

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 13, 2012**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of June 13, 2012, was called to order by Chair Olson at 7:00 p.m.

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

Absent: Planning Commissioners – Kirsten

Also Present: Community Development Director Konrad Bartlam, Associate Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“May 9, 2012”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Kiser second, approved the Minutes of May 9, 2012 as written. (Commissioners Hennecke abstain because he was not in attendance of the subject 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 for Planning Commission to make a Recommendation to the City Council to approve rezoning of a property located at 515 South Lower Sacramento Road from R-1, C-S and R-C-P to Planned Development (PD)-35. (Applicant, Kristmont West Inc.; File # 11-Z-01)

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

Hearing Opened to the Public

- Tom Smith, representative of the property owner, came forward to answer questions. Mr. Smith stated that there are no current plans to develop the property.
- Steven Opp, Executive Pastor of Temple Baptist Church the property just south of the proposed rezoning, came forward to make some comments and ask some questions regarding the project. Mr. Opp asked if the C-S zoning could be explained. Director Bartlam stated that the PD-35 zoning designation would allow any kind of retail, office, gas station, restaurant, and it would allow for High-Density Residential. It would not allow other kinds of residential or industrial uses. Mr. Opp would like to see similar development as to the Raley's Shopping Center which he calls active development. He would not like to see any outdoor public storage which he calls passive development. Chair Olson asked if it was a visual objection or if it was due to something else. Mr. Opp stated that he will get into that a little bit later, but stated that there are already some issues with the property in the visual area. The outdoor storage of vehicles, RV's, and boats would cause a negative visual impact to the church property. Mr. Opp stated asked what the plan was for the retention basin as far as possible expansion. Mr. Bartlam stated that all of the Public Works conditions have been consolidated and staff will not know what requirements will be put in place until we receive a development plan. Mr. Opp stated that the basin is currently sitting on the south property line and if there

were to be an expansion on Tokay it would need to be altered. Mr. Bartlam stated that the basin may need to be moved once a development plan is presented. The current basin used to have a cyclone fence around it and it has been removed and there is a concern with the dangers that may be there. The church is concerned about the esthetics of any future project. Mr. Opp would like to know who will be responsible for the improvements to the extension of Tokay Street. Mr. Bartlam stated that there should be a sharing of the improvements once a project for development comes forward.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Heinitz second, approved the request of the Planning Commission to make a Recommendation to the City Council to approve rezoning of a property located at 515 South Lower Sacramento Road from R-1, C-S and R-C-P to Planned Development (PD)-35 subject to the conditions in the resolution. The motion carried by the following vote:

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

- 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 to amend approved Use Permit application 11-U-03 to allow Type 2, 9, 14, 17 and 20 Alcoholic Beverage Control licenses at 9 and 9 ½ West Locust Street. (Applicant: Jeff Hansen, on behalf of AH Wines, Inc. File Number: 11-U-03a)

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

Hearing Opened to the Public

- Robert Colarossi, applicant, came forward to answer questions.
- Commissioner Kiser asked when they planned on starting to do wine tasting. Mr. Colarossi stated that the area that they plan on expanding into will be used for storage. Kiser asked when the tasting would start in the current space. Mr. Colarossi stated there should be wine tasting in about a year.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Hennecke second, approved the request of the Planning Commission to amend approved Use Permit application 11-U-03 to allow Type 2, 9, 14, 17 and 20 Alcoholic Beverage Control licenses at 9 and 9 ½ West Locust Street subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Heinitz, Hennecke, Jones, Kiser and Chair Olson
Noes: Commissioners – None
Absent: Commissioners - 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 to amend approved Use Permit application 10-U-11 to allow operation of a Charter School at 1530 West Kettleman Lane Suites B & C. (Applicant: Dennis G. Bennett, on behalf of Rio Valley Charter School; File Number: 10-U-11a)

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

Hearing Opened to the Public

- Bob Smith, representative of Dennis Bennett, came forward to answer questions.
- Chair Olson asked if the administration office was located on site. Mr. Smith stated that administration is on site at all times.

Public Portion of Hearing Closed

- Commissioner Cummins asked if there have been any reported problems with the traffic in the area. Mr. Bartlam stated that there have not been any traffic issues.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kiser second, approved the request of the Planning Commission to amend approved Use Permit application 10-U-11 to allow operation of a Charter School at 1530 West Kettleman Lane Suites B & C subject to the conditions in the resolution. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

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

7. DEVELOPMENT CODE UPDATE

Director Bartlam stated that there should be a draft version of the Residential and the Mixed Use sections brought to the Commission to start the review process at the July meeting.

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

Commisisoner Cummins asked if there has been any movement on the Super Wal Mart project. Mr. Bartlam stated that the formal appeal period has passed and the project is now approved, there isn't a set time table as of yet.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:30 p.m.

ATTEST:

Konradt Bartlam
Planning Commission Secretary