

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, OCTOBER 28, 2015**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of October 28, 2015 was called to order by Chair Heinitz at 7:00 p.m.

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

Absent: Planning Commissioners – Kirsten, Kiser and Slater

Also Present: Senior Planner Craig Hoffman, Deputy City Attorney John Fukasawa and Administrative Secretary Kari Chadwick

2. MINUTES

“September 23, 2015”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Hennecke second, approved the minutes of September 23, 2015 as written.

3. PUBLIC HEARINGS

Senior Planner Craig Hoffman stated that staff would like to continue item 3c to the November 11, 2015 Planning Commission meeting due to the lack of a quorum of Commissioner in attendance of this meeting that can vote on the item.

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Heinitz called for the public hearing to consider the request of the Planning Commission for a Tentative Parcel Map to divide one parcel into two lots at 529 Daisy Ave. (Applicant: Roy Collins; File 2015-31 P; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15315)

Senior Planner Craig Hoffman gave a brief PowerPoint presentation based on the staff report. Staff is recommending approval of the project as conditioned. Mr. Hoffman stated that staff did receive a letter that has been provided to the Commission tonight expressing concerns with the project.

Chair Heinitz asked for clarification regarding the flag lot not being a shared access easement. Mr. Hoffman stated that the flag portion of the split will belong entirely to the second lot. Mr. Heinitz asked if 11 feet will be enough of an access for the Fire Department. Mr. Hoffman stated that new single family dwellings now

Commissioner Cummins asked if there will be a separation

Hearing Opened to the Public

- Joe Murphy, Dillon and Murphy Engineer representing the applicant, came forward to answer questions. Mr. Murphy stated that Mr. Collins spoke with the Fire Department

- Commissioner Olson asked for clarification that there will only be one additional residence and that the owner will be occupying the current residence. Mr. Murphy stated that there will only be one single family dwelling unit built on the second lot.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner , second, finds that the approval of the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315, and approves the Tentative Parcel Map to divide one parcel into two lots at 529 Daisy Ave subject to conditions of approval contained in the draft resolution provided. The motion carried by the following vote:

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

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Heinitz called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to allow a personal fitness training studio within an existing industrial building located at 1125 E. Pine Street. (Applicant: Jeff Hunt; File 2015-33 U; CEQA Determination: Categorical Exemption Pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects)

Senior Planner Craig Hoffman stated that the applicant is not present and there seems to be a few people in the audience that would like to speak about the item. Staff would recommend that the Commission continue the item to a date certain to give the people present the chance to express their view to the applicant directly.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Olson, Cummins second, continued the public hearing for the Use Permit to allow a personal fitness training studio within an existing industrial building located at 1125 E. Pine Street to November 11, 2015 Planning Commission meeting. The motion carried by the following vote:

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

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Heinitz called for the public hearing to consider the request of the Planning Commission for approval of a Use Permit to allow a Type-42 license for a wine and craft beer tasting room for Brix and Wort at 14 S School Street. (Applicant: Jeffrey Daniel; File 2015-34 U; CEQA Determination: Exempt per Section 15321)

Senior Planner Craig Hoffman continued the item at the being of the meeting.

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Heinitz called for the public hearing to consider the request of the Planning Commission to recommend the draft 2015-2023 Housing Element be forwarded to the City Council for approval to be submitted to Housing and Community Development for review and certification (Applicant: City of Lodi; File 2015-35GP; CEQA Determination: Section 15183 – Previous Environmental Review, 2010 General Plan EIR (SCH#2009022075)

Senior Planner Craig Hoffman introduced Jennifer Gastelum, representative with Michael Baker International formerly PMC, to present the item. Ms. Gastelum gave a brief PowerPoint presentation based on the staff report and Draft Housing Element. Staff is recommending that the Planning Commission recommend that the City Council approve the draft Housing Element and submit it to the State Housing and Community Development Department for review and certification.

Chair Heinitz asked if there should be more in the Housing Element regarding the landscaping and water issues. Mr. Hoffman stated that those items are all contained in the development code.

Commissioner Cummins asked how many section 8 housing units are located in the City. Mr. Hoffman stated that he could try and find that number for the Commission. Mr. Heinitz stated that it may be difficult to find a number for that information because there isn't a data base that landowners have to report too. Ms. Gastelum stated that on page 2-25 there is an inventory of the publicly assisted housing. Mr. Wood added that the Housing Authority can provide a list of what they have, but the number does flexuate.

Commissioner Olson asked if there are covenants on these units. Ms. Gastelum stated that the moneys that are used for this type of housing is typically Federal funds, so there are covenants on them for 45 to 55 years.

Commissioner Cummins asked if it is possible for a developer to building these required units and still make a profit on the development. Mr. Heinitz stated that it isn't possible. Mr. Hoffman stated that it is the City's obligation to provide enough land to allow these units to be built.

Vice Chair Hennecke asked for clarification regarding the number of units and the odds of them getting built. He feels this is a market driven item, but does not see this being feasible for the low income residence to be able to purchase even at the low end of the spectrum. Mr. Hoffman stated that it is not the City's obligation to ensure that the units get built. This will allow for the opportunity for someone to build them. Mr. Wood stated that the units do not mean owner occupied, they also include rentals and assisted housing.

Hearing Opened to the Public

- None

Public Portion of Hearing Closed

**MOTION / VOTE:**

The Planning Commission, on motion of Commissioner Heinitz, Cummins second, finds that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321, and approves a Use Permit to allow a Type-42 license for a wine and craft beer tasting room for Brix and Wort at 14 S School Street subject to conditions of approval contained in the draft resolution provided. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

a) Blend Use Permit Three Month Review (2015-10U).

- Mr. Hoffman stated that due to the lack of calls staff did not feel it was necessary to bring this item back as a full blown public hearing. It has been provided as an informational/discussion item. Staff and the applicant are available to answer questions.
- Chair Heinitz asked why the Police calls are not provided on the handout. Mr. Hoffman stated that he provided the list to show the number of licenses that are being maintained in the downtown, but with so many Commissioners absent he felt it would be prudent to discuss the calls at a later meeting.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

Senior Planner Hoffman stated that the new Habitat Fees will be going to the City Council on November 4, 2015 for adoption.

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

8. ART IN PUBLIC PLACES

None

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

None

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

Commissioner Olson asked if there will be seven items for the November 11<sup>th</sup> meeting now that the two items from tonight have been continued. Mr. Hoffman stated that is correct.

11. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:41 p.m.

ATTEST:

  
Kari Chadwick  
Planning Commission Secretary