

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, MARCH 14, 2012**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of March 14, 2012, was called to order by Chair Olson at 7:00 p.m.

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

Absent: Planning Commissioners – Jones and Kirsten

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

2. MINUTES

“February 8, 2012”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Kiser second, approved the Minutes of February 8, 2012 as written.

Chair Olson stated that item 3a at the request of the applicant will be postponed to a future 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, Chair Olson called for the public hearing to consider the request to make a Recommendation to the City Council to approve rezoning of properties located at 515 and 617 South Lower Sacramento Road from R-1, C-S and R-C-P to Planned Development (PD)-35. (Applicant, Kristmont West Shopping; File # 11-Z-01)
  
- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Olson called for the public hearing to consider the request for a Use Permit to establish a retail landscape supply business and a collection center for wood and yard waste for an off-site processing at 1101 East Lodi Avenue. (Applicant: Eric Horton, on behalf of Green Man Materials: File Number: 11-U-20)

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

Hearing Opened to the Public

- Eric Horton, applicant, came forward to answer questions. Mr. Horton thanked staff for their assistance during this process. He gave a brief history of his participation in this type of business.
  
- Commissioner Heinitz asked if this is going to be an ancillary business to the one in Stockton. Mr. Horton stated that this location will mimic the business in Stockton except for the processing will take place off site. Commissioner Heinitz expressed his concern regarding the excessive amount of parking and asked if it was going to be too overwhelming for this type of business. He stated that after visiting the Stockton location he felt that the Lodi location would have excess parking and does not want to see outside storage of unauthorized merchandise. Mr. Horton stated that he believes that the parking will be perfect. The Stockton location could benefit from more parking.

- Jack Fiori, Lodi resident and local business owner, came forward to support the project.
- Martin Thorpe, Lodi resident and local business owner, came forward to support the project.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kiser second, approved the request of the Planning Commission for a Use Permit to establish a retail landscape supply business and a collection center for wood and yard waste for an off-site processing at 1101 East Lodi Avenue subject to the conditions in the resolution. The motion carried by the following vote:

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

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Olson called for the public hearing to consider the request for a Use Permit to operate a fitness center known as Anytime Fitness, in an approximately 4,050 sq. ft. building located at 210 North Ham Lane. (Applicants: Stone Bros. Management Inc.; File Number: 12-U-02)

Commissioner Heinitz recused himself from this item. The applicant is the landlord of the property where his business is located.

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

Chair Olson stated her concern with the parking and the sharing of the parking with the Starbucks store. Director Bartlam stated that the parking has been considered and the peak hours do not coincide. He also added that the employees can be encouraged to park across the street in the Lakewood Mall parking lot.

Hearing Opened to the Public

- Jay Allen, applicant, came forward to answer questions. Mr. Allen stated that the peak time uses for the fitness center and Starbucks will be opposite of each other with Starbucks in the morning and the fitness center in the evening. He pointed out that there was information provided as part of the staff report regarding the study that was done showing how parking will not have a negative effect on the property because of this use.
- Claire Lima, resident on Elm Street, came forward to express her concerns over the 24 hour availability and the lack of parking. Ms Lima has taken the time to drive by the site at all times o the day and there have been very few times when the parking lot has not been full or close to full. The lot already has a problem with the cars backing up on to Ham Lane when trying to get into Starbucks.
- Randall Heinitz, Lodi resident and business owner in the Lakewood Mall, came forward to support the project. The only deficiency is the cueing of the cars that are trying to park or go through the drive through at Starbucks during the morning hours.

Public Portion of Hearing Closed

- Commissioner Cummins spoke in support of the project.
- Commissioner Hennecke spoke in support of the project.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Kiser second, approved the request of the Planning Commission for a Use Permit to operate a fitness center known as Anytime Fitness, in an approximately 4,050 sq. ft. building located at 210 North Ham Lane subject to the conditions in the resolution. The motion carried by the following vote:

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

Commissioner Heinitz rejoined the Commission.

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Olson called for the public hearing to consider the request for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control license at 14 South School Street. (Applicant: Alan Freeman; File Number: 12-U-03)

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

Hearing Opened to the Public

- Alan Freeman, applicant, came forward to answer questions.
- Commissioner Heinitz gave a brief history regarding the space that Mr. Freeman is moving into and wished him good luck.
- Commissioner Hennecke asked about the leasing plan. Mr. Freeman stated that they will be leasing space to local wineries that do not currently have space downtown.
- Chair Olson asked if there are prospective tenants. Mr. Freeman stated that they are in discussion with a few.

Public Portion of Hearing Closed

- Chair Oslon asked if this covers all other licenses. Director Bartlam stated that this covers the wine tasting, but not any other types of ABC licenses.
- Commissioner Heinitz asked if this is similar to other types of wine tasting rooms that are currently downtown. Director Bartlam stated that it is the same type of business as Benson Ferry.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Heinitz second, approved the request of the Planning Commission for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control license at 14 South School Street subject to the conditions in the resolution. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

Director Bartlam stated that a memo has been provided and staff would be happy to answer any questions.

7. DEVELOPMENT CODE UPDATE

Director Bartlam stated that staff is meeting with the consultant on a bi-weekly basis and may have some draft documents ready to bring to the Commission some time in June.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

None

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 7:40 p.m.

ATTEST:

Konradt Bartlam  
Planning Commission Secretary