

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 9, 2011**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of February 9, 2011, was called to order by Vice Chair Olson at 7:00 p.m.

Present: Planning Commissioners – Cummins, Heinitz, Jones, Kirsten, Kiser, and Olson

Absent: Planning Commissioners – Chair Hennecke

Also Present: Community Development Director Konradt Bartlam, City Attorney Steve Schwabauer, Associate Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“December 8, 2010”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Kiser second, approved the Minutes of December 8, 2010 as written. (Commissioners Heinitz and Jones abstained because they were not in attendance of the subject meeting)

“January 12, 2011”

No Motion made because there was not a quorum of Commissioners in attendance to make the motion. Item continued to the next meeting.

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, Vice Chair Olson called for the public hearing to consider the request of a Use Permit to establish a warehousing and storage use for recycled materials, including California Redemption Value (CRV), cardboard, scrap metal and electronic waste at 523 North Sacramento Street (Applicant: Evergreen Recycling Center: File Number: 11-U-01)

Associate Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project.

Commissioner Heinitz expressed his concern for the adjacent residences and asked about the issue of noise and the type of machinery that will be used that could be on the noisy side. Mr. Bereket stated that staff is not aware of the type of machinery that will be used and that might be a good question for the applicant.

Hearing Opened to the Public

- Tom Trach, applicant, came forward to answer questions.
- Commissioner Heinitz asked if Mr. Trach will have the bailing machinery and where it will be stored. Mr. Trach stated that one hundred percent of the business will be conducted inside the building and the noise should not be an issue. Staff has also regulated the noise discipline level as part of the conditions as well. Heinitz asked if the area that is designated for parking will be used for parking not storage. Mr. Trach stated that that is correct.

- Commissioner Kiser asked if Evergreen will be paying for electrical items to be disposed of. Mr. Trach stated that they will be paying for computers and then shipping them out to CEA which is out of Rancho Cordova. He also added that items that are not normally recycled under the CRV like shampoo bottles, one hundred percent juice bottles, and other second tiered plastics can be brought in for payment rather than being thrown into the trash. Kiser asked about the number of employees Evergreen will have on staff. Mr. Trach stated that they are anticipating ten, but hopefully that will increase with future plans to possibly provide a pick-up service for local businesses.
- Commissioner Jones asked if there is anything that will be done to mitigate the issue of stolen property. Mr. Trach stated that the main item of concern is copper. The company is going to be certified through Cal Recycle there will be finger printing and ID's for all employees and the employees will be required to ask for identification when items are brought in for recycling.
- Vice Chair Olson asked if the bottles will be crushed and bailed or palletized. Mr. Trach stated with the PET bottles it will be bailed in the beginning, but eventually they would like to get the machines that can shred it into raw material. Olson asked where it will be sent after it is bailed. Mr. Trach stated that it will be going to Surf and Stone. Olson stated that she has a great deal of experience with plastic recyclers and it is a very messy process and would like to see every effort made by the staff keep the mess to a minimum. Mr. Trach stated that every effort will be made to maintain the grounds on a daily basis.
- Commissioner Kirsten asked about the possibility of carts being left around. Mr. Trach stated that again every effort will be made to collect the carts and notify the appropriate stores.
- David Worfolk, property owner at 601 Sacramento Street, came forward to support the recycling center. The immediate concern that he has is the neighborhood property values which have already taken a hit for just being adjacent to a primarily commercial area. He also expressed some concern over the possibility of any rodent issues that could accompany this type of business.
- Vice Chair Olson pointed out that the property is currently vacant and asked if Mr. Worfolk would rather have the property vacant with the problems that it has had in the recent past. Mr. Worfolk stated that he would not, but would like to know that it will be occupied with a good business that will not become a negative for the surrounding area.
- Commissioner Heinitz stated that he is friends with Mr. Worfolk, but has not spoken with him regarding this issue. He also stated that with the verbiage that is in the resolution will allow the Planning Commission and/or Staff to bring the Use Permit back for changes or possibly revoke it all together if it becomes a problem for the surrounding area.
- Commissioner Kiser concurred with Commissioner Heinitz and stated that he is in the area quite-a-bit and will do his part in keeping an eye on the area.
- Mr. Worfolk stated that he would like to make sure that this location does not become a collection zone for shopping carts. Vice Chair Olson stated her appreciation for Mr. Worfolk's comments and reiterated the statement made by Commissioners that they will do their due diligence to help the neighboring residences make sure that this is a benefit to not only the City but the surrounding neighborhood as well.

Public Portion of Hearing Closed

- Director Bartlam pointed out condition #2 in the resolution states that the applicant will be responsible for litter, shopping carts, and other undesirable materials not only on their site but a 300' radius around their site.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Cummins second, approved the request of the Planning Commission for a Use Permit to establish a warehousing and storage use for recycled materials, including California Redemption Value (CRV), cardboard, scrap metal and electronic waste at 523 North Sacramento Street subject to the conditions in the resolution. The motion carried by the following vote:

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

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Vice Chair Olson called for the public hearing to consider the request for a Master Sign Program for Planned Development (PD) 39 Zoning District (Reynolds Ranch). (Applicant: Pacific Neon Sign Company, on behalf of Skinner Ranch Holdings, LP. File Number: 11-A-01)

Associate Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project.

Commissioner Kiser stated that he understands the logic of wanting the two freeway signs, but will this be setting a precedent for other developments. Mr. Bartlam stated that because this is a planned development it is an individual application and taken on a case-by-case basis.

Commissioner Kirsten asked where in relationship to the residence are the freeway signs located. Mr. Bereket pointed out where the residence is in relation to the two freeway signs. Director Bartlam added that there is about a quarter mile between the north sign and the residence and several hundred feet to the south sign. Kirsten asked if one of the signs needed to be eliminated would the applicants keep the southern most sign. Bartlam stated that the sign contractor is here and they did height studies for visibility and would defer to them to answer the question.

Commissioner Heinitz wanted to clarify that the signs are stationary signs that are not “reader” signs. Director Bartlam stated that the signs do not move; they are stationary.

Hearing Opened to the Public

- Kim Whitney, project manager for Reynolds Ranch, came forward to answer questions and address concerns. Mr. Whitney stated that an extensive study was done to find the best location for the northern most freeway sign taking the current residential property into consideration as well as the agreement with Costco to not place a sign on their property. The southern most sign was placed as far south as they could place it. The signs have opaque backgrounds and don't produce any glaring light. Everyone involved in the project has taken every consideration to not negatively impact the surrounding area and still give the tenants proper advertising space.
- Commissioner Kirsten asked what the distance is from the southern most sign to the residential property. Commissioner Jones stated that it is 1600 feet between the two signs, so it is probably 300 feet from the southern most sign to the residence. Kirsten asked if one of the signs needed to be eliminated which one would be the preferred location. Mr. Whitney stated that if one of the signs needed to be eliminated there would probably be additional requests made to make the sign to the north higher and possibly add additional sign area.

Continued

- Commissioner Jones asked if the signs were going to maintain the same advertising. Mr. Whitney stated that the only alteration could be to the bottom panel which could possibly be split in half for additional tenant advertising.
- Ralph Cundiff, Pacific Neon representative, came forward to address signage questions. He stated that the signage between the two different freeway signs will not be identical. Mr. Cundiff added that Costco will be on one sign, Home Depot will be on both, and the additional tenants will be split between the two. The sign examples on the elevations are just to show a representation of what they will look like.
- Craig Ledbetter, Melby Drive resident, came forward to ask what signage is going to be on the corner of Reynolds Ranch Parkway and Harney Lane. Staff showed the slide with the sign that will be on that corner. Mr. Ledbetter had no objection to the sign shown.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Kiser second, approved the request of the Planning Commission for a Master Sign Program for Planned Development (PD) 39 Zoning District (Reynolds Ranch) subject to the conditions in the resolution. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

Director Bartlam reminded the Commission that round two of the budget strategy group will be held next week and invited any Commissioners that would like to attend.

6. ACTIONS OF THE CITY COUNCIL

Director Bartlam stated that there is a memo in the packet and staff is available to answer any questions.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Director Bartlam stated that the final comments from the State Housing and Community Development Department have been promised by the end of the month.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Commissioner Kiser gave a brief report regarding the meeting held earlier this evening and passed around the information form the SPARC packet. Commissioner Kirsten asked if the Morse Karate building is a part of the Salon project. Kiser stated confirmed that it is.

9. ART IN PUBLIC PLACES

Commissioner Kirsten gave a brief report regarding the last meeting that was held. Commissioner Heinitz asked why is the choice for these types of items always in the downtown area. Kirsten stated that he isn't sure, but in this case he believes that they want to keep all the sculptures together in one place within walking distance of each other.

Continued

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

Vice Chair Olson stated that she thought the budget strategy meeting went really well.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:54p.m.

ATTEST:

Konradt Bartlam
Planning Commission Secretary