

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

1. CALL TO ORDER / ROLL CALL

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

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

Absent: Planning Commissioners – Heinitz

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

2. MINUTES

“February 11, 2015”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Slater, Kirsten second, approved the minutes of February 11, 2015 as written. (Commissioner Cummins 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 determination of consistency with the General Plan related to proposed abandonment of a portion of 0 block of East Vine Street between Sacramento Street and the Union Pacific Railroad (UPRR) right of way. (Applicant: City of Lodi; File 2015-03 A; CEQA Determination: Exempt per Section 15305)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff is recommending that the determination of consistency with the General Plan be made as conditioned. Mr. Hoffman stated that Deputy Public Works Director Charles Swimley is present to answer any questions.

Commissioner Olson asked what the property can be used for in the future. Mr. Swimley stated that the adjacent property owners could use the property for anything that will not infringe on the City easements that exist on the property.

Commissioner Kirsten asked how fair market value is determined. Mr. Swimley stated that the value was calculated by using the square footage multiplied by the value in the estimate based on the Walnut Street appraisal.

Commissioner Hennecke asked if an appraiser will be hired to estimate a value. Mr. Swimley stated that staff used the value from the appraisal on Walnut Street. Mr. Hennecke stated that he had concerns with using a year old appraisal.

Hearing Opened to the Public

- Kevin Steenberg, owner of the property to the north, came forward to state his support of the abandonment. He is looking forward to being able to fence the property to make it secure. He added that there have been several break-ins on his property. He also added that he feels that the appraised value that the City has provided is fair.

- Chair Kiser asked if there were plans for the property yet. Mr. Steenberg stated that they planned on using it for storage.
- Commissioner Slater asked if there will be a fence added to the middle of the property. Mr. Steenberg stated that there will be a fence placed across Vine Street between the two buildings that are on the north and south sides of the street. Mr. Slater asked if there will be a gentleman's agreement regarding the shared storage space in the middle. Mr. Steenberg stated that there is a gentleman's agreement between the two property owners. Mr. Slater suggested putting something in writing. Mr. Steenberg stated that he would consider the suggestion.
- Richard Dillon, owner of the property to the south, came forward to answer questions. Mr. Dillon stated that the purchase of this property will help to secure the area from thieves because there have been several break-ins on his property.
- Commissioner Slater stated that it sounds like these two properties are prime for security cameras.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Olson, Kiser second, finds that the abandonment of a portion of 0 block of East Vine Street between Sacramento Street and the Union Pacific Railroad (UPRR) right of way, is consistent with the General Plan and does not conflict with policies and goals of the General Plan subject to conditions of approval contained in the draft resolution provided. The motion carried by the following vote:

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

- b) 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-47 On-Sale Beer, Wine and Spirits for Buffalo Wild Wings at Lodi Shopping Center – Pad 9 Building, Southwest corner of W. Kettleman Lane and Lower Sacramento Road. (Applicant: Blazin Wings, Inc.; File 2015-04 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

- Michael Ayaz, Attorney for the Owner, came forward along with a district manager for the organization to answer questions. Mr. Ayaz stated that the company is excited to be opening up here in Lodi and take ABC regulations very seriously. He stated that they had a couple of concerns with a few of the conditions; 1 – He asked if the review in number three is done internally; 2 – In number six they would like to change out the word “sale” of alcohol to “use” of alcohol; 3 – In number eight there is some concern with the the language “a state of intoxication”. What does that mean exactly, it is a little broad; and 4 – In number fourteen we would like the word “if” removed since it is the company’s intention to serve alcohol on the patio area. Mr. Hoffman stated that condition number three is done internally, unless there are excessive nuisance calls. Ms. Magdich stated that number six is intended to be for this establishment not what happens at other establishments. Ms. Magdich stated that number eight can be changed to read:

exhibits recognized signs of intoxication in both the first and second sentences. Mr. Ayaz would like it to read over intoxication. Chair Kiser stated that he has an issue with that language. He stated that if you're showing signs of intoxication you are already over intoxicated. Mr. Hoffman stated that the word "if" can be removed from number fourteen.

- Chair Kiser asked about the operating hours for special events. Mr. Ayaz stated that during the World Cup, the Olympics, and other types of sporting events they would like to open the doors early to accommodate the fact that these events take place all over the world and the timing will fall in the early morning hours.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Kiser second, finds that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321, and adopt a Resolution approving the Use Permit Use to allow the sale of beer, wine and spirits Alcoholic Beverage Control (ABC) Type 47 license at Lodi Shopping Center – Pad 9 Building, southwest corner of W. Kettleman Lane and Lower Sacramento Road subject to conditions of approval contained in the draft resolution as amended above. The motion carried by the following vote:

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

4. PRESENTATION

- a. Receive Reports from the San Joaquin Partnership on Lodi Commercial Land Survey and from the Lodi Chamber of Commerce on Vision 2020

Mike Von from the San Joaquin Partnership came forward to give a PowerPoint presentation on the availability of Industrial and Commercial land that is available in the Lodi area. Mr. Von would like to see Lodi moving forward with the rest of the area.

Commissioner Kirsten asked if the inventory numbers given were county wide. Mr. Von stated that they are county wide. Mr. Kirsten asked how long the inventory will last. Mr. Von stated that the county is a draw because the rest of the areas are built out. He added that he believes that the 1200 acres in Tracy will not last the 50 years that they are estimating. Mr. Von stated that there is a shift in the market from big box to ecommerce facilities. Mr. Kirsten asked if more jobs can be packed into a smaller facility with the ecommerce facility. Mr. Von stated that along with the jobs you have the robotics and a high turn-around of inventory. Mr. Kirsten asked how far in advance we need to have this land available for these companies that will want to move here. Mr. Von stated that these companies are going to want to lease space and they are going to want it now. Mr. Kirsten stated that he looks at this as a wake-up call for this community for having sites ready to go rather than waiting and possibly loosing this type of operation.

Commissioner Olson asked what Mr. Von thought Lodi's assets are to draw these companies here. Mr. Von stated that the dark fiber cable that surrounds the city is attractive to the tech companies and the housing and the schools in Lodi are attractive to the employees of these types of companies, but there is a problem with finding the sites that are ready to go. He added that the wine industry is a good selling point and he has used the fear of the earthquakes in the Bay Area to stir the wine industry in this direction. Ms. Olson stated that Lodi should be using its own Electric Utility as a benefit. Mr. Von stated that Lodi owning its own Electric Utility and the fact that Lodi has the dark fiber surrounding the city are both big selling points.

Commissioner Cummins asked what the projected square footage the city will need in the next fifteen years. Mr. Von stated that he would defer to the City Planners for that question. He added that the main problem the City of Lodi has right now is the lack of space to house both the local companies that would like to expand and other companies that would like to relocate.

Chair Kiser would like to know why the Tesla battery factory went to Nevada. Mr. Von stated that California came in a close second on that deal, but the State wasn't ready to make room for this business. Mr. Kiser asked if Mr. Von if he has studied our General Plan and are there investors that are willing to put up the money to build the buildings that these companies can come in and lease. Mr. Von stated that the General Plan has been studied and there is some land for smaller build projects.

Commissioner Hennecke asked if Lodi has the space to attract a company like Prologis. Mr. Von stated that Lodi does not currently have a large enough piece of property in the City limits. Mr. Hennecke asked if the General Mills site is a part of the numbers. Mr. Von stated that it isn't a part of the numbers because it isn't available yet. Mr. Hennecke asked if the valley lacks the educated work force to draw the tech companies. Mr. Von stated that the businesses will move here and hire the employee and if there are not enough skilled laborers the companies will draw them into the area with the jobs. Mr. Hennecke stated that this is the first time he has heard of the dark fiber surrounding the city. Why has that not been brought up before? Mr. Von stated that it is behind the scenes and will be used to attract the right company.

Chair Kiser stated that we should be using the fact that we have our own power company as a benefit.

Commissioner Olson asked if the legalization of marijuana will become a hindrance in getting qualified employees to pass their drug test. Mr. Von stated that he would like to leave that to Colorado and Washington to work out the kinks before California jumps on board. Ms. Olson stated that it is going to be an issue and employers are going to have to be aware that it is going to be an issue with the workforce whether we support the use or not.

Chair Kiser called for a five minute break at 9:02.

Chair Kiser called the meeting back to order at 9:08.

Craig Hoffman state that the area that is being discussed is the area east of Highway 99, south of Kettleman Lane, west of the traction line, and north of Hogan Lane. This area is not currently in the City's Sphere of Influence.

Pat Patrick with the Chamber of Commerce gave a PowerPoint presentation based on Vision2020 document in the packet. There were approximately 65 local companies that put together the five areas of economic opportunity.

Chair Kiser expressed his desire to see the ROP programs brought back to our schools to help train students for specific jobs that may not want to continue in school beyond high school. Mr. Patrick agreed.

Commissioner Cummins expressed his appreciate for the presentation.

Bob Johnson, Lodi City Council Mayor and Lodi resident, came forward to express his appreciation for allowing these presentations to come before the Commission. Mr. Johnson stated that the presentation that was given here was not the same presentation that was given to the City Council. This presentation focused on the philosophy and not just the numbers. He would like to see the leaders and citizens of Lodi thinking outside of the box.

5. 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.

6. ANNOUNCEMENTS AND CORRESPONDENCE

None

7. ACTIONS OF THE CITY COUNCIL

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

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten gave a brief report regarding upcoming items.

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

None

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

Commissioner Kirsten asked about the El Pollo Loco item on the looking ahead. Mr. Hoffman stated that when the KFC moves to the Lodi Shopping Center site they will vacate their current site on Kettleman Lane and El Pollo Loco will be moving into that space.

Commissioner Hennecke asked if Lodi is participating in the RFP for Delta College sites. Ms. Magdich stated that the Mayor is active in that item.

Commissioner Kirsten asked about the Papa Pavalos item. Mr. Hoffman stated that the property sale has closed and the family is looking into the financing. Chair Kiser added that the financing has been taken care of.

City Attorney Magdich stated that the City has hired a new Deputy City Attorney, John Fukasawa.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:57 p.m.

ATTEST:



Kari Chadwick  
Planning Commission Secretary