Use

The Downtown Mixed Use (DT) designation applies in Dixon's traditional downtown area and is intended to promote Downtown Dixon as an attractive destination for residents and visitors to the community. The area is envisioned as a walkable environment with direct pedestrian and bicycle connections to surrounding residential neighborhoods and to the downtown rail depot. The designation provides for a full range of retail, employment, residential, entertainment, cultural, civic, and personal service uses. Permitted non-residential uses include restaurants, apparel stores, specialty shops, theaters, bookstores, travel agencies, hotels/motels and other similar uses serving a community-wide market and a larger visitor population, as well as banks, financial institutions, medical and professional offices, and other general offices and community institutional uses. Outdoor dining, live music, and events are encouraged to support a lively atmosphere with activity throughout the day and the year. On larger sites, more than one use is required. On smaller sites, a single use may be permitted. Maximum allowable FAR is 300% (combined residential and non-residential uses) and maximum allowable residential density is 30 dwelling units per acre.

Corridor Mixed Use

The Corridor Mixed Use (CMU) designation is intended to foster a mix of retail and commercial uses, supported by housing. Mixed use can be vertical and/or horizontal, and the allowable range of uses includes large format retail, shopping centers, offices, hotels and housing. On larger sites, more than one use is required. On smaller sites, a single use may be permitted. Allowable FAR is 50% to 200% for single-use developments and 80% to 240% for mixed-use developments (combined residential and non-residential uses). Allowable residential density is 14 to

28 dwelling units per acre, with densities on the lower end of that range where proposed development abuts low density residential development. Corresponding zoning will be performance-based in order to promote flexibility and minimize non-conformance issues of existing uses.

Campus Mixed Use

The Campus Mixed Use (CAMU) designation is intended to foster new mixed-use employment districts with a range of job-generating uses, housing, and easy access to the regional transportation network. The CAMU designation would promote clusters of related light industrial, manufacturing, office, research & development, retail, hotel, service, and residential uses. Light industrial uses may include warehouse and distribution uses subject to a development agreement establishing a financial mechanism to provide for ongoing revenue generation to the City from those uses. While the CAMU designation is primarily intended to support mixed-use development, single larger employment-based uses on larger parcels may be considered subject to such development agreement providing ongoing revenue. Mixed use can be vertical and/or horizontal. Allowable FAR is 30% to 60% (combined residential and non-residential uses) and maximum allowable residential density is 30 dwelling units per acre. Corresponding zoning will be performance-based in order to promote issues of existing uses. Much of the Campus Mixed Use designated land in the City consists of larger parcels near, or adjacent to I-80 and SR-113, and the CAMU designation will optimize the role that these areas play as gateways to the City. Consistent with this, the CAMU designation will allow for a flexible range of complimentary uses serving regional travelers and businesses, supported by housing.