

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, FEBRUARY 11, 2015**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of February 11, 2015 was called to order by Chair Kiser at 7:00 p.m.

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

Absent: Planning Commissioners – Cummins

Also Present: Senior Planner Craig Hoffman and Administrative Secretary Kari Chadwick

2. MINUTES

“December 10, 2014”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Slater second, approved the minutes of December 10, 2014 as written. (Commissioner Heinitz abstained because he was not in attendance of the subject meeting)

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kiser called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to allow a Type-41 On-Sale Beer and Wine for Wingstop at 2640 Reynolds Ranch parkway #100. (Applicant: Mann and Company Inc - Wingstop Restaurant; File 2015-01 U; CEQA Determination: Exempt per Section 15321)

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

Hearing Opened to the Public

- Heidi Miller, representative for the applicant, came forward to answer questions.
- Commissioner Kirsten asked when the projected time of construction. Ms. Miller stated that the plans have been submitted for the building permit and they are currently working on corrections to the plans. Mr. Kirsten asked Ms. Miller what her title for the project. Ms. Miller stated that the company is working as the project manager for the permit and construction portion of the job. Mr. Kirsten asked for examples of where else they had worked in the past. Ms. Miller stated that they are based out of the Bay Area and work mainly for restaurants for full project management.
- Commissioner Olson asked how Ms Miller has liked working with the City of Lodi. Ms. Miller stated that it has been wonderful.
- Vice Chair Heinitz stated his concern that the actual manager of the project isn't here. He asked if Ms. Miller was aware of the ABC training requirements and the procedures for that process. Ms. Miller stated that she is aware of the requirements and the client owns over 25 restaurants and is very aware of the requirements. She also added that the client has not had any trouble with violations in the time he has owned and operated

restaurants. Mr. Heinitz restated his concern with the fact that the owner/operator of the business isn't in attendance.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Slater second, finds the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15321, and adopt a resolution approving the Use Permit to allow a Type-41 On-Sale Beer and Wine for Wingstop at 2640 Reynolds Ranch parkway #100 subject to conditions of approval contained in the draft resolution provided. The motion carried by the following vote:

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

Commissioner Heinitz stated his discomfort over the fact that the operator of the restaurant isn't present.

Commissioner Slater asked staff if the owner could be invited back to informally speak with the Commission. Mr. Hoffman stated that he would work with Ms. Miller to extend the request to the owner. Ms. Olson stated that she doesn't feel that the owner needs to come back at this point.

4. PLANNING MATTERS/FOLLOW-UP ITEMS

- a. Senior Planner Hoffman stated that the landscape plan and CC&R's have been provided for the Sunwest Cottages Housing Project on Tienda Drive as requested.

Commissioner Hennecke stated that he would like to see something more comprehensive.

Vice Chair Heinitz concurred with Commissioner Hennecke and he would have also like to have had Mr. Baker present.

Chair Kiser and Commissioner Olson also stated their concern for the lack of being able to ask Mr. Baker questions.

Commissioner Slater stated that there is a typo on page 5 section 5.1 in the last sentence and concurred with the other Commissioners' concerns regarding the lack of someone to ask questions of.

The Commissioners voted to table the item and bring it back when the applicant can attend to answer questions.

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

Commissioner Kirsten asked who the applicant is for the additional Use Permit in the current Crush location. Mr. Hoffman stated that the application has not been submitted and the people preferred to stay anonymous at this time.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

Senior Planner Hoffman stated that a memo has not been provided, but staff is available to answer any questions.

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

8. ART IN PUBLIC PLACES

Commissioner Kirsten gave a brief report of the items from the most recent meetings. Mr. Kirsten stated that there is approximately \$160,000 left in the fund and is under the impression that the fund is not going to grow any more since the development agreements state that developers can put the money towards art within their own developments.

Vice Chair Heinitz asked if the developers can use their signage for the development as part of their contribution to Art In Public Places (AIPP) funds. Commissioner Kirsten stated that signage cannot use funds meant for AIPP. Mr. Hoffman confirmed that the subdivision signage cannot use AIPP funds.

Commissioner Hennecke asks if the discussion has ever been brought up to get statues that are permanent for instance from an Art College. Commissioner Kirsten stated that it has been brought up. Vice Chair Heinitz stated that a long time Lodi resident has come back and was walking downtown and stated her pleasure over having all of the various types of art in the downtown.

Commissioners Kirsten and Heinitz expressed their concern over giving developers free reign over what art goes where.

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

None

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

Vice Chair Heinitz would like to have consistency with requiring owner/operators of establishments to be present when their project is in front of the Commission. Commissioner Olson asked where the line will be drawn. Mr. Hoffman stated that when the Buffalo Wild Wings comes before the Commission a manager will be asked to attend. The Commission discussed the parameters and asked staff to ensure that all applicants are encouraged to attend the meetings.

11. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:47 p.m.

ATTEST:

  
Kari Chadwick  
Planning Commission Secretary