

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p>AGENDA LODI PLANNING COMMISSION</p>	<p>REGULAR SESSION WEDNESDAY, MAY 14, 2014 @ 7:00 PM</p>
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For information regarding this agenda please contact:

Kari Chadwick @ (209) 333-6711
Community Development Secretary

***NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the Community Development Department, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the Community Development Department as soon as possible and at least 24 hours prior to the meeting date.*

1. ROLL CALL
2. MINUTES – “March 26, 2014” and “April 9, 2014”
3. PUBLIC HEARINGS
 - a. Request for Planning Commission approval of a Use Permit for a Popeyes Louisiana Kitchen drive thru restaurant at the southeast corner South Cherokee Lane and East Kettleman Lane. (Applicant: Norcal Cajun Foods. File No. 2014-09 U-SP. CEQA Determination: Exempt per 15303)
 - b. Request for Planning Commission approval of a Use Permit to allow a fitness center within an existing commercial shopping center located at 834 West Kettleman Lane. (Applicant: Ken Kaestner; File 2014-12 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15301 Existing Facilities)
 - c. Request for a Tentative Parcel Map to divide one parcel into two lots at 740 California Street. (Applicant: Keith Wenger; File 2014-13 P; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15315)
 - d. Request for Planning Commission approval of a Use Permit to allow a Type-21 Off-Site Beer, Wine and Spirits sales at a new grocery store at 608 S. Central Ave. (Applicant: Davinder Singh Malhi. File No. 2014-14 U. CEQA Determination: Exempt - Section 15321)

NOTE: The above items are quasi-judicial hearings and require disclosure of ex parte communications as set forth in Resolution No. 2006-31

4. PLANNING MATTERS/FOLLOW-UP ITEMS
5. ANNOUNCEMENTS AND CORRESPONDENCE
6. ACTIONS OF THE CITY COUNCIL
 - a. Council Summary Memo
7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
8. ART IN PUBLIC PLACES
9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)
10. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF (NON-AGENDA ITEMS)
11. ADJOURNMENT

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

****NOTICE:** Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.

Right to Appeal:

If you disagree with the decision of the commission, you have a right of appeal. Only persons who participated in the review process by submitting written or oral testimony, or by attending the public hearing, may appeal.

Pursuant to Lodi Municipal Code Section 17.72.110, actions of the Planning Commission may be appealed to the City Council by filing, within ten (10) business days, a written appeal with the City Clerk and payment of \$300.00 appeal fee. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. Contact: City Clerk, City Hall 2nd Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 26, 2014**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of March 26, 2014 was called to order by Chair Jones at 7:00 p.m.

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

Absent: Planning Commissioners – None

Also Present: Interim Community Development Director Stephen Schwabauer, Senior Planner Craig Hoffman and Administrative Secretary Kari Chadwick

2. MINUTES

“February 26, 2014”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kiser second, approved the minutes of February 26, 2014 with corrections to items 3b and 3c removing Chair Jones and adding Vice Chair Kiser to the intro of both items. (Commissioners Hennecke, Olson, and Jones abstained because they were not in attendance of the subject meeting)

3. PUBLIC HEARINGS

Commissioner Kirsten recused himself because of property interest in the sphere of influence of the project.

Commissioner Heinitz recused himself because of property interest in the sphere of influence of the project.

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit to allow a Type-47 On-Sale Beer, Wine and Distilled Spirits for McGuire’s On Elm Street Irish Pub at 24 W Elm Street. (Applicant: Gary Arnold; File 13-U-18; CEQA Determination: Exempt per Section 15321)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Chair Jones stated that the Commission has been warned in the past against having too many bars/nightclubs in the downtown. He also feels the food sales will be lacking in meeting the ABC License requirements. Hoffman stated that the applicant has put together a more robust menu that they can share with the Commission when the public hearing is open to the public. Jones asked about the time being more apropos to a bar. Hoffman stated that the project has been conditioned in a way that will prevent it from becoming a nuisance. Schwabauer stated that we do not want to prejudge that the applicant will fail to meet those conditions.

Vice Chair Kiser stated that he was also concerned about the lack of menu items. Kiser stated that he spoke with a few of the people that sent in letters and would like to hear how the applicant is addressing their concerns.

Commissioner Hennecke stated that he would like to see the percentage of saturation of ABC licenses in our downtown and a comparative percentage in a region that is trying to do something similar with their downtown.

Hearing Opened to the Public

- Gary Arnold, applicant, came forward to answer questions. Mr. Arnold handed the Commission a more robust menu for the proposed establishment. He gave a brief presentation about his history here in Lodi and stated the mission statement for the establishment. Mr. Arnold addressed two of the letters that had concerns with his project. He believes that this project will meet many of the needs that are currently lacking in the downtown. A rear entrance/exit is required for this project site.
- Chair Jones asked why a restaurant needs to have hours of operation until two in the morning. Mr. Arnold stated that most of your bar goers are looking for something to eat right around midnight and there isn't anything in the downtown that offers that service. He would like to be there for those movie goers that come out of a late movie and are looking to have something to eat. Jones stated that he appreciated the comment on having employees parking in the parking garage. Mr. Arnold stated that the parking garage was supposed to have a security guard that monitored the activity, but he has never seen one there. Schwabauer stated that there is a security guard on site at the parking garage.
- Vice Chair Kiser restated his concern with the lack of menu items. He is also concerned with live entertainment and recommends he talk with city staff. Security is a concern. There will be an occupancy load of 80 to 90 people and that is a large number. Mr. Arnold stated that he will be required to have one licensed security guard per every twenty-five patrons. He also added that the square footage will be reduced by a new stairwell being installed on the east side of the building as well as a substantial amount of square footage for the kitchen. Kiser does not believe that one guard for every 25 patrons is adequate. Mr. Arnold gave several examples of establishments downtown that don't meet the same requirements.
- Chair Jones stated that the staff report states that McGuires will be serving 117 patrons. Mr. Arnold stated that was the number without the required ADA improvements and the Kitchen. Jones asked if this project will be occupying any of the space in the basement or on the second floor. Mr. Arnold stated that they will not be occupying either of those spaces. Kiser stated that those areas will need to be secured from patrons going into them. Arnold stated that the owner of the building has already taken care of that process. Kiser asked about fire sprinklers. Arnold stated that per his understanding the occupancy needs to be over 100 and the project will fall below that threshold.
- Planner Hoffman stated that there are conditions that address the noise issue.
- Mr. Arnold stated that he is looking forward to opening a family friendly business. He is interested in supporting fundraisers and giving back to the community.
- Sean Reilly, Lodi citizen, came forward to support the project.
- Jerry Wolfe, owner of Whiskey Barrel Salon and representing the owners of Ollie's and Stooges who could not attend the meeting, came forward to object to the project. He has worked very hard to turn the bar into a place where people feel safe. There have been no Police calls while he has been operating the establishment. He believes that between his bar and Ollie's the population of Lodi is taken care of in regards to Irish Pubs and Country Rock.
- Commissioner Kiser asked what the capacity is of the Whiskey Barrel. Mr. Wolfe stated 121. Kiser asked if he has live entertainment. Wolfe stated he did. Kiser asked how the wine tasting rooms affect his bar. Wolfe stated that the tasting rooms get the day business and that people are afraid to come to Lodi at night because of the number of DUI tickets that are given. Kiser asked how many security guards Mr. Wolfe employs. Wolfe stated that he has three guard carded on Fridays and Saturdays, and on Thursdays during the Farmers Market.

- Russ Fields, Fields Family Winery owner, came forward to caution against the project. He hopes that this project isn't a bar masquerading as a restaurant. The wine tasting rooms don't compete with the bars because the hours are different. Mr. Fields added that there are times when they have to close their doors because Ollie's gets to bar-ish. There isn't any tasting on St. Patrick's Day because the noise is too much. If this truly is a restaurant it would be a great idea.
- Commission Hennecke asked staff what the percentage of food to alcohol is for this type of ABC License. Hoffman stated that a type 47 is a fifty percent qualification. Mr. Fields stated that would be great. He also stated that the noise affects the wine tasting room. The messes such as cigarettes, trash, and urinating in the flower pots that are left by patrons make it tough for the tasting rooms. He cannot support another bar in the downtown, but would support a restaurant.
- Planner Hoffman stated that conditions 15 and 16 address the cleaning of the frontage. Conditions 19 and 20 address noise. Mr. Hoffman read the two conditions aloud. Kiser stated that he has concerns about approving a project that can't possibly meet the conditions being placed on it. He doesn't want to see the project get approved and the applicant hit a snag later that prevents them from being able to move forward.
- Commission Slater asked where the enforcement occurs. Hoffman stated that if the conditions get violated the applicant will be back in front of the Commission.
- Greg Soligan, property owner in the downtown, came forward to express some concern regarding to project.
- Michael Parker, Stockton resident, came forward to support the project. This will be a family restaurant.
- Mark Stevens, Stockton resident and employee of Whiskey Barrel, came forward to object to the project. Mr. Wolfe has done a great job to turn his business around and wouldn't like to see anything adverse happen to it.
- Jill Ross, Morada resident, came forward to support the project. There are different demographics that need to have a place to go in Lodi. Ollie's is too young of a crowd for someone like her to hang out.
- Raquel Paler, Angelo's restaurant owner, came forward to object to the project.
- Rick Lair, Lodi resident, came forward to support the project.

Public Portion of Hearing Closed

- Commissioner Slater stated that he has seen the business that takes place downtown on the weekends, he just isn't sure it can survive during the week. He would also like to see the saturation numbers brought back to the Commission.
- Chair Jones stated that Lodi has become a tourist destination and with the focus on the wineries downtown has been good. He added that Mr. Bartlam before he left stated that the downtown is pushing the limits on bars.
- Vice Chair Kiser would like to know the saturation percentage. The limit is being pushed.
- Commissioner Olson stated that this business shouldn't be held hostage because the Commission is requesting additional information regarding the saturation of ABC Licenses. The project as presented offers a breakfast, lunch, and dinner menu and with the conditions staff has placed on the project the controls are there for us to bring it back if the project isn't working as it should.

- Chair Jones would like to also have staff bring back the saturation numbers regarding bars. Hennecke stated that he would like to see all of the liquor licenses in the saturation numbers.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Olson, Jones second, finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321. No significant impacts are anticipated and no mitigation measures are required. Approve the request for a Use Permit to allow the sale of beer, wine and distilled spirits Alcoholic Beverage Control (ABC) Type 47 license at 24 W Elm Street subject to the findings and conditions of approval contained in the draft Resolution. The motion carried by the following vote:

Ayes: Commissioners – Hennecke, Olson, and Chair Jones
Noes: Commissioners – Kiser and Slater
Absent: Commissioners - Heinitz and Kirsten

Commissioners Heinitz and Kirsten rejoined the Commission.

Commissioner Hennecke asked if any establishments have been brought back to revoke their license. Interim City Manager Schwabauer stated that he doesn't believe any have been revoked, but the conditions have been used to put establishments back on track.

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit amendment to allow for beer manufacturing and add a Type 23 license to the existing Type 02, 14, and 19 and 241 Alcoholic Beverage Control licenses at 27 East Locust Street. (Applicant: The Dancing Fox Winery. File No. 2014-02 U. CEQA Determination: Exempt - Section 15321)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Hearing Opened to the Public

- Greg Lewis, applicant, came forward to answer questions.
- Commissioner Heinitz asked if the beer will be served at the Dancing Fox location only or at both locations. Mr. Lewis stated that they will only be serving at the Dancing Fox location.
- Commissioner Slater asked what the alcohol content will be of the beer. Mr. Lewis stated that there will be a light beer and there may be some experimenting done also. He stated that his sons will be the driving force behind what types are made. He added that they are looking into growing their own hops also.
- Chair Jones asked if it will be bottled or kegged. Mr. Lewis stated they will be focusing on kegs.
- Commissioner Hennecke asked if the wine barrels in the racks at the Dancing Fox location were functioning. Mr. Lewis stated that they were just for show.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Heinitz second, finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321. No significant impacts are anticipated and no mitigation measures are required. Approve the request for a Use Permit Amendment to allow beer production and

amend the Type-02, 14, 19 and 241 Alcoholic Beverage Control (ABC) licenses to include a new Type 23 license at 27 East Locust Street, subject to the conditions in the attached resolution. The motion carried by the following vote:

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

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit to allow a Type-20 Off-site Beer and Wine sales at an existing grocery store. (Applicant: Artegas Grocery Store. File No. 2014-03 U. CEQA Determination: Exempt - Section 15321)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Hearing Opened to the Public

- Alonzo Lopez, applicant, came forward to answer questions.
- Vice Chair Kiser asked if Mr. Lopez if he was aware that there is training necessary for staff to hold the license. Mr. Lopez stated that he is aware. He holds licenses at a couple of his other establishments and has not experienced any issues from them.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Heinitz second, finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321. No significant impacts are anticipated and no mitigation measures are required. Approve the request for a Use Permit to allow Artegas Grocery Store the sale of beer and wine Alcoholic Beverage Control Type 20 license at 200 E Oak Street, subject to the conditions of approval contained in the Resolution. The motion carried by the following vote:

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

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit for a new Americas' Tire store within the Reynolds Ranch Phase 3 Development. (Applicant: RSC Engineering (Tiffany Wilson). File No. 2014-01 U. CEQA Determination: Prior EIRs Section 15153)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Hearing Opened to the Public

- Don Thraikill, applicant, came forward to answer questions.
- Commissioner Olson asked if there are any plans to recycle tires in the near future. Mr. Thraikill stated that it is currently happening, but not at a hundred percent.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Olson second, finds the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Reynolds Ranch development. The proposed project does not create any new environmental impacts that were not previously addressed in the Mitigation Monitoring and Report Program for the project and the conditions of approval require the development to implement the adopted MMRP. Approve the request for a use permit and the site and architectural plans for the America's Tire store project, subject to the conditions listed in the attached draft Resolution. The motion carried by the following vote:

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

- e) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit for an automated Kelly's Car Wash in the Reynolds Ranch Phase 3 Development. (Applicant: RPM Company, LLC. File No. 2014-04 U. CEQA Determination: Prior EIRs Section 15153)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Commissioner Heinitz asked if there are any plans to recycle the water. Hoffman stated that the applicant should be able to answer that question.

Hearing Opened to the Public

- Dale Gillespie, applicant, came forward to answer questions. Mr. Gillespie stated that according to the owner/operator 78 percent of the water will be recycled.
- Chair Jones asked what kind of oil water separator will be installed. Mr. Gillespie stated that he cannot accurately answer that question. The project will provide what the City requires.
- Commissioner Slater stated his appreciation for the location of the carwash. They seem to be placed strategically around the City.
- Vice Chair Kiser asked if the carwash will be a full attendant type. Mr. Gillespie stated the customers will be staying in the vehicle with an attendant at both the entrance and exit. Kiser asked if the larger SUV's will fit in the carwash. Gillespie stated that he believes it will accommodate the larger vehicles unless they are severely lifted.
- Commissioner Heinitz asked if he would object to the additional language regarding the water recycling. Mr. Gillespie stated that he would not.
- Chair Jones asked if the CEQA documents already addressed this issue. Planner Hoffman stated that they would not have directly addressed something specific like this project.
- Planner Hoffman recommended that Condition 28 to be added: A water conservation strategy is to be developed and submitted to staff for review.

Public Portion of Hearing Closed**MOTION / VOTE:**

The Planning Commission, on motion of Commissioner Heinitz, Kiser second, finds the project has satisfied the requirements of the California Environmental Quality Act (CEQA)

pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Reynolds Ranch development. The proposed project does not create any new environmental impacts that were not previously addressed in the Mitigation Monitoring and Report Program for the project and the conditions of approval require the development to implement the adopted MMRP. Approve the request for a Use Permit and the site and architectural plans for the proposed Kelly's Car Wash, subject to the conditions listed in the attached draft Resolution with the addition of condition 28 as stated above. The motion carried by the following vote:

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

- f) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit for a McDonald's drive thru restaurant in the Reynolds Ranch Phase 3 Development. (Applicant: RPM Company, LLC. File No. 2014-06 U. CEQA Determination: Prior EIRs Section 15153)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Commissioner Olson asked for a review of the traffic pattern. Mr. Hoffman showed the route around the drive thru. Olson asked about the traffic pattern of the center. Mr. Hoffman showed the entrance/exit of the center.

Hearing Opened to the Public

- Dale Gillespie, applicant, came forward to answer questions. Mr. Gillespie stated that there is a right in right out driveway just outside of the image on the screen onto Harney Lane.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Hennecke second, finds the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Reynolds Ranch development. The proposed project does not create any new environmental impacts that were not previously addressed in the Mitigation Monitoring and Report Program for the project and the conditions of approval require the development to implement the adopted MMRP. Approve the request for a Use Permit and the site and architectural plans for the proposed McDonald's, subject to the conditions listed in the attached draft Resolution. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Senior Planner Hoffman stated that the Tentative Looking Ahead Project List has been provided and staff is available to answer any questions.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

Senior Planner Hoffman stated that a memo has been provided and staff is available to answer any questions. He explained the reasoning behind the Development Code Policy change.

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

8. ART IN PUBLIC PLACES

Commissioner Kirsten gave a brief report regarding the most recent meetings. The traffic control box art project is continuing. A creative bench project may be coming to Lodi. The sculptures for downtown have been delayed because of the lack of sculptures available that the city wants.

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

None

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

Vice Chair Kiser asked if the cargo container on Cherokee will be removed soon. Schwabauer stated that staff will look into it.

Vice Chair Kiser asked not to have the same mistake with the concrete in front of the post office again in the downtown.

Commissioner Kirsten asked if they can stain it. Kiser stated that they can. Schwabauer stated that he would talk to staff again about the eye sore.

Commissioner Kirsten asked if a discussion could be had regarding the Barking Dog since it will be coming back before the Commission. Schwabauer stated that a discussion cannot be had prior to the public hearing.

11. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:48 p.m.

ATTEST:

Kari Chadwick
Planning Commission Secretary

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 9, 2014**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of April 9, 2014 was called to order by Chair Jones at 7:00 p.m.

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

Absent: Planning Commissioners – Hennecke and Kirsten

Also Present: Interim Community Development Director Stephen Schwabauer, Senior Planner Craig Hoffman, Interim City Attorney Janice Magdich, Deputy Public Works Director Charles Swimley and Administrative Secretary Kari Chadwick

2. MINUTES

None

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 Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit to allow a Type-48 On-Sale Beer, Wine and Distilled Spirits for The Barking Dog at 302 N. California Street. (Applicant: David Smith; File 13-U-15; CEQA Determination: Exempt per Section 15321)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff is not making a recommendation due to the past history with the establishment. A draft resolution for approval has been provided and some of the conditions were read allowed for the benefit of the audience.

Vice Chair Kiser asked why we are not considering the 300 foot measurement that is a part of our ordinance. Planner Hoffman stated that section is no longer a part of this Development Code. The new Development Code uses the General Plan requirements for noise and it is much more restrictive.

Commissioner Slater asked where the patrons are going to smoke. Planner Hoffman stated that to applicant would be a better person to answer that question.

Commissioner Heinitz disclosed that he walked the neighborhood and spoke with Ms Docktor, a resident who filed a letter against the project.

Hearing Opened to the Public

- David Smith, applicant, came forward to answer questions. Mr. Smith addressed the smoking issued brought up by Commissioner Slater. Smoking will need to be at least 20 feet from any entrance to the establishment. He stated that he personally walked the neighborhood and was able to speak with some, not all, of the residences. He was able to get a few signatures on a petition showing favor for the project.
- Commissioner Heinitz asked about the room that was built to shelter the noise from getting outside. Mr. Smith stated that he does not have any intentions of having loud music. He would like to take this back to what it was before the previous operator turned it into a nuisance.
- Commissioner Slater asked if the patrons will be smoking inside. Mr. Smith stated that they will not. Slater asked if they will be smoking out back. Mr. Smith stated that would be the preferred spot. Slater asked if Mr. Smith is prepared to conduct a smoke free bar. Smith stated he is prepared to have a smoke free bar.

- Chair Jones asked for clarification regarding the back patio. Hoffman stated that no one is to be on the back patio. It is only provided as an emergency exit.
- Larry Sausada, neighborhood resident, came forward to object to the project. He stated that the applicant and owner came to his residence to talk with him regarding the project and asked him to give them a chance to prove themselves. Mr. Sausada stated that he signed the petition based on what the gentleman told him. He is still concerned about the fact that he was told they wanted three months, but he isn't seeing that condition in the project. The problem with the smoking isn't the smoke; it's the volume and language.
- Lesley Docktor, neighborhood resident, came forward to object to the project. She pointed out her letter that she submitted. Ms Docktor does not feel this is a good location for a bar. In the past the problems have occurred typically after midnight, so if the applicant is going to be allowed to increase the hours that will be an issue. Commissioner Heinitz asked if Ms Docktor lived in the neighborhood when the bar was operated as the original Barking Dog. Ms. Docktor stated that yes she has lived there for a long time. She restated her concern for having a bar at this location.
- Tyler Montgomery, neighborhood resident, came forward to object to the project. He stated that Holly Drive is already an issue for speeding. In the past the bar patrons have parked on Holly so that the police won't see their vehicle in the bar parking lot.
- Mike Albert, neighborhood resident, came forward to object to the project. Since the bar has been closed the walking traffic from the bar and questionable driving traffic has not been an issue.
- Sarah Lee, neighborhood resident, came forward to object to the project. She stated that she is a long-time resident and was a patron on occasion of the original barking dog, but the current actions have been bad enough to convince her that this is not a good location for a bar.

Public Portion of Hearing Closed

- Commissioner Slater asked if the project can be conditioned to bring it back in ninety days. Planner Hoffman stated yes. Slater asked if the smoking can be conditioned. Director Schwabauer stated not the smoking, but the noise of the people congregating can be.
- Vice Chair Kiser stated that he cannot support this project in this location.
- Commissioner Heinitz stated that just because it was a bar doesn't mean it should be a bar again. The location no longer meets the criteria for allowing this type of establishment.
- Commissioner Olson stated that after all the concerns that have been expressed from the neighborhood residences she does not feel this is a good use at this location. If the bar is supposed to be a neighborhood bar the neighbor should want it there.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Slater second, denied the Use Permit to allow the sale of beer, wine and distilled spirits Alcoholic Beverage Control (ABC) Type 48 license at 302 / 310 North California Street. The motion carried by the following vote:

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

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Jones called for the public hearing to consider the request of the Planning Commission for Growth Management Allocation for 145 Low Density Residential Lots 55 Medium Density Residential Lots and 88 High Density Units; and A Vested Subdivision Map for the Van Ruiten Ranch Subdivision, a 74 acre, 288 unit subdivision; and Adopt Development Standards for the subdivision known as Van Ruiten Ranch Subdivision located within

Planned Development 41 Zoning District. (Applicant: Bennett Homes.; File #'s: 13-S-02 and 13-GM-02; CEQA Status: Project Environmental Impact Report, State Clearinghouse No. 2005092096, Certified on November 15, 2006)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Commissioner Kiser asked about the off-street parking and accessibility of the fire life safety vehicles. Planner Hoffman point out the area in the document to find the information that shows that there is room for those items. Kiser asked if there will be any mello rues for the project. Staff stated that the applicant will need to answer that question.

Commissioner Slater asked why Century Blvd isn't straighter. Hoffman stated that the bend is intended to slow drivers down. Slater stated that the future growth will extend west beyond the edge of this development and if Century Blvd is intended to be a thoroughfare shouldn't the street be straighter to allow for better traffic flow. Hoffman stated that the intent for this street is to be maintained as residential through this area. Slater stated his concerns about the planting areas being too small to accommodate mature trees. Hoffman stated that there will not be a meandering sidewalk which will allow for the five to six foot planting strips. Public Works Staff has taken a look at that and it is consistent with the City Standards.

Commissioner Heinitz asked what type of buffer will be put in place to protect the residences from the current ag land operations. Hoffman stated that a right to farm notice will be a part of the disclosure to the property owners that will purchase in that area. Heinitz stated that it would be a good idea to put some type of buffer until the future growth can occur.

Vice Chair Kiser expressed the same concern. A buffer can always be taken out when the growth occurs, but a buffer is a legitimate concern.

Chair Jones stated that as a good neighbor a buffer should be put in by the developer.

Commissioner Olson asked for clarification regarding the landscaping. Hoffman stated that the concern in the email states that the meandering sidewalk would cause the landscape area to narrow to a point that would not sustain a tree. Olson asked if staff is finding that the past landscape area isn't working. Schwabauer stated trees and sidewalks will never get along. When you start expanding the landscape strip then it affects the Housing Element standard. HCD gets concerned when you start building developments that are priced outside of the market. Olson asked if this is still going to add to a future expense. Schwabauer stated that every development could plant Crape Myrtles or maybe Chinese Pistash, but if you want a tree that is going to have a canopy you will eventually run into sidewalk issues. Olson asked about the storm water runoff running through the landscape strip. Deputy Public Works Director Swimley stated that this type of landscape strip will be similar to the one on Lower Sacramento Road north of Lodi Avenue without the meandering sidewalk, so it is not conducive to storm water runoff.

Vice Chair Kiser asked if purple pipe will be used on this project. Swimley stated that yes purple pipe will be used. Kiser asked if the standard regarding the type of trees to be planted in the landscape strip is being enforced on this project and he would also like to see a block wall built along the west side of the project. Swimley stated that the standard will be required to be followed. Block walls are required on reverse frontage, but not as a project boundary. This fence requirement is similar to what was approved with the Rose Gate project.

Commissioner Slater asked if the tree list has trees that are missile toe resistant. Swimley stated that staff has attempted to identify the trees that have shown resistance in the past to missile toe. Controlling it is a combination of annual maintenance an choosing the right trees.

Hearing Opened to the Public

- Dennis Bennett, representative for the Van Ruiten Ranch, came forward to answer questions.
- Commissioner Slater stated that he is also concerned about the wood fencing. Bennett stated that there are issues with any type of wall or fence. The wood fences will rot, but the block wall is a graffiti magnet. Slater asked if the wood will be pressure treated.

Bennett stated that he cannot guarantee that they will be. Slater asked staff if a requirement can be made to make the post for the fence pressure treated. Hoffman asked if this is only going to be along the western boundary. Slater state that he would like to see it there and it would be nice if all the wood fences in the development utilized pressure treated posts. Hoffman stated that the requirement could be justified for the western edge.

- Miranda O'Mahony, resident, came forward to express her concerns with the water shortage the area is experiencing and what steps this development is taking to alleviate the demand on the supply. Kiser stated that the purple pipe will address some of the recycling or repurposing of some of the water. Ms. O'Mahony stated that there are also landscaping choices that can help with water conservation. Swimley stated that the City has adopted the State's water conservation guidelines as part of our landscape ordinance.

Public Portion of Hearing Closed

- Commissioner Slater would like to amend the conditions to state that the fence posts in the fence on the western edge be pressure treated. Kiser stated that metal posts are now made and will last twice as long. Slater stated that he would defer to Kiser. Schwabauer asked for clarification that the fence will be built with that phase of development not prior. Commissioners agreed. Jones disagreed with the requirement. He doesn't feel that it is going to be necessary once the development gets to that stage.
- Planner Hoffman pointed out that a revised resolution has been provided on blue sheet.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Slater, Olson second, finds the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15153. The project is consistent with the findings of the previous environmental documents prepared for the Van Ruiten Ranch development and recommend the City Council approve the requested growth allocation and vesting tentative subdivision map. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kiser, Olson, Slater and Chair Jones
 Noes: Commissioners – None
 Absent: Commissioners - Hennecke 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 Jones called for the public hearing to consider the request of the Planning Commission for a Use Permit to allow a personal fitness training studio within an existing industrial building located at 700 E. Pine Street. (Applicant: Carl Hultgren; File 2014-05 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as conditioned.

Hearing Opened to the Public

- Carl Hultgren, applicant, came forward to answer questions. He believes this is a perfect location for his project.
- Chair Jones asked if there will be equipment put in the building. Mr. Hultgren stated that the purpose is to use your own body weight. Primarily resistance training.
- Commissioner Olson asked if there are set class times. Hultgren stated that it is mostly group training in specific classes.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Slater second, finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15032 and approves the Use Permit for the Pure Form PFT to operate within the Industrial zone subject to the findings and conditions of approval contained in the draft Resolution. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Senior Planner Hoffman stated that the Tentative Looking Ahead Project List has been provided and staff is available to answer any questions.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

None

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

4. ART IN PUBLIC PLACES

None

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

None

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

Commissioner Heinitz wanted clarification as to whether or not a condition was added on item 3b for the fence. Slater stated that he did not add that for this project, but would like to bring the discussion back for future developments. Other Commissioners stated their desire to see an improvement to the fencing requirements for these types of developments.

Commissioner Jones stated that he has more problems with the requirements for low-density and medium-density lot sizes and the narrow streets. He also added that he is a fan of gated communities, but acknowledges that those are the guidelines the Commission has to follow.

Vice Chair Kiser asked if development agreements are going to be reconsidered. Schwabauer stated that you need to have a hammer to get a developer to agree. In the past we had the annexation as that hammer. We are not looking forward to an annexation in the near future.

10. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:51 p.m.

ATTEST:

Kari Chadwick
Planning Commission Secretary

Item 3a



**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: May 14, 2014

APPLICATION NO: Use Permit: 2014-09 U
SPARC: 2014-09 SP

REQUEST: Request for Planning Commission approval of a Use Permit and SPARC for a Popeyes Louisiana Kitchen drive thru restaurant at 612 East Kettleman Lane, the southeast corner South Cherokee Lane and East Kettleman Lane. (Applicant: Norcal Cajun Foods. File No. 2014-09 U-SP. CEQA Determination: Exempt per 15303)

LOCATION: 612 East Kettleman Lane (former Carrows)
Southeast corner South Cherokee Lane and East Kettleman Lane.
(See Attachment A).

APPLICANT: Norcal Cajun Foods
Mr. Charanjiv Dhaliwal
2190 Meridian Park Blvd.
Concord, CA 94520

PROPERTY OWNERS: Jasbir and Tarenjit Cheema
4053 E. Madera Lane
Stockton, CA 95212

RECOMMENDATION

Staff recommends the Planning Commission approve the Use Permit and SPARC application to develop a 2,695 sq.ft. drive-thru Popeyes Louisiana Kitchen restaurant, based on the findings contained in the attached Planning Commission Resolution and subject to the conditions of approval within.

PROJECT AREA DESCRIPTION

General Plan Designation: Commercial

Zoning Designation: General Commercial

Property Size: 33,546 sq. ft. - 0.77 acres

	ADJACENT ZONING AND LAND USE CHARACTERISTICS		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Mixed Use Corridor	Mixed Use Corridor	Commercial / Retail
South	Commercial	General Commercial	Vacant
East	Commercial	General Commercial	Commercial / Retail
West	Mixed Use Corridor	Mixed Use Corridor	Commercial / Retail

PROJECT DESCRIPTION

The project site is located at the corner of South Cherokee Lane and East Kettleman Lane and contains the former Carrows restaurant. The applicant proposes to demolish the existing building and utilize the two existing driveways and parking lot along with construction of a new building with drive-thru.

The proposed restaurant use includes a drive thru, which allows approximately 8 cars in the queuing lane. The property includes 38 parking spaces and drive isles. The building footprint consists of 2,695 sq. ft. of kitchen area, storage and indoor dining. The proposed operational hours of the restaurant are 10 am to 11 pm, 7 days a week. Two shifts with an average crew of 6-9 employees per shift. The applicant anticipates the project will create 25 new jobs. The restaurant will provide outside seating on the east side of the store, in conjunction with the normal indoor dining area. Attachment B.

ANALYSIS

Use Permit Application:

Lodi Zoning Code requires a Use Permit for a Drive-thru in this Planned Development area. Drive-thru restaurants pose unique problems to adjoining uses and the Use Permit application is an important tool to mitigate these issues. Many of the problems associated with this type of use i.e. noise from speaker boxes, vehicle noise in the queuing lanes and the amount of traffic generated are reduced by the site location and placement of the building. Conditions of Approval have been crafted to address the various issues associated with drive-thru operations to reduce those issues to a minimum.

Noise:

Since the proposed project site is not adjoining any sensitive land uses, the project will not be inconsistent with the standard commercial noise standard of 65 dBA. The project site is surrounded by commercial uses and bordered by 2 main roadways. Noise associated with the project will not impact residential uses or be inconsistent with existing commercial uses.

Parking:

The project site is approximately 0.77 acres in size and has 38 existing parking stalls, 2 are committed ADA parking stalls. The required parking is located on the southern and eastern side of the new building, with the drive thru lanes entering along the north side of the building and wrapping around the west side of the building. Access to the site is from a drive way on Kettleman Lane and another on Cherokee Lane. The drive ways are existing and are not proposed to be relocated or modified.

Landscape Plan

As shown on the preliminary landscape plan, the applicant proposes new landscaping along South Cherokee and East Kettleman Lane. Additional landscape islands are proposed in the parking field to support the shading requirement. A recommended condition of approval requires the developer to submit a detailed landscape and irrigation plan for approval by the Community Development and Public Works Departments for review and approval. All landscape and irrigation improvements are to be designed and installed in compliance with the requirements of the Water Efficient Landscape Guidelines, Lodi Municipal Code, and all other applicable City standards.

Architecture

The proposed building design utilizes exterior materials and colors that conform to the Popeyes Louisiana Kitchen corporate design. The exterior finishes include stucco with rock base

accents. The building is a golden color with red and green color accents. The building includes red metal awnings and accent capping. Green shutters break up the horizontal walls with a balcony and iron rails over the pick-up window. Renderings of the building are included as Attachment B.

Trash Enclosure:

The project provides refuse enclosure on the south side of the building, to be served by the primary access isle running in front of the new building and in close proximity to the service door in the restaurant' kitchen area. A masonry wall and metal doors enclose refuse bins inside. The proposed enclosure meets the criteria of Section 17.58.130. Staff has placed a condition requiring the applicant to install creeping vine or similar landscape material around the enclosure to discourage graffiti and soften the hard surface of the masonry walls.

Signage:

The project plans identify signage on the proposed building and a monument sign fronting on Kettleman Lane. The zoning code limits monuments for single commercial users, however, monument signs are consistent with the surrounding area and most existing commercial users have them. There is a monument sign on-site that Carrows utilized. Staff recommends that as part of the architectural review the 6 ft high monument sign is approved as part of the overall site approval. Other signage would be required to conform to sign standards established by the Lodi Municipal Code Section 17.34, and would require plan submittal for review and approval by Community Development Department prior to installation.

The discretionary Use Permit procedure enables Planning and other city staff to impose conditions designed to avoid, minimize or mitigate potentially adverse effects of a certain use upon the community or other properties in the vicinity. Staff believes that the Planning Commission can make the required findings, in accordance with Lodi Development Code § 17.40.040(F), to approve the requested Use Permit. The required findings are as follows:

1. *The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Development Code. Comment: The location and design of the proposed development is consistent with the goals and policies of the 2010 General Plan and the General Commercial zoning district. The General Plan Land Use Commercial designation allows such commercial uses as the proposed business. The General Commercial zoning district allows drive-thru restaurants with a Use Permit. The proposed restaurant facility would not create special problems in the area, because the building is situated within a commercial area and is surrounded by other vehicle oriented uses, therefore any of the typical nuisance issues have been mitigated by site location.*
2. *The proposed use is consistent with the General Plan and any applicable specific plan. Comment: The General Plan land use designation for the project site is Commercial, which permits the proposed use. The conditions for the conditional use are consistent with the General Plan, will not affect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent areas.*
3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements. Comment: The proposed use is on a commercial parcel that previously operated as a restaurant use. Changes to the site and the proposed use are consistent with the Zoning Code and the General Plan policies. As such, the*

subject site is adequate in size and shape to accommodate the proposed use within a commercial area with all the required off-street parking provided on the subject site. Further, the project will not have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.

4. *The location, size, design, and operating characteristics of the proposed use is compatible with the existing and future land uses in the vicinity.* Comment: The proposed use complies with all requirements as set forth for the issuance of this Use Permit, in that the site is adequate in size, shape and topography for the proposed use. Second, the site is located in a commercial area that is accessible from public streets. Existing street networks are adequate in size and shape to accommodate the quantity and quality of traffic generated by the proposed use without any significant impacts to the street system. Third, the proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building.
5. *The proposed project is in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines.* Comment: The project was found to be Categorically Exempt according to the California Environmental Quality Act, §15303, Class 3(c) New Construction of Small Structures- commercial buildings under 10,000 square feet in urbanized areas and on sites zoned for such use where all necessary public services and facilities are available. The project proposal does not increase the intensity of the project site and the existing site is adequately served by all required utilities and public services.

Conclusion

The location and design of the proposed development is consistent with the goals and policies of the 2010 General Plan and the General Commercial zoning district. The General Plan Land Use Commercial designation allows such commercial uses as the proposed business. The General Commercial zoning district allows drive-thru restaurants with a Use Permit. The proposed restaurant facility would not create special problems in the area, because the building is situated within a commercial area and is surrounded by other vehicle oriented uses, therefore any of the typical nuisance issues have been mitigated by site location. Engineering Division indicated that traffic is not anticipated to increase, and all vehicular traffic generated by the project would be accommodated safely and without causing undue congestion upon the adjoining streets and intersections.

ENVIRONMENTAL ASSESSMENT

The project was found to be Categorically Exempt according to the California Environmental Quality Act, §15303, Class 3(c) New Construction of Small Structures- commercial buildings under 10,000 square feet in urbanized areas and on sites zoned for such use where all necessary public services and facilities are available.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, May, 3 2014. Eleven (11) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff's recommendation, the following motion is suggested:

"I move that the Planning Commission adopt a Resolution finding that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303. And adopt a Resolution approving the Use Permit and the site and architectural plans for the proposed Popeyes Louisiana Kitchen, subject to the conditions listed in the attached draft Resolution."

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

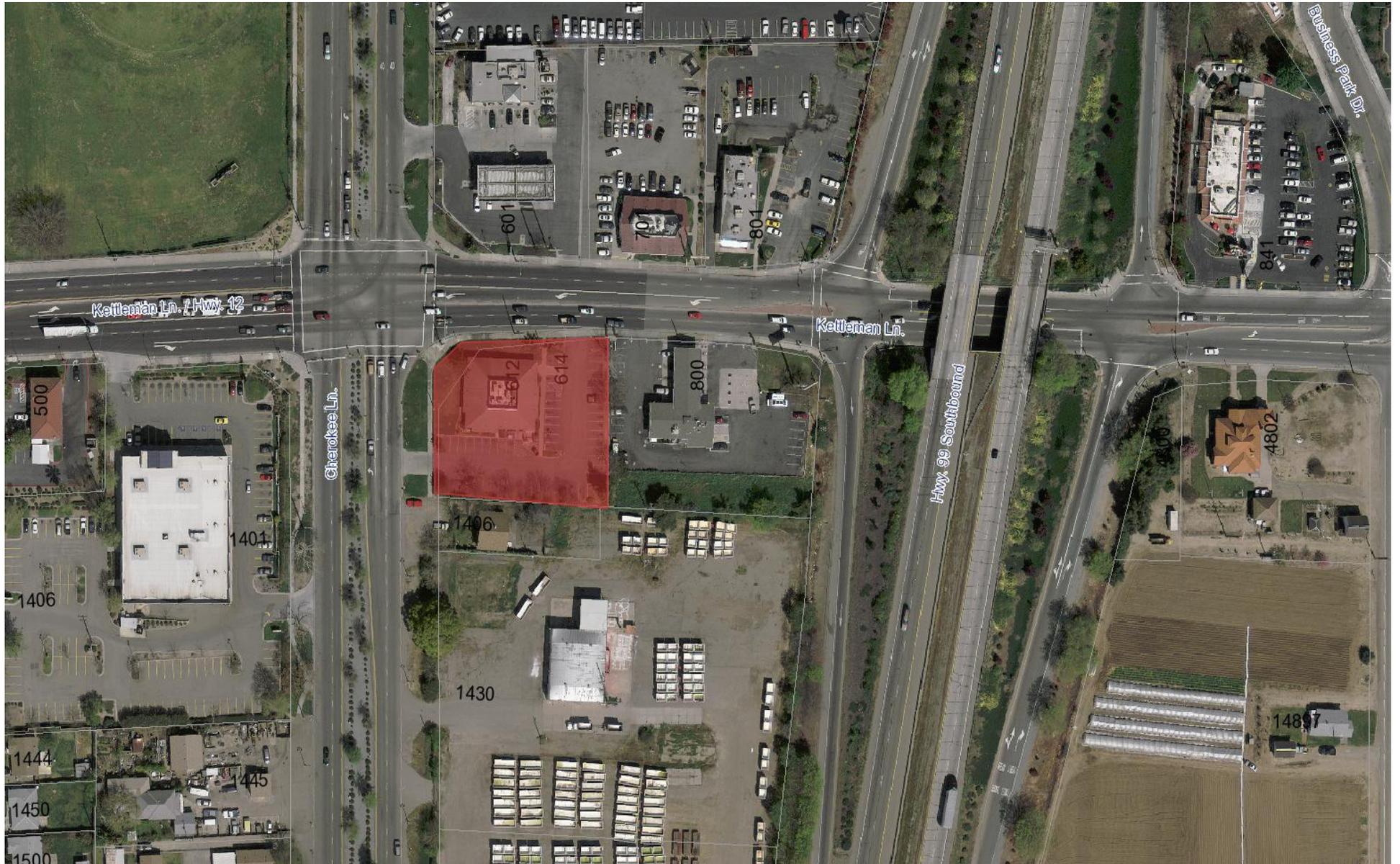
Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Architectural Review Package, consisting site plans, building elevations, colored renderings.
- C. Draft Resolution

AERIAL / VICINITY MAP



612 Kettleman Lane

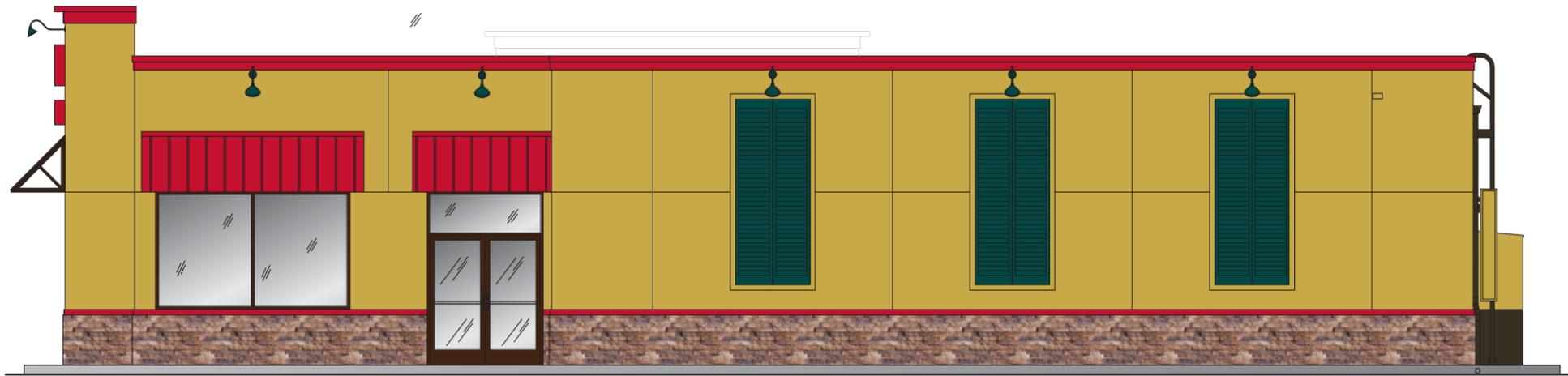




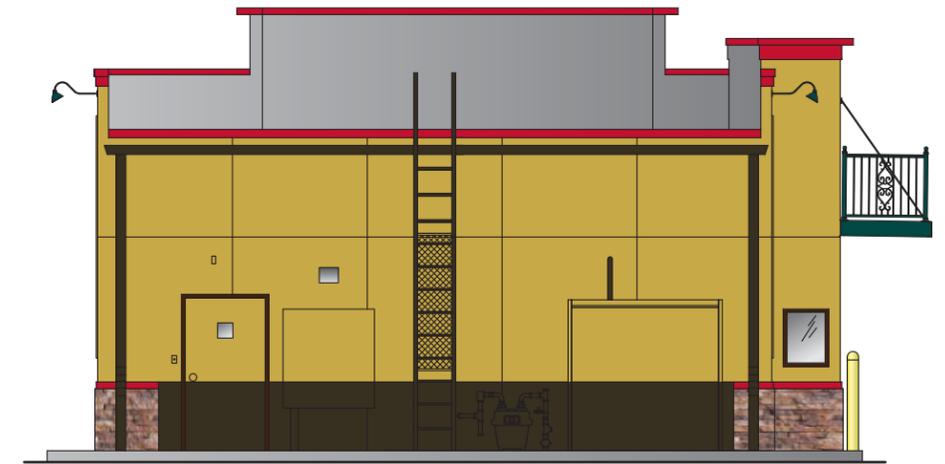
LEFT SIDE ELEVATION (DRIVE-THRU)



FRONT ELEVATION



RIGHT SIDE ELEVATION (MAIN ENTRY)



REAR ELEVATION

Popeyes Louisiana Kitchen
 48-Seat Prototype
 Exterior Design Concept v4.0
 12.06.2011

- Benjamin Moore 2158-30 : Delightful Golden
- Benjamin Moore 2107-20 : Mocha Brown
- Benjamin Moore 2040-10 : Rainforest Foliage

- Benjamin Moore 2086-10 : Exotic Red
- Benjamin Moore RM : Bronzestone
- Coronado Stone - Cascade : Four Rivers



Design Documents for POPEYES LOUISIANA KITCHEN

612 EAST KETTLEMAN LANE
LODI, CALIFORNIA



NORCAL CAJUN FOODS INC.
2190 MERIDIAN PARK BLVD.
SUITE G
CONCORD, CA 94520
(925) 446-6806



POPEYES LOUISIANA KITCHEN
LK1260-DL-PLUS (REVERSE)
STUCCO / SIMULATED STONE
612 EAST KETTLEMAN LANE
LODI, CALIFORNIA 95240



REVISIONS:

COVER SHEET

DATE: 03-21-14

DD1

CHECKED: JT

PLANS PREPARED FOR

NORCAL CAJUN FOODS II, INC.
2190 MERIDIAN PARK BLVD., SUITE G
CONCORD, CA 94520
PHONE: (925) 446-6806
CONTACT: SANDY MANN

DESIGN FIRM

MILESTONE ASSOCIATES
1000 LINCOLN ROAD, SUITE H202
YUBA CITY, CALIFORNIA 95991
PH: 530-755-4700
ATTN: JULIO TINAJERO

PARKING DATA

RESTAURANT (60 SEATS): 1 SPACE PER 3 SEATS =	20 SPACES
TOTAL PARKING REQUIRED:	20 SPACES
STANDARD (9' x 18'):	37 SPACES
DISABLED (9' x 18'):	2 SPACES
TOTAL PARKING PROVIDED:	39 SPACES

DRAWING INDEX

- DD1 COVER SHEET
- DD1.1 SITE PLAN
- DD1.2 PHOTOMETRIC PLAN
- DD1.3 PHOTO MAP
- DD2 PRELIMINARY LANDSCAPE PLAN
- DD3 FLOOR PLAN
- DD4 EXT. ELEVATIONS
- DD5 EXT. ELEVATIONS
- DD6 SECTION

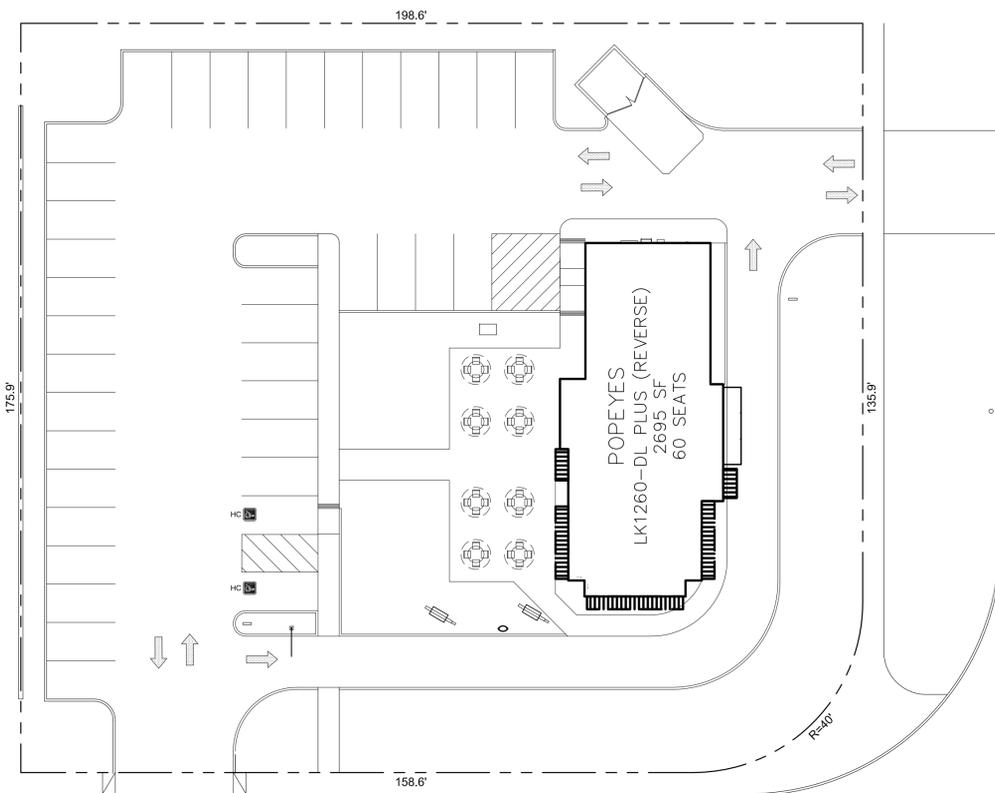
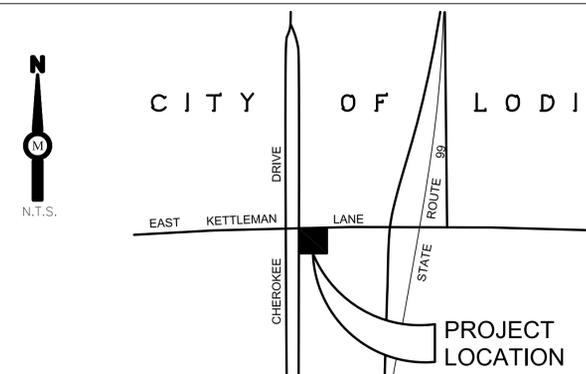
SIGN DATA

ALLOWABLE AREA:	1.5 SF / LINEAL FOOT OF BLDG FRONTAGE (121 LF) = 182 SF
PROPOSED AREA :	182 SF

LOT DATA

A.P.N.:	062-060-041
ZONED:	CM - COMMERCIAL
EXISTING USE:	VACANT SITE
AREA:	31,755 SF (0.729 AC)
PROPOSED USE:	RESTAURANT
AREA:	2,695 SF

VICINITY MAP

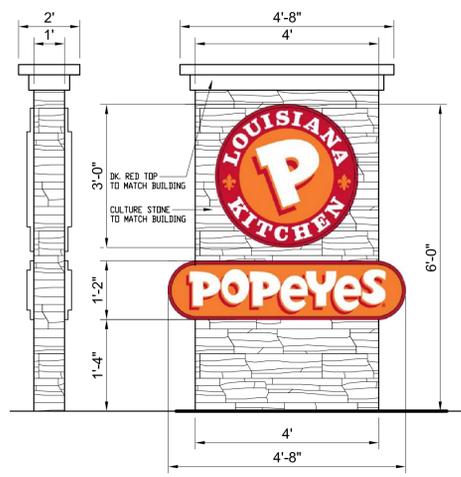


SOUTH CHEROKEE LANE

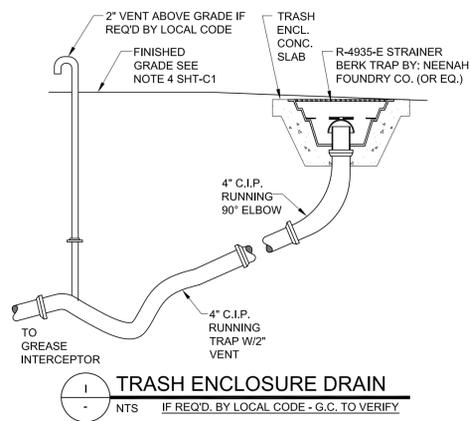
EAST KETTLEMAN LANE

REFERENCE SITE PLAN

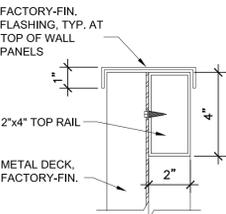
SCALE: 1" = 20'-0"



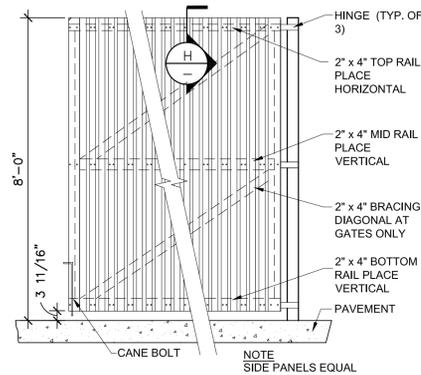
MONUMENT SIGN 1/2" = 1'-0"



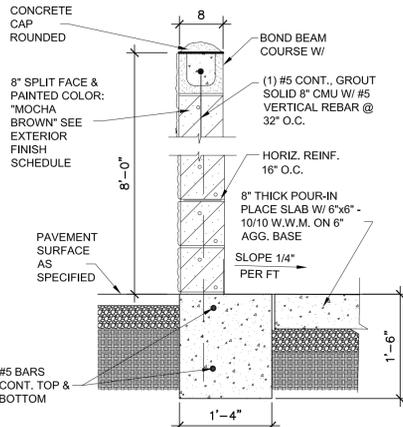
TRASH ENCLOSURE DRAIN
NTS IF REQ'D. BY LOCAL CODE - G.C. TO VERIFY



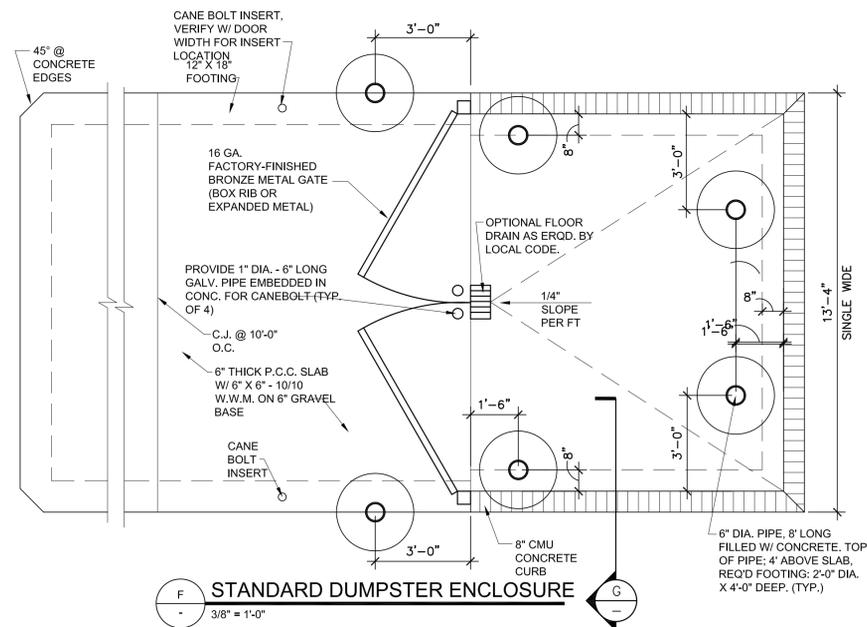
FLASHING DETAIL
NTS



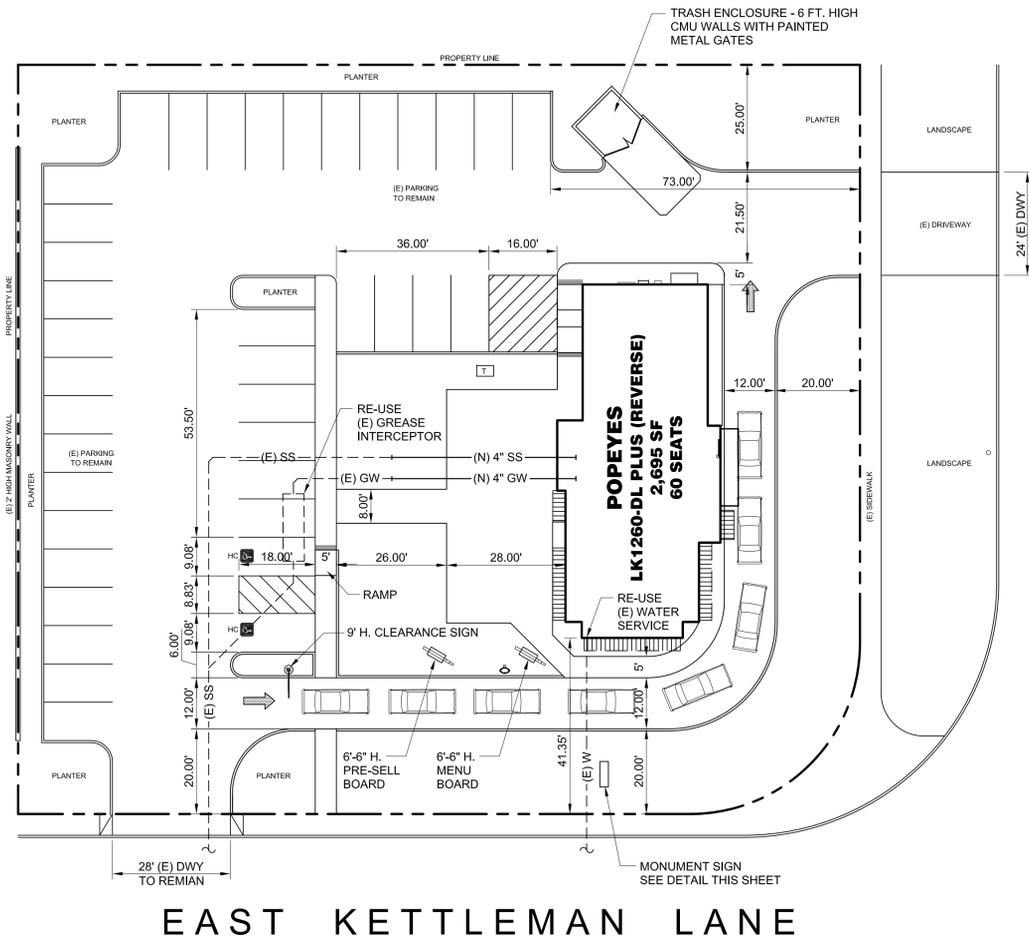
DUMPSTER ENCLOSURE & GATE ELEV.
NTS



DUMPSTER WALL SECTION
NTS



STANDARD DUMPSTER ENCLOSURE
3/8" = 1'-0"



EAST KETTLEMAN LANE

SOUTH CHEROKEE LANE

SITE PLAN

1" = 20'



M
Milestone
Associates
Imagincering

1000 LINCOLN ROAD, SUITE H202
YUBA CITY, CALIFORNIA 95991

TEL: 530-755-4700
FAX: 530-755-4567

NORCAL CAJUN FOODS INC.
2190 MERIDIAN PARK BLVD.
SUITE G
CONCORD, CA 94520
(925) 446-6806

POPEYES
LOUISIANA KITCHEN

400 PERIMETER CENTER TERRACE
SUITE 1000
ATLANTA, GA 30346
404-459-4450

**POPEYES LOUISIANA KITCHEN
LK1260-DL-PLUS (REVERSE)
STUCCO / SIMULATED STONE**
612 EAST KETTLEMAN LANE
LODI, CALIFORNIA 95240

LOUISIANA KITCHEN

REVISIONS:

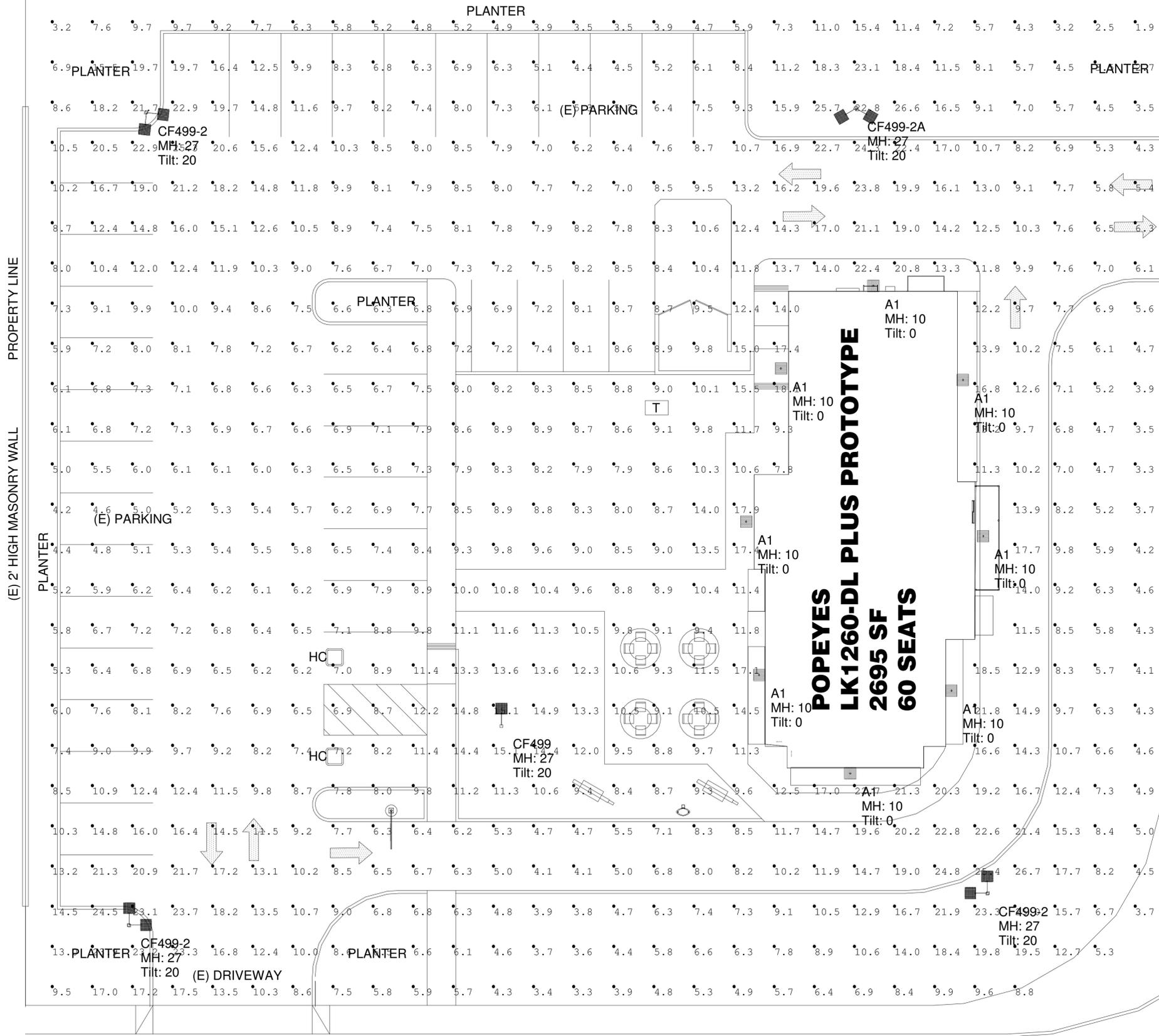
SITE PLAN

DATE: 03-21-14

DD1.1

CHECKED: JT

PROPERTY LINE



LANDSCAPE

(E) DRIVEWAY

LANDSCAPE

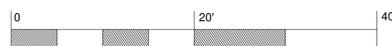
(E) SIDEWALK

FIXTURE MOUNTING HEIGHT & TILT: AS SHOWN
PROPOSED POLES MEET 90 MPH SUSTAINED WINDS

ADDITIONAL REQUIRED EQUIPMENT:
(5) - PS4S25CTBZ (25' X 4' SQUARE STEEL POLES, TENON MOUNT)
(1) - PB-1A4 (SINGLE MOUNT TENON)
(4) - PB-2A4 (TWIN MOUNT TENONS)

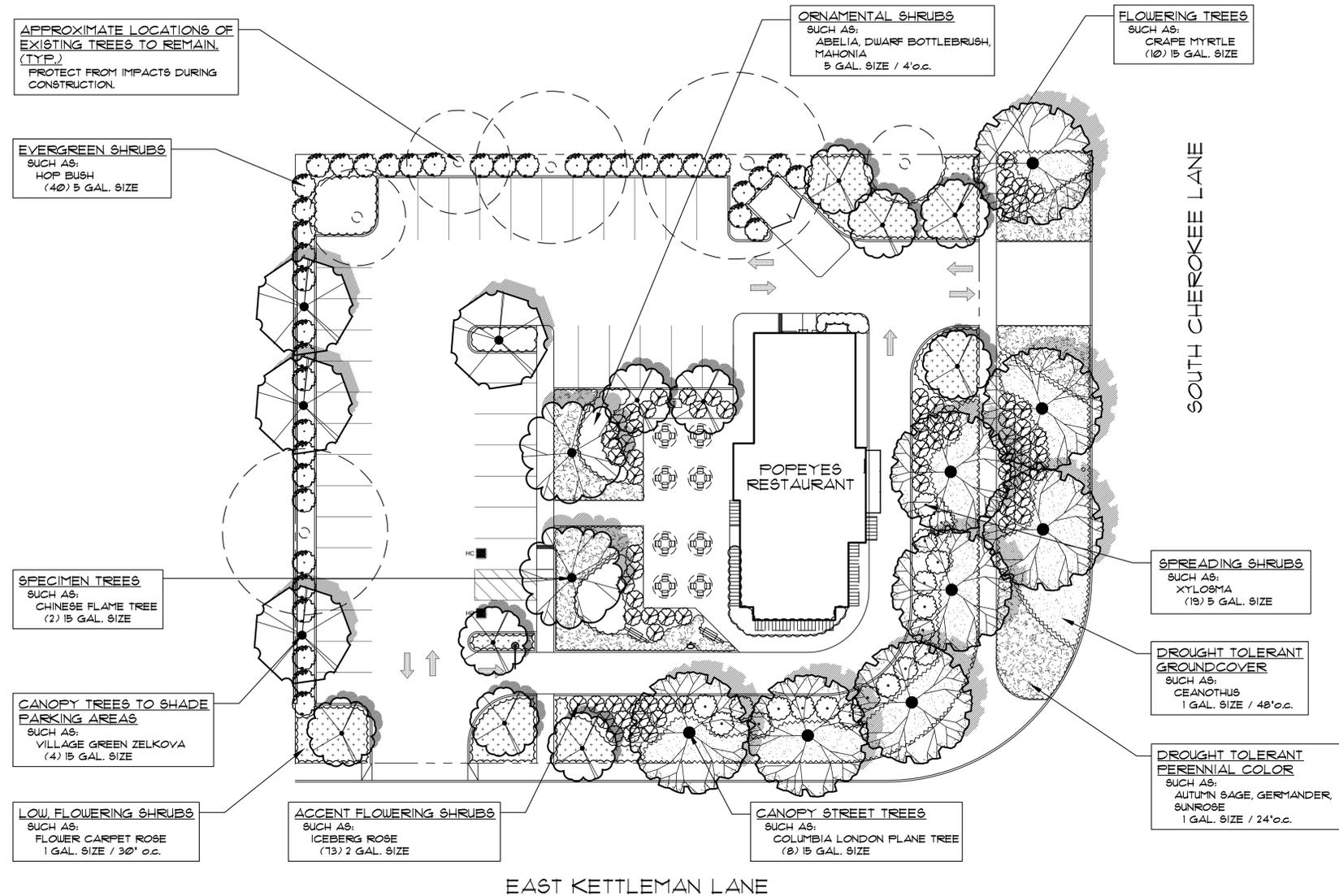
Calculation Summary					
Label	Avg	Max	Min	Avg/Min	Max/Min
SITE	9.96	26.7	1.9	5.24	14.05

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Lumens/Lamp	LLF	Description	Lum. Watts
⬇	3	CF499-2	2 @ 90 DEGREES	99000	0.650	CF3499-M (1000W MH)	1080
⬇	1	CF499-2A	2 @ 120 DEGREES	99000	0.650	CF3499-M (1000W MH)	1080
⬆	8	A1	SINGLE	12600	0.750	SE3615-M (150W PSMH)	185
⬆	1	CF499	SINGLE	99000	0.650	CF3499-M (1000W MH)	1080



DESIGN FEATURES OF PROPOSED LANDSCAPE

- **Utilization of appropriate plant materials in new landscaping.**
The proposed planting pallet stresses adaptive, drought tolerant plant materials. These species will minimize the use of extensive water, fertilizers, herbicides and other intervention. Plantings shall be "hydrozoned" in groupings of like water usage for maximum water conservation.
- **Use of water-efficient irrigation technologies.**
Detailed irrigation plans will be prepared as a part of the final plan submittal. All irrigation systems shall be designed to minimize the amount of water used for irrigation purposes. Automatic systems will be predominantly drip systems. Design of irrigation systems will preclude overspray onto paved areas. Final Irrigation Plans shall demonstrate compliance with AB 1881 Model Water Efficient Landscape Ordinance.
- **Use of mulch and soil amendments to enhance water retention.**
All newly planted areas shall receive an amendment of well-rotted compost (6 cubic yards per 1,000 square feet) and a top dressing of wood chip mulch (3" deep minimum).
- **Placement of trees for passive cooling of paved areas.**
Deciduous canopy shade trees shall be located within the landscaping for coverage of parking areas and other paved surfaces subject to "heat island effect". Shading of parking areas shall exceed 50% in 5 years.



McPROUD & ASSOCIATES
LANDSCAPE ARCHITECTURE
Lic. No. 70900
PHONE / FAX (530) 745-6660
15500 CENTURY HILL ROAD, NEVADA CITY, CALIFORNIA 95959

TITLE	PRELIMINARY LANDSCAPE PLAN		
SCALE	1"=20'-0"	DATE	3-12-14
		REVISIONS	

POPEYES LOUISIANA KITCHEN
LK 1260-DL-PLUS PROTOTYPE
LODI, CALIFORNIA

DRAWING NO. 1

SPECIFICATIONS:

DIVISION 7: THERMAL AND MOISTURE PROTECTION

SECTION 7C: SHEET METAL WORK

- GENERAL PROVISION**
- SCOPE: FURNISH AND INSTALL GRAVEL STOPS, FLASHING, PARAPET CAP, DOWNSPOUTS, AND GUTTERS.
 - ROOFING MEMBRANE FLASHING IS INCLUDED IN SECTION 7B: MEMBRANE ROOFING.
- MATERIALS**
- MATERIALS SHEET METAL: .032 ALUMINUM.
 - NAIL FASTENERS: 1 3/4" X 11 GAUGE GALVANIZED, STAINLESS STEEL, OR ALUMINUM ROOFING NAILS MAY BE USED FOR FASTENERS INTO WOOD WHEN CONCEALED ONLY.
 - WASHERS: NEOPRENE
 - SCREW FASTENERS: CORROSION-RESISTANT, SELF-TAPPING, HEX HEAD SCREW, 1/4" MINIMUM DIAMETER WITH SUFFICIENT LENGTH TO PENETRATE 1" MINIMUM INTO WOOD OR 1/2" MINIMUM INTO STEEL. PROVIDE NEOPRENE SEALING WASHER FOR EXPOSED FASTENINGS.
- PERFORMANCE**
- INSTALLATION: EXPOSED FLASHINGS SHALL BE PAINTED TO MATCH ADJACENT MATERIALS. VERIFY WITH POPEYES REPRESENTATIVE.

SECTION 7D: STANDING SEAM CANOPY

- PART 1 - GENERAL**
- SUBMITTALS
 - SUBMIT FOR APPROVAL SAMPLES, SHOP DRAWINGS, PRODUCT DATA.
 - QUALITY ASSURANCE
 - COMPLY WITH GOVERNING CODES AND REGULATIONS. PROVIDE PRODUCTS OF ACCEPTABLE MANUFACTURERS WHICH HAVE BEEN IN SATISFACTORY USE IN SIMILAR SERVICE FOR THREE YEARS. USE EXPERIENCED INSTALLERS. DELIVER, HANDLE, STORE MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
 - WARRANTY
 - METAL ROOF SYSTEM MANUFACTURER, UPON FINAL ACCEPTANCE FOR PROJECT, FURNISH A WARRANTY COVERING BARE METAL AGAINST RUPTURE, STRUCTURAL FAILURE AND PERFORATION DUE TO NORMAL ATMOSPHERIC CORROSION EXPOSURE FOR A PERIOD OF 20 YEARS.
- PART 2 - PRODUCTS (UC-4 SERIES, AS MANUFACTURED AND SPECIFIED BY UNA-CLAD, METAL ROOF SYSTEMS.)**
- MATERIALS
 - METAL ROOF SYSTEM PROFILE:
 - UC-4 "NO CLIP", 1 1/2" HIGH BATTENS X 12" RIB TO RIB. (SMALL BATTEN-SB)
 - CONCEALED FASTENER
 - GAUGE: .026 GAUGE - STEEL
 - TEXTURE:
 - SMOOTH
 - FINISH:
 - PREMIUM FLUOROCARBON COATING PRODUCED WITH KYNAR 500 OR HYLAR 5000 RESIN (20 YEAR WARRANTY.)
 - MANUFACTURER:
 - UNA-CLAD OR EQUAL.

- PART 3 - EXECUTION**
- INSTALLATION
 - COMPLY WITH SMACNA SHEET METAL MANUAL RECOMMENDATIONS. COMPLY WITH ACCESSORY MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS. COORDINATE INSTALLATION WITH ROOFING SYSTEM TO ENSURE WEATHERIGHT PERFORMANCE.
 - ANCHOR SECURELY TO STRUCTURE TO WITHSTAND INWARD AND OUTWARD LOADS.
 - ISOLATE DISSIMILAR METALS TO PREVENT GALVANIC CORROSION.

DIVISION 9: FINISHES

SECTION 9G: EIFS

- PART 1 GENERAL**
- DESCRIPTION
 - DESIGN REQUIREMENTS: THE STRUCTURAL WALL SYSTEM TO WHICH THE EIFS IS ATTACHED SHALL MEET U240 MAXIMUM ALLOWABLE DEFLECTION CRITERIA AND APPLICABLE BUILDING CODE REQUIREMENTS.
 - SUBMITTALS
 - SUBMIT SAMPLES FOR APPROVAL AS DIRECTED BY OWNER.
 - DELIVERY, STORAGE AND HANDLING
 - ALL EIFS MATERIALS SHALL BE DELIVERED IN THEIR ORIGINAL SEALED CONTAINERS BEARING MANUFACTURER'S NAME AND IDENTIFICATION OF PRODUCT WITH WRITTEN APPLICATION INSTRUCTIONS AND APPROPRIATE HEALTH, HAZARD, AND SAFETY DATA.
 - ALL EIFS READY-MIXED MATERIALS SHALL BE PROTECTED FROM EXTREME HEAT, SUN AND FROST. FACTORY PROPORTIONED BAGGED MATERIALS SHALL BE STORED OFF THE GROUND AND PROTECTED FROM MOISTURE.
 - JOB CONDITIONS
 - ALL EIFS MATERIALS SHALL NEVER BE APPLIED IF AMBIENT AND SURFACE TEMPERATURES CANNOT BE KEPT ABOVE 40° F DURING APPLICATION AND DRYING PERIOD. FOR INSTALLATION IN TEMPERATURES LESS THAN 40° F SUPPLEMENTARY HEAT SHALL BE PROVIDED. THE INSTALLED EIFS MATERIALS SHALL BE PROTECTED FROM EXPOSURE TO RAIN AND FREEZING UNTIL DRY.
 - WARRANTY
 - PROVIDE MANUFACTURER'S STANDARD LABOR AND MATERIAL WARRANTY.

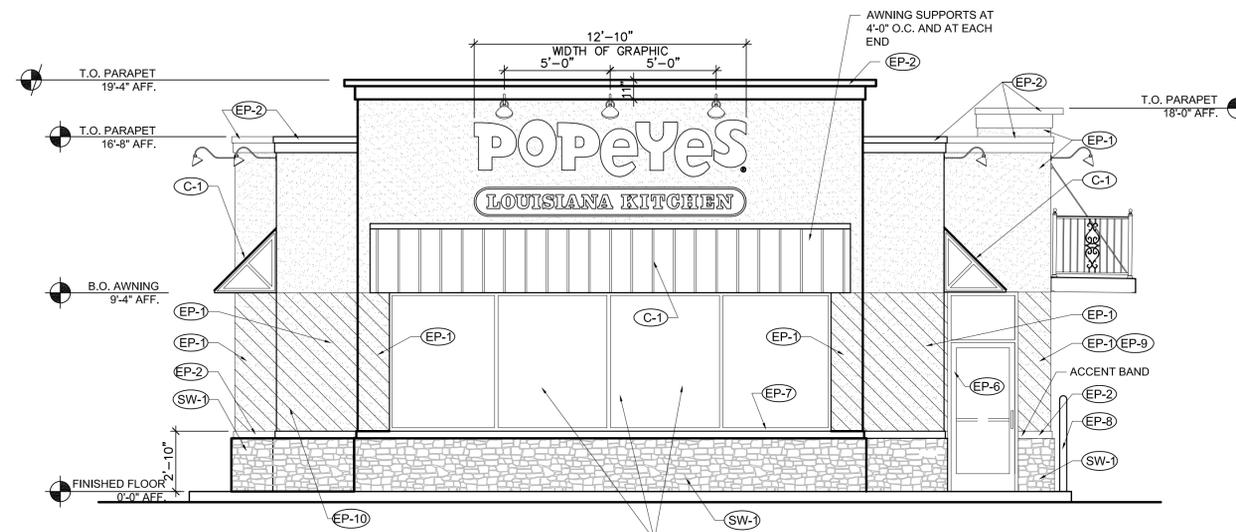
- PART 2 PRODUCTS**
- MANUFACTURERS
 - STO CORP.
 - DRYVIT SYSTEMS, INC.
 - ADHESIVES
 - DISPERSION ADHESIVE - NONCEMENTITIOUS, ACRYLIC BASED ADHESIVE.
 - INSULATION BOARD
 - NOMINAL 1.0 lb/cubic foot (16 kg/cubic meter) EXPANDED POLYSTYRENE (EPS) INSULATION BOARD IN COMPLIANCE WITH ASTM C 578 TYPE I REQUIREMENTS, AND EIMA GUIDELINE SPECIFICATION FOR EXPANDED POLYSTYRENE (EPS) INSULATION BOARD.
 - BASECOAT
 - ONE-COMPONENT POLYMER MODIFIED CEMENTITIOUS BASE COAT WITH FIBER REINFORCEMENT AND LESS THAN 33% PORTLAND CEMENT CONTENT BY WEIGHT.
 - REINFORCING MESHES
 - STANDARD MESH
 - STO MESH - NOMINAL 4.5 oz/sq.yd. (163 g/sq.meter), SYMMETRICAL, INTERLACED OPEN-WEAVE GLASS FIBER FABRIC MADE WITH MINIMUM 25 PERCENT BY WEIGHT ALKALINE RESISTANT COATING FOR COMPATIBILITY WITH STO MATERIALS.
 - HIGH IMPACT MESH
 - STO INTERMEDIATE MESH (MESH C) - NOMINAL 11.0 oz/sq.yd., HIGH IMPACT, INTERWOVEN, OPEN WEAVE GLASS FIBER FABRIC WITH ALKALINE RESISTANT COATING FOR COMPATIBILITY WITH STO MATERIALS.
 - PRIMER
 - STO PRIMER
 - ACRYLIC BASED PRIMER (FOR STO ACRYLIC BASED FINISHES)

- 2.07 FINISH COAT**
- STO ACRYLIC BASED TEXTURED WALL COATING. SEE E.I.F.S. FORMULAS FOR FINISH COLOR.
- 2.08 JOB MIXED INGREDIENTS**
- PORTLAND CEMENT: ASTM C 150, TYPE I.
 - WATER: CLEAN AND POTABLE.

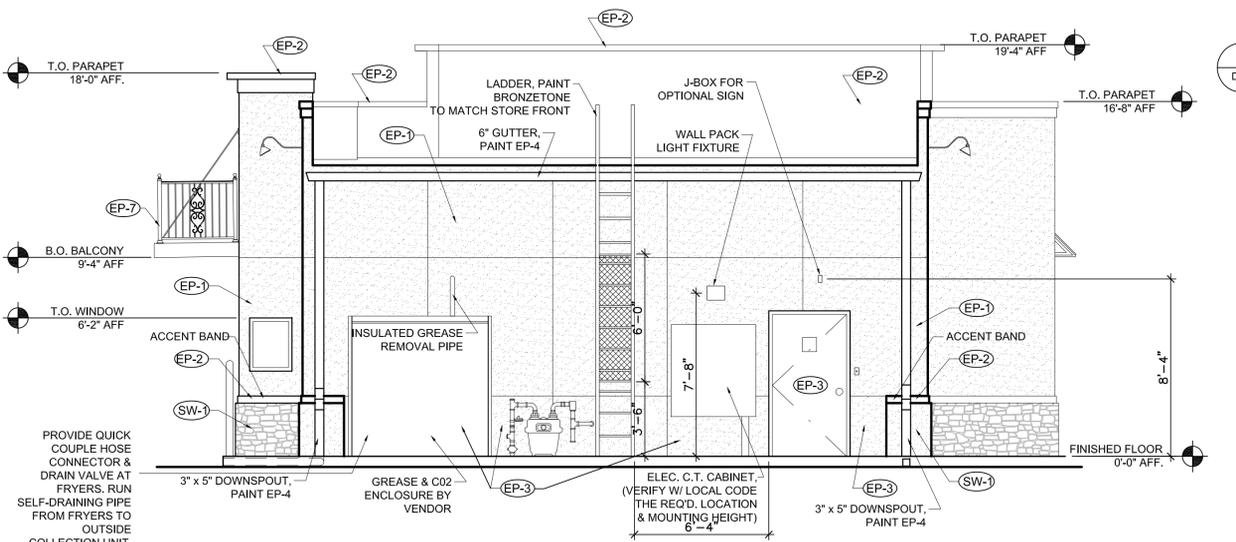
PART 3 EXECUTION

- UNDER NO CIRCUMSTANCES SHALL ANY OF THE PRODUCTS BE ALTERED BY ADDING ANY ADDITIVES, EXCEPT FOR SMALL AMOUNTS OF CLEAN WATER AS DIRECTED ON LABEL. ANTIFREEZE, ACCELERATORS, RAPID BINDERS, ETC., ARE FORBIDDEN.
- THE SURFACE TO RECEIVE THE EIFS SHALL BE STRUCTURALLY SOUND, CLEAN, DRY AND FREE OF WARPAGE, RESIDUAL MOISTURE OR DAMAGE FROM MOISTURE. SURFACES SHALL BE UNIFORM, WITH NO IRREGULARITIES GREATER THAN 1/8" IN 4'-0". SURFACES SHALL BE INSPECTED FOR COMPLIANCE WITH THE FOLLOWING REQUIREMENTS PRIOR TO INSTALLATION OF THE EIFS:
 - PLYWOOD SHEATHING SHALL MEET A.P.A. (AMERICAN PLYWOOD ASSOCIATION) REQUIREMENTS FOR EXTERIOR OR EXPOSURE 1 CLASSIFICATION. APA DESIGN AND CONSTRUCTION GUIDELINES SHALL BE FOLLOWED FOR STORAGE, HANDLING AND INSTALLATION. MANUFACTURER'S PUBLISHED RECOMMENDATIONS SHALL BE FOLLOWED FOR SHALL BE FOLLOWED FOR STORAGE, HANDLING, INSTALLATION AND PROTECTION. ANY SHEATHING NOT IN COMPLIANCE SHALL BE REPLACED TO CONFORM WITH SPECIFICATION REQUIREMENTS PRIOR TO INSTALLATION OF THE EIFS.
 - CONCRETE, MASONRY OR PLASTER SURFACES SHALL BE PROPERLY CURED AND FREE OF DIRT, DUST, OIL, GREASE, MILDEW, FUNGUS, LATENCY, PAINT, EFFLORESCENCE AND ANY OTHER CONTAMINANT. ANY SURFACES NOT IN COMPLIANCE SHALL BE CORRECTED PER MANUFACTURER'S RECOMMENDATIONS PRIOR TO INSTALLATION OF THE EIFS.
- AFTER SATISFACTORY INSPECTION OF SURFACES AND CORRECTION OF ANY DEVIATIONS FROM SPECIFICATION REQUIREMENTS, THE EIFS INSTALLATION MAY BEGIN PER MANUFACTURER'S INSTRUCTIONS.
- THE STARTER STRIP OF MESH SHALL BE WIDE ENOUGH TO ADHERE 4" OF MESH ONTO THE WALL. BE ABLE TO WRAP AROUND THE BOARD EDGE AND COVER APPROXIMATELY 4" ON THE OUTSIDE SURFACE OF THE BOARD. THIS "BACKWRAP" PROCEDURE SHALL BE FOLLOWED AT ALL EXPOSED BOARD EDGES IN ACCORDANCE WITH DETAILS (EXAMPLE WINDOW AND DOOR HEADS AND JAMBS).

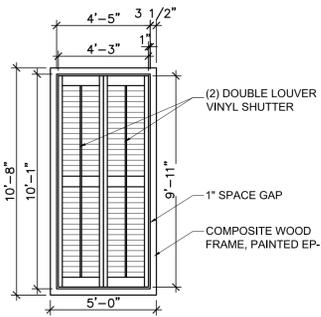
- ALL AREAS WHERE THE EIFS MEETS DISSIMILAR MATERIAL OR TERMINATES (FOR EXAMPLE, WINDOW AND DOOR FRAMES) SHALL HAVE THE INSULATION BOARD CUT BACK FROM THE ADJOINING MATERIAL A MINIMUM OF 1/4" TO FORM AN ISOLATION JOINT.
- APPLY THE ADHESIVE TO THE BACK OF THE INSULATION BOARD, STAGGER VERTICAL JOINTS AND INTERLOCK BOARDS AT ALL INSIDE AND OUTSIDE CORNERS. APPLY FIRM PRESSURE OVER ENTIRE SURFACE OF THE BOARDS TO INSURE UNIFORM CONTACT. BOARDS SHALL BRIDGE SHEATHING JOINTS BY A MINIMUM OF 8". ALL BOARD JOINTS SHALL BE BUTTED TIGHTLY TOGETHER TO ELIMINATE ANY THERMAL BREAKS IN THE EIFS. CARE MUST BE TAKEN TO PREVENT ANY ADHESIVE FROM GETTING BETWEEN THE JOINTS OF THE BOARDS. ALL OPEN JOINTS IN THE INSULATION BOARD LAYER SHALL BE FILLED WITH SLIVERS OF INSULATION OR AN APPROVED SPRAY FOAM.
- NAILS, SCREWS, OR ANY OTHER TYPE OF NONTHERMAL MECHANICAL FASTENER SHALL NOT BE USED.
- EXPANSION JOINTS ARE REQUIRED IN THE EIFS WHERE THEY EXIST IN THE SUBSTRATE, WHERE THE EIFS ADJOINS DISSIMILAR CONSTRUCTION, AND AT FLOOR LINES IN MULTILEVEL WOOD FRAME CONSTRUCTION. THE EIFS SHALL TERMINATE AT THE EXPANSION JOINT TO PROVIDE APPROPRIATE JOINT SIZE (SEE DETAILS) AND ALL BOARD EDGES SHALL BE COATED WITH APPROPRIATE GROUND COAT AND MESH IN ACCORDANCE WITH STANDARD "BACKWRAPPING" PROCEDURE. APPROPRIATE SEALANT/PRIMER AND BACKER SHALL BE INSTALLED AFTER GROUND COAT IS FULLY DRY TO PREVENT ANY WATER FORM GETTING INTO OR BEHIND THE SYSTEM.
- USE OF PLASTIC OR METAL CORNER BEADS, STOPBREDS, ETC. IS FORBIDDEN.
- APPLY APPROPRIATE GROUND COAT OVER THE INSULATION BOARD WITH PROPER SPRAY EQUIPMENT OR A STAINLESS STEEL TROWEL TO A UNIFORM THICKNESS OF APPROXIMATELY 1/16" WORK HORIZONTALLY OR VERTICALLY IN STRIPS OF 40" AND IMMEDIATELY EMBED STANDARD REINFORCING MESH INTO THE WET GROUND COAT. THE MESH SHALL BE DOUBLE WRAPPED AT ALL CORNERS AND OVERLAPPED NOT LESS THAN 2-1/2" AT MESH JOINTS. AVOID WRINKLES IN THE MESH. THE FINISH THICKNESS OF THE GROUND COAT SHALL BE SUCH THAT THE MESH IS FULLY EMBEDDED. ALLOW GROUND COAT TO THOROUGHLY DRY BEFORE APPLYING PRIMER OR FINISH.
- DUPPLICATE INSTALLATION PROCESS NOTED IN 3.01 M USING STANDARD MESH CREATING SECOND MESH LAYER AND ADDITIONAL IMPACT RESISTANCE. ALLOW TO DRY BEFORE APPLICATION OF EITHER STO PRIMER (OPTIONAL) OR STO FINISH.
- IF A PRIMER IS USED, APPLY WITH BRUSH, ROLLER OR PROPER SPRAY EQUIPMENT OVER CLEAN, DRY GROUND COAT AND ALLOW TO DRY THOROUGHLY BEFORE APPLYING FINISH. F. APPLY FINISH DIRECTLY OVER THE GROUND COAT (OR PRIMED GROUND COAT) ONLY AFTER THE GROUND COAT/PRIMER HAS THOROUGHLY DRIED. THE FINISH SHALL BE APPLIED BY SPRAYING, ROLLING OR TROWELING WITH A STAINLESS STEEL TROWEL, DEPENDING ON FINISH SPECIFIED. GENERAL RULES FOR APPLICATION OF FINISHES ARE AS FOLLOWS:
 - USE A CLEAN, RUST-FREE, HIGH-SPEED MIXER TO THOROUGHLY STIR THE FINISH TO A UNIFORM CONSISTENCY (SMALL AMOUNTS OF CLEAN WATER MAY BE ADDED TO AID WORKABILITY). AVOID APPLICATION IN DIRECT SUNLIGHT.
 - APPLY FINISH IN A CONTINUOUS APPLICATION, ALWAYS WORKING TO A WET EDGE.
 - WEATHER CONDITIONS AFFECT APPLICATION AND DRYING TIME. HOT OR DRY CONDITIONS LIMIT WORKING TIME AND ACCELERATE DRYING AND MAY REQUIRE ADJUSTMENTS IN THE SCHEDULING OF WORK TO ACHIEVE DESIRED RESULTS; COOL OR DAMP CONDITIONS EXTEND WORKING TIME AND RETARD DRYING AND MAY REQUIRE ADDED MEASURES OF PROTECTION AGAINST WIND, DUST, DIRT, RAIN AND FREEZING.
 - AESTHETIC U-GROOVES MAY BE DESIGNED INTO THE SYSTEM. (A MINIMUM OF 3/4" INSULATION BOARD MUST BE LEFT AFTER ANY GROOVES ARE CUT).
 - "R" (RILLED TEXTURE) FINISHES MUST BE FLOATED WITH A PLASTIC TROWEL TO ACHIEVE THEIR RILLED TEXTURE.
 - AVOID INSTALLING SEPARATE BATCHES OF FINISH SIDE-BY-SIDE.
 - APPLY FINISH COLOR TO EIFS MIX AND APPLY TO WALL. COLOR TO MATCH EXTERIOR FINISH SCHEDULE COLORS.
- STO EXTERIOR INSULATION AND FINISH TEXTURE SYSTEM: APPLY HIGH IMPACT SYSTEM ADJACENT TO DOORS FOR ADDITIONAL IMPACT RESISTANCE. USING STO INTERMEDIATE MESH. USE THE STANDARD SYSTEM SPECIFICATIONS AT ALL OTHER LOCATIONS.



1 FRONT ELEVATION
DD4 1/4"=1'-0"



2 REAR ELEVATION
DD4 1/4"=1'-0"



3 SHUTTER DETAIL
DD4 1/4"=1'-0"

EXTERIOR FINISH NOTES

E.I.F.S. WALL TEXTURE FINISH		STO COLORS	
Manuf.	Texture		
STO	STO ESSENCE SWIRL	NA10-0016 - DELIGHTFUL GOLDEN	
DRYVIT	QUARTZ PUTZ	NA01-0061 - EXOTIC RED	
		NA10-0017 - MOCHA BROWN	

FINISH NOTES		DRYVIT COLORS	
THE FOLLOWING COMPONENTS CAN BE PURCHASED FROM THE APPROVED SIGN VENDORS:			
* STANDING SEAM ROOF		POPE051020 - DELIGHTFUL GOLDEN	
* BALCONY RAILING		POPE021028S - EXOTIC RED	
* CLEARANCE BAR		POPE031020S - MOCHA BROWN	
* MENU CANOPY			
* GUARD RAIL			
* AWNINGS			
* SHUTTERS			

POPEYES LOUISIANA KITCHEN		Exterior Finish Schedule	
New Construction and Reimaging		Update: 5/3/2012	

Mark	Location	Supplier / Manuf.	Material	Specification	Color	Finish / Notes
EP-1	MAIN WALL SURFACE ABOVE ACCENT TRIM		PAINT OR EIFS FORMULA	#2158-30	DELIGHTFUL GOLDEN	185 Low Lustre
EP-2	WALL SURFACE ACCENT / SHUTTER BORDERS	BENJAMIN MOORE	PAINT OR EIFS FORMULA	#2086-10	EXOTIC RED	185 Low Lustre
EP-3	WAINSCOT BELOW ACCENT TRIM		EIFS / METAL / PAINT	#2107-20	MOCHA BROWN	185 Low Lustre
EP-4	SHUTTERS	SHUTTERCONTRACTOR.COM	14 1/2"x60" VINYL SHUTTERS (Balcony)	L2 - VINYL	UNFINISHED	030 - PAINTABLE
			25 1/2"x119" VINYL SHUTTERS (Building)	L7S - VINYL	UNFINISHED	030 - PAINTABLE
EP-5		BENJAMIN MOORE	PAINT	#2040-10	RAINFOREST FOLIAGE	170 Semi Gloss
EP-5	BALCONY AND RAILINGS	RAILING VENDOR / TIGER DRYLAC	METAL / POWDER COAT	RAL 6009	HUNTER GREEN	SMOOTH
EP-5	(ALT)	RAILING VENDOR / BENJAMIN MOORE	METAL / PAINT	#2040-10	RAINFOREST FOLIAGE	P-29 DTM Semi Gloss
EP-6	STORE FRONT GLAZING	YKK AP	ANODIZED ALUMINUM	#YB5N	DARK BRONZE	21-28 DAYS
EP-6	(ALT)			#64 (2134-20)	RM BRONZETONE	P-29 DTM Semi Gloss
EP-7	DUMPSTER WALLS / GATES	BENJAMIN MOORE	METAL / PAINT	#2107-20	MOCHA BROWN	185 Low Lustre
EP-8	BOLLARDS / LOT STRIPING		METAL / ASPHALT / PAINT	SAFETY & ZONE ACRYLIC MARKING	RM SAFETY YELLOW	P58-10
SW-1	STONE WAINSCOT	CORONADO STONE	SIMULATED STONE VENEER	CASCADE MOUNTAIN LEDGE	FOUR RIVERS	OVERLAPPING STAIR STEP
SG-1		QUIKRETE	VENEER STONE MORTAR	POLYMER MODIFIED	MOCHA BROWN	1137-85
G-1	AWNING GRATE (OPT.)	AWNING SUPPLIER	METAL / POWDER COAT	RAL 6009	HUNTER GREEN	SMOOTH
C-1	STANDING SEAM CANOPY	COPPER SALES, INC.	UNA-CLAD	UC-4 ALUMINUM	REGAL RED	12" OC / GUAGE PER LOCAL CODE REQUIREMENTS
EP-9	ANTI-GRAFFITI	BENJAMIN MOORE	PAINT	ALIPHATIC ACRYLIC URETHANE	CLEAR GLOSS	M74-00 / M75 (2 COATS)

Milestone Associates
Imagincering

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NORCAL CAJUN FOODS INC.

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Popeyes
LOUISIANA KITCHEN

400 PERIMETER CENTER TERRACE
SUITE 100
ATLANTA, GA 30346
404-450-4400

POPEYES LOUISIANA KITCHEN
LK1260-DL-PLUS (REVERSE)
STUCCO / SIMULATED STONE

612 EAST KETTLEMAN LANE
LODI, CALIFORNIA 95240



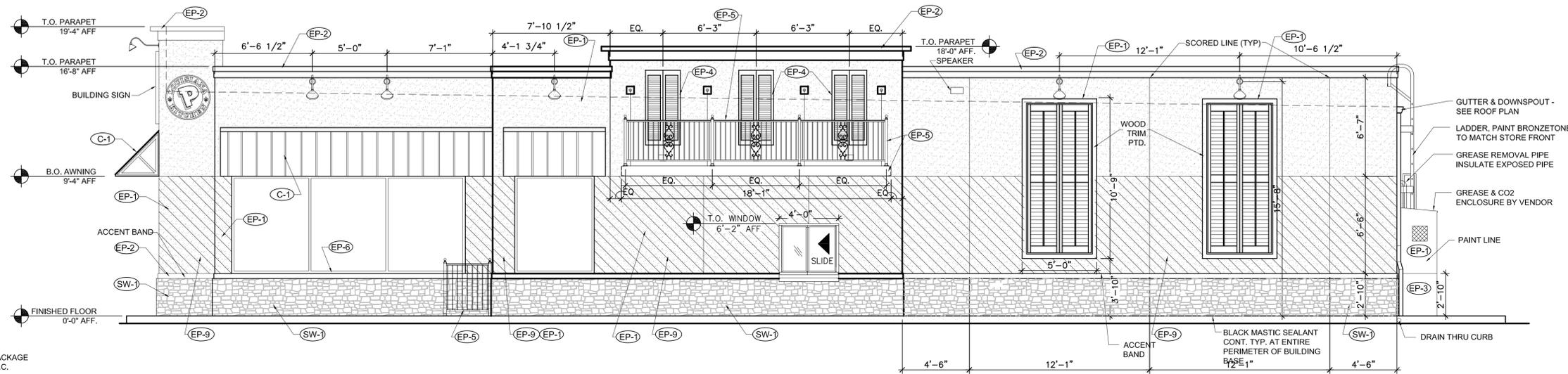
REVISIONS:

EXTERIOR ELEVATIONS

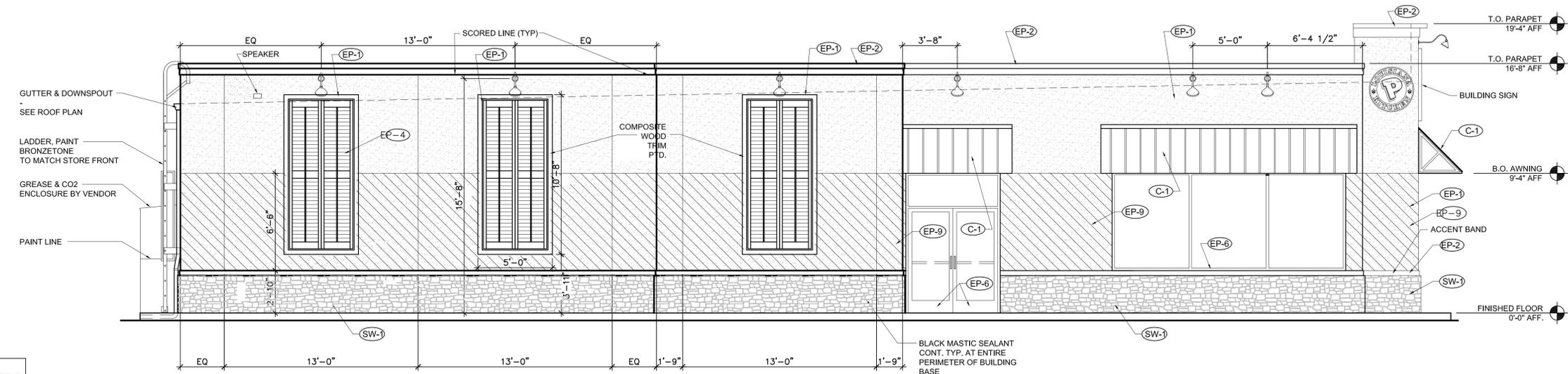
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DD4

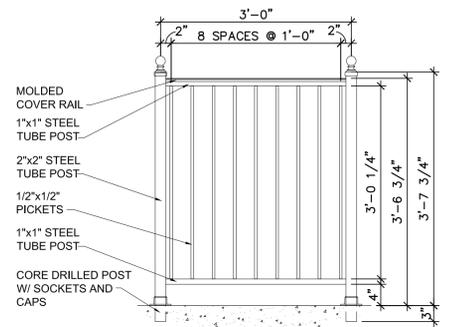
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1 RIGHT SIDE ELEVATION
DD5 1/4"=1'-0"

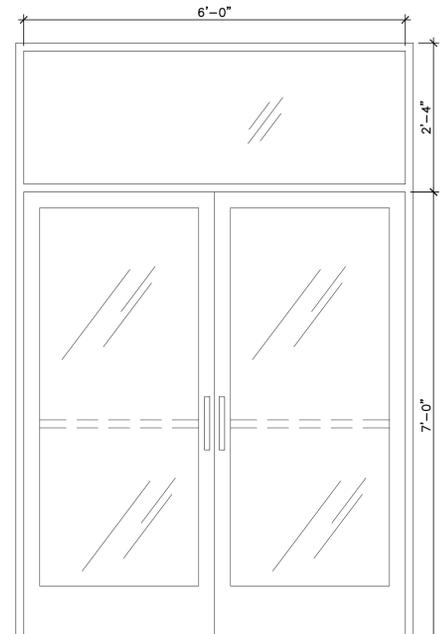


2 LEFT SIDE ELEVATION
DD5 1/4"=1'-0"



3 GUARD RAIL DETAIL
DD5 1/4"=1'-0"

NOTE:
INCLUDE IN METAL PACKAGE
AND INSTALLED BY G.C.



DOOR ELEVATION

NOTE:
CONTRACTOR TO FIELD
VERIFY DIMENSIONS.

4 STOREFRONT DETAIL
DD5 1/4"=1'-0"

SPECIFICATIONS

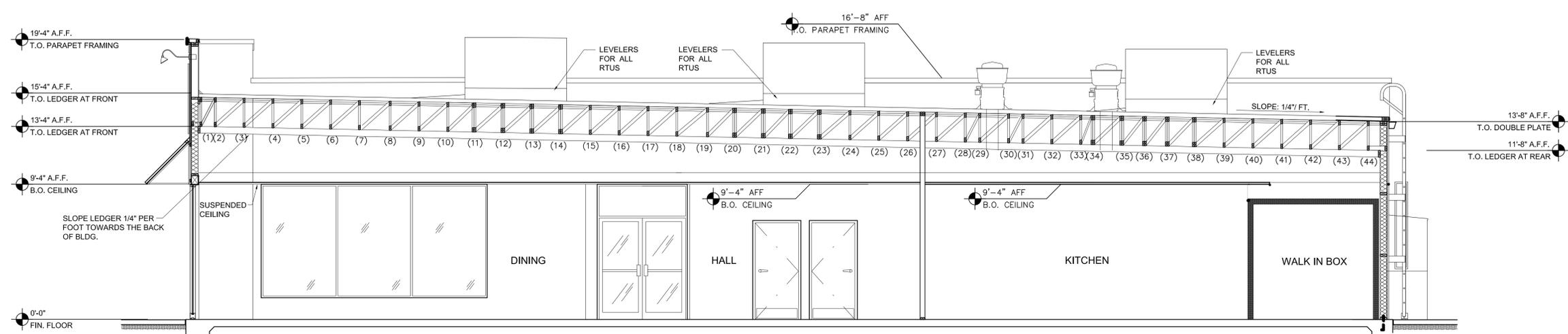
SECTION 8A: ALUMINUM ENTRANCE, STOREFRONT
GENERAL PROVISIONS
SCOPE: FURNISH AND INSTALL THE ALUMINUM ENTRANCE AND STOREFRONT SYSTEMS PER NATIONAL ACCOUNTS AND APPLICABLE DRAWINGS.
MATERIALS
1. ALUMINUM STOREFRONT AND ENTRANCE FRAMES: REFER TO CONSTRUCTION DRAWINGS AND SPECIFICATIONS.
2. ALUMINUM ENTRANCE DOORS: REFER TO CONSTRUCTION DRAWINGS AND SPECIFICATIONS.
3. PANIC HARDWARE: WHEN PANIC HARDWARE IS REQUIRED ON EXTERIOR DOORS. THE PANIC DEVICE IS ON EXTERIOR ENTRY DOORS WHEN SPECIFIED IN HARDWARE SCHEDULE.
4. DRIVE-THRU SERVICE WINDOW: THE DRIVE-THRU SERVICE WINDOW WILL BE SUPPLIED & INSTALLED BY G.C. VERIFY EXACT TYPE OF WINDOW WITH PLANS. BRONZE FINISH.
WINDOW TO BE:
A. BASE BID - 'QUICK SERV' M.C.E. WINDOW FLUSH MOUNT.
B. OPTION (VERIFY WITH OWNER) - READY ACCESS
5. MISCELLANEOUS FLASHING/TRIM: ALUMINUM HEAD, SILL, COLUMN AND WALL TRIM. SEE EXTERIOR ELEVATIONS FOR FINISH.
PERFORMANCE
1. INSTALLATION: INSTALL IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTION. PLACE IN CORRECT LOCATION AS SHOWN IN THE DETAILS. LEVEL, SQUARE, AND PLUMB AT PROPER ELEVATIONS AND IN ALIGNMENT WITH OTHER WORK. MAINTAIN SPACE IN HEAD POCKET FOR 1/4" HEAD DEFLECTION. INSURE FRAMING PROFILES MEET INSTALLATION REQUIREMENTS OF GLAZING UNITS TO MAINTAIN WARRANTY. SEE SECTION 8-D: GLAZING.

SECTION 8D: GLAZING
GENERAL PROVISIONS
1. SCOPE: FURNISH AND INSTALL GLASS IN STOREFRONT AND DRIVE-THRU SERVICE WINDOW.
2. QUALITY CONTROL: ALL GLASS BROKEN DURING INSTALLATION OR DURING CONSTRUCTION PRIOR TO FINAL DELIVERY OF THE BUILDING TO THE OWNER SHALL BE REPLACED AT NO ADDITIONAL EXPENSE TO THE OWNER. GLASS SHOULD BE DELIVERED WITH LABELS PROMINENTLY DISPLAYED AND THEY SHALL BE LEFT IN PLACE UNTIL THE OWNER'S REPRESENTATIVE INSPECTS IT.
MATERIALS
1. STOREFRONT GLAZING - REFER TO CONSTRUCTION DRAWINGS AND NOTES.
PERFORMANCE
1. INSTALLATION: INSTALL GLAZING WITH MANUFACTURER'S INSTRUCTIONS TO PROVIDE COMPLIANCE WITH LOCAL CODE REQUIREMENTS INCLUDING WIND RESISTANCE, 25 PSF MIN., SNOW LOAD, 20 PSF MIN. GLAZING PANELS SHALL BE INSTALLED.
ULTRA VIOLET DEGRADATION LEVELS ARE TO MEET MANUFACTURER'S REQUIREMENTS TO VALIDATE MATERIALS REPLACEMENT WARRANTY.
2. ALLOW FOR 1/4" MINIMUM HEAD DEFLECTION DUE TO LIVE LOAD.
3. GUARANTEES AND WARRANTIES: AT THE COMPLETION OF THE GLAZING, PROVE THE INSTALLATION WATERTIGHT BY SPRAYING ALL JOINTS WITH A GARDEN HOSE WITH NOZZLE SET FOR MAXIMUM PRESSURE. PROVIDE ADDITIONAL CAULKING OR SEALANT, OR RESET GLASS AS NECESSARY TO EFFECT A WATERTIGHT JOB.

EXTERIOR FINISH NOTES

E.I.F.S. WALL TEXTURE FINISH		STO COLORS	
Manuf.	Texture	NA10-0016 - DELIGHTFUL GOLDEN	
STO	STO ESSENCE SWIRL	NA01-0061 - EXOTIC RED	
DRYVIT	QUARTZ PUTZ	NA10-0017 - MOCHA BROWN	
FINISH NOTES		DRYVIT COLORS	
THE FOLLOWING COMPONENTS CAN BE PURCHASED FROM THE APPROVED SIGN VENDORS:		POPE051020 - DELIGHTFUL GOLDEN	
* STANDING SEAM ROOF		POPE021028S - EXOTIC RED	
* BALCONY RAILING		POPE031020S - MOCHA BROWN	
* CLEARANCE BAR			
* MENU CANOPY			
* GUARD RAIL			
* AWNINGS			
* SHUTTERS			
THE FOLLOWING COMPONENTS TO BE MANUFACTURED AND INSTALLED BY THE GENERAL CONTRACTOR			
* LADDER			
* DUMPSTER GATES			

POPEYES LOUISIANA KITCHEN New Construction and Reimaging				Exterior Finish Schedule Update: 5/3/2012		
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			25 1/2"x119" VINYL SHUTTERS (Building)	L7S - VINYL	UNFINISHED	030 - PAINTABLE
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EP-7	DUMPSTER WALLS / GATES	BENJAMIN MOORE	METAL / ASPHALT / PAINT	#2107-20	MOCHA BROWN	185 Low Lustre
EP-8	BOLLARDS / LOT STRIPING		METAL / ASPHALT / PAINT	SAFETY & ZONE ACRYLIC MARKING	RM SAFETY YELLOW	P58-10
SW-1	STONE WAINSCOT	CORONADO STONE	SIMULATED STONE VENEER	CASCADE MOUNTAIN LEDGE	FOUR RIVERS	OVERLAPPING STAIR STEP
SG-1	AWNING GRATE (OPT.)	QUIKRETE	VENEER STONE MORTAR	POLYMER MODIFIED	MOCHA BROWN	1137-85
G-1	AWNING GRATE (OPT.)	AWNING SUPPLIER	METAL / POWDER COAT	RAL 6009	HUNTER GREEN	SMOOTH
C-1	STANDING SEAM CANOPY	COPPER SALES, INC.	UNA-CLAD	UC-4 ALUMINUM	REGAL RED	12" OC / GUAGE PER LOCAL CODE REQUIREMENTS
EP-9	ANTI-GRAFFITI	BENJAMIN MOORE	PAINTE	ALIPHATIC ACRYLIC URETHANE	CLEAR GLOSS	M74-00 / M75 (2 COATS)



1 BUILDING SECTION
DD6 1/4"=1'-0"

SPECIFICATIONS:

DIVISION 7: THERMAL AND MOISTURE PROTECTION

SECTION 7A: BUILDING INSULATION

GENERAL PROVISIONS

- SCOPE: FURNISH AND INSTALL FIBERGLASS INSULATION AND LOCAL CODE REQUIREMENTS AND/OR VALUES SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN, WHICHEVER REQUIREMENT PROVIDES THE GREATER "R" VALUE.
- NOTES: INSULATION VALUES SHALL COMPLY WITH STATE AND LOCAL CODE REQUIREMENTS AND/OR VALUES SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN, WHICHEVER REQUIREMENT PROVIDES THE GREATER "R" VALUE.
- QUALITY CONTROL: THE OWNER SHALL BE NOTIFIED WHEN THE INSULATION IS IN PLACE, PRIOR TO THE INSTALLATION OF FINISH MATERIALS.

MATERIALS

- FIBERGLASS INSULATION CONCEALED IN WALLS BY OWENS-CORNING OR JOHNS-MANVILLE, 5 1/2", R-19, FIBERGLASS ROLL INSULATION WITH KRAFT TYPE VAPOR BARRIER ON INSIDE FACE.
- FIBER GLASS INSULATION EXPOSED ABOVE CEILING BY OWENS-CORNING OR JOHNS-MANVILLE, 5 1/2", R-19 FIBERGLASS ROLL INSULATION WITH INTEGRAL FOIL REINFORCED KRAFT FACING ON INSIDE FACE WITH FLAME HAZARD RATING OF 25/50 OR LESS.
- ROOF INSULATION BOARD: CLOSED CELL POLYISOCYANURATE FOAM CORE WITH FACTORY-LAMINATED FOIL FACES. FOAM CORES WITH FLAME SPREAD OF 25 OR LESS AND COMPRESSIVE STRENGTH OF 20 PSI OR GREATER (ASTM D-1621) WITH A MINIMUM AGED R VALUE OF 16 BY ONE (1) OF THE FOLLOWING APPROVED MANUFACTURERS:
 - AC FOAM SUPREME BY ATLAS INDUSTRIES
 - THERMA ROOF PLUS BY R-MAX
 - TEM-PRO SP BY THE TEMPLE EASTEX

THE LISTED INSULATIONS ARE AVAILABLE THROUGH QUALIFIED ROOFING INSTALLERS. SEE NATIONAL ACCOUNTS INDEX.
- PERIMETER FOUNDATION INSULATION (AND 2" MASONRY WALL CAVITY INSULATION WHEN SHOWN) SHALL BE STYROFOAM SM BY DOW CHEMICAL CO. OR APPROVED EQUAL, 2" THICK. THERMAL CONDUCTIVITY SHALL BE .20 BTU/HR/SQ.FT./INCH THICKNESS AT 75 DEG F MEAN TEMPERATURE, R-10 VALUE.
- CONCRETE BLOCK CELL INSULATION FOR MASONRY WALLS SHALL BE SILICONE-TREATED PERLITE LOOSE-FILL INSULATION BY A MEMBER OF THE PERLITE INSTITUTE.

PERFORMANCE

- INSTALLATION:
 - FIBERGLASS INSULATION: STAPLE AND/OR TAPE IN PLACE WITH VAPOR BARRIER SIDE INWARD. ALL JOINTS SHALL BE LAPPED TO PREVENT MOISTURE VAPOR MIGRATION. ALL PENETRATIONS AND PLUMBING AND ELECTRICAL BOXES SHALL BE INSULATED ON THE OUTWARD SIDE. ANY JOINTS NOT OVER WOOD FRAMING OR BLOCKING SHALL BE TAPED THOROUGHLY. STUFF AROUND DOOR FRAMES AND CLOSELY SPACED FRAMING MEMBERS.
 - ROOF INSULATION: USE MECHANICAL FASTENERS WITH STEEL OR WOOD DECK. INSTALL IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS OF SIX (6) PER BOARD MINIMUM. STAGGER PANEL END JOINTS AT ADJACENT PANEL MID POINT.
 - PERIMETER FOUNDATION INSULATION: INSTALL FROM TOP OF SLAB DOWNWARD 24" WHEN FOUNDATION DEPTH PERMITS. OTHERWISE INSULATION SHALL EXTEND FROM TOP TO BOTTOM OF SLAB AND THEN HORIZONTALLY UNDER SLAB 24" TOWARD INTERIOR OF BUILDING.
 - MASONRY CAVITY WALL INSULATION: INSTALL IN CAVITY WHEN SHOWN BETWEEN MASONRY WALL REINFORCING AS WALL IS BEING LAID.
 - CONCRETE BLOCK CELL INSULATION: INSTALL WHEN SHOWN IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

SECTION 7B: MEMBRANE ROOFING

GENERAL PROVISIONS

- SCOPE: FURNISH AND INSTALL MEMBRANE ROOFING SYSTEM THROUGH THE NATIONAL ACCOUNT PROGRAM DESCRIBED BELOW, INCLUDING ALL FLASHING, BACK FLASHING INSULATION AND RELATED MATERIALS REQUIRED FOR A COMPLETE, WATERPROOF INSTALLATION.
- NOTES:
 - PAYMENT FOR THIS SECTION WILL BE MADE AFTER RECEIPT OF MANUFACTURER'S FULL REPLACEMENT NDL (NO DOLLAR LIMIT) 10-YEAR WARRANTY FOR MATERIALS AND LABOR.
 - CAUTION: THE HVAC SYSTEM IS DESIGNED WITH THE THERMAL CHARACTERISTICS OF HI-TUFF MEMBRANE AND NO VARIATIONS ARE ALLOWED UNLESS GIVEN PRIOR WRITTEN APPROVAL BY POPEYES ARCHITECTURE AND ENGINEERING DEPARTMENT.
- NATIONAL ACCOUNTS:

- A NATIONAL ACCOUNT HAS BEEN ESTABLISHED WITH JPS ELASTOMERICS CORPORATION FOR PURCHASING HI-TUFF ROOFING SYSTEM MATERIALS. REFER TO TITLE SHEET FOR INFORMATION.
- INSTALLATION OF ROOF MEMBRANE SYSTEM ONLY BY MANUFACTURER APPROVED INSTALLERS. USING NON-APPROVED INSTALLERS MAY VOID WARRANTY PROGRAM WITH MANUFACTURER.
- NOTIFY ROOFING CONTRACTOR A MINIMUM OF THREE (3) WEEKS IN ADVANCE OF NEEDED ROOF INSTALLATION DATE.
- MATERIALS AND INSTALLATION FOR ROOFING AND FLASHING SHALL ONLY BE THROUGH THE NATIONAL ACCOUNT PROGRAM DESCRIBED.
- MANUFACTURER'S REPRESENTATIVE SHALL INSPECT THE ROOF INSTALLATION, IF REQUIRED, PRIOR TO ISSUING 10-YEAR NDL MATERIALS AND LABOR WARRANTY.

MATERIALS

- SINGLE PLY-ROOF**
- MEMBRANE ROOFING SYSTEM: HI-TUFF, MECHANICALLY FASTENED 45-MIL.
 - ROOF MEMBRANE: 45-MIL, REINFORCED, HI-TUFF, WHITE, HYPALON ROOF MEMBRANE.
 - MEMBRANE FLASHINGS: SAME AS ROOF MEMBRANE, EXCEPT WHERE "MOLDING" IS REQUIRED.
 - MOLDED FLASHINGS: 55-MIL, NON-REINFORCED, WHITE, HI-TUFF HYPALON FLASHING MEMBRANE.
 - METAL FLASHING AND ROOF SCUPPERS: HI-TUFF COATED METAL AS REQUIRED.
 - MEMBRANE FASTENERS: FOR WOOD/STEEL DECK JPS ELASTOMERICS (OLYMPIC CR-10) FASTENERS WITH EXTRA FLUOROCARBON CORROSION-RESISTANT COATING. FASTENERS ARE NOT TO PROTRUDE BELOW ROOF DECK GREATER THAN 1".
 - INSULATION FASTENERS: FOR WOOD/STEEL DECK STANDARD JPS ELASTOMERICS (OLYMPIC CR-10) FASTENERS WITH CORROSION-RESISTANT COATING.
 - MEMBRANE ADHESIVE - JPS ELASTOMERIC BONDING ADHESIVE - SOLVENT-BASED CONTACT ADHESIVE.
 - PRIMER: SOLVENT-BASED SYNTHETIC RUBBER PRIMER USED TO PREPARE MEMBRANE FOR REPAIR.
 - CAULKING: JPS HI-TUFF ALL-PURPOSE SEALANT OF EXTERIOR GRADE.
 - TRAFFIC PAD: JPS WALKWAY PAD.
 - ROOF INSULATION BOARD: CLOSED CELL POLYISOCYANURATE FOAM CORE WITH FACTORY-LAMINATED FOIL FACES. FOAM CORE WITH FLAME SPREAD OF 25 OR LESS AND COMPRESSIVE STRENGTH OF 20 PSI OR GREATER (ASTM D-1621) WITH A MINIMUM R VALUE OF 16. AC FOAM SUPREME BY ATLAS OR EQUAL APPROVED BY JPS ELASTOMERICS, INC.
 - NAILERS: TREATED WOOD.

PERFORMANCE

- SURFACE PREPARATION: THE ENTIRE AREA TO BE ROOFED SHALL BE FREE OF DEBRIS AND GROSS IRREGULARITIES.
- ROOF FLASHING: FLASHINGS SHALL BE INSTALLED IN ACCORDANCE WITH JPS ELASTOMERICS' INSTRUCTIONS.
 - FLASHING MEMBRANE SHALL BE FULLY ADHERED, USING BONDING ADHESIVE, TO VERTICAL SUBSTRATES. IN ADDITION, MEMBRANE FLASHINGS SHALL BE MECHANICALLY FASTENED AT 6" O.C. HOT AIR WELDING SHALL BE USED AT THAT PORTION OF THE FLASHING THAT OVERLAPS 6" ONTO THE FIELD OF THE ROOF MEMBRANE OR ONTO AN ADJACENT FLASHING.
- ROOFING SHEET: MEMBRANE SHALL BE UNROLLED IN AN AREA TO BE COVERED. MECHANICAL FASTENERS AND PLATES SHALL BE INSTALLED ALONG THE LEADING EDGE OF THE MEMBRANE AND AT THE SEAM, THROUGH THE INSULATION AND INTO THE ROOF DECK. SPACING PATTERN AS DETERMINED BY JPS ELASTOMERICS TO RESIST LOCAL WIND LOADS. ADJOINING ROLLS OF THE MEMBRANE SHALL OVERLAP. THE FASTENED EDGE OF THE INSTALLED MEMBRANE BY A 1/2" MINIMUM. SEAM AREA SHALL BE CLEANED AND HOT AIR WELDED WITH AN APPROVED HOT AIR WELDING MACHINE. INSTALL EXTRA LAYER OF MEMBRANE UNDER EQUIPMENT AND EQUIPMENT SUPPORTS NOT ATTACHED THROUGH ROOF MEMBRANE.
- 4" X 8" INSULATION BOARDS ARE TO BE FASTENED TO THE DECK WITH A MINIMUM OF SIX (6) FASTENERS PER BOARD. ENSURE FASTENERS DO NOT PENETRATE CONDUIT OR OTHER ITEMS BENEATH THE ROOF DECK. STAGGER PANEL END JOINTS AT ADJACENT PANEL MID POINTS. USE MECHANICAL FASTENERS WITH STEEL OR WOOD DECK.
- TRAFFIC PAD: ADHERED TO ROOF AT TOP OF ROOF LADDER WITH CONTACT ADHESIVE COMPATIBLE WITH ROOF MEMBRANE.
- CLEANUP: THE ROOFING CONTRACTOR SHALL CLEAN THE CONSTRUCTION AREA OF HIS DEBRIS AND SHALL REMOVE HIS DEBRIS TO A JOB SITE TRASH CONTAINER.
- WARRANTY: FURNISH TO THE OWNER THE MANUFACTURER'S NDL (NO DOLLAR LIMIT) 10-YEAR WARRANTY FOR FULL REPLACEMENT OF MATERIALS AND LABOR.

MODIFIED BITUMEN SHEET ROOFING

PART 1 - GENERAL

- 1.01 SUMMARY**
- PROVIDE THE FOLLOWING:
 - WHITE GRANULAR MODIFIED BITUMEN ROOFING SYSTEM AND ROOFING SYSTEM AND ROOF INSULATION.
- 1.02 SUBMITTALS**
- SUBMIT FOR APPROVAL SAMPLES, PRODUCT DATA, WARRANTY, TEST REPORTS, MAINTENANCE DATA.
- 1.03 QUALITY ASSURANCE**
- COMPLY WITH GOVERNING CODES AND REGULATIONS. PROVIDE PRODUCTS OF ACCEPTABLE MANUFACTURERS WHICH HAVE BEEN IN SATISFACTORY USE IN SIMILAR SERVICE FOR THREE YEARS. USE EXPERIENCED INSTALLERS. DELIVER, HANDLE, STORE MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
 - LISTING: UL CLASS [A] [B] [C] EXTERNAL FIRE EXPOSURE, AND CLASS [30] [60] [90] WIND-UPLIFT REQUIREMENTS.
 - LISTING: FM CLASS I CONSTRUCTION.
- 1.04 WARRANTY**
- ROOFING WARRANTY: MANUFACTURER'S 10 YEAR WARRANTY.

PART 2 - PRODUCTS

2.01 MATERIALS

- MANUFACTURERS: FIRESTONE BUILDING PRODUCTS CO., ELOTEX CORP., GAF BUILDING MATERIALS, SUPREME ROOFING AND WATERPROOFING OR APPROVED EQUAL. PROVIDE MATERIALS COMPATIBLE WITH ROOFING SPECIFICATIONS FOR SPECIFIC JOB FROM THE FOLLOWING:
 - MODIFIED BITUMEN SHEET ROOFING:
 - TYPE: FULLY ADHERED.
 - MODIFIER: ATACTIC POLYPROPYLENE (APP).
 - MODIFIER: STYRENE-BUTADIENE-STYRENE (SBS).
 - AUXILIARY MATERIALS:
 - VAPOR RETARDER: BITUMINOUS VAPOR RETARDER.
 - INSULATION: GLASS-FIBER BOARD.
 - INSULATION: PERLITE BOARD.
 - INSULATION: POLYISOCYANURATE-FOAM BOARD.
 - INSULATION: COMPOSITE INSULATION BOARD.
 - INSULATION: PHENOLIC-FOAM BOARD.
 - INSULATION: CELLULAR-GLASS BOARD.
 - INSULATION: FIBERBOARD.
 - INSULATION: EXTRUDED POLYSTYRENE BOARD.
 - WALKWAY PROTECTION BOARDS: COMPATIBLE WITH SYSTEM.
 - SHEET METAL ACCESSORIES: SMACNA AND NRCA RECOMMENDATIONS.

PART 3 - EXECUTION

3.01 INSTALLATION

- INSPECT SUBSTRATE AND REPORT UNSATISFACTORY CONDITIONS IN WRITING. BEGINNING WORK MEANS ACCEPTANCE OF SUBSTRATE. COORDINATE INSTALLATION WITH OTHER TRADES, INCLUDING CARPENTRY, FLASHING AND PENETRATING WORK.
- COMPLY WITH NRCA ROOFING AND WATERPROOFING MANUAL AND MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- CLEAN, PRIME AND PREPARE SUBSTRATE.
- INSTALL INSULATION WITH TIGHTLY BUTTED JOINTS AND NEATLY FITTED AROUND PENETRATIONS.
- BEGIN ROOF INSTALLATION ONLY IN PRESENCE OF MANUFACTURER'S REPRESENTATIVE.
- INSTALL WALKWAY PROTECTION MEMBRANE AT LOCATIONS INDICATED AND WHERE REQUIRED TO PROVIDE ACCESS TO ROOF MOUNTED EQUIPMENT.
- RESTORE OR REPLACE DAMAGED COMPONENTS. PROTECT WORK FROM DAMAGE.

RESOLUTION NO. P.C. 14-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
APPROVING A USE PERMIT AND ARCHITECTURAL REVIEW FOR A DRIVE THRU POPEYES
LOUISIANNA KITCHEN RESTAURANT AT THE SOUTHEAST CORNER SOUTH CHEROKEE
LANE AND EAST KETTLEMAN LANE.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit in accordance with the Lodi Municipal Code Chapter 17.74; and

WHEREAS, the project proponent is Norcal Cajun Foods, Mr. Charanjiv Dhaliwal, 2190 Meridian Park Blvd., Concord, CA 94520; and

WHEREAS, the project site is located at 612 East Kettleman Lane (former Carrows) (APN: 062-060-41); and

WHEREAS, the project site is owned by Jasbir and Tarenjit Cheema, 4053 E. Madera Lane, Stockton, CA 95212; and

WHEREAS, the property has a General Plan designation of Commercial and is zoned General Commercial (GC); and

WHEREAS, the requested Use Permit and SPARC (2014-09 U/SP) application would allow for the development of a 2,695 sq.ft. drive-thru Popeyes Louisiana Kitchen restaurant; and

WHEREAS, the City of Lodi has taken all legal prerequisites to the adoption of this Resolution have occurred.

Based upon the evidence in the staff report and project file, the Planning Commission makes the following findings:

1. The location and design of the proposed development is consistent with the goals and policies of the 2010 General Plan and the General Commercial zoning district. The General Plan Land Use Commercial designation allows such commercial uses as the proposed business. The General Commercial zoning district allows drive-thru restaurants with a Use Permit. The proposed restaurant facility would not create special problems in the area, because the building is situated within a commercial area and is surrounded by other vehicle oriented uses, therefore any of the typical nuisance issues have been mitigated by site location.
2. The General Plan land use designation for the project site is Commercial, which permits the proposed use. The conditions for the conditional use are consistent with the General Plan, will not affect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent areas.
3. The proposed use is on a commercial parcel that previously operated as a restaurant use. Changes to the site and the proposed use are consistent with the Zoning Code and the General Plan policies. As such, the subject site is adequate in size and shape to accommodate the proposed use within a commercial area with all the required off-street parking provided on the subject site. Further, the project will not have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.
4. The proposed use complies with all requirements as set forth for the issuance of this Use Permit, in that the site is adequate in size, shape and topography for the proposed use. Second, the site is located in a commercial area that is accessible from public streets. Existing street networks are adequate in size and shape to accommodate the quantity and quality of traffic generated by the

proposed use without any significant impacts to the street system. Third, the proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building.

5. The subject site will have adequate pedestrian and vehicular circulation and parking available for the restaurant use, according to the Zoning Code.
6. The location and the design of the building and improvements proposed to accommodate the project are appropriate because the project, as conditioned, will be functional in providing adequate vehicle access and creating an attractive environment through the proposed building designs, landscaping plans and the installation of related improvements.
7. The proposed location and design allows the project site to be adequately serviced by existing public facilities and utilities since sewer and water service currently is provided to the site and will not be affected by this project.
8. The project was found to be Categorically Exempt according to the California Environmental Quality Act, §15303, Class 3(c) New Construction of Small Structures- commercial buildings under 10,000 square feet in urbanized areas and on sites zoned for such use where all necessary public services and facilities are available. The project proposal does not increase the intensity of the project site and the existing site is adequately served by all required utilities and public services.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Use Permit Application No. 2014-09 U-SP is hereby approved, subject to the following conditions:

1. The project proponent and/or the property owner and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this Use Permit approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this Use Permit approval on any grounds whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
2. The project proponent and/or the property owner and/or successors in interest and management shall comply with all federal, State, and local laws. Material violations of any of those laws in connection with the use may be a cause for revocation of the permits granted herein.
3. The project proponent and/or the property owner and/or successors in interest and management shall insure that the project will not cause or result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: disturbances of the peace, illegal drug activity, harassment of passerby, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, curfew violations, lewd conduct, or police detention and arrests.
4. All project generated noise shall comply with the City's Noise Ordinance. Any noise complaints regarding the operation of the facility shall be promptly addressed by the applicant/operator.
5. No promotional banners shall be placed or erected above the parapet line of the building or attached to the mechanical equipment screen.
6. All construction and grading shall comply with all applicable requirements of the Lodi Municipal Code and requirements of the Planning Department, Engineering Department, Building Division, and Fire Department. Fire sprinklers may be required, as determined by the Fire Department.

7. All plan building permit submittals shall be based on the City of Lodi Building Regulations and currently adopted 2010 California Building code. Please review our policy handouts for specific submittal procedures.
8. The applicant shall obtain Operational Permits from the Lodi Fire Department, Fire Prevention Bureau. The Fire Department may be contacted at 25 East Pine Street, Lodi, CA 95240-2127. Phone Number (209) 333-6739.
9. Colors, materials and design of the project shall conform to the exhibits and references in the staff report and as presented to the Planning Commission to the satisfaction of the Community Development Department.
10. Signs shall include a 6 ft. high monument sign as shown in architecture plans.
11. All new utilities shall be underground.
12. Any rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building. Compliance shall be clearly indicated on the building plans in elevation and section plan view.
13. The applicant shall be responsible for all dust control during any construction and shall follow the construction methods established by the San Joaquin Valley Air Pollution Control District.
14. Prior to the issuance of building permits, the developer shall submit to the Community Development Department for review and approval a final landscape plan showing all the proposed plant materials by genus and common name and the size containers to be installed. No tree planted shall be less than 15 gallon in size. The landscape plan shall conform to Water Efficient Landscape Ordinance and must include Statement of Compliance and water usage calculations prepared by the landscape designer.
15. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
16. The trash enclosure shall be designed to accommodate separate facilities for trash and recyclable materials. If the trash enclosure area is required to have connection to the wastewater system, it shall be installed with a sand/grease trap conforming to Standard Plan 205.
17. Any bioswale installed on site cannot be located within any public utility easements or public rights of way.
18. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA). Project compliance with ADA standards is the developer's responsibility.
19. Provision of all necessary Public Utility Easements, payment of Electric Utility Department charges, and installation of necessary equipment/infrastructure to provide electrical service to the properties in accordance with the Electric Department's rules and regulations.
20. The demolition of the old building, construction of the new building and related site improvements shall require a building permit. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2013 California Building code. Please review our policy handouts for specific submittal procedures.
21. Plans shall provide occupancy load calculations for each area of the building based on square footage and the applicable occupant load factor from Table 1004.1.2. 2013 CBC, Section 1004.1.2
22. If the occupant load for any area of the building exceeds 49, the plans shall show:
 - a) A minimum of two (2) exits that are separated by a minimum of 1/2 (1/3 in sprinklered buildings) of the diagonal distance of the area served. 2013 CBC, Section 1015.2.1
 - b) Exit doors shall swing in the direction of egress travel. 2013 CBC, Section 1008.1.2

- c) The exit doors and exit access doors shall be equipped with panic hardware. 2013 CBC, Section 1008.1.10
 - d) A means of illuminating the egress path of travel in case of power failure, including path to the egress doors, the corridor and the exterior landings. The emergency power system shall provide back-up power for the duration of at least 90 minutes and shall illuminate the path of travel at the rate of an average of 1 foot candle at floor level. 2013 CBC, Sections 1006.1 thru 1006.3.1
 - e) Show locations of required illuminated exit signs. 2013 CBC, Section 1011
 - f) Provide complete and adequate details and locations of the required tactile exit signs at the following locations:
 - 1. Each grade-level exterior exit door shall be identified by a tactile exit sign with the word, "EXIT."
 - 2. Each exit access door from an interior room or area that is required to have a visual exit sign, shall be identified by a tactile exit sign with the words, "EXIT ROUTE." 2013 CBC, Section 1011.4
23. If the occupant load exceeds 49, the restaurant is classified as an A-2 assembly area. Apply for required operational permits at the Lodi Fire Department. Approval of required operational permits required prior to building permit issuance. 2013 CFC, Section 105.6
24. Site Plan to show all building entrances and ground level exits shall be connected on an accessible route to other buildings on the site, public transportation stops, accessible parking and passenger loading zones and to public streets and sidewalks. 2013 CBC, Sections 11B-206.1, 11B-206.2.1, 11B-206.2.2, 11B-206.2.4, 11B-206.4, 11B206.4.1.1, 11B-Division 4
25. Plans to specify walkways and sidewalks along accessible routes of travel (1) are continuously accessible, (2) have maximum 1/2" changes in elevation, (3) are minimum 48" in width, (4) have a maximum 2% cross slope, and (5) where necessary to change elevation at a slope exceeding 5% (i.e., 1:20) shall have ramps complying with 2013 CBC, Section 11B-405 or 11B-406 as appropriate. Where a walk crosses or adjoins a vehicular way, and the walking surfaces are not separated by curbs, railings or other elements between the pedestrian areas and vehicular areas shall be defined by a continuous detectable warning which is 36" wide, complying with 2013 CBC, Sections 11B-247.1.2.5 & 11B-705.1.2.5.
26. Unless the building meets one of the exceptions of 2013 CPC, Section 422.2 (allowing a unisex restroom), separate toilet facilities shall be provided for each sex. Plumbing occupant load shall be calculated using the plumbing occupant load factor specified by 2013 CPC Table A for each area use. The required number of plumbing fixtures (water closets, urinals, lavatories) shall be provided, as specified for A-2 occupancies by 2013 CPC, Table 422.1.
27. Restrooms will be required to be accessible as per 2013 CBC, Section 11B-213
28. A Type I hood is required over cooking appliances that create grease laden vapors (fryers, griddles, ranges, broilers, etc.). Type I hoods are required to be equipped with a UL-300 compliant wet chemical hood and duct fire suppression system. Hood and duct fire suppression system shall be submitted to the Building Department by a C-16 licensed contractor. 2013 CMC, Sections 507, 508, 509, 510 & 513
29. An automatic fire sprinkler system shall be required for this A-2 occupancy, if (1) the fire area exceeds 5,000 square feet, or (2) the occupant load is 100 or more. 2013 CBC, Section 903.2.1.2
- If an automatic fire sprinkler system is required, a) A fire control room is required, as specified by LMC 15.20.180, b) The Fire Sprinkler system shall be submitted under a separate permit and cover to the Building Department by a C-16 licensed contractor. c) Fire sprinkler monitoring alarm system is required by 2013 CFC, Section 903.4. The Fire Alarm System shall be submitted under a separate permit and cover to the Building Department by a C-10 licensed fire alarm contractor.

- 30. Project design and construction shall be in compliance with the City of Lodi Stormwater Development Design Standards, and Design and Construction Standards.
- 31. Payment of the following fees prior to building permit issuance unless noted otherwise:
 - a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
 - b) Stormwater Compliance Inspection Fee prior to building permit issuance or commencement of construction operations, whichever occurs first.
 - c) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.
- 32. Payment of the following fee prior to temporary occupancy or occupancy of the building unless noted otherwise:
 - a) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule.
(The fees referenced above are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection indicated above.)
- 33. Prior to any work within City Right-of- Way, the applicant shall obtain an encroachment permit issued by the Public Works Department.
- 34. The existing driveways may require replacement in order to comply with current Americans With Disability (ADA) Standards
- 35. Any fees due the City of Lodi for processing this Use Permit shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
- 36. No variance from any City of Lodi adopted code, policy or specification is granted or implied by the approval of this resolution.

I certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on May 14, 2014 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:

ATTEST _____
Secretary, Planning Commission

Item 3b.



CITY OF LODI
PLANNING COMMISSION
 Staff Report

MEETING DATE: May 14, 2014

APPLICATION NO: Use Permit: 2014-12 U

REQUEST: Request for Planning Commission approval of a Use Permit to allow a fitness center within an existing commercial shopping center located at 834 West Kettleman Lane. (Applicant: Ken Kaestner; File 2014-12 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15301 Existing Facilities)

LOCATION: 834 West Kettleman Lane (Old Blockbuster – Kohls Center)
 Lodi, CA 95240
 APN: 060-040-14

APPLICANT: Fitness Evolution
 Ken Kaestner
 P.O. Box 1777
 Empire, CA 95319

PROPERTY OWNER: New Generation Trading Co.
 12 Basinside Way
 Alameda, CA 94502

RECOMMENDATION

Staff recommends that the Planning Commission approve the Use Permit to allow a fitness center within an existing commercial shopping center located at 834 West Kettleman Lane, subject to the conditions outlined in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Mixed Use Corridor
Zoning Designation: PD-15 (Commercial)
Property Size: 7.6 acres – 331,056 sq ft.

The adjacent zoning and land use are as follows:

ADJACENT ZONING DESIGNATIONS AND LAND USES			
	GENERAL PLAN	ZONE	LAND USE
North	Mixed Use Corridor	Mixed Use Corridor	Commercial / Offices
South	Low Density Residential	PD-15 (Single Family)	Single Family Residential
East	Mixed Use Corridor	PD-15 (Commercial)	Commercial - Retail
West	Mixed Use Corridor	PD-15 (Commercial)	Commercial - Retail

SUMMARY

The applicant requests approval of a Use Permit to occupy vacant commercial tenant space totaling 6,950-square-feet for a fitness club. The tenant space is part of a 72,000 commercial / retail building. The project site has a General Plan Land Use Designation of Mixed Use Corridor and is zoned PD-15 (Commercial), which permits the proposed use subject to a Use Permit. The project meets all applicable development standards and will not impact existing land uses in the immediate area.

ANALYSIS

The applicant applied for Planning Commission approval of a fitness center within an existing commercial shopping center located at 834 West Kettleman Lane. Project operations are as follows:

- Fitness Evolution is a multi- location franchise, with over 20 California locations open.
- Typical staffing includes 2 full-time employees and 3 part-time employees. Typically there are 1-3 staff members on the premises at any given time.
- 100-250 members use our clubs on a daily basis.
- Approximately 35% of the clients use the facilities in the early mornings between 5:00 am and 7:30 am (known as the “early morning crowd”).
- Approximately 30% use the club between 6:00 and 9:00 pm (known as “Prime Time”).
- Average is about 15 members per hour.
- Hours of Operation:
 - Monday – Thursday (5 A.M. – 11 P.M.)
 - Friday (5 A.M. – 9 P.M.)
 - Saturday (7 A.M.-7 P.M.)
 - Sunday (7 A.M. – 7 P.M.)
- Floor plan includes reception area, open floor for equipment and machines, bathroom facilities and office.

A Use Permit allows the comprehensive review of sensitive uses and ensures the proper integration of these uses into the community. These uses may only be suitable in specific locations, and only if such land uses are designed or constructed in a manner on a site that is consistent with zoning regulations and with the required findings for a Use Permit outlined in §17.40.040(F) of the City of Lodi Development Code. A Use Permit review allows the opportunity to address any specific issues related to the proposal and to prevent or mitigate any adverse impacts to the surrounding area.

Land Use Compatibility: The project would be located within an existing commercial center. The center has ample parking and a mixture of retail users. There is a large parking field in front of the proposed use. The proposed project will not adversely affect adjacent users. Peak use and parking is during off hours to the other retail uses.

Parking: There are approximately 75 existing parking stalls located in the parking lot fronting the proposed use. The applicant will be using approximately 35 stalls at a maximum. Parking will not be an issue on the project site.

The proposed use has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies will not arise. Trip generation for the subject use has been determined by staff to be consistent with the overall intensity of development of the site.

Noise: All fitness activities will occur within the building envelope; therefore, staff does not anticipate any adverse noise impacts upon the surrounding area. If the facility becomes a concern regarding noise, a condition has been added to allow for review of the permit by the Community Development Department or, if needed, returned to the Planning Commission for additional conditions or even revocation of the permit.

Signage: No signage is proposed as part of this application; however, any signage would be required to conform to sign standards established by the Lodi Municipal Code Section 17.34, and would require plan submittal for review and approval by Community Development Department prior to installation.

The discretionary Use Permit procedure enables Planning and other city staff to impose conditions designed to avoid, minimize or mitigate potentially adverse effects of a certain use upon the community or other properties in the vicinity. Staff believes that the Planning Commission can make the required findings, in accordance with Lodi Development Code § 17.40.040(F), to approve the requested Use Permit. The required findings are as follows:

1. *The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Development Code.* **Comment:** The proposed project site is a 6,950 sq. ft. tenant space of a 72,420 sq. ft. commercial building within a commercial zoning designation. This designation permits fitness facilities subject to Use Permit approval, including any specific condition required for the proposed use in the district in which it would be located. The use conforms to the parking requirement for a fitness center.
2. *The proposed use is consistent with the General Plan and any applicable specific plan.* **Comment:** The General Plan land use designation for the project site is Mixed Use Corridor, which permits the proposed use. The facility is restricted by size and space allocation within the building in a manner that limits occupancy, and will be subject to operational conditions that govern day to day aspects necessary to ensure that parking and traffic impacts do not interfere with the land uses in the area. The conditions for the restriction of the conditional use are consistent with the General Plan, will not effect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent neighborhood areas.
3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.* **Comment:** The proposed use is within a vacant tenant space. There are no changes to the site and the proposed use is consistent with the Zoning Code and the General Plan policies. As such, the subject site is adequate in size and shape to accommodate the proposed use within a commercial area with all the required off-street parking provided on the subject site. Further, the project will not have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.
4. *The location, size, design, and operating characteristics of the proposed use is compatible with the existing and future land uses in the vicinity.* **Comment:** The proposed use complies with all requirements as set forth for the issuance of this Use Permit, in that the site is adequate in size, shape and topography for the proposed use, consisting of an

existing building. Second, the site is located in a commercial area that is accessible from public streets. Existing street networks are adequate in size and shape to accommodate the quantity and quality of traffic generated by the proposed use without any significant impacts to the street system. Third, the proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building.

5. *The proposed project is in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines.* **Comment:** The project is found to be categorically exempt from CEQA review under 14 CCR §15301. Class 1 consists of projects characterized as the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. The project proposal does not increase the intensity of the project site and the existing site is adequately served by all required utilities and public services.

Staff believes the Commission can make the required findings to approve the Use Permit as proposed. The use of a fitness center is appropriate for the proposed location in that it would occupy an existing vacant commercial space. A fitness facility is a use that generally promotes and encourages healthy living within the community. In staff's opinion, the proposed use would not produce any adverse impacts on the adjacent properties in terms of noise, parking, litter, disorderly behavior, or other objectionable influences. The permit is conditioned to mitigate typical concerns related to fitness centers and other similar establishments. If, in the future, concerns arise, and the Director/Police Department determines it necessary, the Use Permit can be subject to review by the Planning Commission to consider the business's operation for compliance with the conditions of the Use Permit. The City further reserves the right to periodically review the area for potential problems

ENVIRONMENTAL ASSESSMENT

The project is categorically exempt from CEQA review under 14 CCR §15301. Class 1 consists of projects characterized as the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. The project proposal does not increase the intensity of the project site.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, May, 3 2014. One hundred thirty (130) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest in the project.

RECOMMENDED MOTION

Should the Planning Commission agree with staff’s recommendation, the following motion is suggested:

“I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 and approve the Use Permit for Fitness Evolution to operate within a commercial zone subject to the findings and conditions of approval contained in the draft Resolution.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve with modified conditions.
- Deny the Use Permit Amendment, providing reasons the required findings could not be met.
- Continue the request.

Respectfully Submitted,

Concur,

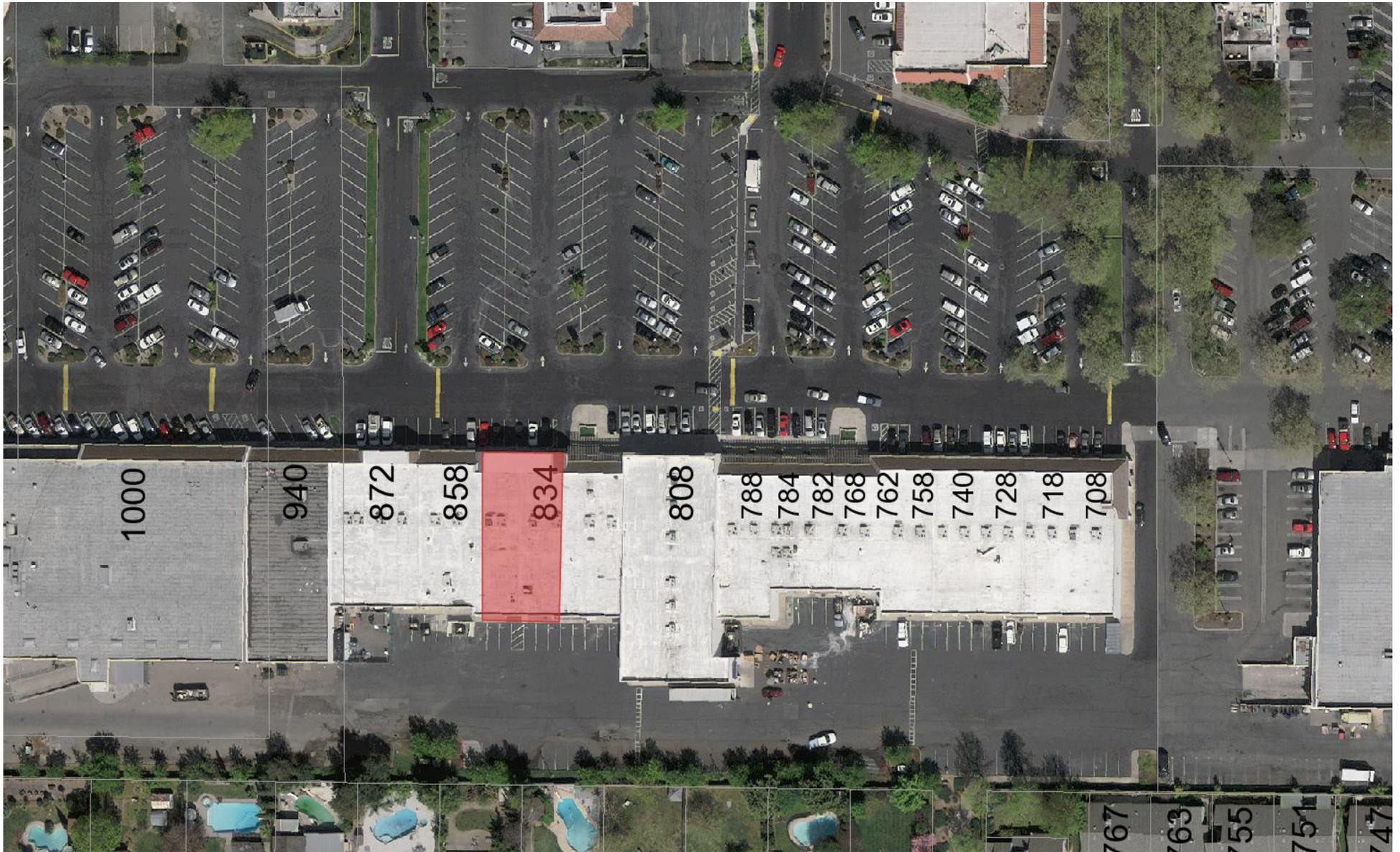
Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

ATTACHMENTS

- A. Vicinity / Aerial Map
- B. Plot Plan
- C. Floor Plan
- D. Draft Resolution

VICINITY MAP



834 West Kettleman Lane

WEST KETTLEMAN LANE

OWNER

SMART TRADING COMPANY, a CA CORPORATION
AND NEW GENERATION TRADING COMPANY
PROPERTY MANAGER: FAIRWAY MANAGEMENT SERVICES
PO BOX 179
WOODBRIDGE, CA 95258
PH. 209.334.3113

TENANT

FITNESS EVOLUTION
1150 9th STREET, SUITE 1420
MODESTO, CA 95354

ARCHITECT

KEN KAESTNER
PO BOX 1777
EMPIRE, CA 95319
EMAIL: KKAESTNER@AOL.COM

PROJECT DESCRIPTION:

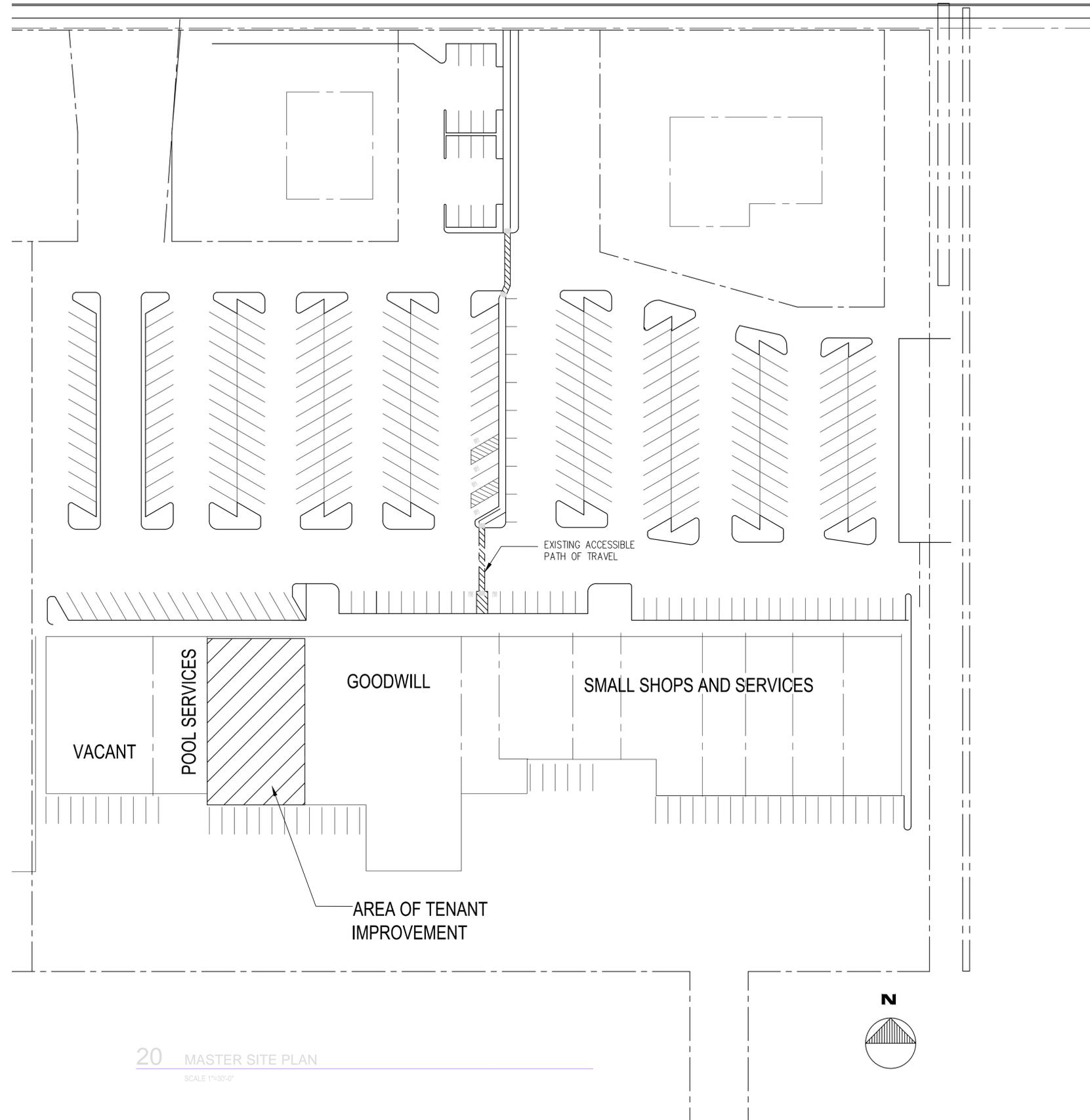
6,950 S.F. TENANT IMPROVEMENT IN AN
EXISTING 72,420 S.F. COMMERCIAL BUILDING AS
AN EXERCISE/FITNESS FACILITY
NO CHANGE TO EXTERIOR ELEVATION
PARCEL AC. 7.60
APN: 06004014

PARKING:

6,950 S.F. TENANT IMPROVEMENT IN AN EXISTING
72,420 S.F. COMMERCIAL BUILDING AS AN
EXERCISE/FITNESS FACILITY
NO CHANGE TO EXTERIOR ELEVATION
PARCEL AC. 7.60 APN: 06004014
COUNTED PARKING SPACES: 346
3 CARS/1000 SF= 241 CARS
4 CARS/1000 SF= 181 CARS
RATIO OF EXISTING PARKING PER 1000 SF=4.8 CARS
EXPECTED PARKING FOR FITNESS FACILITY= 36

LIST OF SHEETS:

CUP1 TITLE AND SITE PLAN
CUP2 FLOOR PLAN



20 MASTER SITE PLAN
SCALE 1"=30'-0"



KAESTNER
ARCHITECT

P.O. Box 1777
Empire, California 95319

KENNETH E. KAESTNER JR.
(209) 450-0085

E-Mail, KKaestner@aol.com

TBD
TBD



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PROJECT DATA:

REVISIONS

NO.	DESCRIPTION

PROJECT NUMBER:

LODI FITNESS

FILENAME:

SITE W BORDER.dwg

DRAWN BY:

KK

CHECKED BY:

ISSUE DATE:

4/10/2014

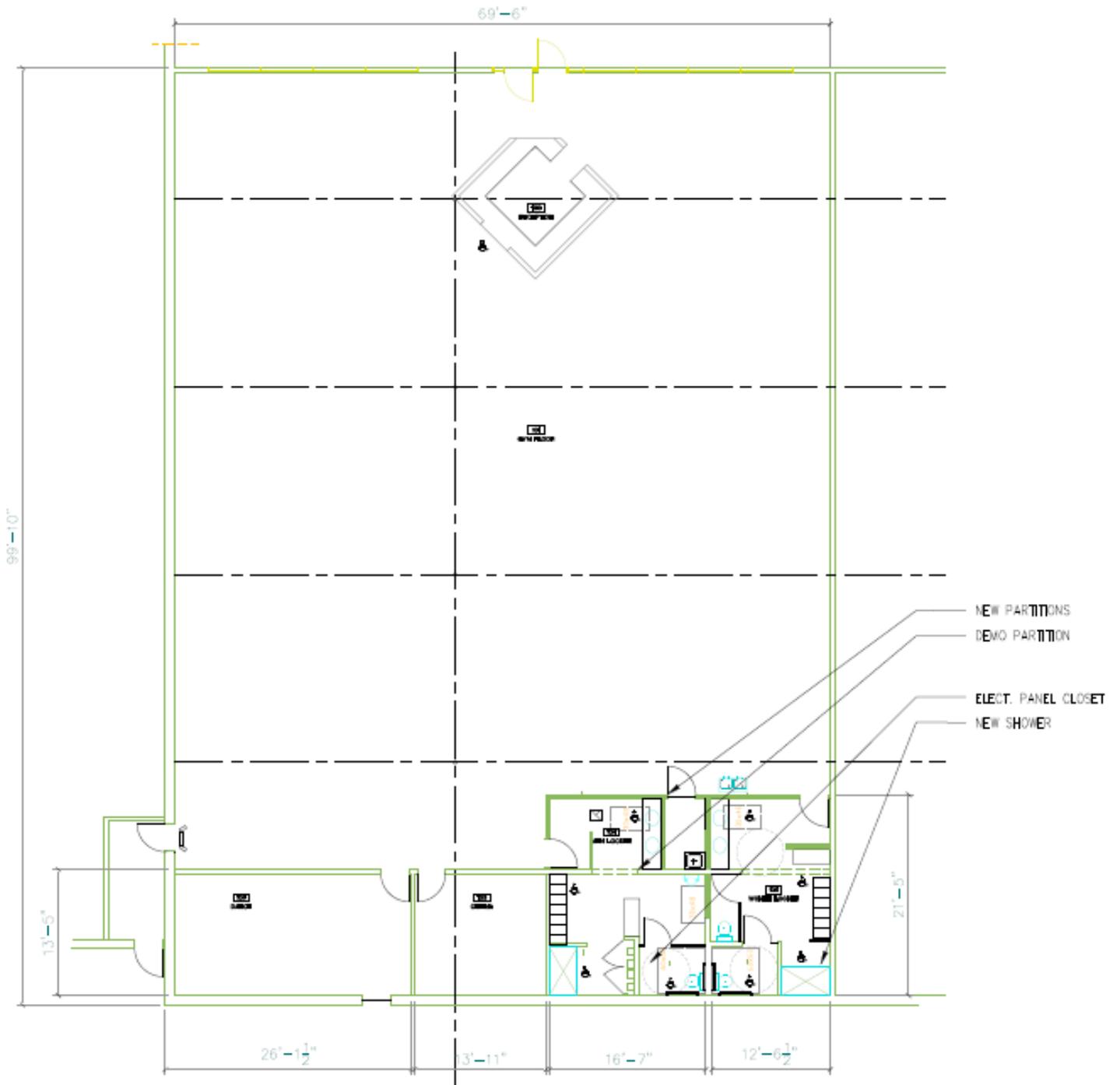
TENANT IMPROVEMENT
FITNESS EVOLUTION
834 WEST KETTLEMAN LN
LODI CA

SHEET TITLE

PROJECT
DATA
SITE PLAN

SHEET NUMBER

CUP 1
of #



Open floor plan with front reception area, office and restroom / shower facility.

RESOLUTION NO. P.C. 14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING A USE PERMIT (2014-12 U) TO ALLOW A FITNESS CENTER WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT 834 WEST KETTLEMAN LANE

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Development Code, Section 17.40; and

WHEREAS, the project site is located at 834 West Kettleman Lane, Lodi, CA 95240 (APN: 060-040-14); and

WHEREAS, project proponent is Fitness Evolution, Ken Kaestner, P.O. Box 1777, Empire, CA; and

WHEREAS, the project property owner is New Generation Trading Co., 12 Basinside Way, Alameda, CA 94502; and

WHEREAS, the property has a General Plan designation of Mixed Use Corridor and is zoned PD-15 (Commercial); and

WHEREAS, the requested Use Permit is to allow a fitness facility within an existing commercial building located at 834 West Kettleman Lane; and

WHEREAS, pursuant to City of Lodi Zoning Ordinance § 17.42.020, this resolution becomes effective ten (10) business days from its adoption in the absence of the filing of an appeal; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project is found to be categorically exempt from CEQA review under 14 CCR §15301. Class 1 consists of projects characterized as the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. The project proposal does not increase the intensity of the project site and the existing site is adequately served by all required utilities and public services.
2. The General Plan land use designation for the project site is Mixed Use Corridor, which permits the proposed use. The facility is restricted by size and space allocation within the building in a manner that limits occupancy, and will be subject to operational conditions that govern day to day aspects necessary to ensure that parking and traffic impacts do not interfere with the land uses in the area. The conditions for the restriction of the conditional use are consistent with the General Plan, will not effect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent neighborhood areas.
3. The proposed use is within a vacant tenant space. There are no changes to the site and the proposed use is consistent with the Zoning Code and the General Plan policies. As such, the subject site is adequate in size and shape to accommodate the proposed use within an industrial area with all the required off-street parking provided on the subject site. Further, the project will not have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.
4. The harmony in scale, bulk, coverage and density of the proposed project is consistent with and compatible to the existing and proposed land uses around the subject site, in that the proposed health club facility will be located within an existing building, with no additions or expansions to the approved exterior thereby maintaining the approved scale, bulk, coverage and density of the building with no impacts upon the surrounding neighborhood.

5. The availability of public facilities and utilities is adequate to serve the proposed use, in that the proposed health club facility will be located within an existing building where public facilities and services are provided, including sewer, water, electricity, phone, etc.
6. The subject site will have adequate pedestrian and vehicular circulation and parking available, in that there is an adequate vehicle access point. Pedestrian movements are facilitated by paved and continuous path of travel that connects to the public sidewalk and the sidewalk accesses adjacent properties.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Use Permit Application No. 2014-12 U is hereby approved, subject to the following conditions:

1. The property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
2. The property owner and/or developer and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
3. The Lodi Police Department, the Planning Commission and/or City Staff may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
4. Music and business related noise shall be maintained at a level that does not disturb neighboring tenants during all hours the martial arts academy is open. No sound may emanate from the building, uses, or other operations which cause a disturbance or nuisance, or violate City noise standards.
5. The Use Permit shall be vested within six (6) months from the effective date of approval. A building permit for the tenant improvements allowed under this Use Permit shall have been obtained within six (6) months from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended pursuant to the Lodi Municipal Code.
6. The applicant shall adhere to the operations plan approved by the Planning Commission. Any proposed changes to the operation that would intensify the use shall be subject to review by the Planning Commission.
7. On-site signage shall be allowed in accordance with the standards of the Lodi Municipal Code, and shall be submitted to the Community Development Department prior to installation for review and permitting.
8. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited outside the tenant space, onto neighboring properties, or onto the public right-of-way. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times. Graffiti shall be removed within twenty-four hours after issuance of a notice of order.
9. The project proponent shall submit a building permit for tenant improvement for review and approval by the Lodi Building and Safety Division.
10. The change of use/occupancy from M/B to A-3 occupancy shall require a Tenant Improvement permit. All plan submittals shall be based on the City of Lodi Building

Regulations and currently adopted 2013 California Building code. Please review our policy handouts for specific submittal procedures.

11. Assembly areas require an operational permit. Apply for required operational permits at the Lodi Fire Department. Approval of required operational permits required prior to building permit issuance. 2013 CFC, Section 105.6
12. Occupant load calculations shall be provided for the entire suite and individual rooms in the suite based on square footage divided by the appropriate occupant load factor from 2013 CBC, Table 1004.1.2. The occupant load factor for exercise rooms is 50 square feet gross floor area/person and shall include items such as restrooms, locker rooms, hallways, closets, etc.
13. If the occupant load of the building or any area of the building exceeds 49, the plans shall show:
 - a) A minimum of two (2) exits that are separated by a minimum of 1/2 (1/3 in sprinklered buildings) of the diagonal distance of the area served. 2013 CBC, Section 1015.2.1
 - b) Exit doors shall swing in the direction of egress travel. 2013 CBC, Section 1008.1.2
 - c) The exit doors and exit access doors shall be equipped with panic hardware. 2013 CBC, Section 1008.1.10
 - d) A means of illuminating the egress path of travel in case of power failure, including path to the egress doors and the exterior landings. The emergency power system shall provide backup power for the duration of at least 90 minutes and shall illuminate the path of travel at the rate of an average of 1 foot candle at floor level. 2013 CBC, Sections 1006.1 thru 1006.3.1
 - e) Show locations of required illuminated exit signs. 2013 CBC, Section 1011
 - f) Provide complete and adequate details and locations of the required tactile exit signs at the following locations:
 1. Each grade-level exterior exit door shall be identified by a tactile exit sign with the word, "EXIT."
 2. Each exit access door from an interior room or area that is required to have a visual exit sign, shall be identified by a tactile exit sign with the words, "EXIT ROUTE." 2013 CBC, Section 1011.4
14. The occupancy classification for this space will change from an M/B to an A-3. Verify that this assembly occupancy is allowed in the building. Plans to specify and show that in each story, the building area shall be such that the sum of the ratios of the actual building area of each separated occupancy, divided by the allowable building area of each separated occupancy shall not exceed 1. 2013 CBC, Section 508.4.2
15. Amend plans to specify the occupancies of the adjoining suites. A two hour fire separation (1 hour in sprinklered building) is required between this A occupancy and any B or M occupancies to either side and above this suite as per 2013 CBC, Section 508.4 and Table 508.4. Plans to provide listing information for the existing horizontal and vertical fire barriers. Or provide complete and adequate construction details and listing information for retrofit of existing walls and floor/ceiling assembly to provide the required fire rated barriers, so as to completely separate the adjacent occupancies. 2013 CBC, Sections 508.4, 707, & 711
16. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number specified by 2013 CPC, Table 422.1. Plumbing occupant load shall be calculated using the plumbing occupant load factor specified by 2013 CPC Table A for each area use. The required number of plumbing fixtures (water closets, urinals, lavatories and drinking fountains) shall be provided, as specified for A-3 occupancies by 2013 CPC, Table 422.1. It appears additional plumbing fixtures will be required.

17. The California Building Code (Title 24 Section 11B-202) requires that existing buildings, when alterations are made, shall be verified for compliance with disabled access requirements. These requirements shall apply only to the specific area of alteration and shall include an accessible entrance, an accessible route to the altered area, at least one accessible restroom for each sex, telephones and drinking fountains (if existing), and when possible additional items such as parking, storage and alarms.
18. If the construction costs of the alterations to the building are less than the current valuation threshold of \$139,934.00 and if the cost of the above listed accessibility upgrades are disproportionate (exceeds 20% of the project without the upgrades), then the required accessibility upgrades may be provided to the extent that is proportionate (20% of the valuation) as per 2013 CBC, Section 11B-202.4, Exception 8. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access.
19. The applicant/project proponent and/or developer and/or successors in interest and management shall obtain Operational Permit issued by the Lodi Fire Department, and meet all the conditions outlined in therein. The Fire Department may be contact at the Lodi Fire Department, 25 East Pine Street, Lodi, CA 95240-2127. Phone Number (209) 333-6739.
20. In the event the use hereby permitted under this permit is: (a) found to be in violation of the terms and conditions of this permit; (b) found to have been obtained by fraud or perjured testimony; or (c) found to be detrimental to the public health, safety or general welfare, or a public nuisance; this may initiate a revocation procedures in accordance with the City of Lodi Municipal Code.
21. A copy of the approved Resolution shall be incorporated into the plans prior to the submittal for plan check. Failure to meet any conditions of approval for this development shall constitute a violation of the Use Permit.
22. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
23. No variance from any City of Lodi adopted code, policy or specification is granted or implied by the approval of this resolution.

Dated: May 14, 2014

I certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on Wednesday, May 14, 2014 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:

ATTEST: _____
Secretary, Planning Commission

Item 3c.



**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: May 14, 2014

APPLICATION NO: Parcel Map: 2014-13 P

REQUEST: Request for a Tentative Parcel Map to divide one parcel into two lots at 740 California Street. (Applicant: Keith Wenger; File 2014-13 P; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15315)

LOCATION: 740 California Street
Southeast corner of California St. and Louie Ave.
(APN: 039-362-01)
Lodi, CA 95240

APPLICANT: Baumbach and Piazza
c/o Josh Elson
323 W. Elm Street
Lodi, CA 95240

PROPERTY OWNER: Keith Wenger
4455 Gambah Drive
Auburn, CA 95602

RECOMMENDATION

Staff recommends the Planning Commission approve the request of Keith Wenger for a Tentative Parcel Map to subdivide one parcel into two lots, subject to the conditions outlined in the draft resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Low Density Residential
Zoning Designation: Low Density Residential
Property Size: 0.26 acre (11,241 sq. ft.)

The adjacent zoning and land use are as follows:

ADJACENT ZONING DESIGNATIONS AND LAND USES			
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Low Density Residential	Low Density Residential	Residence
South	Low Density Residential	Low Density Residential	Residence
East	Low Density Residential	Low Density Residential	Residence
West	Low Density Residential	Low Density Residential	Residence

BACKGROUND:

The subject property is located on the southeast corner of California St. and Louie Ave. The property includes an existing house, garage and shed. There are no pending Code violations.

The applicant is proposing to subdivide the property into two (2) lots. Parcel 1 would contain the existing house and garage. Parcel 2 would contain an existing shed that will be removed. Construction plans for the new house on Parcel 2 has not been submitted at this time, but will be subject to approval by all relevant City departments through the building permit review process.

ANALYSIS

The properties are currently zoned Low Density Residence (LDR) and designated Low Density Residential (1-8 units per acre) in the General Plan. As proposed, the lots will exceed minimum lot size and width and comply with land use density standards.

General Plan Conformance:

The subject property is currently designated Low Density Residential (1-8 dwelling units per acre) by the Land Use Map of the General Plan. The following General Plan Land Use and Community Design and Livability (CDL) goals and policies are applicable to the proposed subdivision:

- **Land Use Policy 3:** Do not allow development at less than the minimum density prescribed by each residential land use category.
- **Land Use Policy 22:** promote infill development that maintains the scale and character of established neighbors.
- **CDL Policy 2:** Ensure that Zoning and Subdivision ordinances include measures that guide infill development to be compatible with the scale, character and identity of adjacent development.

All of the surrounding parcels are currently designated Low Density Residential (1-8 units per acre). The average density that will be created as a result of the proposed subdivision is approximately 5 units per acre, which is consistent with this Low Density Residential density prescribed by the City’s General Plan. Therefore, the proposed subdivision would result in new lot sizes that are consistent with the density prescribed by the General Plan. The attached Tentative Map illustrates the final parcel configuration that would result from the proposed project.

Zoning Compliance:

The following tables depict how each lot will comply with the standard Low Density Residence lot requirements:

PARCEL 1			
Standard	Required	Proposed	Compliance
Lot Area	5,000 sq. ft	6,180 sq. ft.	Yes, Exceeds
Lot Width	50 ft	54.3 ft.	Yes, Exceeds

PARCEL 2			
Standard	Required	Proposed	Compliance
Lot Area	5,000 sq. ft	5,010 sq. ft.	Yes, Exceeds
Lot Width	50 ft	52.5 ft.	Yes, Exceeds

The Zoning Code implements the goals and policies of the General Plan. The subject property is zoned Low Density Residence (LDR). As can be seen from the tables above, the proposed tentative parcel map meets or exceeds the minimum lot area, lot width, and street frontage standards. The applicant has not prepared construction plans at this time, but any future development on the parcels will be subject to building permit review by City staff to ensure compliance with all applicable zoning standards and all other applicable provisions of the Municipal Code.

Site Circulation: Both proposed parcels abut public roads. Vehicular access to parcel 1 is from California Street and access to Parcel 2 is from Louie Ave. There will be no shared driveway. The application is conditioned to install a new driveway to Parcel 2.

Pursuant to Lodi Development Code Section 17.52.070, in order to approve the proposed tentative parcel map, the proposed subdivision must be found consistent with the general plan, zoning ordinance, and the Subdivision Map Act (State law). Based on the analysis above, staff finds that the proposed tentative map is in conformance with the General Plan, zoning ordinance, and the Subdivision Map Act. However, if any of the following findings can be made, the tentative map shall be denied.

1. *The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan. **Comment:*** The site contains a General Plan designation of very low density residential reserved primarily for single-family residences and compatible uses. The maximum density allowed in the very low General Plan designation is eight (8) dwelling units per net acre. The proposed parcel split creates a density of roughly 5 units per acre. The proposed map is consistent with the General Plan in that creation of two (2) lots for single-family homes are allowed within the maximum density (8) permitted onsite in the very low density, land use designation of the General Plan.
2. *The site is not physically suitable for the type or proposed density of development. **Comment:*** No unusual topographic features are present onsite that would prohibit development of proposed parcels. The site is generally flat, with no regulated sensitive areas or other limiting topographic features. The site consists of a stand residential lot and associated structures. The subdivision will create lots with adequate land area to support a detached single-family dwelling with standard setbacks and ample useable private yard space.
3. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat. **Comment:*** The project site is not located in a sensitive environment but rather in a previously disturbed area surrounded by other residential land uses. The scope of the project would only add one new parcel to the area, making it of such minor nature so as not to have a significant adverse impact on the environment.
4. *The design of the subdivision or type of improvements is likely to cause serious public health or safety problems. **Comment:*** Frontage improvements along California Street and Louie Avenue are required for the development of the parcels and public ccess and utilities for each lot are available. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.
5. *The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to*

easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision. **Comment:** There are no public easements that currently encumber the properties to be subdivided, and all modifications made to the existing public improvements fronting the two parcels during development of the properties will be required to be reconstructed to current City standards.

6. *The discharge of wastewater from the proposed subdivision into the community wastewater system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.* **Comment:** Future development of the parcels will be subject to review and approval by the City and affected local and regional agencies. Full compliance with applicable water quality regulations would be required prior to issuance of a building permit.
7. *Information available to the City indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the Public Works Director or the Commission that the conditions can be corrected in the plan for the development.* **Comment:** No information has been found to indicate the project site is considered contaminated, or may contain contaminant particles.
8. *The proposed subdivision is not consistent with all applicable provisions of this Title, any other applicable provision of the Municipal Code, and the Subdivision Map Act.* **Comment:** The procedural requirements of the Map Act are being followed and both parcels will comply with the applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density.

The tentative parcel map has been reviewed by the Public Works and Electrical Utility Departments and they recommended approval subject to the conditions outlined in the attached resolution. Staff has found that the proposed Tentative Parcel Map, subject to the conditions in the attached resolution, meet the requirements of the Zoning Ordinance and is consistent with the General Plan. Based on the information provided in the analysis above, staff recommends approval of the Tentative Parcel Map subject to the findings and conditions of approval contained in the staff report.

ENVIRONMENTAL ASSESSMENTS

The project is exempt from CEQA review pursuant to § 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. Class 15 exempts the division of land into four or fewer parcels when the division is in conformance with the General Plan and Zoning Code, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The Applicant's proposed tentative parcel map complies with all applicable residential development standards established in the General Plan and Zoning Code. No variances are required for the proposed subdivision. Access to all public facilities and infrastructure will be provided for each resultant parcel. The subject property is relatively flat and has not been involved in a subdivision within the last 2 years. Based on staff's review of the project, no special circumstances exist that would create a reasonable possibility that the proposed tentative parcel map will have a significant effect on the environment.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, May 3, 2014. Fifty-three (53) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff’s recommendation, the following motions are suggested:

“I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 and approve the request of Wenger for a Tentative Parcel Map to subdivide one parcel into two lots, subject to the conditions outlined in the draft resolution.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Tentative Map
- C. Draft Resolution

VICINITY MAP



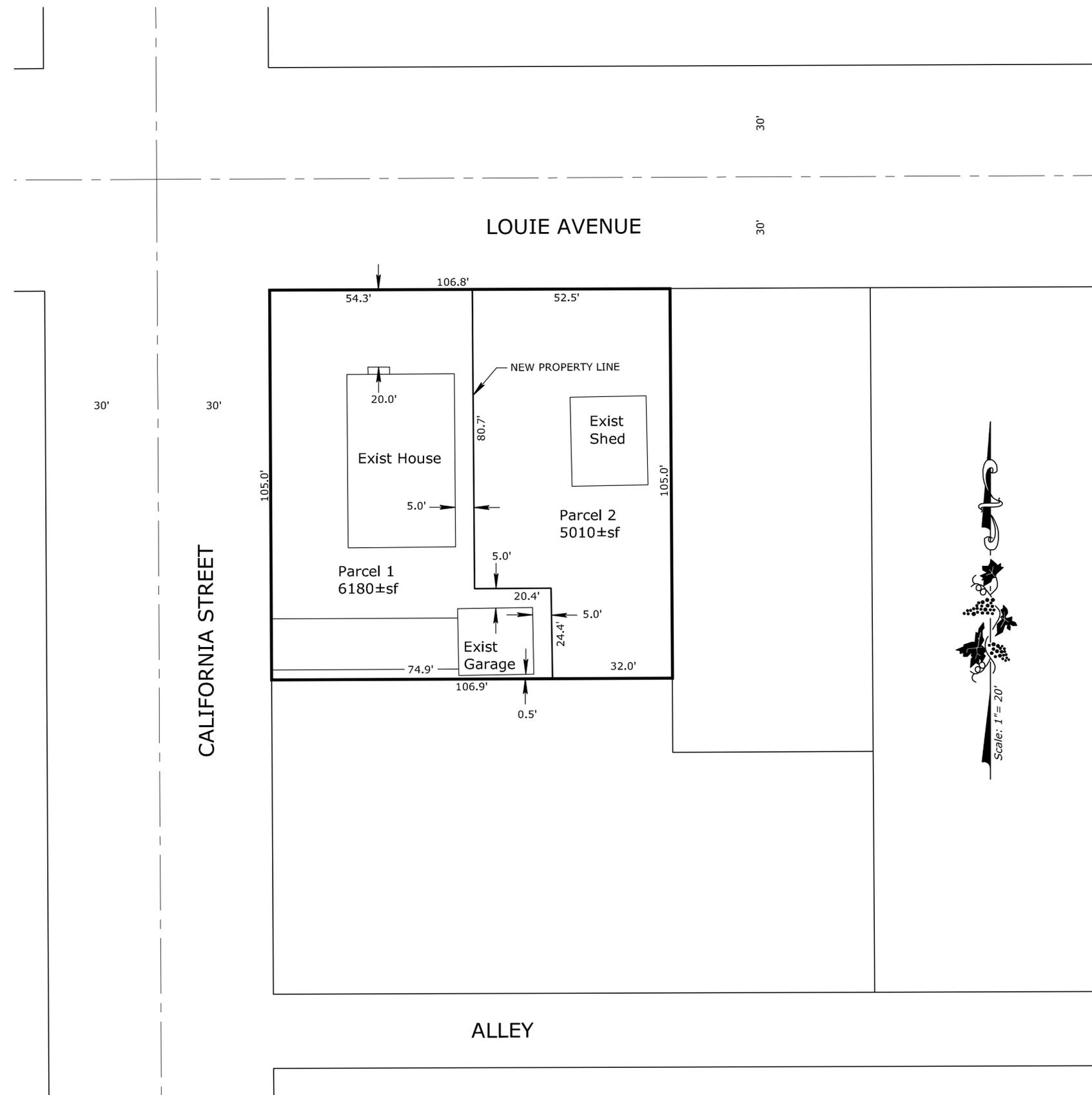
740 California Street



BAUMBACH & PIAZZA, INC.
 CIVIL ENGINEERS • SURVEYORS
 www.bpengineers.net

323 W. Elm St.
 Lodi, CA 95240
 209.368.6618

TENTATIVE PARCEL MAP
 A PORTION OF LOTS 1 AND 3, BLOCK 2, "RESURVEY
 OF FORREST'S ADDITION TO LODI",
 City of Lodi, San Joaquin County, California
 April, 2014 Scale: 1"=20'
 Sheet 1 of 1



OWNER: KEITH WENGER
 4455 GAMAH DRIVE
 AUBURN, CALIFORNIA 95602

MAP PREPARED BY: BAUMBACH AND PIAZZA, INC.
 323 WEST ELM STREET
 LODI, CALIFORNIA
 (209) 368-6618

PROJECT DESCRIPTION:
 SUBDIVIDE EXISTING PARCEL INTO TWO PARCELS, AS SHOWN.

UTILITIES AND FACILITIES:
 WATER-CITY OF LODI; SEWAGE-CITY OF LODI; STORM DRAINAGE-CITY OF LODI; ELECTRICITY-CITY OF LODI; GAS-PG&E; TELEPHONE-SBC

FLOOD INFORMATION:
 NOT SUBJECT TO 100 YEAR FLOOD.

ASSESSOR PARCEL NUMBER:
 039-362- 01

SITUS ADDRESS:
 740 CALIFORNIA STREET
 LODI, CALIFORNIA 95240

ZONING:
 LDR

GENERAL PLAN DESIGNATION:
 LDR

RESOLUTION NO. P.C. 14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF KEITH WENGER FOR A TENTATIVE PARCEL MAP TO SUBDIVIDE ONE PARCEL INTO TWO LOTS

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Development Code, Section 17.74 (Public Hearings); and

WHEREAS, the property is located at 740 California Street (APN: 039-362-01); and

WHEREAS, the project proponent is Baumbach and Piazza, c/o Josh Elson, 323 W. Elm Street, Lodi, CA 95240; and

WHEREAS, the property owner is Keith Wenger, 4455 Gambah Drive, Auburn, CA; and

WHEREAS, the property is zoned Low Density Residential; and

WHEREAS, the property has a General Plan land use designation of LDR, Low Density Residential; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project is exempt from CEQA review pursuant to § 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. Class 15 exempts the division of land into four or fewer parcels when the division is in conformance with the General Plan and Zoning Code, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The Applicant's proposed tentative parcel map complies with all applicable residential development standards established in the General Plan and Zoning Code. No variances are required for the proposed subdivision. Access to all public facilities and infrastructure will be provided for each resultant parcel. The subject property is relatively flat and has not been involved in a subdivision within the last 2 years. Based on staff's review of the project, no special circumstances exist that would create a reasonable possibility that the proposed tentative parcel map will have a significant effect on the environment.
2. The procedural requirements of the Map Act have been strictly followed and the tentative parcel map complies with all applicable engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density.
3. The density and lot sizes that will be created as a result of the proposed parcel map are consistent with the density range of 1-8 units per acre prescribed by the Land Use Chapter of the General Plan, and there is no applicable specific plan governing the site.
4. The site is physically suitable for the type or proposed density of development. The proposed parcel map will create one new lot with adequate land area to support a detached single-family dwelling with standard setbacks and ample useable private yard space.
5. The project site is not located in a sensitive environment or in close proximity to the habitat of any sensitive wildlife species, but rather in a fully developed urban area surrounded by other residential and institutional land uses. The scope of the project will only add two single-family dwellings to the area, making it of such minor nature so as not to have a significant adverse impact on the environment.

6. The lots being created will comply with all applicable single-family sanitary sewer service and stormwater runoff treatment requirements, as well as other similar environmental and life safety regulations and standards.
7. The proposed Tentative Parcel Map can be served by all public utilities.
8. The proposed Tentative Parcel Map does not conflict with easements, acquired by the public at large, for access through or use of property within the proposed map.
9. The Tentative Parcel Map complies with the requirements of Chapter 17.52 of the Lodi Development Code regulating Tentative Maps.
10. None of the mandatory findings for tentative map denial within the State Subdivision Map Act, § 66474 apply to this proposal.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Parcel Map Application No. 2014-13 P is hereby approved, subject to the following conditions:

1. The applicant/owner and/or successors in interest and management shall defend, indemnify, and hold the City of Lodi, its agents, officers, and employees harmless of any claim, action, or proceeding (including legal costs and attorney's fees) to attack, set aside, void, or annul this Use Permit, so long as the City promptly notifies the applicant of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.
2. The Tentative Parcel Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
3. The Final Map shall be in substantial conformance to the approved Tentative Parcel Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
4. Any buildings constructed on the new parcels shall be subject to setback, lot coverage, off street parking, and all other City of Lodi Municipal Code requirements.
5. The applicant shall meet all requirements of the adopted edition of the California Building, Fire and City of Lodi Municipal Codes in effect at the time of building permit application.
6. Final plans for the development of Parcel 2, and any modifications to the existing development of Parcel 1, shall be submitted to the City for review and approval to ensure compliance with relevant codes, policies and other requirements of the Lodi Municipal Code.
7. All development shall comply with the City of Lodi Stormwater Run-off requirements, including the quantitative treatment standards. Conformance with the stormwater runoff control requirements must be demonstrated prior to issuance of building permit.
8. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
9. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

Building Department

10. Site plans appears to show existing dwelling and existing garage walls located 5 ft from the proposed property line. Do eaves or gables project closer than 5' to the property line? Per

2013 CRC, Section R302.1 and Table R302.1(1), projections greater than 2 ft and less than 5 ft from the property line shall have a minimum 1hour fire-resistance rating on the underside.

11. Any changes to the existing buildings, which are regulated by the current codes, shall require a building permit. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2013 California Building code. Please review our policy handouts for specific submittal procedures.

Public Works Department:

The following conditions of approval are required for the subject project per City codes and standards, all to be accomplished prior to, or concurrent with, final map filing unless noted otherwise:

12. Provide separate water and wastewater services for each parcel. Submit a layout showing any existing on-site water and wastewater facilities.
 - a) Any existing shared services between Parcel 1 and Parcel 2 need to be capped and abandoned.
 - b) Provide water and sewer services, per City Standards, for Parcel 2. The water and sewer services installation can be provided by City crews at the owner's expense or by an approved private contractor.
 - c) The new wastewater service for Parcel 2 shall be served from the existing wastewater main in California Street. A 5' wide easement to be located on Parcel 1 shall be dedicated to Parcel 2 for the purposes of maintaining a wastewater service.
 - d) If the existing structures on Parcel 2 are to remain, the structures shall be replumbed to the new water and wastewater services by the owner's contractor at the owner's expense. This work requires a plumbing permit from the City of Lodi Building Division.
 - e) At time of Building Permit issuance, Public Works may require improvements to the sidewalk/driveway(s) and/ or ADA ramps at the corner of California and Louie.
13. Dedication of public utility easements as required by the various utility companies and the City of Lodi.
14. Show existing 4' wide PUE referenced in preliminary title report
15. In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the parcels within the limits of the parcel map, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriate or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all parcels within the limits of the parcel map and provide deed provisions to be included in each conveyance.
16. All project design and construction shall be in compliance with the Americans with Disabilities Act (ADA). City of Lodi Standard Plans are in the process of being revised and it should not be assumed that current standard plans are fully ADA compliant. Project compliance with ADA standards is the developer's responsibility.
17. Submit final map per City and County requirements including the following:
 - a) Preliminary title report.
 - b) Standard note regarding requirements to be met at subsequent date.
18. Payment of the following:

- a) Filing and processing fees and charges for services performed by City forces per the Public Works Fee and Service Charge Schedule.
- b) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of building permit issuance for Parcels 2: \$3,319.00 per parcel (Infill parcel: Includes Water, Wastewater and Electric Fee only).
- c) City installation of wastewater service at the time of building permit issuance: \$2,582.71 per parcel.
- d) City installation of water service at the time of building permit issuance: \$5,254.00 for a complete ¾-inch meter service per parcel.
- e) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance: \$3,028.25 for Parcel 2.

The above fees are subject to periodic adjustment as provided by the implementing ordinance/resolution. The fee charged will be that in effect at the time of collection.

Dated: May 14, 2014

I certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on May 14, 2014 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:

ATTEST _____
Secretary, Planning Commission

Item 3d.



**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: May 14, 2014

APPLICATION NO: Use Permit Amendment: 2014-14 U

REQUEST: Request for Planning Commission approval of a Use Permit to allow a Type-21 Off-Site Beer, Wine and Spirits sales at a new grocery store at 608 S. Central Ave. (Applicant: Davinder Singh Malhi. File No. 2014-14 U. CEQA Determination: Exempt - Section 15321)

LOCATION: 608 South Central Ave., south of Eden Street.
(APN: 047-330-03)

APPLICANT: Central Market
c/o Davinder Singh Malhi
12748 Magnolia Ave.
Livingston, CA 95334

PROPERTY OWNER: Ed Westerback
2545 Central Park Drive
Lodi, Cal. 95242

RECOMMENDATION

Staff recommends the Planning Commission approve the request by Mr. Malhi / Central Market to off-site sell beer, wine and spirits, in conjunction with a new grocery store, based on the findings and evidence in the staff report and subject to the conditions listed in the draft Resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: Mixed Use Corridor
Zoning Designation: Mixed Use Corridor (MCO)
Property Size: 0.11 acre - 4750 sq. ft.

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Mixed Use Corridor	Mixed Use Corridor - MCO	Retail/Services
South	Mixed Use Corridor	Mixed Use Corridor - MCO	Retail/Services
East	Mixed Use Corridor	Mixed Use Corridor - MCO	Residential
West	Mixed Use Corridor	Mixed Use Corridor - MCO	Residential

permit would allow an existing grocery store, within the Mixed Use Corridor Zoning District, to off-site sell alcohol in accordance with Development Code Section 17.22.030. Conditions of Approval have been prepared that will provide appropriate rules for the alcohol sales and the needed review of the operation to ensure the sales do not become a neighborhood problem. Although the existing use does not meet the current Zoning Code requirements for on-site parking, the added sale of alcohol will not increase the parking demand for this parcel and the use would not be required to provide addition parking.

2. *The proposed use is consistent with the General Plan and any applicable specific plan. **Evidence:*** The General Plan land use designation and Zoning for this area is Mixed Use Corridor, which provides for sale of alcohol. The proposed sale of beer and wine is allowed in conjunction with a grocery store operation. The sale of alcoholic beverages as part of a grocery store is an acceptable and customary convenience to the local residence. The project is not within a Specific Plan or Planned Development, which would have additional rules on the sale of alcohol different from the properties base Zoning.
3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements. **Evidence:*** The proposed sale of alcohol in conjunction with the grocery store operation is compatible with existing and future land uses in the immediate vicinity of the project area. The sale of alcohol in the store is consistent with other similar retail commercial uses in the census tract. The sales of alcohol will not increase the existing floor area of the building and therefore the current on-site parking will be adequate to support the store.
4. *The location, size, design, and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity. **Evidence:*** The proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building. The proposed sale of alcohol in a grocery store is customary for these types of businesses. Lastly, it is found that the sale of alcoholic beverages as part of a grocery store is a convenience to the local residences that does not typically create alcohol related problems. The store hours will be a limiting feature in the control of alcohol sales, in that the store will be closed by 9PM reducing the probability of late night homelessness loitering in the neighborhood
5. *The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines. **Evidence:*** The project was found to be Categorical Exempt according to the California Environmental Quality Act, §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures are required.

Staff sent a copy of the application to various City departments for comment and review. Their comments and requirements have been incorporated into the attached resolution. To this end, staff is recommending the new use be reviewed in 12 months after the date of approval to review how the owner conducts the business and that the establishment is operating under the approved conditions of approval. If problems or concerns related to the sale of alcoholic beverages occur in the future, staff and/or the Planning Commission may initiate a public hearing where the Commission would have the ability to amend conditions or revoke the Use Permit.

ENVIRONMENTAL ASSESSMENT:

The project was found to be Categorical Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures are required.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, May 3, 2014. Fifty (50) public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff’s recommendation, the following motions are suggested:

“I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321 and adopt a Resolution approving the Use Permit to allow Central Market - Davinder Singh Malhi the sale of beer, wine and spirits Alcoholic Beverage Control Type 21 license at 608 South Central Ave, subject to the conditions of approval contained in the Resolution.”

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request.

Respectfully Submitted,

Concur,

Craig Hoffman
Senior Planner

Stephen Schwabauer
Interim Community Development Director

ATTACHMENTS:

- A. Vicinity / Aerial Map
- B. Floor Plan
- C. Draft Resolution

VICINITY MAP



608 South Central Ave

View from Street



608 South Central Ave

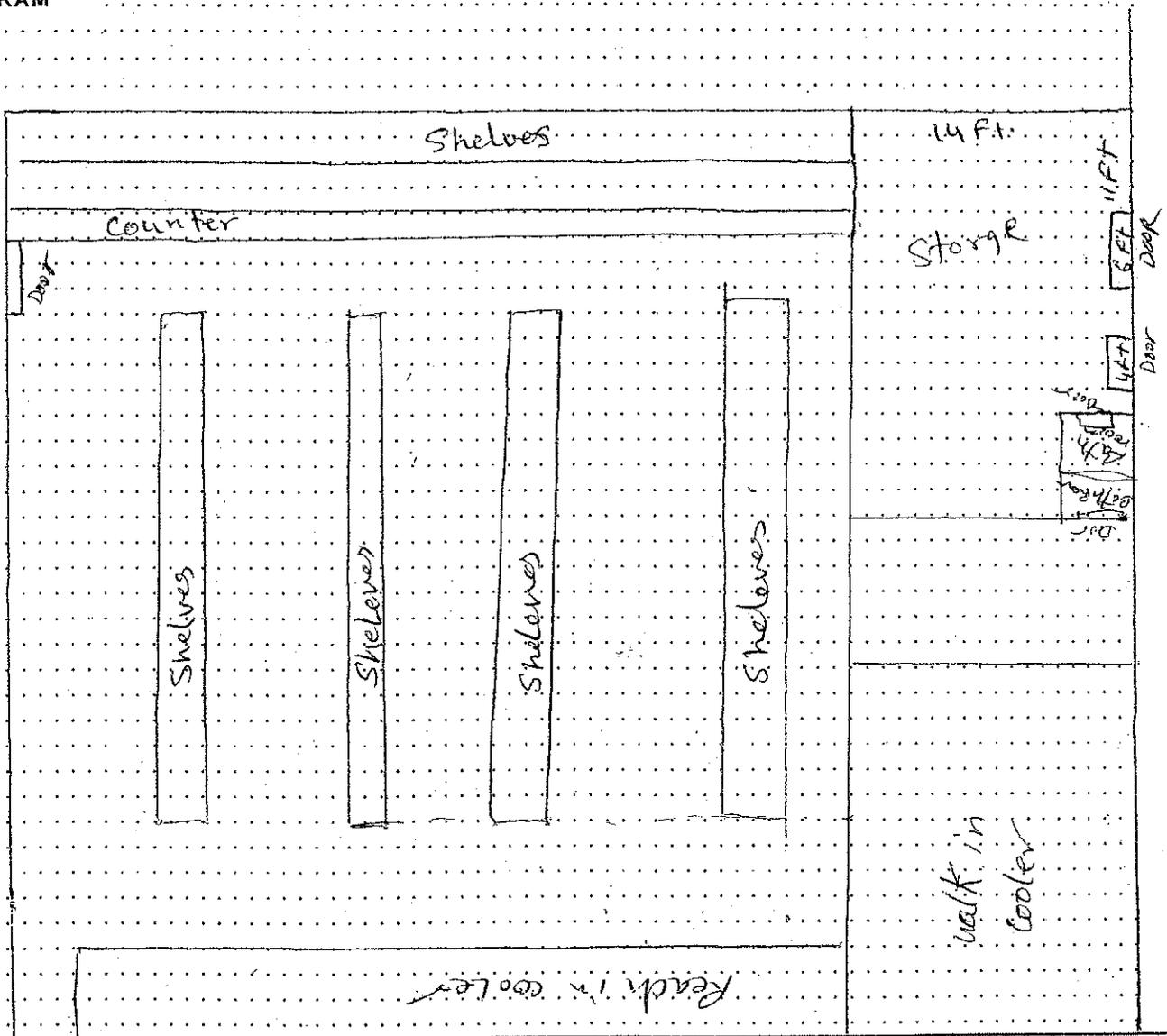
Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California

1. APPLICANT NAME (Last, first, middle) MALHI DAVINDER SINGH	2. LICENSE TYPE 21 OFF Sale
3. PREMISES ADDRESS (Street number and name, city, zip code) 608 S. Central Ave Lodi CA 95240	4. NEAREST CROSS STREET Eden St / Tokay St.

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)	DATE SIGNED
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME
	INSPECTION DATE

RESOLUTION NO. P.C. 14-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING
THE REQUEST OF CENTRAL GROCERY FOR A USE PERMIT TO SELL BEER, WINE
AND SPIRITS AT 608 SOUTH CENTRAL AVE.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit in accordance with the Lodi Municipal Code Chapter 17.74; and

WHEREAS, the project proponent is Central Market, c/o Davinder Singh Malhi; and

WHEREAS, the project site is located at 608 South Central Ave (APN: 047-330-03); and

WHEREAS, the project site is owned by Ed Westerback, 2545 Central Park Drive, Lodi, Cal. 95242; and

WHEREAS, the property has a General Plan designation of Mixed Use Corridor and is zoned Mixed Use Corridor (MUC); and

WHEREAS, the requested Use Permit is to allow for off-site beer, wine and spirits sales (Type 21 license) for the proposed grocery store; and

WHEREAS, Census Tract 44.03 in which the proposed is located is not over-concentrated as defined by ABC for licenses; and

WHEREAS, the City of Lodi has taken all legal prerequisites to the adoption of this Resolution have occurred.

Based upon the evidence in the staff report and project file, the Planning Commission makes the following findings:

1. The project was found to be categorically exempt according to the California Environmental Quality Act, section 15321 Class 21 (a) (2). The project is classified as an "Enforcement Action by Regulatory Agencies" because it is the "adoption of an administrative decision or order enforcing...the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant impacts are anticipated and no mitigation measures have been required.
2. No new impacts were identified during the public testimony that was not addressed as normal conditions of project approval.
3. The proposed use is consistent with the General Plan because commercial uses such as the one proposed are permitted in accordance with Land Use Policy, subject to a discretionary review.
4. The proposed use would not have a substantial adverse economic effect on nearby uses because beer and wine sales within an existing grocery store; in accordance with applicable laws and under the conditions of this Use Permit, are anticipated to be an economic benefit to the community and provide the local residence a one-stop shop opportunity.
5. The proposed use would not be detrimental to the general welfare of persons residing and working in the immediate vicinity, the neighborhood or the community at large.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Use Permit Application No. 2014-14 U is hereby approved, subject to the following conditions:

1. The Applicant/Operator shall operate and abide by the requirements and conditions of the State of California Department of Alcoholic Beverage Control for a Type 21 Licenses. The off-site sale of beer and wine shall occur only during the hours of 8:00 am to 10:00pm. Any change of hours shall require an amendment to the Use Permit, as prescribed within the Zoning Code.
2. The applicant/project proponent and/or property owner/developer and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
3. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the Use Permit may be subject to review and revocation by the City of Lodi after a public hearing and following the procedures outlined in the City of Lodi Municipal Code. Further, this Use Permit shall be subject to a one year review by Community Development Department. If necessary, the Department shall forward the review to the Planning Commission to review the business's operation for compliance with the conditions of the Use Permit, and in response to any legitimate complaint thereafter.
4. Beer, wine coolers and/or malt beverages shall be sold in original factory packaging of a six-pack or greater, except wine or malt based coolers shall be sold in the original factory assembled four-pack or greater.
5. The sale of wine shall be in bottles or containers no smaller than 750ml, with two exceptions: 1.) dessert wines shall be no smaller than 375ml, and 2.) wine containers smaller than 750ml may only be sold in manufacturers pre-packaged multi-unit packs that are no smaller than a four-pack.
6. The applicant shall obtain Operational Permits if necessary from the Lodi Fire Department, Fire Prevention Bureau, 25 East Pine Street, Lodi, CA 95240-2127. Phone Number (209) 333-6739.
7. Tenant Improvement permit required for change of use from appliance store to grocery store. Any changes to the existing building, which are regulated by the current codes, shall require a building permit. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2013 California Building code. Please review our policy handouts for specific submittal procedures.
8. The California Building Code (Title 24 Section 11B-202) requires that existing buildings, when alterations are made, shall be verified for compliance with disabled access requirements. These requirements shall apply only to the specific area of alteration and shall include an accessible entrance, an accessible route to the altered area, at least one accessible restroom for each sex, telephones and drinking fountains (if existing), and when possible additional items such as parking, storage and alarms.

If the construction costs of the alterations to the building are less than the current valuation threshold of \$139,934.00 and if the cost of the above listed accessibility upgrades are disproportionate (exceeds 20% of the project without the upgrades), then the required accessibility upgrades may be provided to the extent that is proportionate (20% of the

valuation) as per 2013 CBC, Section 11B-202.4, Exception 8. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access.

9. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.

I hereby certify that Resolution No. 14-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on May 14, 2014, by the following vote:

AYES: Commissioners:

NOES: Commissioners: None

ABSENT: Commissioners: None

ATTEST: _____
Secretary, Planning Commission

Item 6a.



MEMORANDUM, City of Lodi, Community Development Department

To: City of Lodi Planning Commissioners
From: Craig Hoffman, Senior Planner
Date: Planning Commission Meeting of 05/14/14
Subject: Past meetings of the City Council and other meetings pertinent to the Planning Commission

In an effort to inform the Planning Commissioners of past meetings of the Council and other pertinent items staff has prepared the following list of titles.

If you have any questions, please feel free to contact the Planning Department or visit the City of Lodi website at: <http://www.lodi.gov/city-council/AgendaPage.html> to view Staff Reports and Minutes from the corresponding meeting date.

Date	Meeting	Title
March 25, 2014	Shirtsleeve	Receive Information Regarding Proposed Public Restrooms in Downtown Lodi (PW)
April 16, 2014	Regular	Receive Presentation on the Draft 2014 regional Transportation Plan/Sustainable Communities Strategy for San Joaquin County by San Joaquin Council of Governments Representatives (CD)
May 7, 2014	Regular	Set Public Hearing for May 21, 2014, to Consider Adopting Resolution Approving the Planning Commission's Recommendation to Authorize 145 Low-Density Residential, 55 Medium-Density Residential, and 88 High-Density Residential Growth Management Allocations for Van Ruiten Ranch Subdivision (CD)