

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, AUGUST 14, 2013**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of August 14, 2013 was called to order by Chair Kirsten at 7:05 p.m.

Present: Planning Commissioners – Hennecke, Kiser, Olson, Slater and Chair Kirsten

Absent: Planning Commissioners – Heinitz and Jones

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

2. MINUTES

“July 10, 2013”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Olson, Kiser second, approved the minutes of July 10, 2013 as written.

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 Kirsten called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to establish a wine production facility at 1023 E Vine Street, Suite G. (Applicant: Erin Taylor, on behalf of Rianza Wines, LLC; File Number: 13-U-10)

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

Commissioner Kiser asked if the normal condition for removal of the waste material is a part of the resolution. Associate Planner Bereket confirmed that condition thirteen of the resolution addresses that item.

Hearing Opened to the Public

- Erin and Richard Taylor, applicants, came forward to answer questions. Ms. Taylor stated that they are looking forward to moving the production of the wine to Lodi since they live here.
- Commissioner Slater asked if there would be a tasting room at this location. Ms. Taylor stated that they will only be crushing at this location since they already have a tasting room downtown on Elm Street.
- Chair Kirsten asked where on Elm Street was the tasting room. Ms. Taylor stated that they are located across from the Merlot.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Hennecke second, approved the request for a Use Permit to establish a wine production facility at 1023 E Vine Street, Suite G subject to the conditions in the resolution. The motion carried by the following vote:

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

Chair Kirsten recused himself from Item 3b) because he owns property within the sphere of influence of the project.

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Commissioner Olson, Acting Chair, called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control license at 13 North School Street. (Applicants: Judi Holly, on behalf of Weibel Family Vineyards; File Number: 13-U-12)

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

Hearing Opened to the Public

- Judy Holly, applicant, came forward to answer questions.
- Commissioner Slater asked if the focus was going to be primarily on sparkling wines. Ms. Holly confirmed that the main focus will be on the sparkling wines, but there will also be still wines.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Slater second, approved the request for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control license at 13 North School Street subject to the conditions in the resolution. The motion carried by the following vote:

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

Chair Kirsten rejoined the Commission.

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kirsten called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to allow a Type-41 On-Sale Beer and Wine Alcoholic Beverage Control License located at 722 West Lodi Avenue. (Applicant: Melissa Ng, on behalf of Zin Bistro; File Number: 13-U-13)

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

Hearing Opened to the Public

- Melissa and Walter Ng, applicant, came forward to answer questions. Ms. Ng stated that she and her husband have been operating a catering business, Two Chefs

Events, in Lodi for twelve years. They are looking to branch out and open a Bistro at this location.

- Chair Kirsten asked what is your understanding of a finding of public necessity. Ms. Ng stated that there are only a few restaurants in this area that are open in the evening that also sell beer and wine.
- Commissioner Kiser asked if they were going to be open for lunch and dinner. Ms. Ng stated that they will be open for lunch and dinner. Mr. Ng stated that their plan is to be open for an upper end scale dinner on Thursday, Friday, and Saturday and the rest of the week will be just regular dining choices. Kiser asked if staff will be trained in ABC regulation. Ms. Ng stated that they would.
- Director Bartlam asked if Mr. and Ms. Ng would still be available to cater the rotary lunch on Mondays because he would hate to have to search out another cater. They assured him that they will be able to handle the job.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Olson second, approved the request for a Use Permit to allow a Type-41 On-Sale Beer and Wine Alcoholic Beverage Control License located at 722 West Lodi Avenue subject to the conditions in the resolution. The motion carried by the following vote:

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

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kirsten called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to allow a Type-47 On-Sale Beer, Wine and Distilled Spirits in conjunction with a restaurant operation at 910 South Cherokee Lane. (Applicant: Alberto Ortiz; File Number: 13-U-08)

Chair Kirsten stated that this item has been withdrawn from this agenda and will be re-advertised for a future meeting.

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 in the packet and staff is available to answer any questions.

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Commissioner Kiser gave a brief report regarding the meeting that occurred earlier this evening. He stated that Lodi Memorial Hospital will be adding a MRI room.

8. ART IN PUBLIC PLACES

Chair Kirsten stated that the last meeting was cancelled. He also added that Deanie Bridle

9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

None

10. COMMENTS BY STAFF AND COMMISSIONERS (NON-AGENDA ITEMS)

None

11. REORGANIZATION

a. Planning Commission Chair & Vice Chair

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Olson second, approved the nomination of Vice Chair Jones for the 2013/14 Planning Commission Chair position. There being no other nominations the motion carried by the following vote:

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

MOTION / VOTE:

The Planning Commission, on motion of Chair Kirsten, Slater second, approved the nomination of Commissioner Kiser for the 2013/14 Planning Commission Vice Chair position. There being no other nominations the motion carried by the following vote:

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

b. Planning Commission Representatives to: SPARC & Art In Public Places

MOTION / VOTE:

The Planning Commission, on motion of Chair Kirsten, Slater second, approved the nomination of Commissioner Kiser for the 2013/14 Planning Commission representative for the Site Plan and Architectural Review Committee position. There being no other nominations the motion carried by the following vote:

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

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Slater second, approved the nomination of Commissioner Kirsten for the 2013/14 Planning Commission representative for the Art In Public Places Committee position. There being no other nominations the motion carried by the following vote:

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

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:27 p.m.

ATTEST:

Konradt Bartlam  
Planning Commission Secretary