

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p><b>AGENDA</b> <b>LODI</b> <b>PLANNING COMMISSION</b></p>	<p>REGULAR SESSION WEDNESDAY, OCTOBER 26, 2016 @ 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 – None
  3. PUBLIC HEARINGS
    - a. Request for Planning Commission approval of:
      - I) Growth Management Allocation for 42 Medium-Density Residential Lots; and
      - II) A Subdivision Map for the Harvest Crossing Subdivision, a 6.8 acre, 42 unit subdivision; and
      - III) Adopt Development Standards for the subdivision known as Harvest Crossing located within Medium Density Residential Zoning District.  
2620 Turner Road - South of Turner Road and west of Lower Sacramento Road (Applicant: Grupe Investment Company; File: 2016-24 GM / S / PD; CEQA Status: Section 15183 – Previous Environmental Review)
    - b. Request for Planning Commission approval of a Use Permit and Site Plan review to allow a brewery production facility, Type 23 ABC license and a wine tasting room, Type 2 ABC license at 1333 East Kettleman Lane. (Applicant: Ms. Chris Santana; File 2016-30 U / SP; CEQA Determination: Exempt per Section 15321)
    - c. Request for Planning Commission approval of a Use Permit to allow a Type-41 on-site Beer and Wine sales at an existing grocery store located at 200 East Oak Street. (Applicant: Arteagas Grocery Store. File No. 2016-32 U. CEQA Determination: Exempt - Section 15321)
- NOTE:** The above item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31
4. PLANNING MATTERS/FOLLOW-UP ITEMS
    - a. Update of Downtown Police Service Calls
  5. ANNOUNCEMENTS AND CORRESPONDENCE
  6. ACTIONS OF THE CITY COUNCIL
  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 2<sup>nd</sup> Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

Item 3a



**CITY OF LODI**  
**PLANNING COMMISSION**  
**Staff Report**

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**MEETING DATE:** October 26, 2016

**APPLICATION NO:** Subdivision Application: 2016-24 S  
Planned Development 2016-24 PD  
Growth Management Allocation: 2016-24 GM

**REQUEST:** Request for Planning Commission approval of:  
a) Growth Management Allocation for 42 Medium-Density Residential Lots; and  
b) A Subdivision Map for the Harvest Crossing Subdivision, a 6.8 acre, 42 unit subdivision; and  
c) Adopt Development Standards for the subdivision known as Harvest Crossing located within Medium Density Residential Zoning District.  
2620 Turner Road - South of Turner Road and west of Lower Sacramento Road  
(Applicant: Grupe Investment Company; File: 2016-24 GM / S / PD; CEQA Status: Section 15183 – Previous Environmental Review)

**LOCATION:** 2620 Turner Road  
South of Turner Road and west of Lower Sacramento Road  
APN: 029-390-15  
Lodi, CA 95240

**APPLICANT:** Grupe Investment Company  
Mr. Chris Conklin  
3255 West March Lane, Suite 400  
Stockton, CA 95219

**PROPERTY OWNER:** Farmers and Merchants Bank of Central California  
Mr. Kent Steinwert  
P.O. Box 3000  
Lodi, CA 95240

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the Tentative Subdivision Map and Planned Development Guidelines for the Harvest Crossing Subdivision and recommend to the City Council approval of the request for 42 Medium-Density growth management allocations subject to conditions in the attached resolution.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** Medium Density Residential  
**Zoning Designation:** RMD - Medium Density Residential  
**Property Size:** 6.79 acres – 295772 sq ft

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
<b>North</b>	Open Space and Office	Open Space and Office	Katzakian Park and Verizon Office
<b>South</b>	Low Density Residential	RLD - Low Density Residential	Single family residences
<b>East</b>	High Density Residential	PD(1)	Meritage Apartments
<b>West</b>	Low Density Residential,	RLD - Low Density Residential	Single family residences

**SUMMARY**

The proposed project seeks to create a private / gated 42 single family lot community with associated landscape parcels and private streets.

The project as designed has a density of 8 units per acre.

All private streets meet the minimum City right of way standards.

The project does include an open space area for the development.

The project takes access off Turner Road with emergency access from Lower Sacramento Road

The project includes 21 guest parking spaces on the private roadway.

The applicant proposes single story homes along the western and southern property lines along with a 15 ft setback. This is consistent with low density residential standards.

The applicant is proposing a different housing product and living experience that the last 3 major subdivisions in Lodi – Rose Gate, Van Ruiten Ranch and Reynolds Ranch.

Subsequently, the 2010 General Plan designated the property medium density residential with a density of 8 – 20 units per acre.

**ANALYSIS**

Existing Conditions: The subject site consists of one parcel totaling 6.79 acres. Along the western and southern borders are single family homes within the Erich Park development. Along the northern boundary is Katzakian Park, Wine and Roses and the Verizon communications building. To the east is the Meritage Apartment complex.

General Plan Compliance: The project site includes General Plan Land Use designation of Medium Density Residential. The proposed project is consistent with the current General Plan (2010) land use designations, layout and required density.

The Medium Density Residential designation mandates density ranges between eight (8) to twenty (20) units per acre. The Harvest Crossing project has a density of 8.0 units per acre. The General Plan Land Use Policy 3 (LU P3) prohibits development at less than the minimum and maximum density prescribed by each residential land use category. The proposed project does comply with applicable General Plan density requirements while still trying to be consistent with the single family residential properties to the west and south.

Zoning Compliance: The project site is zoned MLD – Medium Density Residential. This zoning designation identified design standards for the size and shape of parcels along with street access. The MLD designation anticipates smaller lot sizes and higher densities.

The zoning code has provisions for a Planned Development (PD) overlay to be applied to projects, to provide flexibility in the application of development standards that will produce development projects of superior quality, including retention of unique site characteristics, creative and efficient project design, etc., than would have been achieved through strict application of the development standards required by the primary zoning district.

The applicant has requested the PD overlay to allow for flexibility of design standards. The PD request is to develop a private gated community, private streets and smaller lots containing the single family residence.

Planned Development Guidelines: The applicant has prepared the Harvest Crossing Planned Development Standards and Guidelines. (Attachment C) The organization of these guidelines is presented as a series of community design components that when combined create a comprehensive project design. The chapters highlight and articulate the various community design components, establishing specific development guidelines and standards for how the project will develop.

As depicted in the development plans, the applicant is proposing to use several different elevation styles throughout the subdivision. The elevations use varying massing and architectural articulations.

The project will be required to prepare a landscape plan that generally places one large street tree in each front yard among other accent landscaping including various shrubs, ground cover and lawn. The landscaping plan would have to comply with the requirements of the Lodi Municipal Code Section 17.03.070 which regulate landscape water efficiency.

Subdivision Map: The proposed Tentative Map would subdivide the project parcel into 42 Medium-Density residential single-family lots, 1 private lot for an open space / park lot and associated public and private roadways.

The size and shape of the subject project area makes an efficient lotting design difficult. The applicant has proposed a number of lotting designs and ultimately decided to not try to compete with the housing product in Rose Gate, Van Ruiten Ranch and Reynolds Ranch.

The project includes lots that meet to 8 to 20 units per acre density, but overall do not meet the size standards for Low Density Residential.

In accordance with Lodi Municipal Code Section, 17.52.070, the Commission may approve a tentative map only when it first finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, and any applicable specific plan, and that none of the findings for denial can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6. The findings are included as part of the resolution and staff recommends approval of the subdivision map.

In accordance with Lodi Municipal Code Section, 17.52.130, an approved Tentative Map is valid for 24 months after its effective date (Section 17.66.130). At the end of 24 months, the approval shall expire and become void unless, the applicant petitions the Planning Commission for an extension and the Commission grants an extension in accordance with Lodi Municipal Code Section 17.52.130 (B)(1). Phased Final Maps shall extend the expiration of the tentative map by 36 months or the date of the previously filed Final Map.

Access and Circulation: The project is accessed by Turner Road and a secondary emergency access onto Lower Sacramento Road. The project does not restrict or impede existing roadways. The private development will include private access to the existing roadway system.

The General Plan discourages private roadways and gated communities. This is intended to ensure through roads and a gridded street pattern. The project proposal will not reduce area circulation and connectivity. The project size and location is one of a few sites in Lodi that would be appropriate for a gated community without reducing through streets and reducing connectivity.

Fences and Buffers: The City places a high value on quality design and materials in the construction of fencing and buffers for developments. Fencing is an integral design feature in residential developments and defines property ownership and boundaries. The City expects quality materials that will last and maintain an appealing aesthetic within neighborhoods. (Condition 20)

There is an existing masonry wall along Lower Sacramento Road and along Turner Road. There is a wood fence along the southern and western property boundaries. A masonry wall will be constructed along Turner Road and Lower Sacramento Roads. Landscaping will be located between the sidewalk and masonry wall.

Existing trees on-site: The project site includes a number of larger oak trees and other large non-native trees. As part of the project the Grupe Company developed a proposal to retain as many trees as possible and fund the purchase of trees for the 2017 Arbor Day.

The Grupe development team is working to retain as many trees as possible while maintaining the Medium Density design requirements for the site. The applicant believes there will be a number of existing trees that can be incorporated into the land plan without impacting density. The final number of trees to be saved cannot be determined until the final grading and house plans have been approved by the City.

In addition to applicant's efforts to save trees internal to the subdivision, new trees will be planted within the project and along frontages. The applicant will also look to plant upsized specimen trees in areas such as Lot B, the EVA parcel, and frontages along Turner and Lower Sacramento and at the project entrance. And finally, the Grupe Company is willing to demonstrate their commitment to the City of Lodi and the natural beauty of the community by pledging \$5,000 to go toward the purchase of trees to be donated to the City as part of the Annual Arbor Day in 2017.

Growth Management Compliance: The Harvest Crossing applicant is requesting 42 growth allocation units to construct the full project.

The allocation system gives priority through point assignments to projects that reduce impacts on services, infrastructure, and resources. The ordinance sets an annual growth limit of two percent of the City's population, compounded annually. Once the number of allocable units is figured, the City requires that the allocation units be distributed among housing types as follows; **44 percent low density, 28 percent medium density and 28 percent high density (GM-P4).**

The California Department of Finance sets the City population for January 1st of each year. The population has been as follows:

2012 – 62,575  
2013 – 63,233  
2014 – 63,651  
2015 – 63,791 (62,772)  
**2016 – 63,219**

Staff believes the drop in population is based upon how the state now counts temporary population and transient individuals.

Growth Allocations for 2013 and 2014 were higher because the persons per household was lower. New Department of Finance numbers show Lodi at 2.85 persons per household in 2015 compared with 2.7 in the past.

Growth allocations for 2016 are also lower because of a reduction in the City population.

The following calculation explains the current City population of **63,219** as of January 1, 2016 and **443** units available for 2016:

1. Calculate two percent of the City's current population: **63,219** x 2% = 1,264.38
2. Divide 1,264 by the average number of persons per household 1,264 / 2.85 = **443.50**
3. Divide the 443.50 (**443 du**) units into the 3 housing types:
  - 44% low density = 195 units
  - 28% medium density = 124 units
  - 28% high density = 124 units.

In 2013, the City Council expired allocations accumulated since 2008. In the five-year period since 2008, 2,235 allocations were added to the reserve. The Council eliminated 800 Low Density and 1,435 High Density allocations. This Council action created a new balance of **4,674** as detailed below in Table A.

**Table A: Growth Management Allocation History 2012**

Density	Base Available Allocations		
	Total Available for 2012	2% Allocations for 2013	Total Available for 2013
Low (0.1-7)	2,995	197	3,192
Medium (7.1-20)	557	126	683
High (20.1-30)	1,122	125	1,247
<b>TOTAL</b>	<b>4,674</b>	<b>448</b>	<b>5,122</b>

**Table B** identifies the available Allocations in 2013, Allocations provided to projects in 2013 and those available for 2014.

**Table B: Growth Management Allocation for 2013 and 2014**

Density	Available Allocations			
	Total Available for 2013	Total Allocated in 2013 (Rose Gate)	2% Allocations for 2014	Total Available for 2014
Low (0.1-7)	3,192	- 232 (2960)	199	3,159
Medium (7.1-20)	683	- 0 (683)	127	810
High (20.1-30)	1,247	- 0 (1,247)	127	1,374
<b>TOTAL</b>	<b>5,122</b>	<b>4,890</b>	<b>453</b>	<b>5,343</b>

**Table C** identifies the 2014 Total Allocations, the requested Allocations for projects, and the remaining overall Allocations.

**Table C: Growth Management Allocation for 2014**

Density	Available Allocations				
	Total Available for 2014	Allocation for Van Ruiten Ranch	Allocation for Reynolds Ranch	Remaining Allocations for 2014	Total Remaining for 2014
Low (0.1-7)	3,159	145	0	145 – 199 (54)	3,014
Medium (7.1-20)	810	55	227	282 – 127 (-155)	528
High (20.1-30)	1,374	88	330	418 – 127 (-291)	956
<b>TOTAL</b>	<b>5,343</b>	<b>288</b>	<b>557</b>	<b>- 392</b>	<b>4,498</b>

**Table D** identifies the 2015 Total Allocations, the requested Allocations for projects, and the remaining overall Allocations.

**Table D: Growth Management Allocation for 2015**

Density	Available Allocations				
	Total Remaining for 2014	2% Allocations for 2015	Total Available for 2015	Grupe – Taylor Road	Total Remaining for 2015
Low (0.1-7)	<b>3,014</b>	197	3,211	<b>22</b>	<b>3,189</b>
Medium (7.1-20)	<b>528</b>	125	653	<b>0</b>	<b>653</b>
High (20.1-30)	<b>956</b>	125	1081	<b>0</b>	<b>1081</b>
<b>TOTAL</b>	<b>4,498</b>	<b>447</b>	<b>4,945</b>	<b>4,923</b>	<b>4,923</b>

**Table E** identifies the 2016 Total Allocations, the requested Allocations for projects, and the remaining overall Allocations.

**Table E: Growth Management Allocation for 2016**

Density	Available Allocations					
	2% Allocations for 2016	Total Available for 2016	Garfield	Camper - Sac	Harvest Crossing	Total Remaining for 2016
Low (0.1-7)	195	3,384	6	0	<b>0</b>	<b>3,378</b>
Medium (7.1-20)	124	777	0	28	<b>42</b>	<b>707</b>
High (20.1-30)	124	1205	0	0	<b>0</b>	<b>1,205</b>
<b>TOTAL</b>	<b>443</b>	<b>5,366</b>	<b>5,360</b>	<b>5,332</b>	<b>42</b>	<b>5,290</b>

The Growth Management Ordinance includes a priority location area and a point system to assist the City with prioritizing issuance of growth management allocations. The priority location area designates lands available for development and provides development categories of one, two or

three, with Priority Area 1 being the first priority area for development. The priority areas are based on availability of city services (e.g., water, wastewater, storm drains, streets, police, fire and parks). The proposed project site is classified as an in-fill project. For scoring purposes in-fill projects are considered Priority Area 1 projects. The point system was established to rate projects based on various project merits in order to determine if one project should be approved before another, particularly if there are more allocation requests than there are available allocations. However, because the City hasn't had growth management allocation requests since 2006, surplus allocations have been accumulated.

#### Conclusion

Staff sent a copy of the application to various City departments for review and comment. Their comments and requirements incorporated into the attached resolution. Staff believes that the Commission can make the findings in order to approve the proposed project, subject to conditions outlined in the attached resolution. The proposed tentative map, as described in the code compliance sections above, is consistent with the current General Plan (2010).

The proposed exclusively residential development aligns with the residential land use designations and densities assigned to site in the current General Plan. The site for the proposed subdivision is suitable for the density and type of development proposed in that it is a flat piece of land. Also the design of the subdivision and type of improvements would not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision in that there are no existing public access easements on the site. Further, as stated in the code compliance sections above, the applicant has proposed development standards for this subdivision that are consistent with the historical development of the City.

#### **ENVIRONMENTAL ASSESSMENT**

The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." A "Project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Rezone, Tentative Subdivision Map, and Design Review for subdivision layout is a project under CEQA.

CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects that are consistent with a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

The City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Medium Density Residential.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No increase in development density beyond what was anticipated in the General Plan for the Project site would occur. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15183 and no further environmental review is required.

#### **PUBLIC HEARING NOTICE:**

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, October 15, 2016. Ninety (90) 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:

1. "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 15183, the project is consistent with the findings of the previous environmental documents prepared for the 2010 Lodi General Plan and approve the Tentative Subdivision Map and Planned Development Guidelines for the Grupe Harvest Crossing Subdivision and recommend to the City Council approval of the request for 42 Medium-Density Growth Management Allocations subject to conditions in the attached resolution."

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

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

Respectfully Submitted,

Concur,

Craig Hoffman  
City Planner

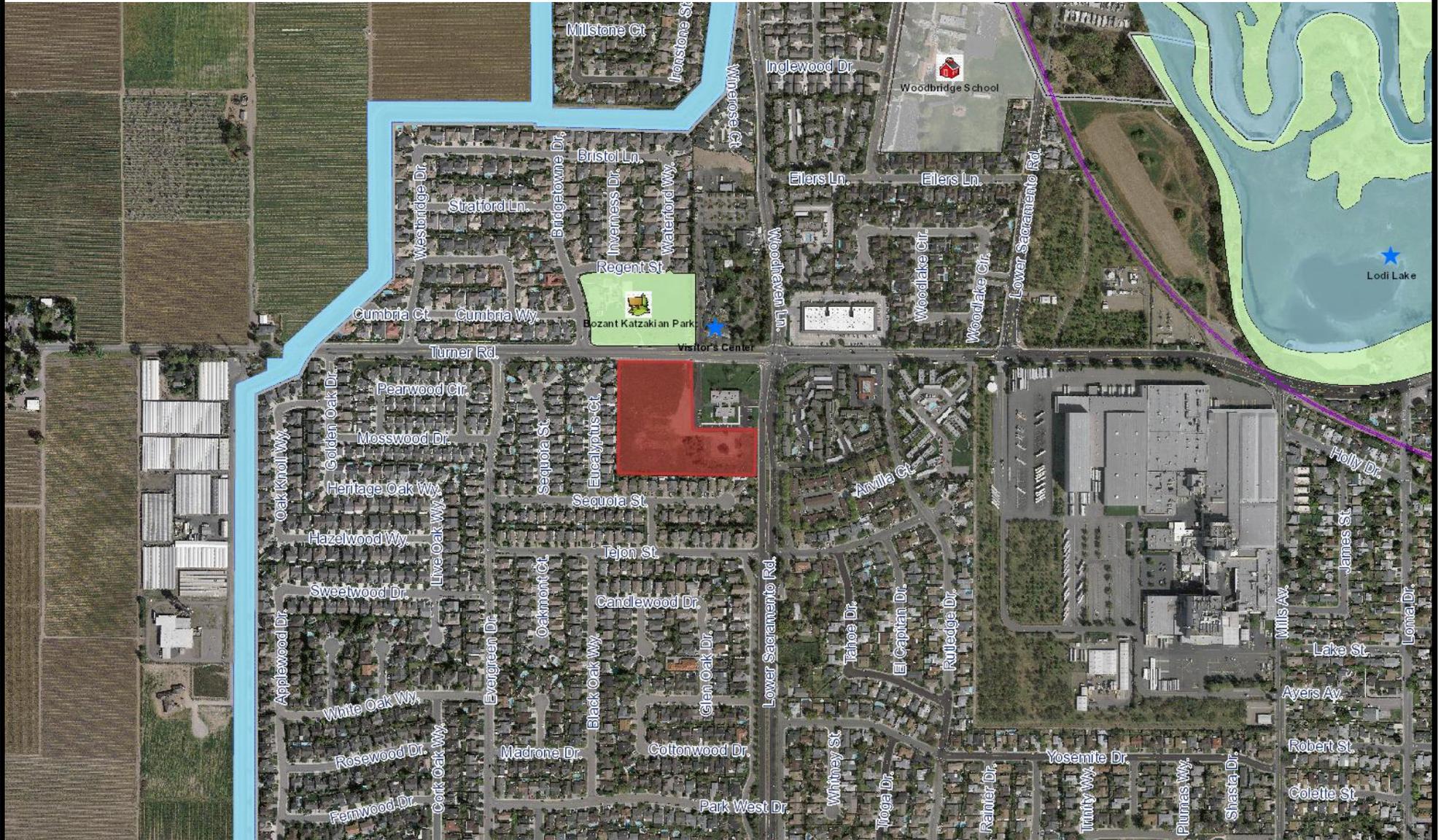
Stephen Schwabauer  
Community Development Director

**ATTACHMENTS:**

- A. Vicinity / Aerial Map
- B. Subdivision Map
- C. Planned Development Standards
- D. Draft Resolution

# VICINITY MAP

North



South

## 2620 West Turner Road

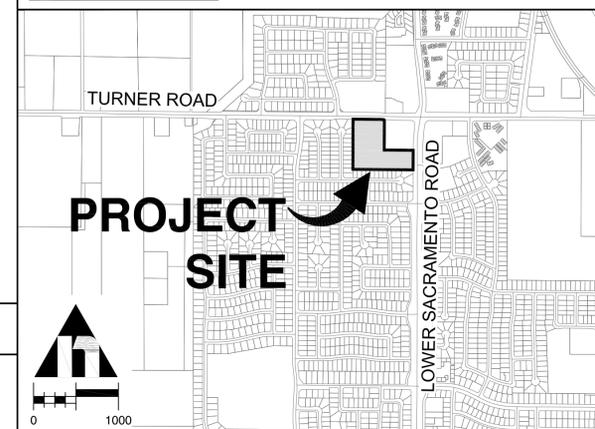
TRACT NO.3905  
**TENTATIVE SUBDIVISION MAP**  
**HARVEST CROSSING**

A PORTION OF THE NORTHWEST QUARTER OF SECTION 3,  
 TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN,  
 CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA

**SITE PLAN**



**VICINITY MAP**



**MCR ENGINEERING**  
 www.mcreng.com  
 1242 DUPONT COURT  
 MANTECA, CA 95336  
 TEL: (209) 239-6229

REGISTERED PROFESSIONAL ENGINEER  
 TONY B. MARSHALL  
 No. C51015  
 Exp. 9-30-17  
 CIVIL  
 STATE OF CALIFORNIA

APPROVED:

**PLAN REVISIONS**

NO.	DESCRIPTIONS	DATE

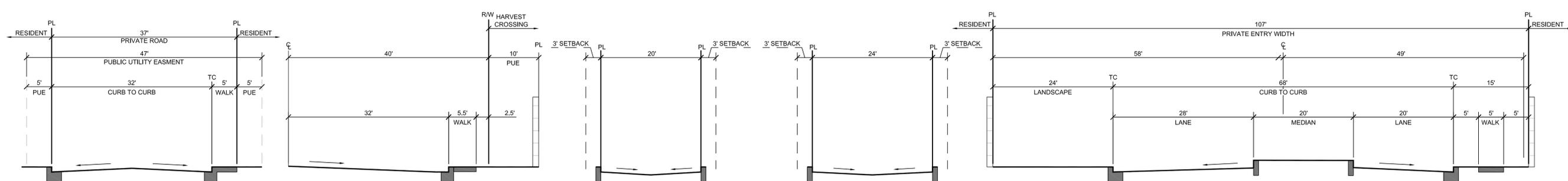
**NOTES**

- OWNER/SUBDIVIDER: FARMERS AND MERCHANTS BANK OF CENTRAL CALIFORNIA  
P.O. BOX 3000  
LODI, CA 95241
- APPLICANT: GRUPE INVESTMENT COMPANY  
3255 W MARCH LANE, STE 400  
STOCKTON, CA 95219  
(209) 473-6067
- ENGINEER: MCR ENGINEERING, INC.  
1242 DUPONT COURT  
MANTECA, CA 95336
- NO. OF LOTS: 45 (42 RESIDENTIAL LOTS)
- TYPICAL LOT AREA: +/- 5244 SF
- LAND USE: EXISTING: MEDIUM DENSITY RESIDENTIAL  
PROPOSED: MEDIUM DENSITY RESIDENTIAL
- ZONING: EXISTING: MEDIUM DENSITY RESIDENTIAL  
PROPOSED: PD - PLANNED DEVELOPMENT
- TOTAL AREA: 6.8 ACRES  
TOTAL DEVELOPED AREA: 6.8 ACRES
- UTILITIES: WATER: CITY OF LODI  
TELEPHONE: AT&T  
GAS: PACIFIC GAS & ELECTRIC COMPANY  
ELECTRIC: LODI ELECTRIC  
CABLE TV: COMCAST  
STORM DRAINAGE: CITY OF LODI  
IRRIGATION: WOODBRIDGE IRRIGATION DISTRICT
- APN: 029-390-15
- THE PROPERTY HAS A GENTLE SLOPE WITH ELEVATIONS RANGING FROM 42'-43'.
- STREET NAMES ARE SUBJECT TO APPROVAL BY CITY OF LODI.
- EXISTING BOUNDARY BASED ON RECORD INFORMATION.
- PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL INTERIOR STREET FRONTAGES.
- THIS PROPERTY IS NOT SUBJECT TO INUNDATION.
- THIS PROJECT MAY BE DEVELOPED IN PHASES PER DEVELOPERS OPTION.
- INTERIOR STREETS TO BE PRIVATELY OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION.

**INDEX**

- GENERAL NOTES, KEY MAP, LEGEND, & STREET SECTIONS
- BOUNDARY & EASEMENTS
- DIMENSION PLAN
- GRADING PLAN
- UTILITY PLAN

**STREET SECTIONS**



**A - TYPICAL STREET**

**B - TURNER ROAD**

**C - COMMON DRIVE**

**D - COMMON DRIVE**

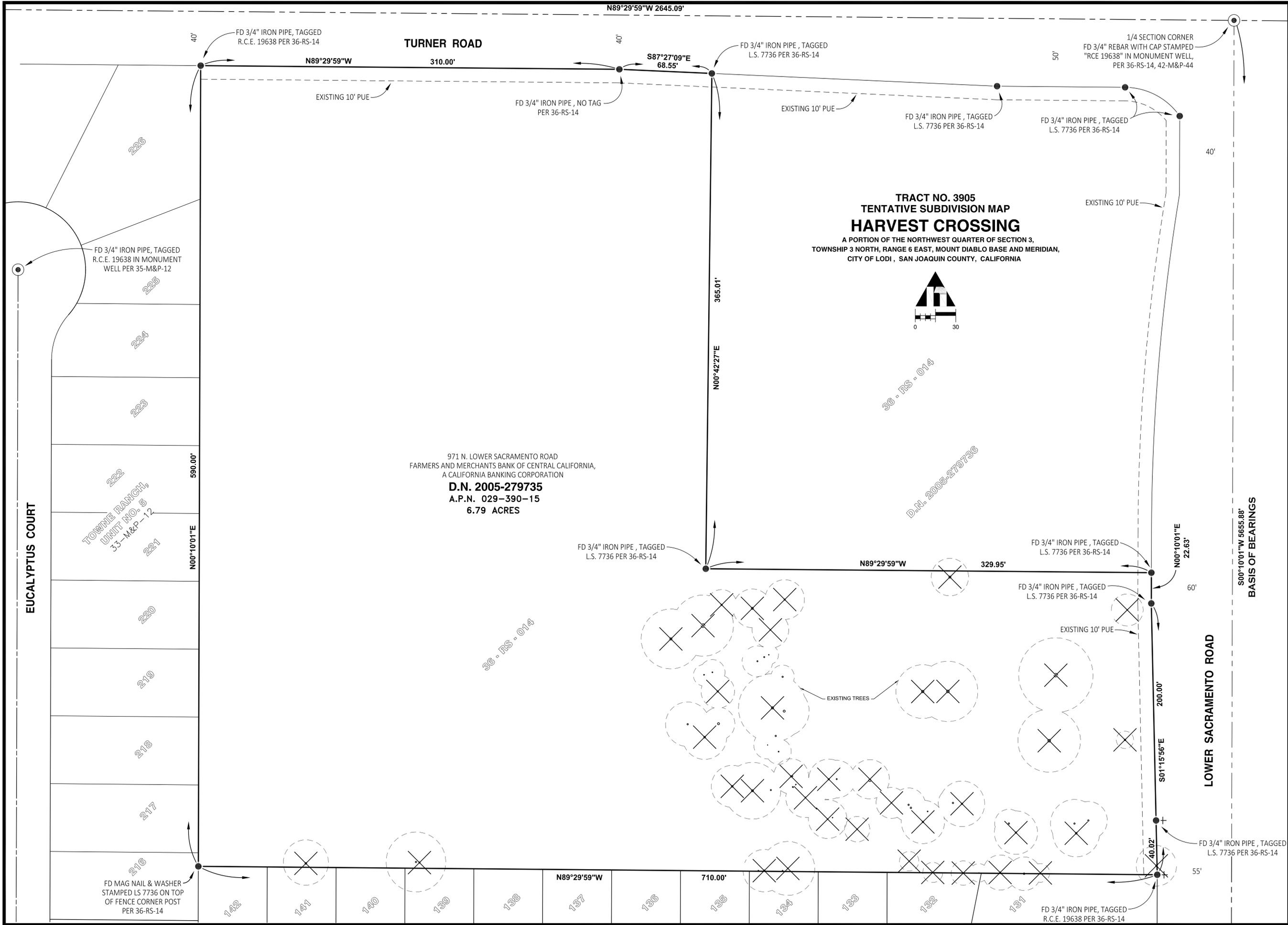
**E - HARVEST CROSSING ENTRY**

**GENERAL NOTES, KEY MAP,  
 LEGEND & STREET SECTIONS**  
**HARVEST CROSSING**  
 CALIFORNIA  
 LODI

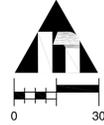
**811**  
 Know what's below.  
 Call before you dig.  
 811 / 800-227-2600

JOB NO.: 16-027  
 DATE: SEPTEMBER, 2016  
 DR. BY: RP  
 CK. BY: SLS

SHEET NO.  
**1**



**TRACT NO. 3905  
TENTATIVE SUBDIVISION MAP  
HARVEST CROSSING**  
A PORTION OF THE NORTHWEST QUARTER OF SECTION 3,  
TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN,  
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA



971 N. LOWER SACRAMENTO ROAD  
FARMERS AND MERCHANTS BANK OF CENTRAL CALIFORNIA,  
A CALIFORNIA BANKING CORPORATION  
**D.N. 2005-279735**  
A.P.N. 029-390-15  
6.79 ACRES

**MCR  
ENGINEERING**  
www.mcreng.com  
1242 DUPONT COURT  
MANTECA, CA 95336  
TEL: (209) 239-6229



APPROVED:

PLAN REVISIONS		
NO.	DESCRIPTIONS	DATE

**BOUNDARY & EASEMENTS**  
**HARVEST CROSSING**  
CALIFORNIA  
LODI

**811**  
Know what's below.  
Call before you dig.  
811 / 800-227-2600

JOB NO.: 16-027  
DATE: SEPTEMBER, 2016  
DR. BY: RP  
CK. BY: SLS

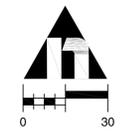
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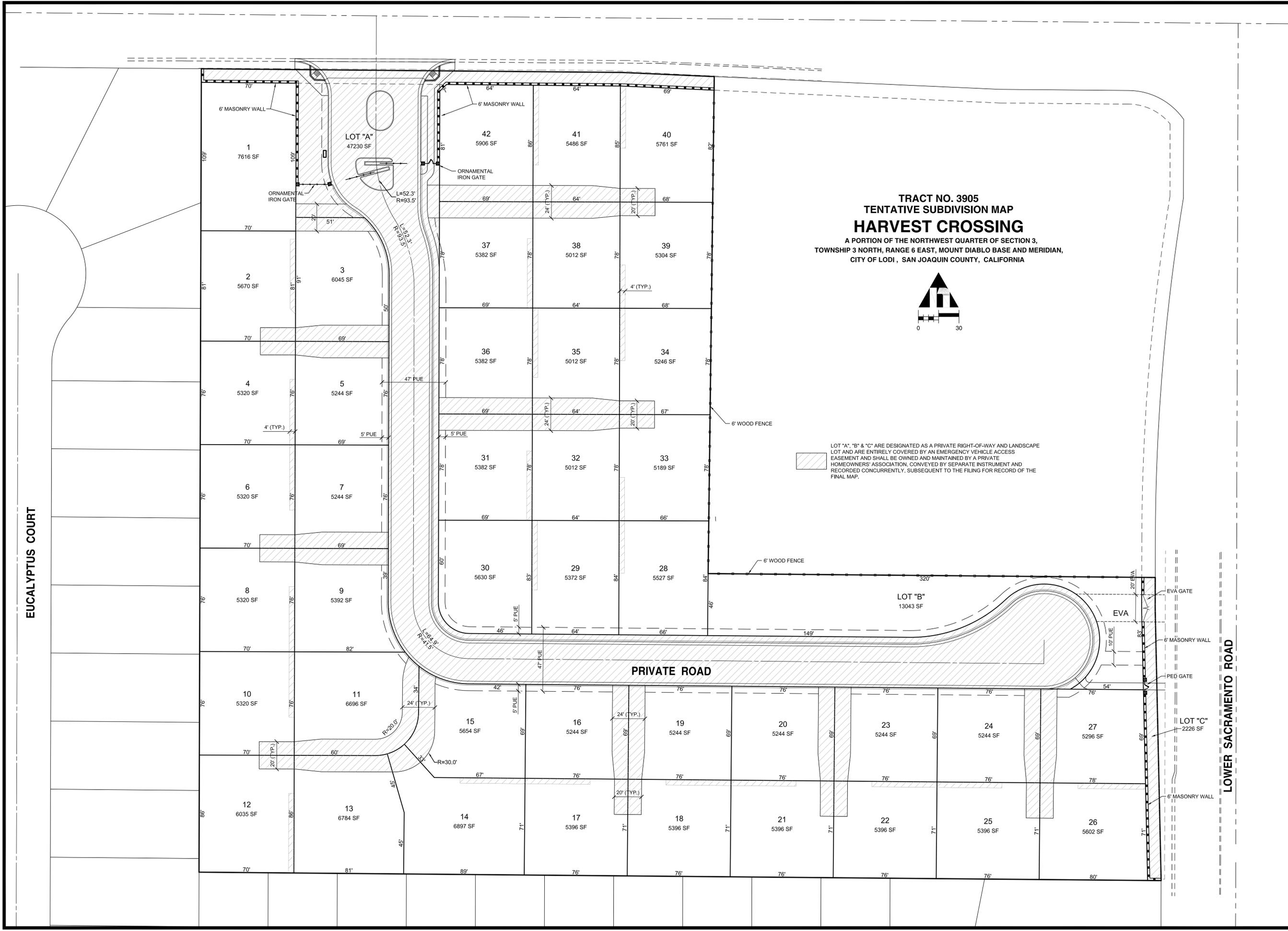
APPROVED:

PLAN REVISIONS		
NO.	DESCRIPTIONS	DATE
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**TRACT NO. 3905**  
**TENTATIVE SUBDIVISION MAP**  
**HARVEST CROSSING**  
A PORTION OF THE NORTHWEST QUARTER OF SECTION 3,  
TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN,  
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA



LOT "A", "B" & "C" ARE DESIGNATED AS A PRIVATE RIGHT-OF-WAY AND LANDSCAPE LOT AND ARE ENTIRELY COVERED BY AN EMERGENCY VEHICLE ACCESS EASEMENT AND SHALL BE OWNED AND MAINTAINED BY A PRIVATE HOMEOWNERS' ASSOCIATION, CONVEYED BY SEPARATE INSTRUMENT AND RECORDED CONCURRENTLY, SUBSEQUENT TO THE FILING FOR RECORD OF THE FINAL MAP.



**DIMENSION PLAN**  
**HARVEST CROSSING**  
 CALIFORNIA  
 LODI



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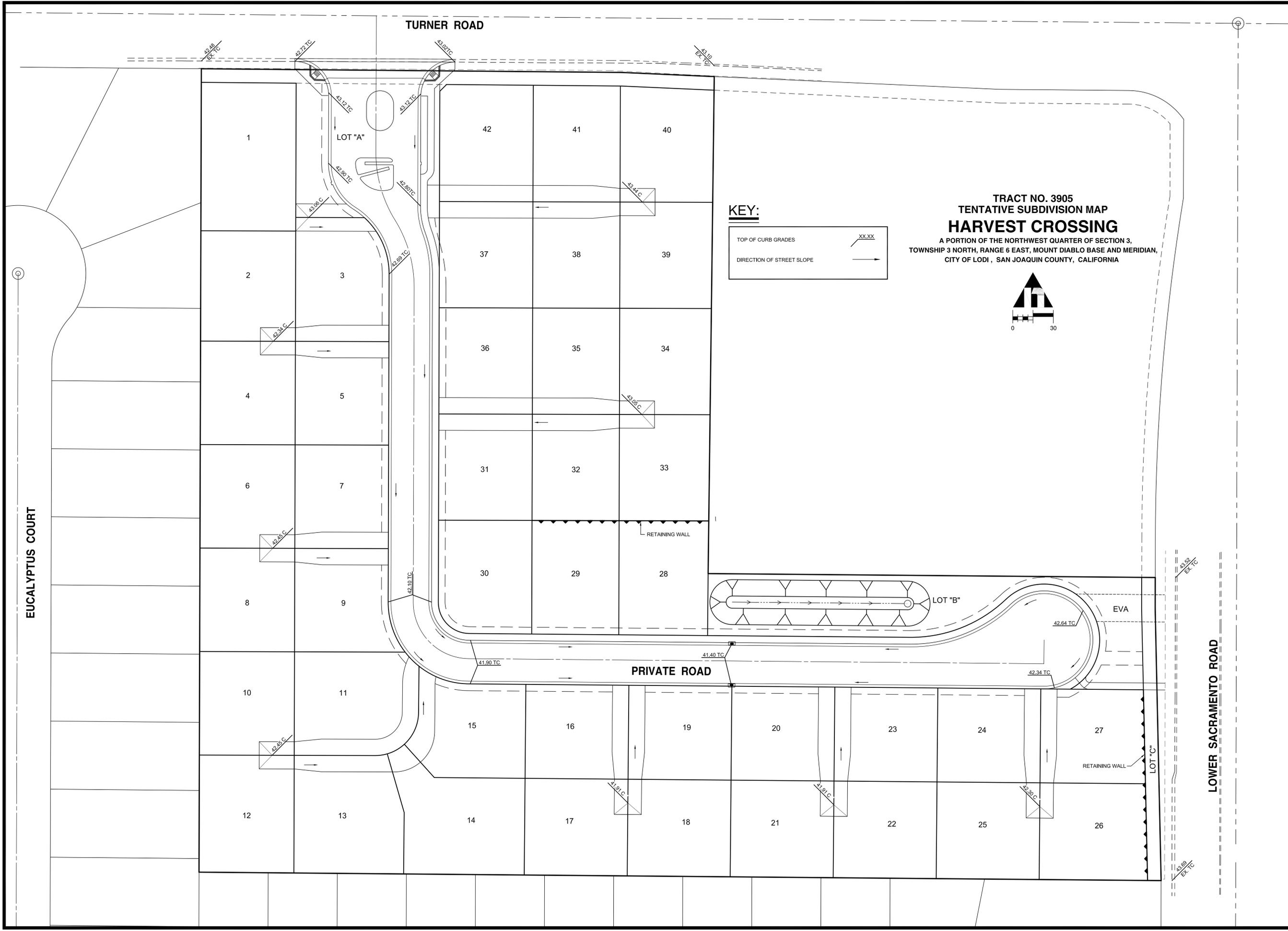
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CK. BY: SLS

SHEET NO.  
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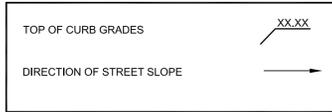


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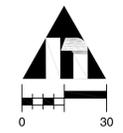
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NO.	DESCRIPTIONS	DATE



**KEY:**



**TRACT NO. 3905**  
**TENTATIVE SUBDIVISION MAP**  
**HARVEST CROSSING**  
A PORTION OF THE NORTHWEST QUARTER OF SECTION 3,  
TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN,  
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA



**GRADING PLAN**  
**HARVEST CROSSING**  
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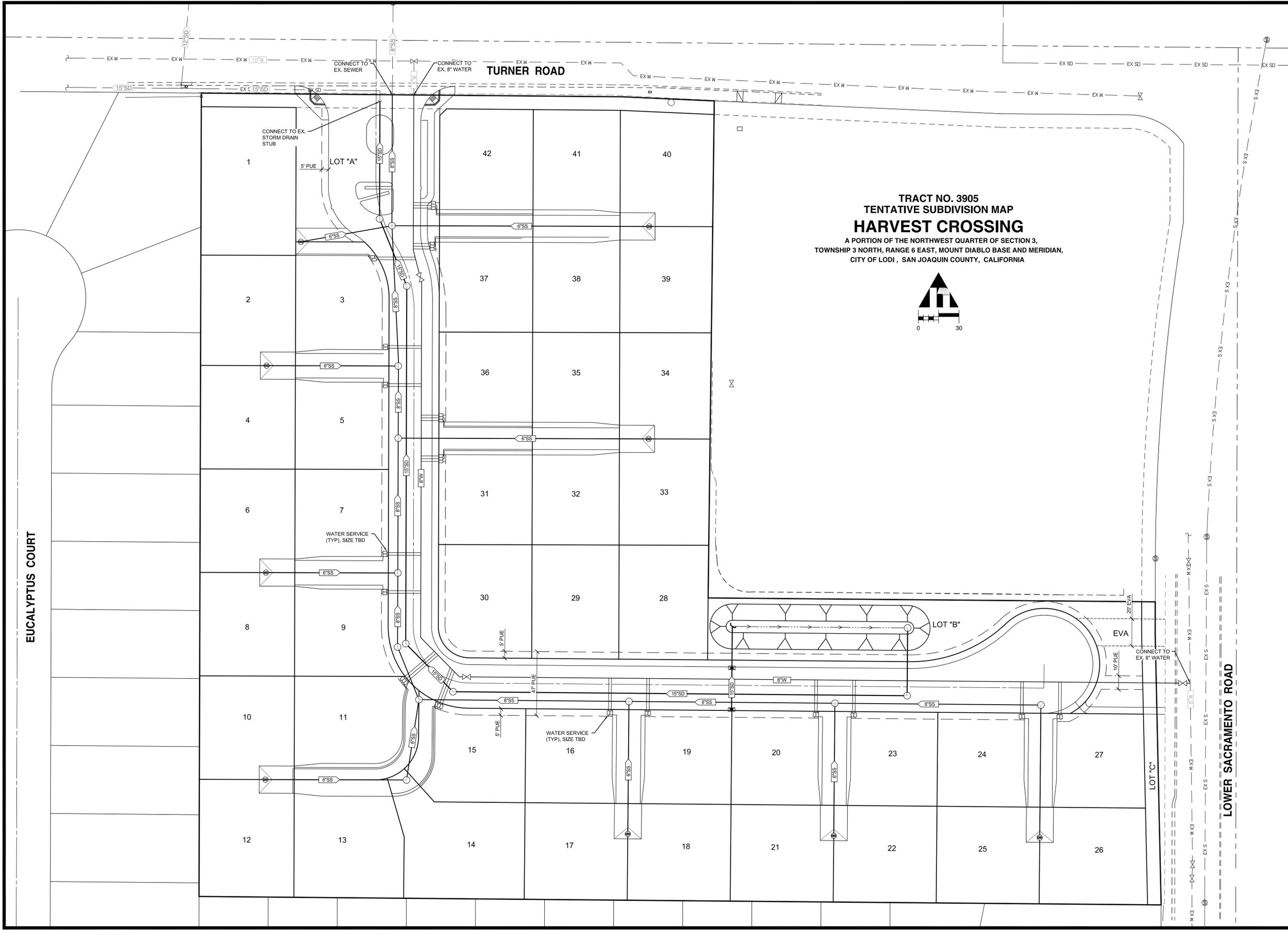
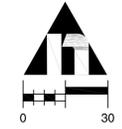
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**TRACT NO. 3905**  
**TENTATIVE SUBDIVISION MAP**  
**HARVEST CROSSING**  
A PORTION OF THE NORTHWEST QUARTER OF SECTION 3,  
TOWNSHIP 3 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN,  
CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA



**UTILITY PLAN**  
**HARVEST CROSSING**  
CALIFORNIA  
LODI

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JOB NO.: 16-027  
DATE: SEPTEMBER, 2016  
DR. BY: RP  
CK. BY: SLS

SHEET NO.  
**5**

# HARVEST CROSSING



## PLANNED DEVELOPMENT OVERLAY STANDARDS & GUIDELINES

Lodi, CA

September 2016

# HARVEST CROSSING

## PLANNED DEVELOPMENT OVERLAY

STANDARDS & GUIDELINES

Lodi, CA

July 2016

**Prepared by:**

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Manteca, CA 95336  
(209) 239-6229

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NOTE: Other than site plans and site-specific exhibits and tables, the images contained herein are for illustrative purposes only, and do not necessarily reflect in detail the actual house plans and elevations of *Harvest Crossing*, as this document must be produced prior to the review and approval of the City of Lodi, and therefore before house plans and elevations can be finalized.

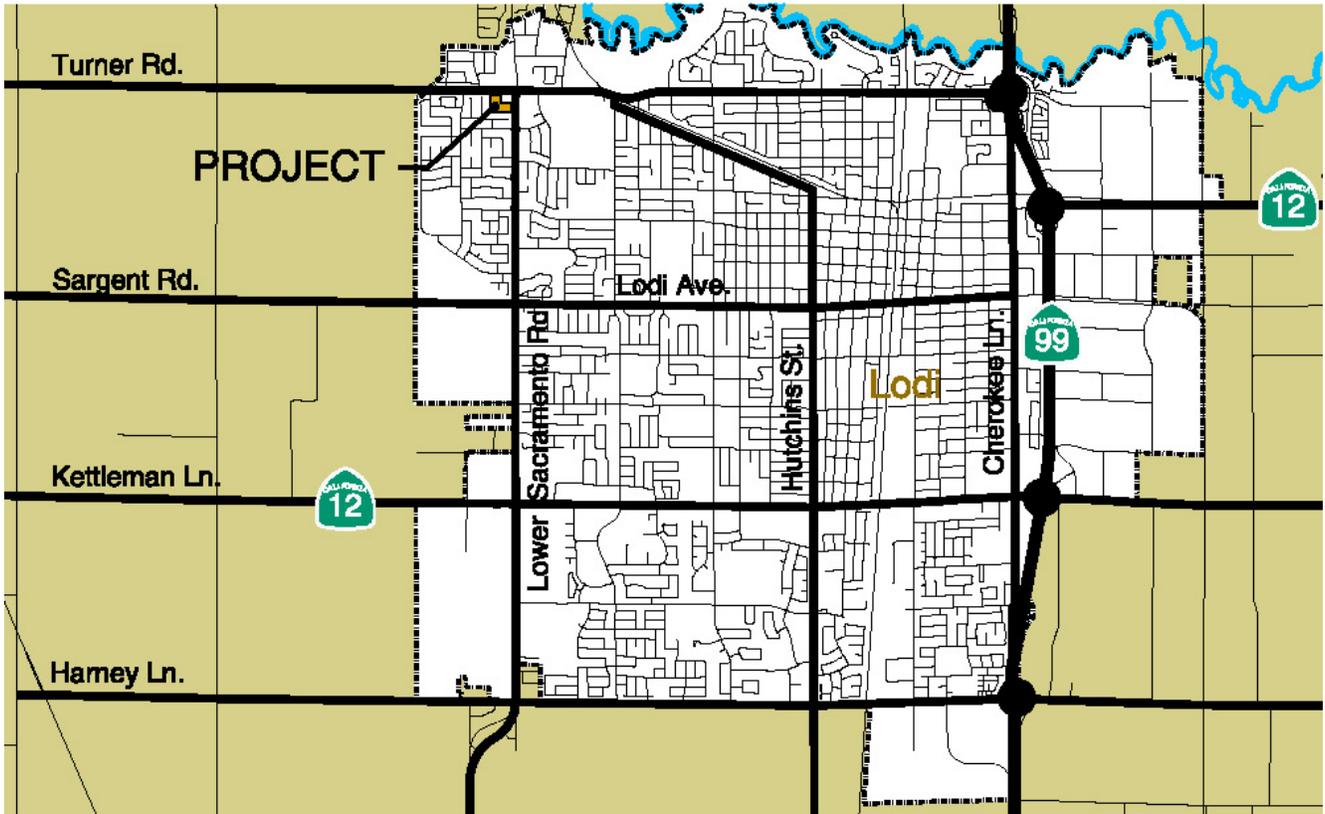
# 1.0 INTRODUCTION

## 1.1 Location

**Harvest Crossing** will be developed on a 6.8 acre site adjacent to and south of Turner Road and adjacent to and west of Lower Sacramento Road.

The project site is an infill parcel, surrounded by existing development on all sides. Single Family residential housing borders the project on the west and south sides. A Verizon Administrative Office borders the project on the north and east. Exhibit 1-1 shows the location of the project.

**Exhibit 1-1 - Project Location**



## 1.2 General Plan and Zoning

The Lodi General Plan designates this site as Medium Density Residential.

The Lodi Zoning Map designates this site as PD (Planned Development) Overlay.

This document establishes the development standards for the PD Overlay.

### 1.3 Existing Conditions

The existing site is currently undeveloped fallow land, bordered on the west and south by an existing single family residential subdivision and on the north/east by a Verizon Administrative Office. The site is basically flat, with no significant grade differences between adjacent properties. It has many existing trees on the southeast portion of the site, most of which will be removed to accommodate development of the site.

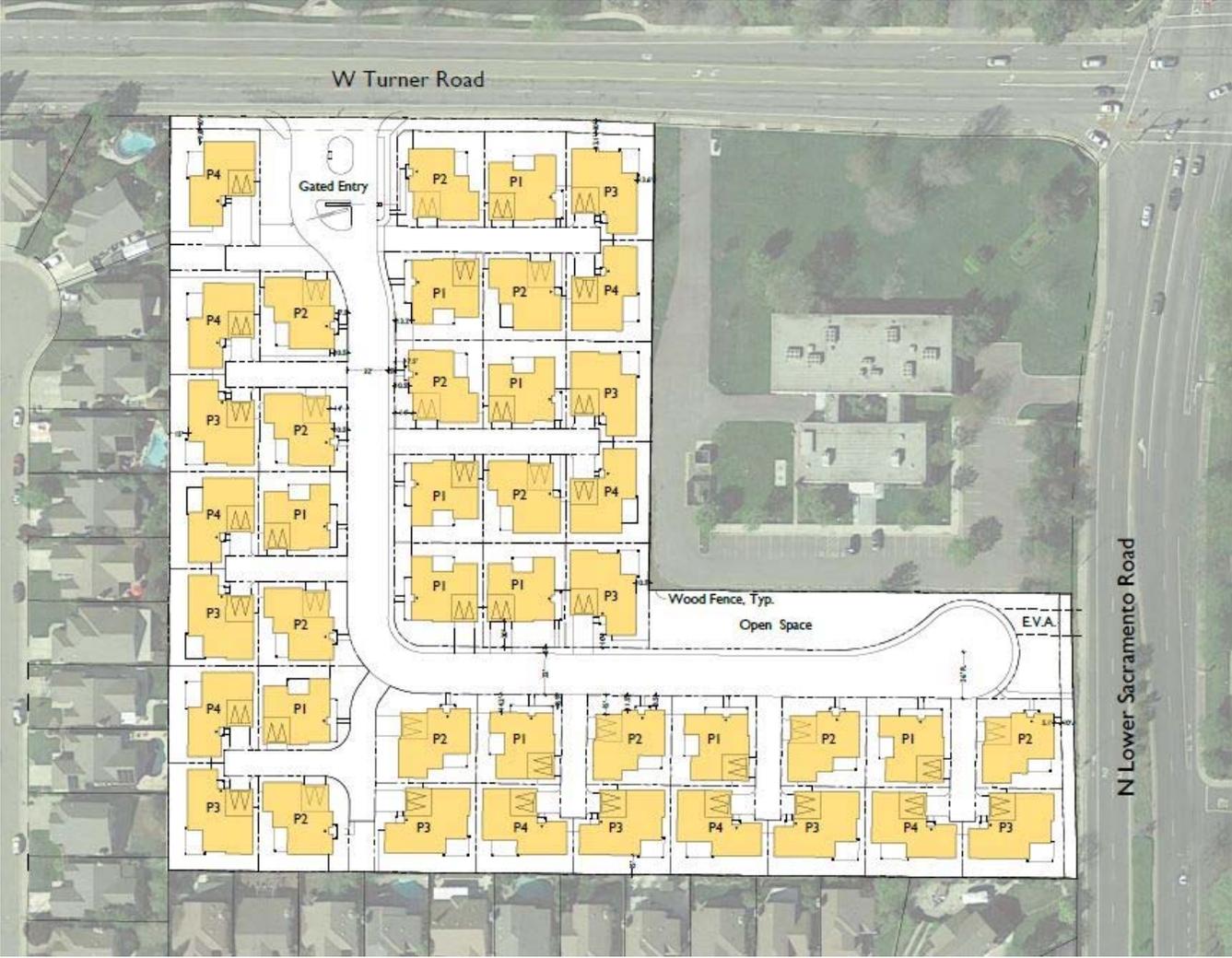
*Exhibit 1-2 – Aerial Photo*



# 2.0 SITE PLANNING

**Harvest Crossing** will be a gated neighborhood community consisting of approximately 42 single story homes, ranging in size from 1,816 square feet to 2,362 square feet. The homes will be constructed primarily in four-lot or six-lot clusters that share a common driveway. The entrance to the community will be along Turner Road, and will feature lush landscaping and project signage. A small open space area will landscaped and used for storm drainage treatment to meet Low Impact Design (LID) requirements. An emergency vehicle access (EVA) and pedestrian gate will be located at the east end of the internal street to Lower Sacramento Road, allowing residents' easy access to nearby shopping and services.

**Exhibit 2-1- Site Plan**



## 2.1 Lot Sizes

Lot sizes range from 64.5' x 69' (4,450 sf) to 70' x 90' (6,300 sf). The approximate density of the development will be 6.2 homes/acre.

## 2.2 Vehicular Circulation

The street within *Harvest Crossing* shall be private, maintained by a Community Association. Since there will be no "through traffic" in this gated community, the streets will be smaller in width than those called for in the City of Lodi Standards. The cul-de-sac, however, is designed to meet city standards to enable utility and emergency vehicles to turn around.

**Exhibit 2-2 – Interior Street**

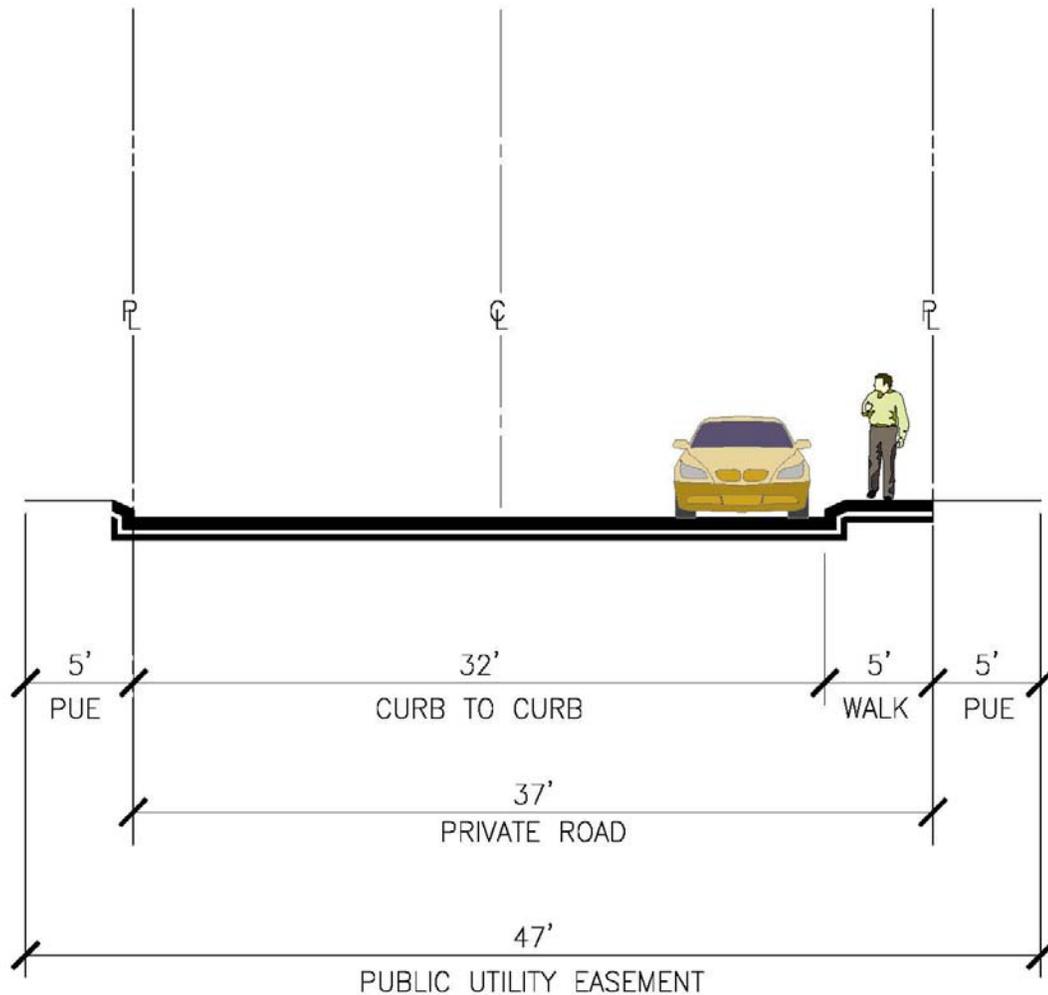


Exhibit 2-3 – Gated Entrance (Section)

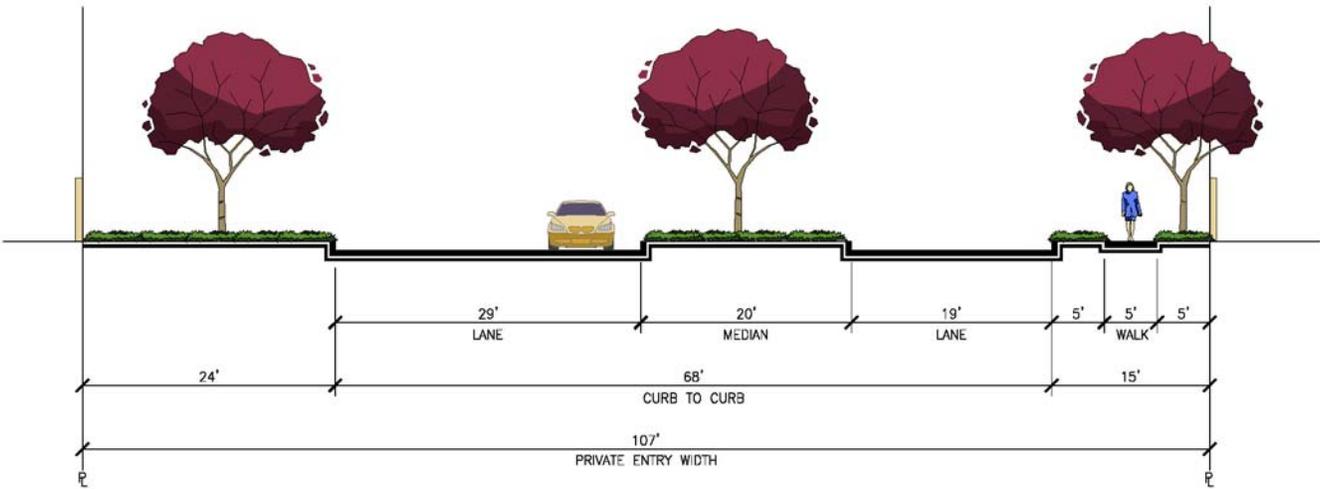
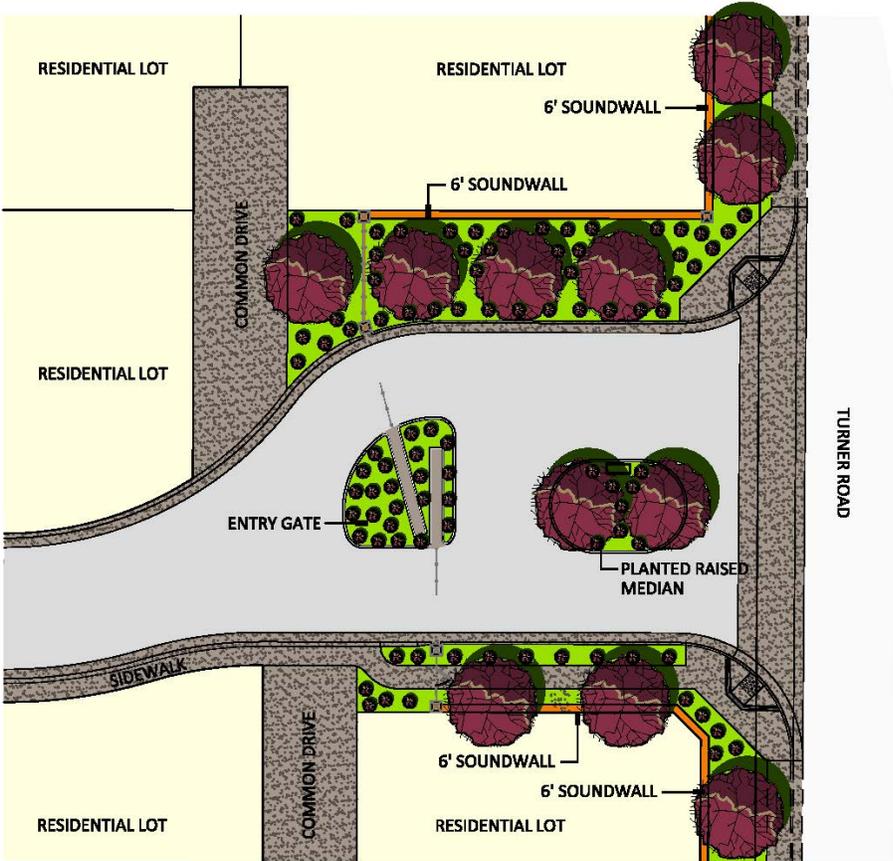


Exhibit 2-4 – Gated Entrance (Plan)



## 3.0 DEVELOPMENT STANDARDS

### 3.1 Overlay Development Standards

The Overlay Development Standards for *Harvest Crossing* were crafted to ensure that all development within *Harvest Crossing* would result in an attractive, desirable and secure environment that is compatible with the adjoining neighborhoods.

#### 3.1.1 Typical Plotting

The following diagrams demonstrate sample lot cluster organization and building setbacks. All setbacks are measured from property lines to foundation.

**Exhibit 3 - 1- Development Standards – 4-lot Cluster**

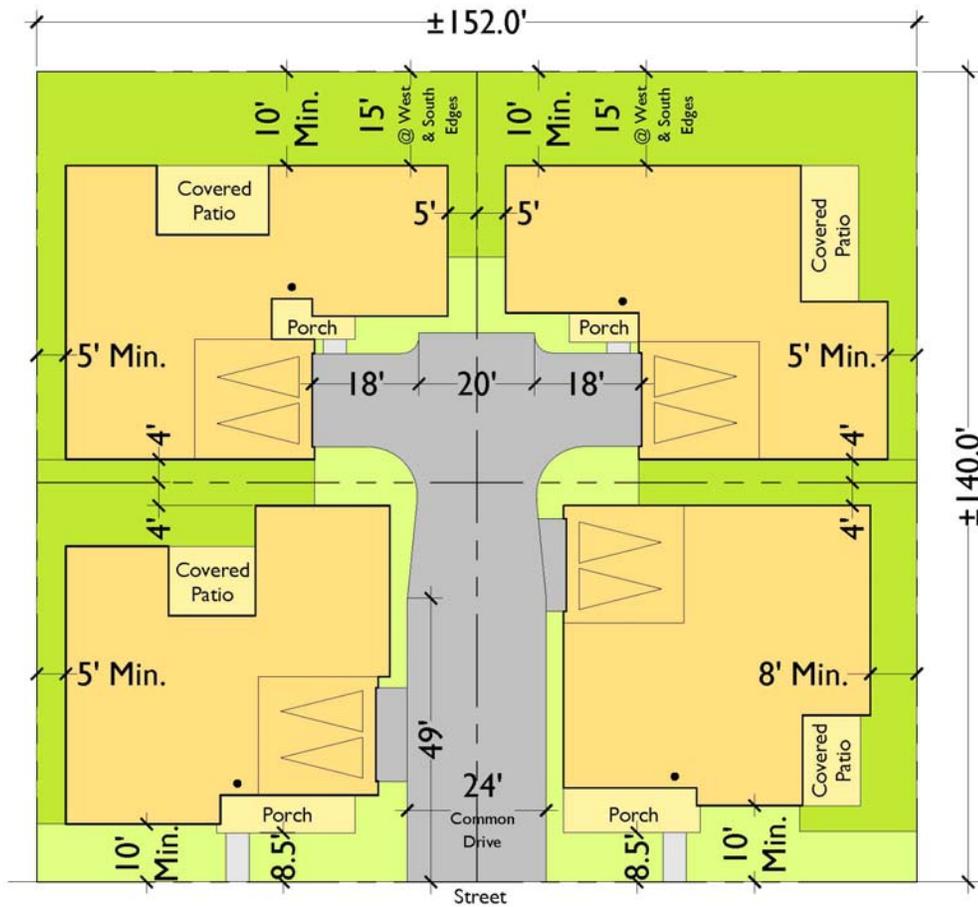
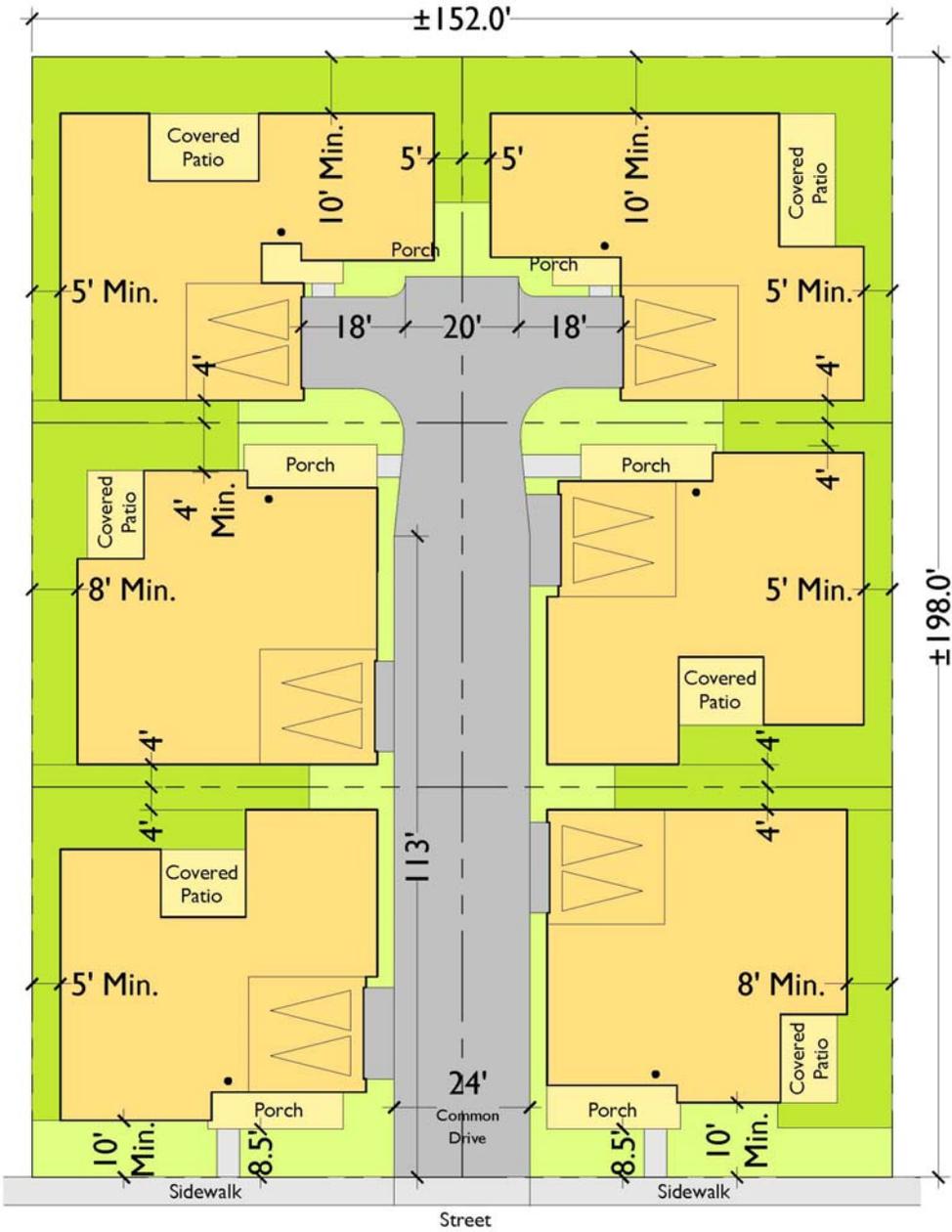


Exhibit 3 - 2- Development Standards – 6-lot Cluster



**Table 3-1: Lot Type Development Standards Summary**

Development Standard	RMD	PD Overlay
Minimum Lot Size	5,000 sf	4,200 sf
Density	8.1 to 20	6.0 to 7.0
Typical Street Frontage Width	50'	66'
Setback (minimums in feet)		
Front		
Living Space	15'	10'
Garage (2) (4)	20'	20'
Porch	0'	5'
Interior Side		
Living Space	5'	4'
Street Side		
Living Space	10'	10'
Port		5'
Rear		
Living Space	10'	5'
Lot Coverage Maximum (1)	50%	65%
Height Limit (3)	2 Storied, not to exceed 35 feet	2 Storied, not to exceed 35 feet
Landscaping	As required by Chapter 17.30 (Landscaping)	
Parking	2 garage spaces	2 garage spaces

(1) Lot Coverage does not include eaves and roof overhangs

(2) Twenty-foot (20') setback applies to garage door(s) facing street frontage, measured from P/L except at private streets without sidewalks, in this case the setback is measured from the back of curb

(3) Measured from finished grade to highest point of roof ridge

(4) Within clusters, 20' garage setback does not apply

### 3.2 Landscaping

Water efficient Landscape shall be standard on all homes at *Harvest Crossing*. The Community Association and recorded CC&R will help ensure that front and street side yard landscape continues to be well designed and maintained.

### 3.3 Lighting

All signage and outdoor lighting for illumination of landscaped areas, pathways, and other special features shall comply with the standards of the City of Lodi. All such signage and lighting shall be subject to review and approval of the Community Development Director.

- Exterior lighting shall be shielded or recessed to minimize direct glare or reflections. Lighting that represents movement, flashes, blinks, or is unusually high in intensity or brightness shall be prohibited. Temporary holiday lighting within public right-of-ways is not excluded from this regulation.
- All lighting fixtures shall be appropriate scale and intensity for the use intended as determined and approved by the Community Development Director.
- All street lighting shall conform to the minimum standards and design criteria established by the City of Lodi. However, all street lighting systems, layout, fixtures, and lighting patterns shall be subject to the review and approval of the City Engineer and the Community Development Director, and any deviations from the City minimum standards shall be subject to the approval of the City Engineer.

## 4.0 ARCHITECTURAL GUIDELINES

---

### 4.1 Architectural Objectives

The design standards in this section seek to address the following objectives:

- Create a distinct identity with a consistent level of quality within *Harvest Crossing*.
- Present a variety of architectural styles, colors and detail to the homes to create curb appeal.

### 4.2 Neighborhood Conditions

Exposed rear elevations along public edges should include a variety of rooflines, wall offsets, and/or details to avoid monotonous edge conditions.

- Vary front-to-back, side-to-side gables, hip roofs and integrate single-story elements where possible.
- Variety between plans or within plans may include:
  - Different elevation styles and massing per plan type.
  - Detail elements on the front elevation
  - Single-story elements on the front and rear elevation, where feasible
  - Roof plane variation (ridge height and direction) per plan
  - Varied first- and second-story massing between plans



### 4.3 Garages

The homes at Harvest Crossing will have a minimum 2 car garage per home with decorative garage door styles appropriate to the architectural styles. All garages shall have roll-up doors. Garages are to be setback a minimum of 5' ft. to primary living space or front porch element to reduce the visual dominance of garages. The design of the garage doors should reflect the architectural style of the elevation selected.

### 4.4 Primary Entrances

The primary entrance to the homes will be from the street or common drive.

## 4.5 Functional Elements

All street signs, traffic signs and street lights will be per the City standards or approved by the Community Development Director.

### 4.5.1 Address Numbers

All residential addresses shall be clearly marked, located in an area visible from the street and sufficiently lit for ease of recognition by postal and public safety agencies.

### 4.5.2 Mailboxes

U.S. Postal Service approved mailboxes shall be provided in a ganged configuration with enhancements per U.S. Postal Service standards. Details and colors should complement the architectural character of the neighborhood

### 4.5.3 Mechanical Equipment

Mechanical equipment should be screened from public view.

### 4.5.4 Gutters and Downspouts

Drainage solutions should be unobtrusive, complementing the overall building design and color.



## 5.0 PD PROCESS

---

The standards and guidelines of this document provide the blueprint for development for *Harvest Crossing*. Upon approval of *Harvest Crossing* PD Overlay, the standards, guidelines and procedures shall become the applicable zoning standards for all land uses and development within *Harvest Crossing*. In the case of differences between this document and the City of Lodi's Zoning and Development Ordinances, *Harvest Crossing* PD Overlay shall prevail. The Developer will be responsible for complying with *Harvest Crossing* PD Overlay.

**RESOLUTION NO. 16-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF THE GRUPE INVESTMENT COMPANY FOR APPROVAL OF THE HARVEST CROSSING SUBDIVISION, A 6.79-ACRE, 42 UNIT SUBDIVISION AND 42 GROWTH MANAGEMENT ALLOCATION REQUESTS**

- WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Subdivision application, in accordance with the Lodi Municipal Code, Section 17.74; and
- WHEREAS**, the project site is located at 2620 Turner Road, South of Turner Road and west of Lower Sacramento Road, Lodi, CA 95240 (APN: 029-390-15); and
- WHEREAS**, the applicant is, The Grupe Investment Company, Mr. Chris Conklin, 3255 West March Lane, Suite 400, Stockton, CA 95219; and
- WHEREAS**, the project properties owners of record are Farmers and Merchants Bank of Central California, Mr. Kent Steinwert, P.O. Box 3000, Lodi, CA 95240; and
- WHEREAS**, the applicant, The Grupe Investment Company, Mr. Chris Conklin, has filed the Harvest Crossing Subdivision Map, Planned Development Guidelines and Growth Management Application with the City of Lodi; and
- WHEREAS**, City Council Resolution No. 2010-41 adopted by the City Council on April 7, 2010, approved the land use designation as Medium Density Residential for the project site; and
- WHEREAS**, the City Council by Ordinance No. 1869, which became effective on March 21, 2013, granted Medium Density Residential for the project site; and
- WHEREAS**, the City Council by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan; and
- WHEREAS**, a copy of the Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, is kept on file for public review within the Community Development Department by the Community Development Director at 221 West Pine Street, Lodi, CA; and
- WHEREAS**, the Subdivision Map contains 6.79 acres, 42-single family residential lots and is consistent with the density ranges of the General Plan; and
- WHEREAS**, the Community Development Department did study and recommend approval of said request; and
- WHEREAS**, after due consideration of the project, the Planning Commission did conditionally approve the project; and
- WHEREAS**, the Planning Commission's recommendation is based upon the following findings and determinations:
1. The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." A "Project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Rezone, Tentative Subdivision Map, and Design Review for subdivision layout is a project under CEQA.

CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects that are consistent with a Community Plan, General Plan, or Zoning for which an

environmental impact report (EIR) has been certified “shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.”

The City Council, by Resolution No. 2010-41, which became effective on April 7, 2010, certified an Environmental Impact Report (EIR), State Clearinghouse No. 20009022075, for the City of Lodi General Plan. This General Plan designated the project site as Medium Density Residential.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No increase in development density beyond what was anticipated in the General Plan for the Project site would occur. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15183 and no further environmental review is required.

2. The proposed design and improvement of the tentative subdivision, as conditioned, will conform to the standards and improvements mandated by the adopted City of Lodi Public Works Department Standards and Specifications, Zoning Ordinance, as well as all other applicable standards.
3. The standard size, shape and topography of the site is physically suitable for residential development proposed in that the site is generally flat and is not within an identified natural hazard area.
4. The site is suitable for the density proposed by the tentative subdivision map in that the site can be served by all public utilities and creates design solutions for storm water, traffic and air quality issues.
5. The design of the proposed tentative subdivision and type of improvements are not likely to cause serious public health problems in that all public improvements will be built per City standards and all private improvements will be built per the California Building Code.
6. The design of the proposed tentative subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed tentative subdivision.
7. The subdivision is conditioned to construct public street improvements thereby insuring that an adequate Level of Service is maintained on the roadways within the area.
8. The subdivision map allows for the orderly growth of Lodi in that the Land Use and Growth Management Element allows for the development of Medium Density Residential, High Density Residential on the project site.
9. Said Subdivision map complies with the requirements of Title 17, Article 5 of the Lodi Development Code, governing subdivision maps.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED**, by the Planning Commission of the City of Lodi hereby approves the Subdivision Map and associated Development Standards for the Harvest Crossing Subdivision and recommends that the City Council award 42 medium density growth management allocation units subject to the following development conditions and standards:

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. This recommendation for approval by the Planning Commission shall not constitute an authorization to begin any construction.
3. The developer shall comply with all the applicable requirements of the City's Community Development Department including Planning and Building Divisions; Public Works, Fire and Electric Utility Departments; and all other applicable local, state and federal agencies. It is the responsibility of the applicant to check with each agency for requirements that may pertain to the project.
4. The Tentative Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
5. The Final Map shall be in substantial conformance to the approved Tentative Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
6. The developer shall install, on each residence, minimum four-inch high block style numbers for address identification. The numbers shall be in color that is contrasting to the background surface to which they are adhered and shall be readily visible from the street during the day and night. The construction drawings for the house plans shall identify the location of the address boxes or numbers on the house façades, along with a detail or keynote that describes how the house numbers will be illuminated or made identifiable from the street.
7. The developer shall submit detailed landscape and irrigation plans (concurrently with the improvement plans) for the review and approval of the Parks & Recreation Department for improvements along public frontages. The landscape plan shall include, in addition to normal landscape and irrigation details, screening of any above ground utility vaults and anti-siphon water valves.
8. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
9. A conceptual fencing/wall plan shall be submitted for the entire subdivision with the grading plan and a detailed fencing/wall plan shall be submitted with the improvement plans for each phase of development. The design, height, and location of walls shall be subject to approval of the Community Development Director prior to approval of improvement plans. Where fencing is adjacent to public parks and/or trails, plans shall be approved by the Recreation Commission at the time of park plan approval. When the adjacent area is sloped, the fence/wall design shall include a 4' bench (sloped no more than 2%) along the fence/wall for maintenance purposes, as determined by the Parks and Recreation and Cultural Services Department.
10. If archeological materials are uncovered during any construction or pre-construction activities on the site, all earthworks within one hundred feet (100') of these materials shall be stopped, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find, and outline appropriate mitigation measures, if they are deemed necessary.
11. The developer shall pay for and install all street name signs, traffic regulatory and warning signs, and any necessary street striping and markings required by the City Engineer. Street

striping and markings shall be raised ceramic markers or thermoplastic material, as directed by the City Engineer.

12. Road or street names shall not duplicate any existing road or street name in the City, except where a new road or street is a continuation of an existing street. Road or street names that may be spelled differently but sound the same shall also be avoided. Road or street names shall be approved by the Fire Chief and the Community Development Director.
13. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the City Plans and all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
14. The developer shall ensure finished pad elevations are at a minimum one foot above the 100 year base flood elevation as shown on the latest Federal Emergency Management Agency (FEMA) floodplain maps for San Joaquin County, California. The developer shall be responsible for all necessary activities, applications, documentation and costs to amend floodplain maps for their development.
15. In accordance with the Growth Management and Infrastructure/Public Facilities Element of the City's General Plan, the environmental review prepared for this project, and the regulations of the applicable school districts, the Developer shall demonstrate that adequate provision is made for school facilities. To the extent permitted by law, this may include the payment of school facility mitigation fees adopted by the Lodi Unified School district, or alternative financial arrangements negotiated by agreement between the Developer and the applicable school districts.
16. Construction activities shall be limited to the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday, consistent with the City's Ordinance.
17. The Developer shall notify all purchasers of homes or lots, either through the Department of Real Estate Subdivision Report or, if there is no Subdivision Report, through a statement signed by each buyer and submitted to the City, that the this subdivision is adjacent to an agricultural area, and as such, there are ground and aerial applications of chemicals, and early morning/night time farming operations which may create noise and dust, etc. In addition, all purchasers of homes or lots shall be made aware of the future possibility of oil and gas well exploration on surrounding and adjacent properties and that farm animals may be kept on adjacent properties that may be outside the City limits. The wording and format for notifying home buyers of this information is subject to approval by the Community Development Director.
18. All conditions of approval for this project shall be written by the project developer on all master building permit plan check sets submitted for review and approval. It is the responsibility of the developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. If the subdivision is to be built out using master plans. Please follow City of Lodi, Community Development Department Policies and Procedures # B-[08]-[13] Plan Submittal - Residential Master Plans and # B-[08]-[14] Permit Processing – Production Homes.
19. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.
20. The City places a high value on quality design and materials in the construction of fencing and buffers for developments. Fencing is an integral design feature in residential developments and defines property ownership and boundaries. The City expects quality materials that will last and maintain an appealing aesthetic within neighborhoods. This includes metal or pressure treated posts for fencing.

21. The project removes a number of existing trees on the property. The applicant has proposed mitigating the amount of trees to the best of their ability, both on and off-site. This mitigation will include plantings on-site and the balance as a \$5,000 donation to the Parks and Recreation Department for the 2017 Arbor Day.

#### City of Lodi Fire Department

22. The developer shall comply with all applicable requirements of the California Fire Code and the adopted policies of the City of Lodi.
23. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 of the California Fire Code and an unobstructed vertical clearance of not less than 13 feet 6 inches. (Ord. No. 1840, § 1, 11-17-2010)
24. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
25. The developer shall install on-site and/or boundary water mains, fire hydrants and related services. Hydrants shall adhere to the City's standard details, with their location determined by the Fire District and City Engineer, and shall be installed and in service prior to any combustible construction on the site. Public fire hydrant spacing and distribution shall be determined as follows:
  - a) At 300 feet spacing in high density, commercial, industrial zoning or high-value areas;
  - b) At 500 feet spacing in low density residential areas;
  - c) At 1000 feet spacing in residential reverse frontage;
  - d) A fire hydrant shall be located within 200 feet of the radius point of all cul-de-sacs;
  - e) Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:
    - i. Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazards or both;
    - ii. On major arterials where there is more than four lanes of traffic;
    - iii. Width of street in excess of 88 feet;
    - iv. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvement Plans for the City of Lodi.
26. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

#### Building - General Comments:

27. Building permit is required for Site work. 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.
28. The 2013 California Residential Code, Section R313.2 requires all new one and two-family dwellings to have an automatic residential fire sprinkler system installed.

29. Dwelling unit walls less than 3' from the property lines are required to be 1 hour fire rated. 2013 CRC, Section R302, Table R302.1 (2)
30. Sanitary sewer drainage pipe shall be sized as per 2013 CPC, Table 703.2 or 717.1 and is to be sloped a minimum of 1% (4" – 6" pipe). 2013 CPC, Section 718.1

City of Lodi 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 parcel map filing unless noted otherwise:

31. Engineered Improvement plans and cost estimates shall be submitted for approval per the City Public Improvement Design Standards for all public improvements prior to final map filing. Plan submittal shall include:
  - a) Approved tentative map, signed by the Community Development Director.
  - b) Storm drainage facilities design shall conform to the Multi-Agency Post-Construction Stormwater Standards Manual (PCSP) as adopted by City Council on November 4, 2015.
  - c) Irrigation plans and plantings shall conform to the Model Water Efficient Landscaping Ordinance (MWELo) per the Governor's Executive Order B-29-12 adopted on December 31, 2015.
  - d) Current soils report. If the soils report was not issued within the past three (3) years, provide an updated soils report from a licensed geotechnical engineer.
  - e) Grading, drainage and erosion control plan.
  - f) Copy of Notice of Intent for NPDES permit, including storm water pollution prevention plan (SWPPP).
  - g) All utilities, including electrical, gas, telephone and cable television facilities.
  - h) Joint Trench plans.
  - i) Provide an onsite fire truck/garbage truck turning analysis.

A complete plan check submittal package, including all the items listed above plus the Map/Improvement Plan Submittal cover letter, Improvement Plan Checklist and engineering plan check fees, is required to initiate the Public Works Department plan review process for the engineered improvement plans.

32. Design and installation of public improvements to be in accordance with City master plans. Street, wastewater, storm drainage, and water master plans and design calculations for the development will be required.
  - a) Street
    - i) Install frontage improvements including but not limited to pavement, driveway, streetlights, landscaping, curb, gutter and sidewalk along Turner Road and Lower Sacramento Road frontage within the project limits in accordance with City Standards.
    - ii) The driveway on Turner Road shall be designed per City of Lodi Standard Plan 111.

- iii) Private gate call box shall be located at a minimum of 60-feet from the back of walk on Turner Road to accommodate vehicle stacking. Access for emergency vehicles shall be provided with a City approved Knox box.
  - iv) Emergency vehicle access driveway on Lower Sacramento Road shall be constructed with plantable pavers capable of accommodating emergency vehicle loads. Location subject to change at the discretion of the City Engineer and the Fire Department.
  - v) Provide all necessary traffic signs for the entire subdivision, including any necessary traffic signs needed along Turner Road and Lower Sacramento Road.
  - vi) Repair existing damaged frontage improvements, including but not limited to curb, gutter, sidewalk, and pavement along the Turner Road and Lower Sacramento Road frontage within the project limits in accordance with City Standards.
- b) Wastewater
- i) Individual private wastewater services shall be provided to each parcel from an on-site private wastewater main.
  - ii) The on-site private wastewater pipe shall be connected to the existing 8-inch public wastewater main in Turner Road per City Standards. A manhole or riser shall be installed to separate the private wastewater line from the public wastewater line.
- c) Storm Drainage
- i) On-site storm water shall be collected on-site and discharged to the Public storm drain pipe in Turner Road. A manhole or riser shall be installed at the right of way to delineate the private storm water from the public storm water line.
  - ii) Slopes for all parcels within the development shall flow towards the proposed streets. All stormwater shall be collected within the development and cannot flow to neighboring parcels.
  - iii) An overland flood release pathway shall be incorporated into the streets and circulation design plan for each subarea. For example, when any particular catch basin is obstructed or overwhelmed with water, the street drainage design (high points and low points) shall be calculated so that no water shall pond higher than 1-foot below any finished floor elevation without releasing the excess water toward the planned flood release point.
- d) Water
- i) Individual water services shall be provided to each parcel from an on-site public water main.
  - ii) The on-site public water main shall be looped and connected to the existing public water mains in Turner Road and Lower Sacramento Road subject to approval of City Engineer.
  - iii) Water meter boxes shall be located inside a public utility easement and outside of areas subject to vehicular travel.
  - iv) Water meter box lids in the meter cluster shall be clearly marked indicating the corresponding address in which they are connected. The markings shall be permanent, tamper proof and approved by the City Engineer.

33. All unused water, wastewater or storm drain connections shall be abandoned in accordance with City Standards at the owner's expense.
34. The wall surrounding the community is subject to the following criteria:
  - i) Developer shall privately construct and maintain the block wall.
  - ii) Wall shall be constructed to match the existing block wall on Lower Sacramento Road and Turner Road.
  - iii) Wall shall be a minimum of 6-feet tall to match the existing wall and extend to no less than 6-feet measured from the highest adjacent pad grade.
  - iv) Wall shall be setback to accommodate reverse frontage landscaping and irrigation improvements. The reverse frontage wall, landscaping and irrigation improvements shall be constructed by the developer at the developer's expense to the approval of the Public Works Director and Community Development Director.
35. 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.
36. If this project is constructed in phases, the following improvements shall be constructed with the first phase:
  - a) All public frontage improvements.
  - b) Public and private utility mains and services for each parcel including the extension of the public water main from Turner Road to Lower Sacramento Road.
  - c) Private access road improvements and emergency vehicle entrance.
37. All public improvements to be installed within one year under the terms of an improvement agreement to be approved by the City Council prior to final parcel map approval. The Developer will be required to provide warranty security in the amount of 10% of the value of the public improvements. The warranty period will be two (2) years commencing on the date of acceptance of the public improvements.
38. All property dedicated to the City of Lodi shall be free and clear of all liens and encumbrances and without cost to the City of Lodi and free and clear of environmental hazards, hazardous materials or hazardous waste. Developer shall prepare and submit a hazardous materials report and shall indemnify the City against any and all hazardous materials and/or ground water contamination for all property/easements dedicated to the City.
39. Dedication of utility easements as required by the various utility companies and the City of Lodi, including, but not limited to the on-site public water main.
40. The 37' Non-Exclusive Egress and Ingress Easement along the private road and other access easements for all common drives shall be dedicated for the purposes of access. Said access easement shall be to the approval of the Public Works Department, Community Development Department and Fire Department.
41. As set forth in Resolution No. 2007-59 approved by the City Council on April 4, 2007, the territory included in the subdivision map shall be annexed to the City of Lodi Community Facilities District No 2007-1 (Public Facilities) prior to final map approval. All costs associated with annexation to the District shall be the Developer's responsibility.

42. The Project shall include a Home Owner Association (HOA). HOA for the project shall be provided to the Community Development for review and approval prior to recordation of the final map. HOA shall contain appropriate mechanisms for the permanent ongoing maintenance of facilities, including but not limited to private storm drain system, private wastewater system, common landscaping, wall, fencing and shared drives. The HOA shall include an appropriate mechanism to assess and collect assessments for said maintenance and the ability to enforce adherence to the HOA. The HOA shall clearly provide that the homeowner is responsible for HOA compliance and is liable for any renter's violations of the HOA. The HOA shall also discuss guest parking and garbage pick-up. Following approval of the HOA by staff, the HOA shall be recorded concurrently with the final map.
43. 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.
  - c) Waiver of access rights on Turner Road and Lower Sacramento Road except at driveway locations specifically approved by the Public Works Department.
  - d) Parcel Map Guarantee.
  - e) Annexation to Community Facilities District 2007-1.
  - f) Home Owners Association's proposed Declaration of Covenants, Conditions, and Restriction.
  - g) Standard note identifying public and private infrastructure and the associated maintenance and operation responsibilities.
44. 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 certificate of occupancy.
  - c) Water meter installation fees at the time of building permit issuance for each parcel.
  - d) Regional Transportation Impact Fee (RTIF) at the time of building permit issuance for each parcel.
  - e) Stormwater compliance inspection fee prior to parcel map filing or commencement of construction operations, whichever occurs first.
  - f) Annexation into the City of Lodi Community Facilities District – Estimated at \$10,000 prior to recording the final subdivision map. The annexation process generally requires 2-3 months to complete.

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 indicated above.

45. Obtain the following permits:
  - a) Grading Permit issued from the City of Lodi Building Department.
  - b) Encroachment Permit issued from the City of Lodi Public Works Department for any work within the public right of way or on existing public water, wastewater and storm drain infrastructure.

- c) NPDES Construction General Permit (SWPPP)
- d) San Joaquin Valley Air Pollution Control District (SJVAPCD) permits

46. The following comments are provided as a matter of information. The items listed are not requirements of the Public Works Department, but indicate conditions normally imposed by other City departments or agencies which affect and/or need to be coordinated with the design and installation of Public Works requirements:

- Fire hydrants and on-site fire protection as required by the Fire Department.
- Landscaping and irrigation system as required by the Community Development Department.
- Applicable agreements and/or deed restrictions for access, use and maintenance of shared, private facilities to Community Development Department approval.
- Community parking needs, there is no parking on Lower Sacramento Road and Turner Road.

**Dated: October 26, 2016**

I certify that Resolution No. 16-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on October 26, 2016 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:** October 26, 2016

**APPLICATION NO:** Use Permit: 2016-30 U / SP

**REQUEST:** Request for Planning Commission approval of a Use Permit and Site Plan review to allow a brewery production facility, Type 23 ABC license and a wine tasting room, Type 2 ABC license at 1333 East Kettleman Lane. (Applicant: Ms. Chris Santana; File 2016-30 U / SP; CEQA Determination: Exempt per Section 15321)

**LOCATION:** 1333 East Kettleman Lane  
Lodi, CA 95240  
APN: 049-310-51

**APPLICANT:** Ms. Chris Santana  
1333 East Kettleman Lane  
Lodi, CA 95240

**PROPERTY OWNER:** Kay Taylor Investments, LLC  
Ms. Chris Santana  
1333 East Kettleman Lane  
Lodi, CA 95240

**RECOMMENDATION**

Staff recommends the Planning Commission approve the request of Ms. Chris Santana for a Use Permit and Site Plan review to allow a brewery production facility, Type 23 ABC license and a wine tasting room, Type 2 ABC license at 1333 East Kettleman Lane subject to conditions in the attached draft resolution.

**PROJECT AREA DESCRIPTION**

**General Plan Designation:** Industrial  
**Zoning Designation:** M - Industrial  
**Property Size:** 11.69 acres with a 70,000 sq ft building

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
<b>North</b>	Industrial	M - Industrial	DMV and industrial uses
<b>South</b>	Business Park	County - Ag	Agricultural home sites
<b>East</b>	Industrial	M - Industrial	Holliday Inn Express and Candlewood Suites
<b>West</b>	Commercial	General Commercial	Vacant land

## **BACKGROUND**

The project site is the former Plummer auto dealership. The project site began construction in 2003 and Certificates of Occupancy were granted in March 2005. The economic downturn in 2007 ultimately caused the dealership to close in 2011.

The project site is 11.69 acres in size and contains a 70,000 sq ft main building.

The project site includes 350 to 400 parking spaces with room for more and reconfiguration of parking fields if needed.

The project applicant is proposing a change of occupancy from a car dealership to a regional wine and craft beer event and entertainment center. (Attachment B and C) This is the largest change of use and occupancy within Lodi.

The applicants are proposing creating indoor and outdoor spaces that will accommodate visitors to Lodi. The applicants are creating an entertainment center that will capitalize on the Lodi Wine region.

The entertainment venue includes:

- A type 23 ABC license for brewery and beer pub.
- A type 2 ABC license for production facility and wine tasting room.
- A 6,000 sq ft wine tasting bar with private lounge areas and tasting rooms.
- A 100 seat beer pub and brewery facility.
- A restaurant featuring a wood fired pizza kitchen.
- Outside patio areas for socializing and relaxation areas.
- Outdoor bocce courts.
- Outside entertainment stage for live entertainment.

This facility is being designed for multiple entertainment functions taking place. This is a site that can hold weddings, cooking demonstrations, on-site brewing, on-site winemaking, bocce tournaments, private events and functions and live entertainment. Most of the proposed uses are allowed by right. Alcohol requires a Use Permit approval. The live entertainment uses are secondary to the brewery and wine production and tasting.

Typical hours of operation are Thursday – Sunday from 11:00 am to 10:00 pm with extended hours for special events. There will be staff and on-site 7 days a week for brewing and wine production. As the center continues to expand and grow, hours of operation and days of use may expand.

Between the wine tasting room and the brewery, there is the potential for 100 to 200 people to be on-site during typical days. Some of the bigger changes to the property include modifying outside spaces for seating and live entertainment.

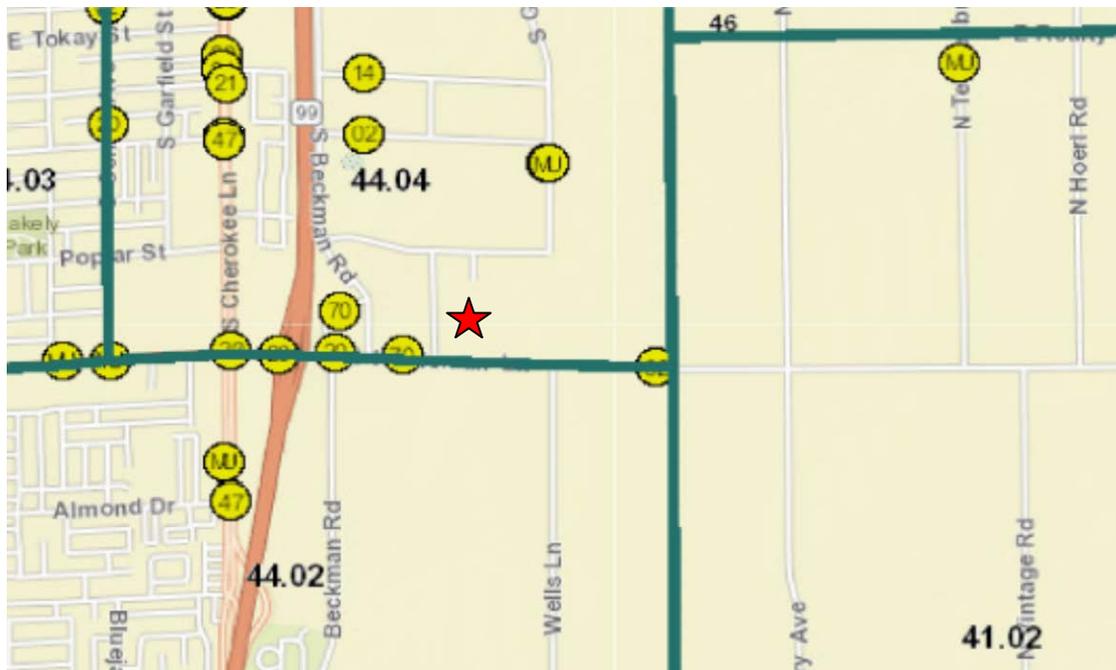
The project includes outside areas that will include live music and entertainment. The project has been conditioned to mirror existing noise conditions surrounding the property. Live entertainment will be appropriate in scale for the property and not create off-site noise complaints. There are rural residences along the property boundary to the south and hotels to the eastern edge.

Prior to events beyond 350 persons and/or outside entertainment lasting after 10:00 pm, staff requests that a business plan be reviewed by the Planning Commission that discusses – security, parking, traffic control, noise limits and typical event details. The applicant has identified an outdoor area that could have 500 to 600 seats for an event.

Conditions of approval are included for noise, outside entertainment and activities.

## ANALYSIS

Per Land Use Code Section 17.22.030, onsite production and consumption of alcohol is permitted in the Industrial (M) zoning designation, subject to a use permit. The City established the Use Permit requirement to gain local control over whether or not a license is appropriate for a particular location and place conditions upon the use. The State Department of Alcoholic Beverage Control primarily controls license issuance, based on concentration of licenses within a particular Census Tract.



Census Tract 44.04

The discretionary Use Permit procedure enables the Planning and the 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 proposes operational conditions requiring orderly removal of beer and wine waste within 24 hours, and noise and odor control mitigation measures. Staff believes that the Planning Commission can make the required findings to approve the requested Use Permit. The required findings are as followed:

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 Zoning designation for this property is Industrial, which permits beverage production and on-site consumption subject to a Use Permit per Lodi Municipal Code. The proposed beer manufacturing establishment with on-site consumption (beer tasting) and wine production and wine tasting room is permitted is the type of business permitted in the Industrial Zoning District per Lodi Municipal Code Section 17.24.030.

2. *The proposed use is consistent with the General Plan and any applicable specific plan. .* **Comment:** The General Plan land use designation for this area is Industrial, which provides for on-site and off-site alcohol sales as well as retail and commercial activities that enhance the City as a destination place. The proposed manufacturing and sale of wine and beer is the type of business allowed by the General Plan.
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 wine and beer production facility with an associated retail and onsite beer tasting and wine tasting room establishment is compatible with existing and future land uses as the City moves toward a larger tourism based economy. The property is located close to Highway 99 and Kettleman Lane and is situated to satisfy a tourism based destination. The surrounding uses are primarily commercial and industrial uses. In addition, the proposed use will not detrimentally affect residential buildings, churches, schools, hospitals, public playgrounds, and other similar uses, as well as other establishments dispensing alcoholic beverages, including beer and wine, for sale or other consideration in that the property is not proximate to any churches or hospitals; and does not directly abut residentially zoned properties, parks, or schools. No aspects of the proposed use has been identified that would create new detrimental impacts.
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.* **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 has sufficient access to streets, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. Third, the proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the industrial neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building. Fourth, the characteristics of the proposed manufacturing and sale of beer and wine tasting is consistent with various uses located within the vicinity of the project site and throughout the Industrial Zoning District. Lastly, the proposed use will not have an adverse effect on the public health, safety, and general welfare in that security measures and the limited size of the use will mitigate any potential adverse effects to neighboring properties. The proposed business is a permitted use within the Industrial Zoning District, and the facility will be located within an existing building. No conflicts with existing and potential uses have been identified.
5. *The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines.* **Comment:** 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 for the 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. Conditions of approval are proposed to ensure the restaurant is not operated in a negative manner or without

adequate oversight. If problems or concerns related to the sale of alcoholic beverages or nuisance activities 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 Categorically 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, October 15, 2016. Twenty (20) 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 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 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321, and adopt a Resolution approving the Use Permit and Site Plan review to allow a brewery production facility and tasting room, Type 23 ABC license and wine production and wine tasting room, Type 2 ABC license and associated ancillary uses at 1333 East Kettleman Lane subject to the findings and conditions of approval contained 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  
City Planner

Stephen Schwabauer  
Community Development Director

**ATTACHMENTS:**

- A. Vicinity / Aerial Map
- B. Business Description
- C. Project Plans
- D. Draft Resolution

# VICINITY MAP

North



South

1333 East Kettleman Lane

# CALTURAS

TASTE THE CULTURE OF CALIFORNIA

## **MISSION STATEMENT:**

*"Calturas has been established to offer a glimpse into the Culture of California. We offer wine and beer and cuisine of superior quality while cultivating the appreciation of California in a family centered environment"*

## **CALTURAS EXECUTIVE SUMMARY:**

"Calturas; Taste the Culture of California." The concept is meant to embrace the California Culture through food, beverages, and experiences. Calturas is created with the idea of integrating specialty beverages and food through an array of cooking styles and California-centric ingredients. Customers will be drawn to the establishment through a varied array of entertainment events and the arts in a way that highlights the California lifestyle.

Calturas is where World Class entertainment meets California style. The venue will be focused on maximizing the amount of people that visit the facility on a daily and monthly basis through an array of special events. As the trees begin to grow and the lush landscapes take hold the entertainment park will transform into one of the most renowned and beautiful entertainment venues in the Central Valley. On a daily basis you can visit the Calturas property and be transported to a exhilarating environment with family and friends as we offer a multitude of attractions in our one-of-a-kind facility. Explore unique and comfortable lounges where you're free to unwind with great friends and your favorite Calturas beverages. Four-regulation outdoor bocce courts featuring weekly tournaments and family activities. The Winery features private Wine Club tasting rooms and a 6,000 square foot wine tasting bar. The Brewery features 100 person seated pub for beer tasting and socializing with friends. Our on-site Restaurant 1333 brings you California fresca dining in our wood-fired Pizza Kitchen. Entertainment will be the hallmark of the Calturas experience.

Beginning in the spring and continuing to the early Fall, we will feature more than 14 dates of World-Class entertainment with the likes of Elvin Bishop, Josh Turner, Joan Jett and many more. You may dine with us during these evenings or dance the night away near the main stage. As the months change so does our menu. Celebrity Chefs will be routinely brought to the facility for cooking demonstrations, cooking classes and celebrity dinners. Chef John Folse of PBS & New Orleans Fame will help us bring in the months of Jazz Fest, while Food Network's Chef Jet Tila will help us ring in Chinese New Year with Asian inspired cuisine other notable and local Chefs will be featured each month and help to shape our offerings to our guests creating a unique experience every time they enter the building.

## **THE FACILITY:**

The Calturas facility is located at 1333 East Kettleman Lane in in Lodi, California. Lodi is the heart of the famous LOCA wine region, one of the largest wine-growing regions in the world and voted the 2015 Wine Region of the Year by Wine Enthusiast Magazine. Welcoming more than 2 million visitors each year, Lodi is a premier wine

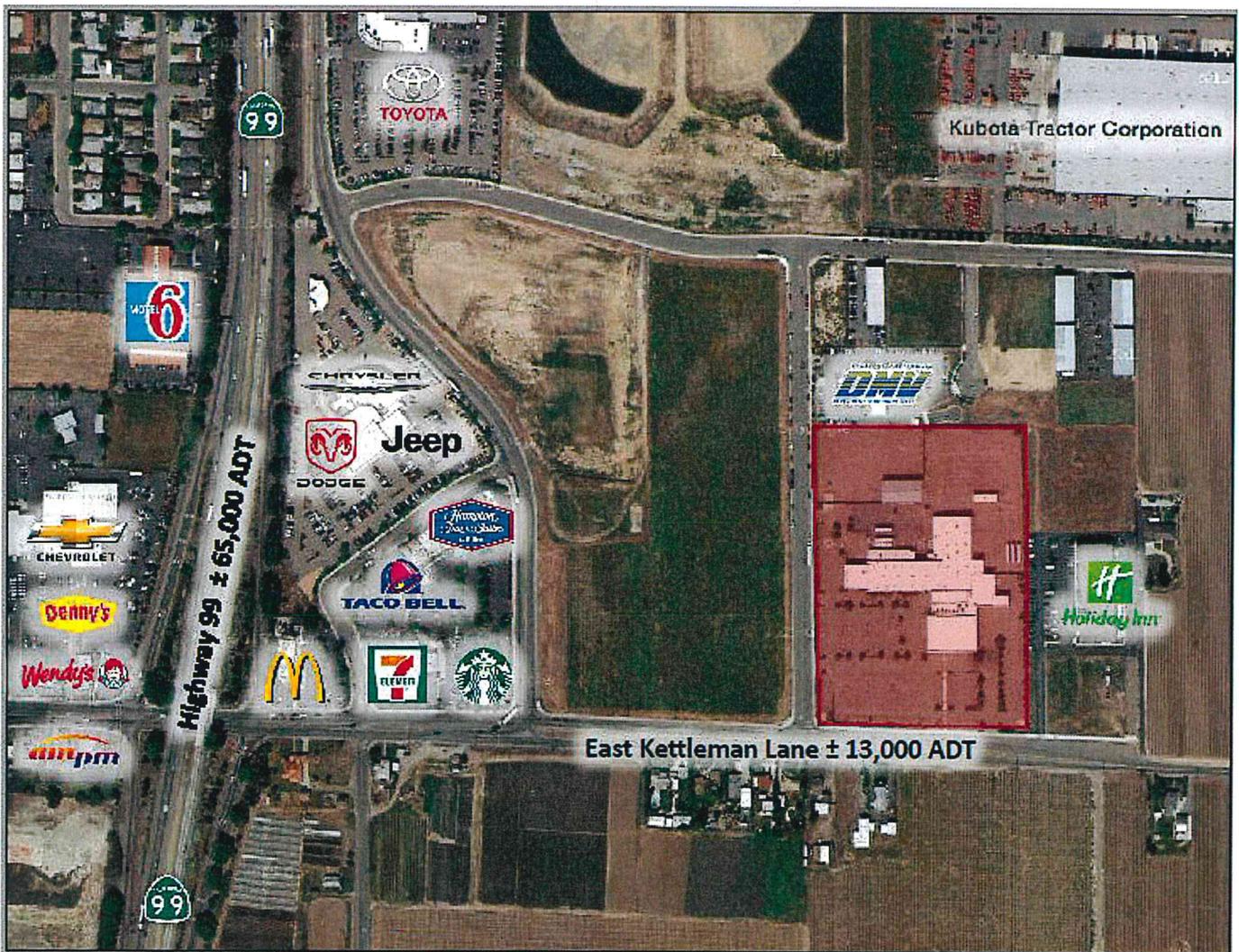
country destination. Conveniently located 90 miles east of San Francisco and 35 miles south of Sacramento, Lodi is a perfect getaway for couples, families, or anyone with a taste for adventure – and of course great wine.

# CALTURAS

TASTE THE CULTURE OF CALIFORNIA

The property allows for a wide range of opportunities that will bring the Calturas vision to life. More than 60,000 square feet of buildings sitting upon 11 acres of improved land will provide the infrastructure of the Phase I launch. Phase 1, the initial launch of Calturas, will consist of Calturas Winery Inc., Calturas Brewery (CB) and Calturas Firehouse Restaurant. These venues will sit within a redesigned and modernized exterior and interior to the existing facility as well as beautifully manicured landscapes that will include bocce courts, patio and a 500 - 700 seat entertainment venue that will pack the house and move the product through the winery and brewery.

The property sits within the city limits of Lodi as opposed to the county and we are able to take advantage of the cities liberal zoning codes. This zoning allows for all of our projected events, food service, concerts, onsite brewing, onsite distillation, onsite winemaking, custom crushing, bocce tournaments, private events, and a multitude of other uses including a planned convention center. In addition to our very favorable location we also are seated between 2 nicely appointed and modern hotels with 200 hotel rooms within walking distance to the facility.



# CALTURAS

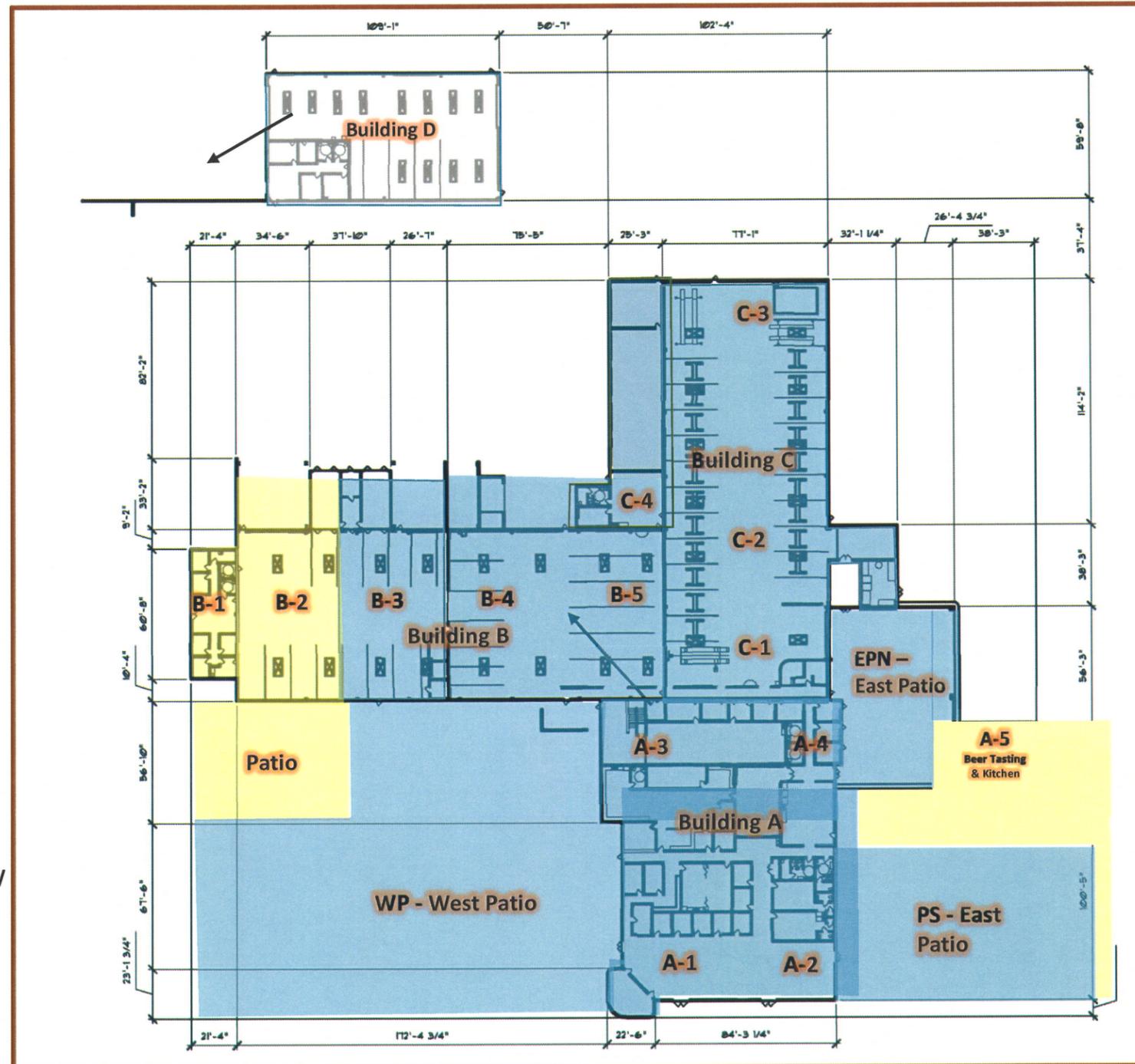
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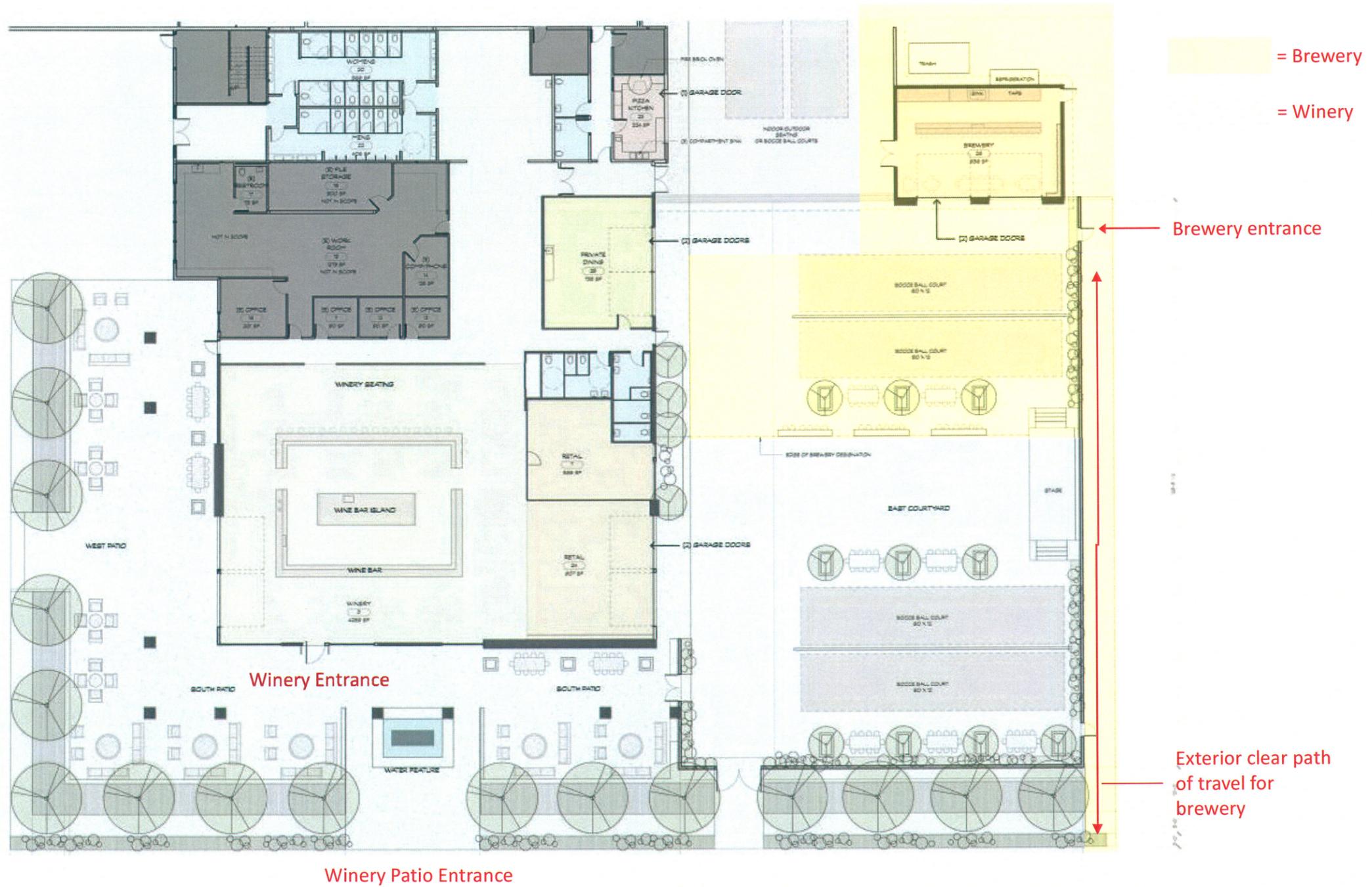
## Revised Premises Diagram & License Designation – 6.27.16

Original 23 License Brewery/Pub = Yellow

Winery 02 License = Blue

Duplicate 23 Brewery/Pub License = Yellow





= Brewery

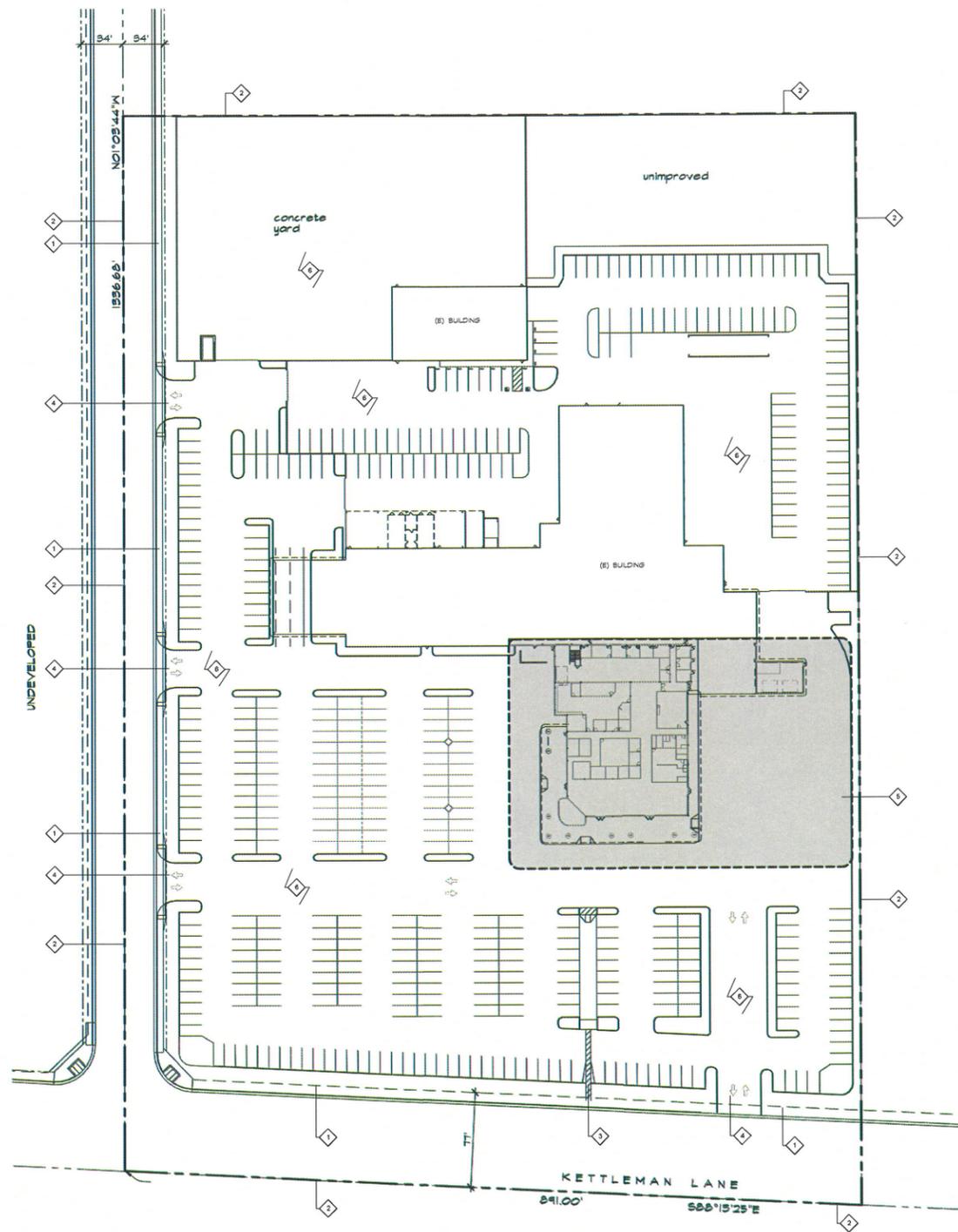
= Winery

Brewery entrance

Winery Entrance

Winery Patio Entrance

Exterior clear path  
of travel for  
brewery



**KEY NOTES**

- ◇ (E) CONCRETE CURB, GUTTER AND SIDEWALK PAVING TO REMAIN
- ◇ PROPERTY LINE
- ◇ (E) PUBLIC ACCESS AND ADA PATH OF TRAVEL TO REMAIN
- ◇ (E) PAVED ENCROACHMENT TO REMAIN
- ◇ PROJECT AREA
- ◇ (E) ASPHALT PARKING LOT AND DRIVEWAY TO REMAIN, NO CHANGE TO ON-SITE DRAINAGE PROPOSED

**PARKING LOT INFO**

EXISTING CUSTOMER/EMPLOYEE PARKING	160 SPACES
EXISTING HANDICAP PARKING	6 SPACES
EXISTING PARKING SPACES FOR INVENTORY	354 SPACES
REMOVED PARKING	45 SPACES
<b>TOTAL PARKING SPACES</b>	<b>475 SPACES</b>
EXISTING BICYCLE SPACES TO REMAIN	8

**1 SITE PLAN**  
SCALE: 1" = 50'-0"



**VICINITY MAP**

**GENERAL NOTES**

1. CODES ALL WORK SHALL CONFORM APPLICABLE LAND USE AND BUILDING CODES AS AMENDED BY ALTERNATES HAVING JURISDICTION.
2. DO NOT SCALE DIMENSIONS FROM DRAWINGS. USE CALCULATED DIMENSIONS ONLY. NOTIFY THE ARCHITECT IMMEDIATELY IF ANY CONFLICTS ENSE.
3. CONTRACTOR SHALL VERIFY ALL CONDITIONS PRIOR TO INITIATING THE WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
4. CAP ALL UTILITIES WHERE DEMOLISHED.

**PROJECT DIRECTORY**

**CLIENT**  
NAVER SANTANA  
4843 GULF LANE DRIVE SUITE 110  
BROOKLYN, CA 95007

**ARCHITECT**  
JOHN VERRA  
22788 N SANDER ROAD  
ACAMPO, CA 95226  
T: 209.334.8218  
F: 209.334.8216

**CONTACT:**  
JOHN VERRA  
JOHN@DELTABUILDINGS.COM

**PROJECT DATA**

REFERENCE	DESCRIPTION	INTERPRETATION
SCOPE	DEMOLITION	DEMOLITION OF APPROXIMATELY 6,546 INTERIOR CONDITIONED SQ. FT. W/ EXTERIOR
LOCATION	1333 E KETTLEMAN LN Lodi CA 95240	DEMOLITION OF FOAM COLUMN CASINGS AND CONCRETE/FOAM
ZONING	COMMERCIAL	SOFFITE, CURTAIN WALL, PARKING SPACES, E
BUILDING HEIGHT	28'-0"	PLANTER BOXES
CONSTRUCTION TYPE	V-B	
SPRINKLERED	YES	
EXISTING OCCUPANCY	S.M. B.H. 52	

**SHEET INDEX**

A1.0	SITE PLAN
A1.1	DEMOLITION ENLARGED SITE PLAN
A1.2	EXISTING FLOOR PLAN
A1.3	DEMOLITION FLOOR PLAN
A1.4	DEMOLITION EXTERIOR CEILING PLAN
A1.5	EXISTING EXTERIOR ELEVATIONS
A1.6	EXISTING BUILDING SECTIONS

**DELTA BUILDINGS INC.**  
22788 N. SANDER ROAD, TAMPA, FL 33634-0001 | T: 813.389.1816



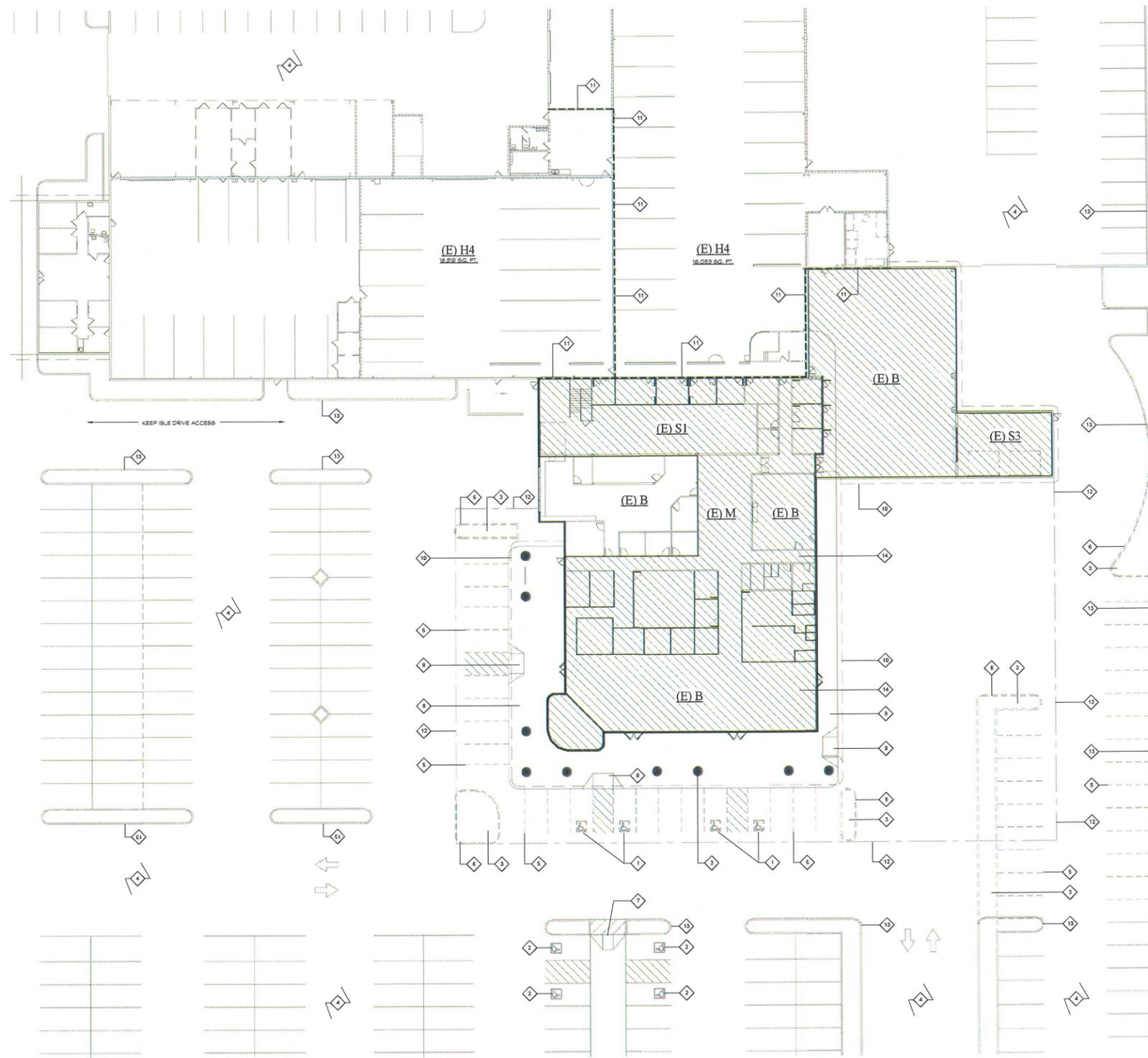
Project: **CALTURAS DEMO**  
1333 E KETTLEMAN LN  
LODI CA 95240

pr. JV  
drawn by JV  
checked  
job no.  
date 07/16

revisions:  
no. date by

DEMO PERMIT  
07/16

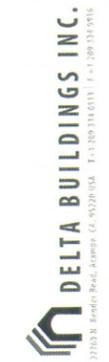
SITE PLAN  
**A1.0**



1 DEMO ENLARGED SITE PLAN  
SCALE: T = 20'-0"

KEY NOTES

- ◇ DEMO (E) ADA PARKING SPACES)
- ◇ RELOCATE ADA PARKING, DEFERRED SUBMITTAL FOR COMPLIANCE
- ◇ DEMO (E) PARKING LOT PLANTERS
- ◇ (E) ASPHALT PARKING LOT AND DRIVEWAY TO REMAIN
- ◇ REMOVE (E) PARKING LOT STRIPING
- ◇ DEMO (E) CONCRETE CURB
- ◇ (E) CONCRETE RAMP TO REMAIN
- ◇ (E) CONCRETE RAMP TO BE DEMOED
- ◇ (E) CONCRETE FLATWORK TO REMAIN
- ◇ (E) ROOF OVERHANG ABOVE
- ◇ (E) 2HR SEPARATION FIRE RESISTIVE WALL (DASHED)
- ◇ APPROXIMATE EXTENT OF TEMPORARY CONSTRUCTION FENCING, NO PUBLIC OR EMPLOYEE ACCESS
- ◇ (E) CONCRETE CURB AND PLANTER TO REMAIN
- ◇ EXTENT OF PROJECT AREA IN HATCH



project:  
**CALTURAS DEMO**  
1333 E KETTLEMAN LN  
LODI CA 95240

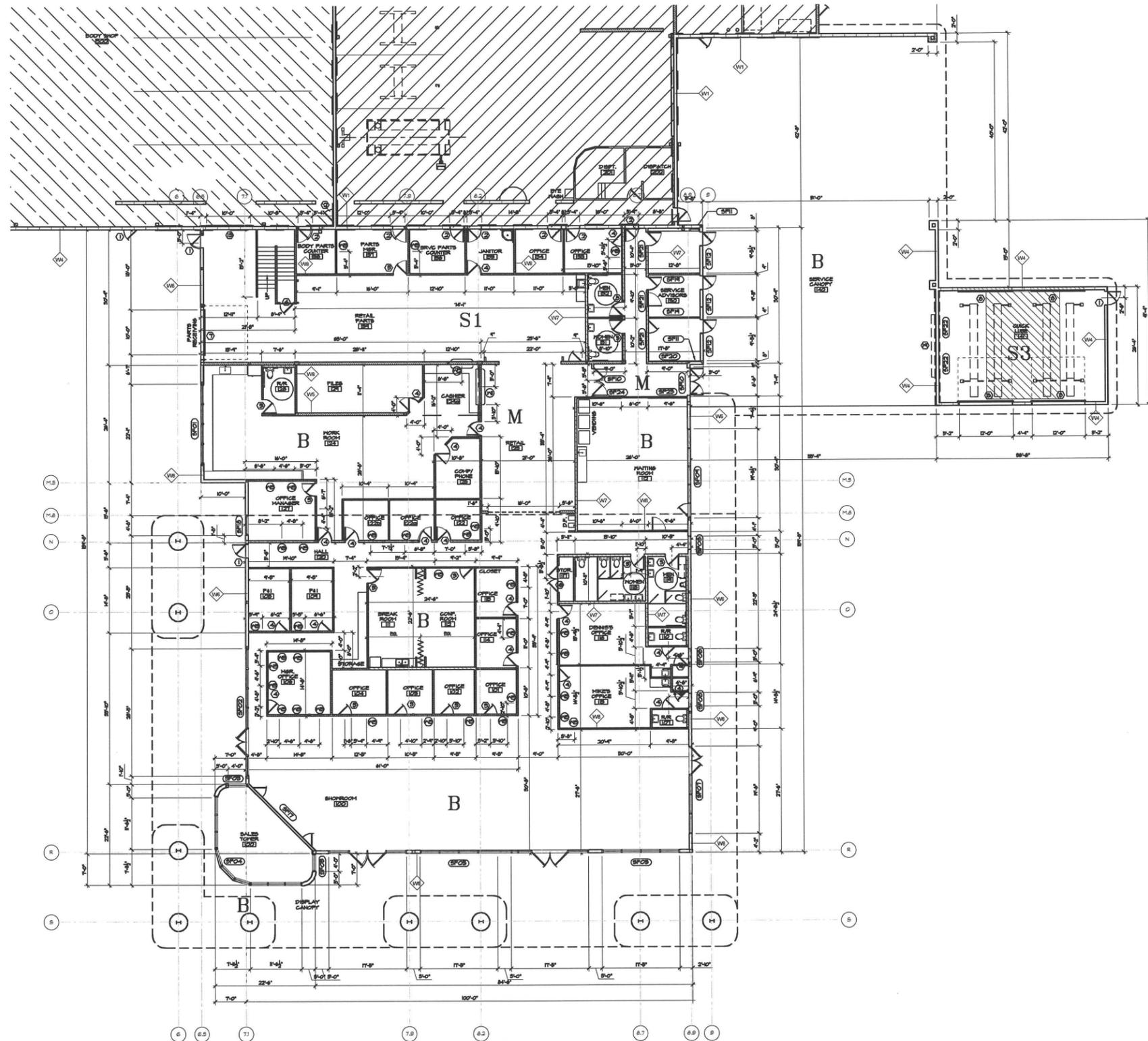
pm: JV  
drawn by: JV  
checked: AJM  
job no.:  
date: 07/1/16

revisions:  
no. date by

DEMO PERMIT  
07/1/16

DEMO ENLARGED SITE PLAN

A1.1



1 EXISTING FLOOR PLAN  
SCALE: 3/32" = 1'-0"

- 8040 ALUMINUM WINDOW, CASEMENT
- 4040 ALUMINUM WINDOW, CASEMENT
- 3040 ALUMINUM WINDOW, FIXED
- 2040 ALUMINUM WINDOW, CASEMENT
- (E) STEEL HC MAN DOOR, PAINTED SELF CLOSING, PANIC HARDWARE
- (E) FIRE PASSAGE STEEL HC DOOR, 90 MIN RATED, SELF CLOSING
- (E) INTERIOR SC WOOD DOOR WITH WINDOW
- (E) INTERIOR SC WOOD DOOR
- (E) INTERIOR SC RESTROOM WOOD DOOR
- (E) 10X10 ROLL UP STEEL DOOR
- (E) 12X12 ROLL UP STEEL DOOR
- (E) 12X14 ROLL UP STEEL DOOR

WALL SCHEDULE

◆	12" CMU BLOCK	FIRE SEPARATION WALL
◆	12" CMU BLOCK	
◆	6" CMU BLOCK	FIRE SEPARATION WALL
◆	6" CMU BLOCK	
◆	DBL 6" CSJ X 18 <sup>3</sup> / <sub>4</sub> " METAL STUDS @ 24" O.C.	
◆	6" CSJ X 18 <sup>3</sup> / <sub>4</sub> " METAL STUDS @ 18" O.C.	
◆	6" CWN X 18 <sup>3</sup> / <sub>4</sub> " METAL STUDS @ 18" O.C.	
◆	4" CWN X 20 <sup>3</sup> / <sub>4</sub> " METAL STUDS @ 18" O.C.	



**DELTA BUILDINGS INC.**  
22260 N. Redwood Road, Sausalito, CA 94965 USA | T: 415.229.3310 | F: 415.229.3315



Project: **CALTURAS DEMO**  
1333 E KETTLEMAN LN  
Lodi CA 95240

pm: JV  
drawn by: JV  
checked: \_\_\_\_\_  
job no.: \_\_\_\_\_  
date: 07/1/16

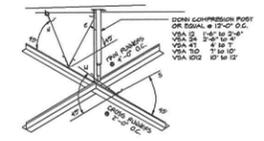
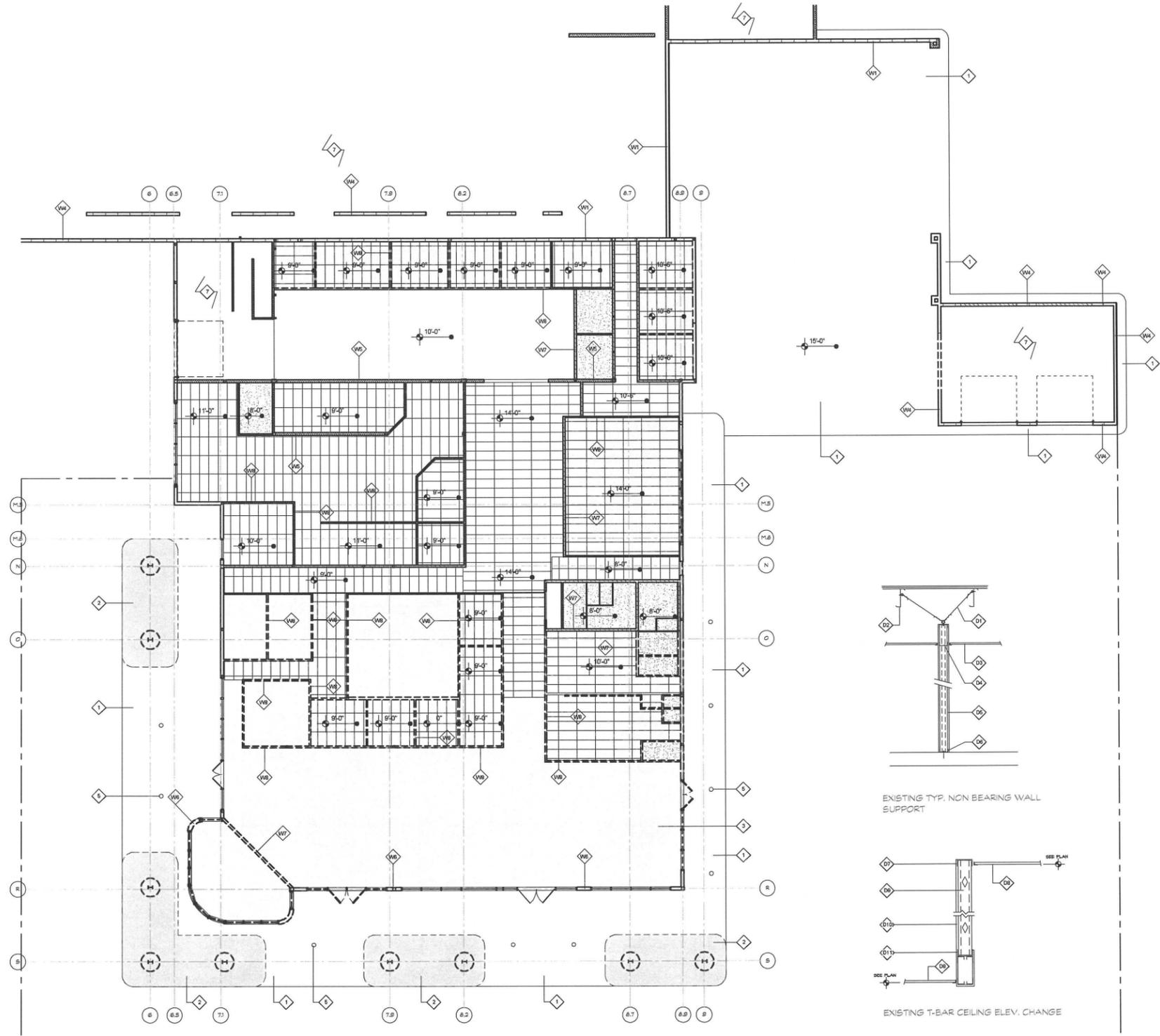
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no. date by

DEMO PERMIT  
07/1/16

EXISTING FLOOR PLAN

A2.0

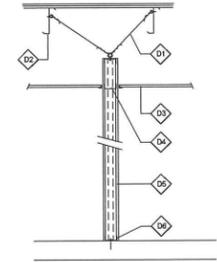




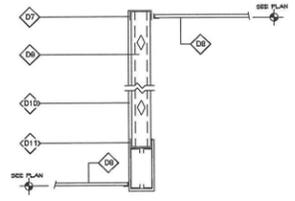
EXISTING T-BAR DETAIL

GENERAL NOTES  
 1. ALL OVER-HEAD LIGHTING, MECHANICAL SYSTEMS IN DEMO SHADED AREAS TO BE REMOVED  
 2. ALL FIRE SPRINKLERS IN DEMO SHADED AREAS TO REMAIN IF POSSIBLE.

- KEY NOTES
- ◇ EXTERIOR SOFFIT AGGREGATE BASED ACRYLIC FINISH TO REMAIN
  - ◇ DEMO AGGREGATE BASED ACRYLIC FINISH W/ STYROGAM PLANT-GNS PER DETAIL 3/A&C
  - ◇ DEMO ACOUSTICAL PANEL CEILING 2X2 PANELS
  - ◇ DEMO ACOUSTICAL PANEL CEILING 2X4 PANELS EXISTING PARKING LOT PLANTERS
  - ◇ RECESSED CAN LIGHTS TO REMAIN
  - ◇ EXISTING ASPHALT PARKING LOT AND DRIVEWAY
  - ◇ EXISTING OPEN CEILING
  - ◇ SUPPORT WIRES FOR LATERAL SUPPORT TO BE DEMOED
  - ◇ FRAMING ABOVE TO REMAIN
  - ◇ SUSPENDED CEILING TO BE DEMOED WHERE INDICATED PER PLAN
  - ◇ CHANNEL BLOCKING @ CEILING LINE TO BE DEMOED
  - ◇ 2X METAL STUDS @ 16" O.C. TO BE DEMOED WHERE INDICATED PER PLAN
  - ◇ 20# STUD TRACK W/ DRIVEN FASTENER @ 16" O.C. TO BE DEMOED WHERE INDICATED PER PLAN
  - ◇ 4" STUD CHANNEL
  - ◇ T-BAR CEILING TO BE DEMOED WHERE INDICATED PER PLAN
  - ◇ 4" METAL STUDS @ 16" O.C. TO BE DEMOED WHERE INDICATED PER PLAN
  - ◇ 1/2 GYP. BOARD
  - ◇ 4" STUD CHANNEL



EXISTING TYP. NON BEARING WALL SUPPORT



EXISTING T-BAR CEILING ELEV. CHANGE

WALL SCHEDULE

W1	FIRE SEPARATION WALL	12" CMU BLOCK
W2	12" CMU BLOCK	
W3	FIRE SEPARATION WALL	8" CMU BLOCK
W4	8" CMU BLOCK	
W5	DBL 8" CSJ X 18# METAL STUDS @ 24" O.C.	
W6	8" CSJ X 18# METAL STUDS @ 16" O.C.	
W7	6" CWN X 18# METAL STUDS @ 16" O.C.	
W8	4" CWN X 20# METAL STUDS @ 16" O.C.	

(8)	2X2 ACOUSTICAL TILE CEILING
(8)	2X4 ACOUSTICAL TILE CEILING
(8)	FINISHED GYPSUM BOARD CEILING
(8)	ACOUSTICAL PANEL CEILING TO BE DEMO
(8)	AGGREGATE BASED ACRYLIC FINISH SOFFIT TO BE DEMO



**DELTA BUILDINGS INC.**  
 27703 N. Redier Road, Tampa, FL 33626 USA T: 813 983 9111 F: 813 983 9112



Project: **CALTURAS DEMO**  
 1333 E KETTLEMAN LN  
 LODI CA 95240

pm: JV  
 drawn by: JV  
 checked: \_\_\_\_\_  
 job no.: \_\_\_\_\_  
 date: 07/1/16

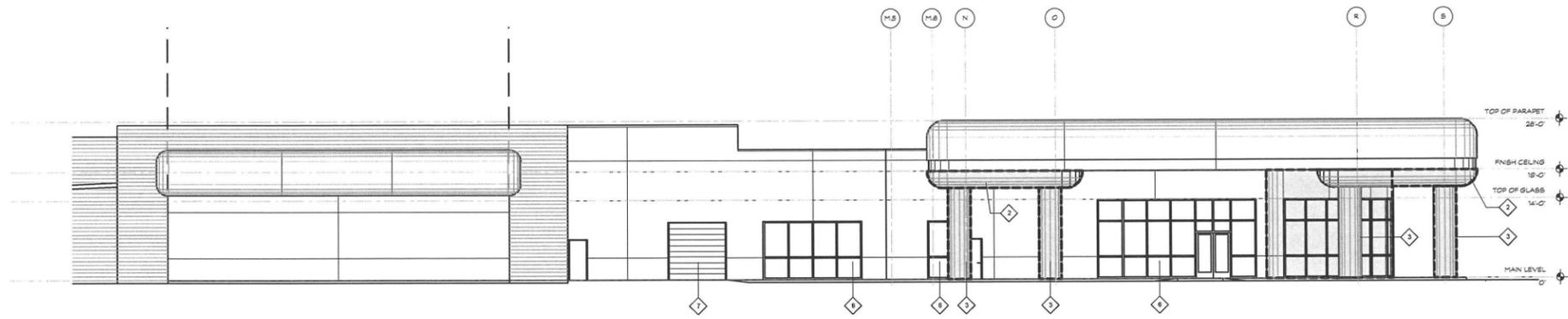
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 07/1/16

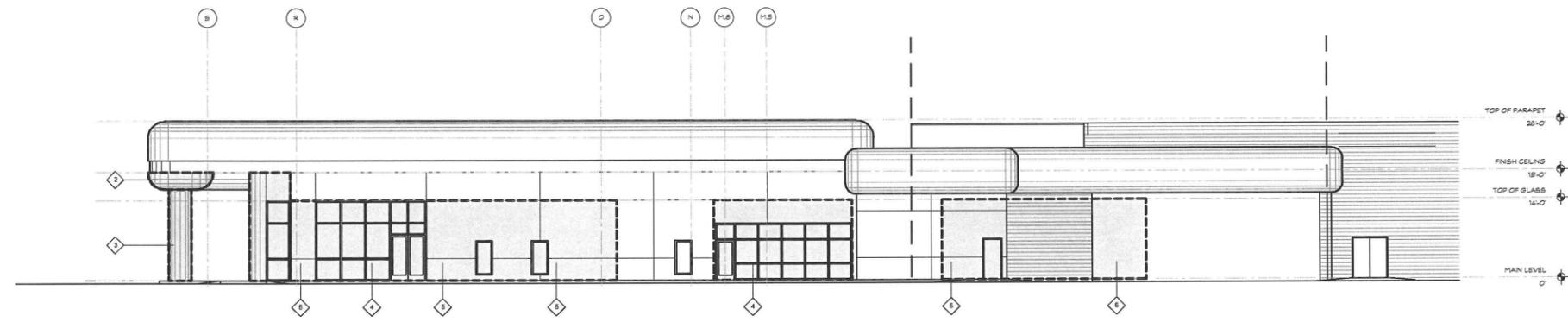
DEMO REFLECTED CEILING PLAN

**A2.2**

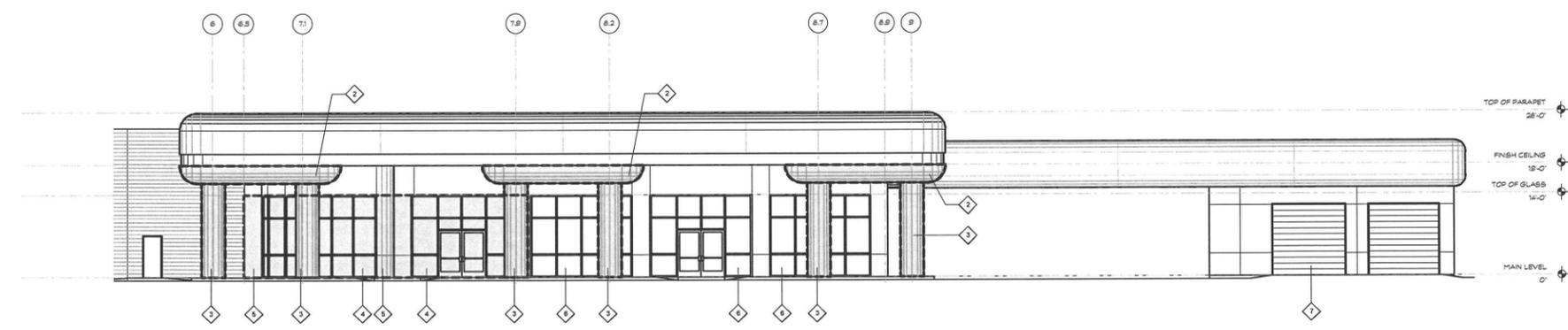
2 DEMO REFLECTED CEILING PLAN  
 SCALE: 3/32" = 1'-0"



3 EXISTING WEST ELEVATION  
SCALE: 3/32" = 1'-0"



1 EXISTING EAST ELEVATION  
SCALE: 3/32" = 1'-0"



2 EXISTING SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"

- KEY NOTES
- ◇ DEMO AGGREGATE BASED ACRYLIC FINISH W/ STYROFOAM PLANTIONS PER DETAIL 3/A6.0
  - ◇ DEMO AGGREGATE BASED ACRYLIC FINISH W/ STYROFOAM PLANTIONS PER DETAIL 3/A6.0
  - ◇ DEMO EXISTING EXTERIOR AGGREGATE BASED ACRYLIC FINISH W/ STYROFOAM PLANTIONS - ONLY. NOT TO REMOVE OR DAMAGE ANY STRUCTURAL COLUMNS, CONNECTIONS, OR FASTENINGS.
  - ◇ DEMO EXISTING EXTERIOR STOREFRONT CURTAIN WALL
  - ◇ DEMO EXISTING EXTERIOR NON-BEARING STEEL STUD WALL
  - ◇ EXISTING STOREFRONT SYSTEM TO REMAIN
  - ◇ EXISTING OVERHEAD DOOR TO REMAIN

**DELTA BUILDINGS INC.**  
2720 N. Kettleman Blvd., Lodi, CA 95240 USA T: (209) 331-9111 F: (209) 331-9111



Project: **CALTURAS DEMO**  
1333 E KETTLEMAN LN  
LODI CA 95240

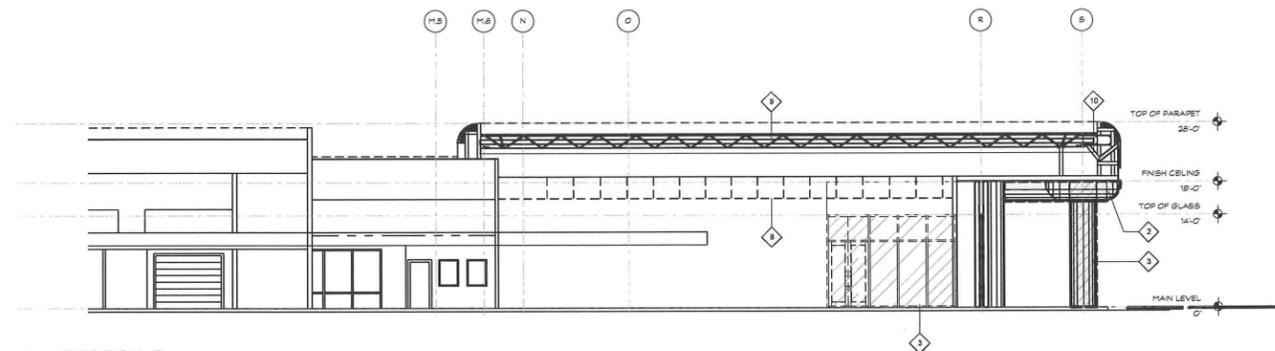
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checked:  
job no.:  
date: 07/1/16

revisions:  
no. date by

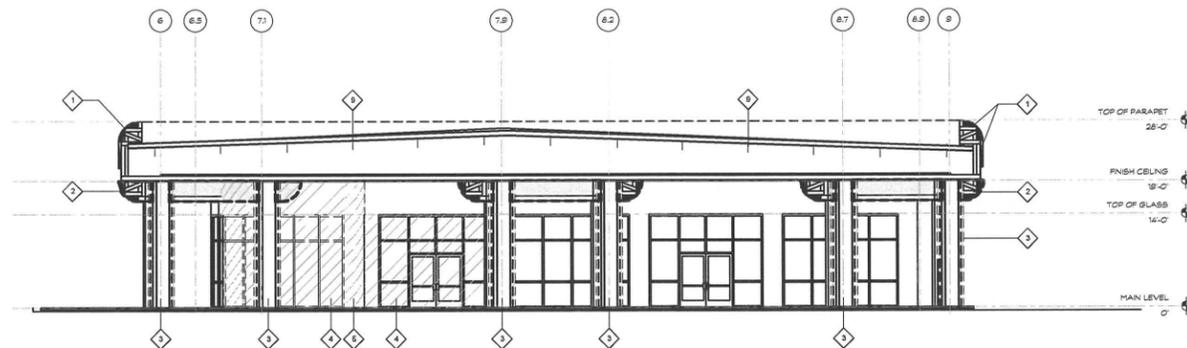
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07/1/16

EXISTING EXTERIOR ELEVATIONS

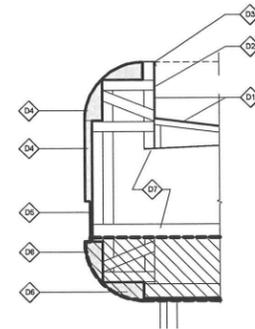
A3.0



2 SECTION C  
SCALE: 3/32" = 1'-0"



1 SECTION A  
SCALE: 3/32" = 1'-0"



3 FAÇADE DEMO DETAIL  
SCALE: 3/8" = 1'-0"

DETAIL KEY NOTES

- ◆ EXISTING BUILT UP ROOFING TO REMAIN
- ◆ EXISTING PLYWOOD BACKING TO REMAIN
- ◆ SHEET METAL FLASHING TO REMAIN
- ◆ SHADED AREAS DENOTE ARCHITECTURAL STYROFOAM PLANT-GNS OVER 5/8" MOISTURE RESISTANCE GYPSUM BOARD BACKING. FASTEN FOAM TO BACKING PER MANUFACTURERS SPECIFICATIONS.
- ◆ EXISTING EXTERIOR AGGREGATE BASED ACRYLIC FINISH TO REMAIN
- ◆ DEMO BUILT-UP FRAMING, ARCHITECTURAL STYROFOAM PLANT-GNS & ACRYLIC FINISH (MATCHED)
- ◆ STRUCTURAL FRAMING TO REMAIN

KEY NOTES

- ◆ EXISTING TOP OF PARAPET, WEATHER PROOFING, EXTERIOR AGGREGATE BASED ACRYLIC FINISHED TO REMAIN
- ◆ DEMO AGGREGATE BASED ACRYLIC FINISH W/ STYROFOAM PLANT-GNS PER DETAIL 3/A&C
- ◆ DEMO EXISTING EXTERIOR AGGREGATE BASED ACRYLIC FINISH W/ STYROFOAM PLANT-GNS - ONLY. NOT TO REMOVE OR DAMAGE ANY STRUCTURAL COLUMNS, CONNECTIONS, OR FASTENINGS.
- ◆ DEMO EXISTING EXTERIOR STOREFRONT CURTAIN WALL
- ◆ DEMO EXISTING EXTERIOR NON-BEARING STEEL STUD WALL
- ◆ EXISTING STOREFRONT SYSTEM TO REMAIN
- ◆ EXISTING OVERHEAD DOOR TO REMAIN
- ◆ DEMO EXISTING T-BAR CEILING, PER A2.2
- ◆ EXISTING VULCRAFT STEEL JOIST TO REMAIN
- ◆ EXISTING ROOF OVERHANG STRUCTURE TO REMAIN

**DELTA BUILDINGS INC.**  
27703 E. Highway 99, Juntura, OR 97326 USA TEL: 503.314.0111 F: 503.314.0118



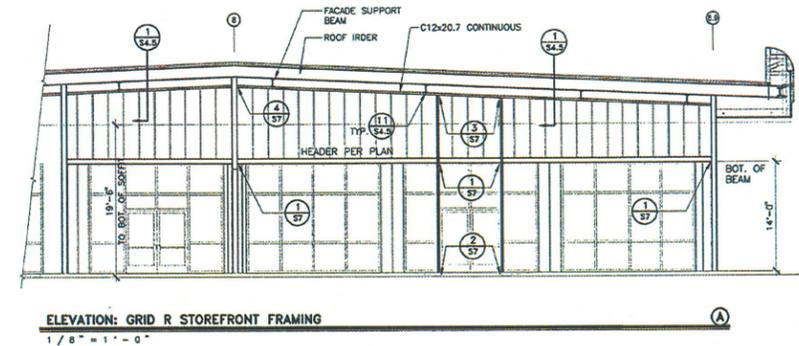
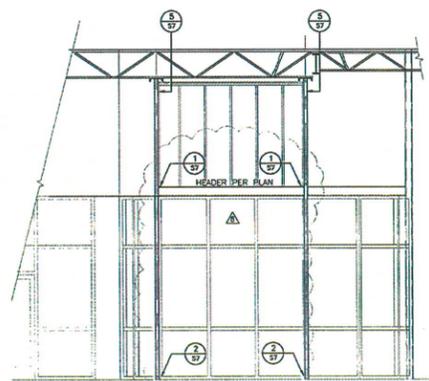
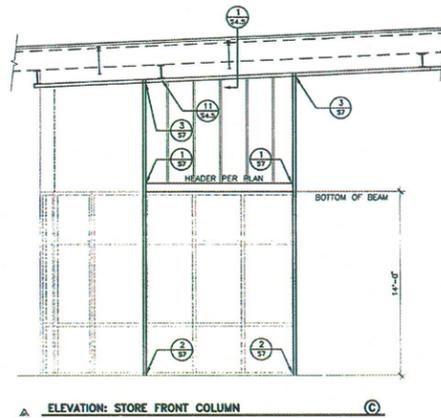
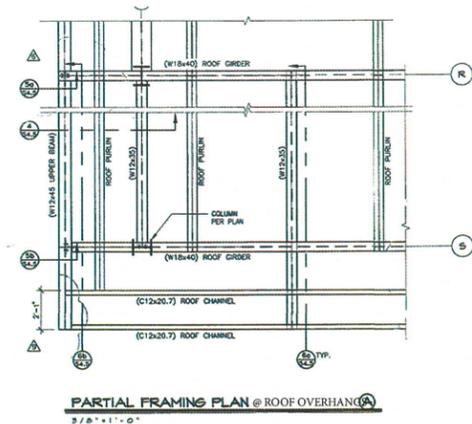
Project:  
**CALTURAS DEMO**  
1333 E KETTLEMAN LN  
LODI CA 95240

pm: J.V.  
drawn by: J.V.  
checked: \_\_\_\_\_  
job no.: \_\_\_\_\_  
date: 07/1/16

revisions:  
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no. date by

DEMO PERMIT  
07/1/16

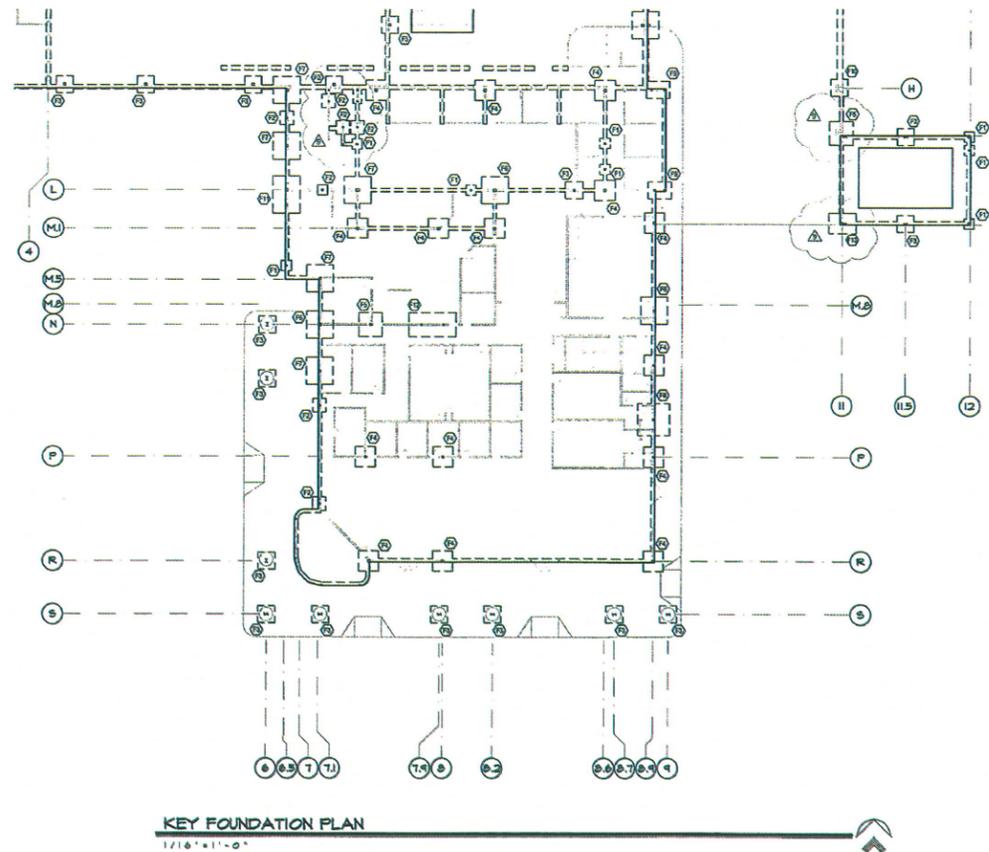
BUILDING SECTIONS  
**A6.0**



ELEVATION: GRID R STOREFRONT FRAMING

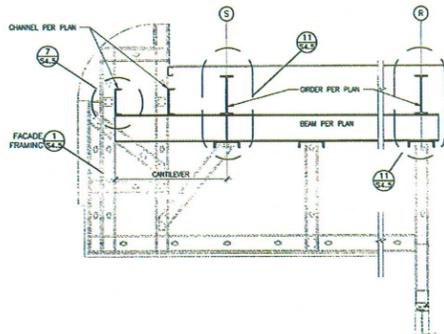
1/8" = 1'-0"

1. FOR CONTRACTOR REFERENCE ONLY.
2. ONLY A PORTION OF THE EXISTING STRUCTURAL DRAWINGS THE CONTRACTOR IS TO BE FAMILIAR BEFORE BEGINNING DEMO WORK



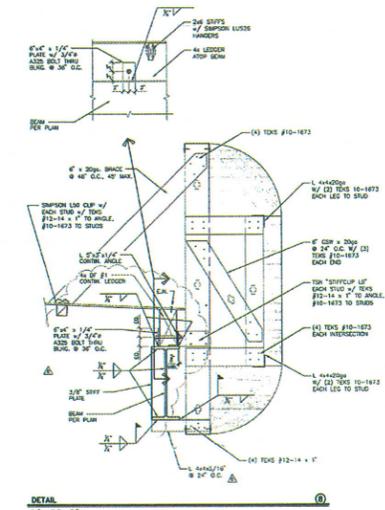
KEY FOUNDATION PLAN

1/8" = 1'-0"



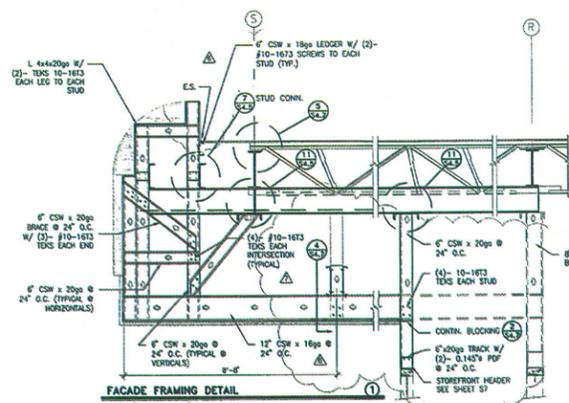
FACIAD FRAMING DETAIL

1/2" = 1'-0"



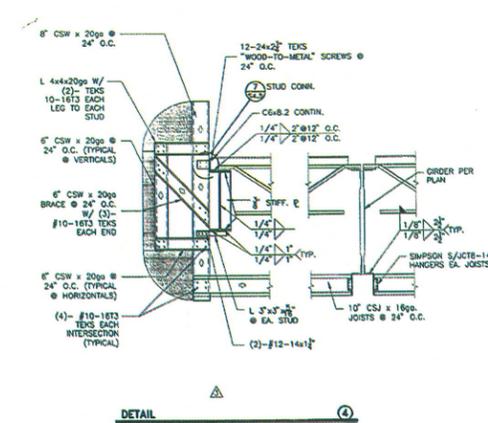
DETAIL

1" = 1'-0"



FACIAD FRAMING DETAIL

1/2" = 1'-0"



DETAIL

1" = 1'-0"





ENTRY PERSPECTIVE



SITE AERIAL



SOUTH ELEVATION - WINERY



EAST ELEVATION - WINERY



SOUTH ELEVATION - BREWERY



PIZZA KITCHEN ELEVATION

CALTRAS | JULY 2018

DELTA BUILDINGS NC



BREWERY SOUTH ELEVATION

CALTRAS | JULY 2016

DELTA BUILDINGS INC.



ZINC CLADDING - WEATHERED



CORTEN STEEL



POLYCARBONATE



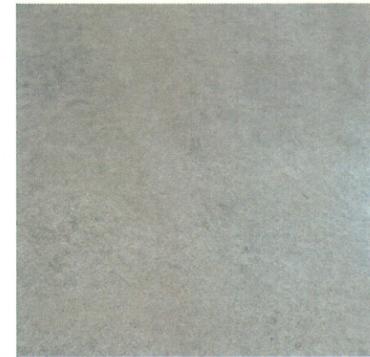
RESTAURANT AND BAR, RICH DARKS, POPS OF COLOR, LIGHT ACCENTS



EXISTING STUCCO (PAINTED GREY)



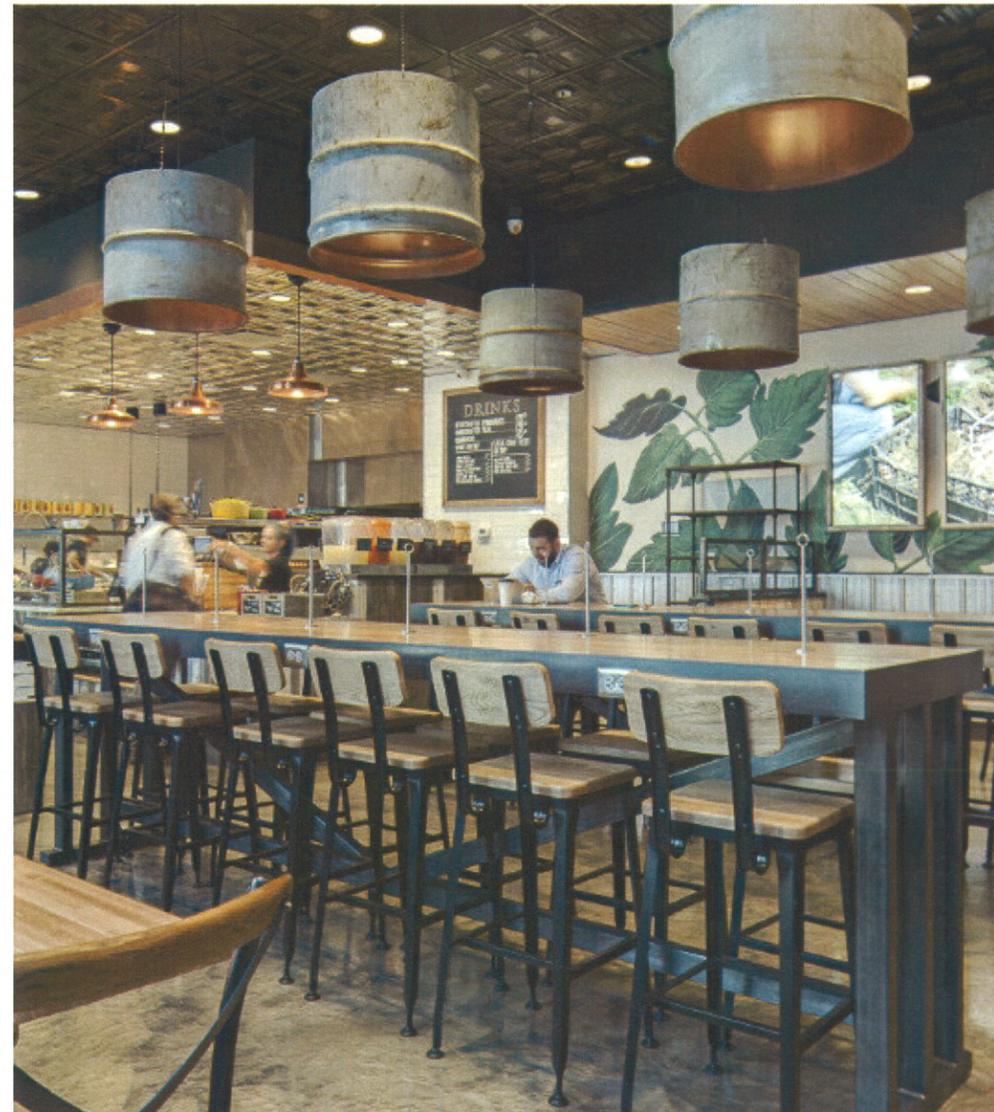
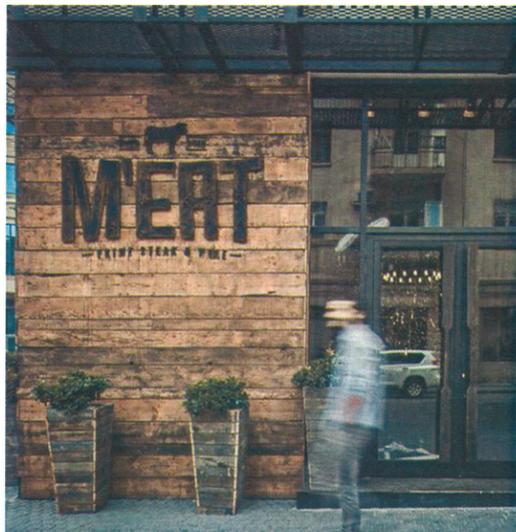
RECLAIMED WOOD (LIGHT & DARK)



CONCRETE FLOORS



BOARD FORM CONCRETE



**RESOLUTION NO. P.C. 16-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF MS. CHRIS SANTANA, CALTURAS, FOR A USE PERMIT AND SITE PLAN REVIEW TO ALLOW A BREWERY PRODUCTION FACILITY, TYPE 23 ABC LICENSE AND A WINE TASTING ROOM, TYPE 2 ABC LICENSE AND ASSOCIATED USES AT 1333 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, Section 17.74; and

**WHEREAS**, the project site is located at 1333 East Kettleman Lane, Lodi, CA 95240 (APN: 049-310-51); and

**WHEREAS**, the project proponent is Ms. Chris Santana, Calturas, 1333 East Kettleman Lane, Lodi, CA 95242; and

**WHEREAS**, the project property owners are Kay Taylor Investments, LLC, Ms. Chris Santana, 1333 East Kettleman Lane, Lodi, CA 95240; and

**WHEREAS**, the property has a General Plan designation of Industrial and is zoned M – Industrial; and

**WHEREAS**, the applicants have filed a Use Permit and Site Plan review to allow a brewery production facility, Type 23 ABC license and a wine tasting room, Type 2 ABC license and associated indoor and outdoor uses at 1333 East Kettleman Lane; and

**WHEREAS**, because Census Tract 44.04 has an over-concentration of alcohol licenses, the Planning Commission must make a finding of necessity and/or public convenience in order to permit the issuance of an additional Alcohol Beverage Control license in this tract; and

**WHEREAS**, based upon the facts and analysis presented in the staff report, and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of this particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; 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 was found to be Categorically 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 for the use or enforcing the general rule, standard, or objective.” A project is exempt from CEQA if it does not have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in questions may have a significant effect on the environment, the activity is not subject to CEQA. No significant environmental impacts are anticipated and no mitigation measures are required. For the reasons discussed above, no significant environmental effects would occur as the result of the proposed project.

2. The General Plan land use designation for this area is Industrial, which provides for on-site and off-site alcohol sales as well as retail and commercial activities that enhance the City as a destination place. The proposed manufacturing and sale of wine and beer is the type of business allowed by the General Plan.
3. The Zoning designation for this property is Industrial, which permits beverage production and on-site consumption subject to a Use Permit per Lodi Municipal Code. The proposed beer manufacturing establishment with on-site consumption beer tasting and wine production and wine tasting room is permitted is the type of business permitted in the Industrial Zoning District per Lodi Municipal Code Section 17.24.030.
4. The proposed wine and beer production facility with an associated retail and onsite beer tasting and wine tasting room establishment is compatible with existing and future land uses as the City moves toward a larger tourism based economy. The property is located close to Highway 99 and Kettleman Lane and is situated to satisfy a tourism based destination. The surrounding uses are primarily commercial and industrial uses. In addition, the proposed use will not detrimentally affect residential buildings, churches, schools, hospitals, public playgrounds, and other similar uses, as well as other establishments dispensing alcoholic beverages, including beer and wine, for sale or other consideration in that the property is not proximate to any churches or hospitals; and does not directly abut residentially zoned properties, parks, or schools. No aspects of the proposed use has been identified that would create new detrimental impacts.
5. 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.
6. The site has sufficient access to streets, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.
7. The proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the industrial neighborhood because the proposed use will be located within an existing building with no additions to the footprint of the building.
8. The characteristics of the proposed manufacturing and sale of beer and wine tasting is consistent with various uses located within the vicinity of the project site and throughout the Industrial Zoning District.
9. The proposed use will not have an adverse effect on the public health, safety, and general welfare in that security measures and the limited size of the use will mitigate any potential adverse effects to neighboring properties. The proposed business is a permitted use within the Industrial Zoning District, and the facility will be located within an existing building. No conflicts with existing and potential uses have been identified.
10. The proposed use will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints in that the use is private and does not require any additional public services.
11. The proposed use would not have a substantial adverse economic effect on nearby uses because operation of the proposed business in accordance with applicable laws, and under the conditions of this Use Permit, is anticipated to be an economic benefit to the community.
12. The conditional use is subject to and must comply with specific local conditions and additional regulations as deemed necessary by other regulatory or permit authorities. The

approval does not relieve the applicant from an obligation to obtain applicable state or federal permits for manufacturing and sale of alcohol products.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Use Permit Application No. 2016-30 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 property owner and/or developer and/or successors in interest and management shall insure that the sale of alcohol does not cause any condition that will 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, public intoxication, drinking in public, harassment of people passing by, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises, traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.
4. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.
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. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
7. The project proponent/applicant/operator and/or developer and/or successors in interest and management shall operate and abide by the requirements and conditions of the State of California Department of Alcoholic Beverage Control License Type 2 and 23 ABC license
8. 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. Additional reviews may be prescribed by the Community Development Director, the Police Department and/or Planning Commission as needed during and after the first two years of probationary period. Further, starting from the effective date the business commences the sale of beer, this Use Permit shall be subject to a one year, and two year review by Community Development Director. If the Director determines it necessary, the Director 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 complaints thereafter.

9. The project proponent/applicant/operator and/or developer and/or successors in interest and management shall complete Licensee Education on Alcohol and Drugs as provided by the State Department of Alcoholic Beverage Control.
10. The Lodi Police Department 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.
11. All temporary and permanent signage proposed in connection with the brewery and wine tasting operation shall be reviewed and approved by the Community Development Department.
12. All brewery and wine production waste shall not be stored outside and shall be properly disposed of within 24 hours of brewery / fermentation / wine grape processing activity.
13. All delivery truck cueing shall take place off of the public right-of-way.
14. The project proponent/applicant and/or developer and/or successors in interest and management shall maintain the project site free of litter, shopping-carts or any other undesirable materials and shall be cleaned of loose debris on a daily basis.
15. Any equipment used for the business shall comply with the Noise Ordinance. If complaints are received and verified by the City regarding noise from equipment associated with the facility, the applicant/operator and/or successors in interest and management shall mitigate and/or make any necessary modifications so noise levels comply with acceptable standards identified in the City's General Plan.
16. Noise levels shall not exceed 65 - 70 dBA, as measured from the property line. Subsequent modifications of this approval, which do not intensify the use, including but not limited to alteration of parking and circulation design, minor changes to the conditions of approval, interpretations of the conditions of approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Community Development Director requires a Substantial Conformance or Revised Permit application in accordance with the Zoning Ordinance.
17. Typical outside noise levels is approximately 65 to 70 dBA. Live music outside the building should mimic the existing conditions within a few decibels variation.
18. At all times during the conduct of the use(s) allowed by this permit, the use(s) shall maintain and keep in effect valid licensing from appropriate local, state and/or federal agencies as required by law. Should such required licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.
19. If the brewery and wine tasting has special events for promotions or seasonal tastings, live music shall be required to meet the City noise ordinance. This includes outdoor or indoor bands and events.

20. Any change in operational characteristics, expansion in area or other modification to the approved plans shall require an amendment to this Use Permit or the processing of a new Use Permit.
21. The Use Permit and site modifications are approved as depicted in the exhibits of the Planning Commission report and packet.
22. Prior to events beyond 350 persons and/or outside entertainment lasting after 10:00 pm, staff requests that a business plan be reviewed by the Planning Commission that discusses – security, parking, traffic control, noise limits and typical event details. The applicant has identified an outdoor area that could have 500 to 600 seats for an event.
23. If operation of this use results in conflicts pertaining to parking, noise, traffic, or other impacts, at the discretion of the Community Development Director, this conditional use permit may be referred to the Planning Commission for subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit bound upon applicable findings.

Building - General Comments:

24. 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.
25. Plans shall provide occupant load calculations for the building and each tenant space, as per 2013 CBC, Section 1004.

Occupant load for areas without fixed seats is based on square footage divided by the appropriate occupant load factor from 2013 CBC, Table 1004.1.2

- Office areas: 100 gross sqft/person
  - Stock, Storage, Shipping: 300sqft/person
  - Dining and Lounge (Assembly) Area: Table & Chairs 15sqft/person, Chairs 7sqft/person, Standing areas 5sqft/person
  - Kitchen/Staff/Serving areas 200sqft/person
26. If the calculated occupant load, of any space or room, exceeds 49, the following requirements will need to be addressed:
    - a. Two exits shall be required. Exit doors shall be equipped with panic hardware and show swing in the direction of egress travel. 2013 CBC, Sections 1008.1.2, 1008.1.10
    - b. Exit doors shall be separated by minimum of 1/2 the diagonal distance of the area served in non-sprinklered buildings or minimum of 1/3 the diagonal distance of the area served in sprinklered buildings. 2013 CBC, Section 1015.2.1
    - c. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes. 2013 CBC, Section 1014.2 (4)
    - d. Emergency egress illumination, with back up power supply, shall be provided for all area discharge elements and the exterior landings. 2013 CBC, Section 1006
    - e. Illuminated exit signs shall be provided. 2013 CBC, Section 1011

- f. Occupant load sign shall be provide at or near the main entrance. 2013 CBC, Section 1004.3
  - g. Required exits are required to provide an accessible path of travel to the public way (alley, sidewalk or street). 2013 CBC, Sections 1027.5, 11B-206.4, 11B-206.4.1
27. The occupancy classification for this building will change to an A-2. It shall be demonstrated that the A-2 occupancy is allowed in the building based on construction type, square footage and 2013 CBC, Table 503
28. Fire rated separation may be required between different occupancies in the building as per 2013 CBC, Section 508.4 and Table 508.4 Plans shall show that the building qualifies for non-separated occupancies under 2013 CBC, Section 508.3.3 or show fire rated occupancy separation walls as specified by 2013 CBC, Table 508.4.
29. Group A occupancies that have an occupant load (calculated) of greater than 300 shall be provided with a main exit. The main exit shall be of sufficient width to accommodate not less than one-half of the occupant load, but such width shall not be less than the total required width of all means of egress leading to the exit . Where the building is classified as a Group A occupancy, the main exit shall front on at least one street or an unoccupied space of not less than 20 feet (6096 mm) in width that adjoins a street or public way. 2013 CBC, Section 1028.2
- Exception: In assembly occupancies where there is no well-defined main exit or where multiple main exits are provided, exits shall be permitted to be distributed around the perimeter of the building provided that the total width of egress is not less than 100 percent of the required width. At least one exit shall discharge on a street or an unoccupied space of not less than 20 feet (6096 mm) in width that adjoins a street or public way.
30. The 2013 CBC, Section 11B-206.4.5 requires all entrances to each tenancy in a facility shall be accessible and located on an accessible path of travel.
31. Any new doors or newly required entrance or exit doors are required to be accessible. The 2013 CBC, Section 11B-206.4.1 requires all entrances and ground-floor exit doors to building and facilities shall be accessible to persons with disabilities and shall be connected by an accessible route to the public way. Plans to specify and show the accessible path of travel from any new door(s) to the public way or to an area of safe dispersal in compliance with 2013 CBC, Section 1027.5, Exception.
32. 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.
33. A Type II hood is required over the cooking unit due to heat, steam and odors. Plans will provide complete and adequate details of the required hood. 2013 CMC, Section 508.1
34. Scullery/dishwashing sinks and/or dishwashing machines shall be connected **directly** to the drainage system and a floor drain shall be provided adjacent to such fixtures and the fixture shall be connected on the sewer side of the floor drain trap. 2013 CPC, Section 704.3
35. 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. If facilities are shared they shall be located a maximum of 300' from the entrance to each tenant space and located on an accessible path of travel. 2013 CPC, 422.4.

36. Plans to specify and show all sales, service and information counters are a maximum of 34" high or specify and show a minimum 36" wide counter area that is not more than 34" aff. . 2013 CBC, Sections 11B-227, 11B-904.4
37. If food or drink is consumed at the counters or bars, plans shall specify and show a minimum 60" long counter area with a height not to exceed 34" with knee clearances at least 27" high x 19" deep. 2013 CBC, Section 11B-226.3
38. 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
39. An automatic sprinkler system will be required in an A-2 occupancy if the occupant load exceeds 99 or if the fire area is 5,000 square feet or more. 2013 CFC, Section 903.2.1.2
40. Manual fire alarm system shall be provided for assembly occupancies with a calculated occupant load of 300 or more as per 2013 CFC, Section 907.2.1.
41. The plans shall provide complete and adequate details of HVAC system for each tenant space. The tenant space may not use the HVAC system from the adjoining space, unless it can be shown that the HVAC system is designed for multiple zones (tenant spaces) and each space has separate thermostatic controls. 2013 California Energy Code, Section 122
42. The plans shall clearly specify and show that the electrical wiring for each suite is separate. Specify and show the sub-panel for each tenant space to be located in the tenant space and no means of disconnect shall be located in another tenant space. 2013 CEC, Article 225.35
43. Plans to provide accessible parking spaces in compliance with 2013 CBC, Sections 11B-208.2, 11B-502 and Table 11B-208.2. At least one space shall be van accessible as per 2013 CBC, Section 11B-208.2.4.
44. 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 \$150,244.00 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.

#### Public Works

45. Any waste entering the public system shall be reviewed by Public Works prior to operation.
46. 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.

47. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

**Dated: August 10, 2016**

I certify that Resolution No. 16-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on October 26, 2016 by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

**ATTEST**

\_\_\_\_\_  
Secretary, Planning Commission

DRAFT

Item 3c



**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

**MEETING DATE:** October 26, 2016

**APPLICATION NO:** Use Permit Amendment: 2016-32 U

**REQUEST:** Request for Planning Commission approval of a Use Permit to allow a Type-41 on-site Beer and Wine sales at an existing grocery store. (Applicant: Arteagas Grocery Store. File No. 2016-32 U. CEQA Determination: Exempt - Section 15321)

**LOCATION:** 200 E Oak Street, southeast corner of Oak Street and Stockton Street (APN: 043-035-02)

**APPLICANT:** Arteagas Grocery Store  
c/o Alonzo Lopez  
200 E. Oak Street,  
Lodi, Cal 95240

**PROPERTY OWNER:** Fida Khan, Etal.  
325 North Church Street  
Lodi, Cal. 95240

**RECOMMENDATION**

Staff recommends the Planning Commission approve the request by Arteagas Grocery Store for a Type 41 ABC on-site sell beer and wine license, in conjunction with the existing grocery store, based on the findings and evidence in the staff report and subject to the conditions listed in the attached draft resolution.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** Mixed Use Corridor  
**Zoning Designation:** Mixed Use Corridor MCO  
**Property Size:** 13,600 square feet.

The adjacent zoning and land use characteristics:

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

## **BACKGROUND**

In March 2014, the Planning Commission approved a resolution for a Type 20 ABC license for off-sale beer and wine for the Arteagas Market. The market has been very successful over the past 2 ½ years and the prepared food and kitchen has been increasingly popular.

The applicant sells off-site beer and wine (Type 20 ABC) as part of the grocery store and is looking to add on-site beer and wine sales (Type 41 ABC). The on-site beer and wine sales allow customers to have prepared food and eat it at the grocery mart with beer and wine service.

The grocery store is open 7 days a week and hours of operation are from 7:00 am to 9:00 pm.

There are no outstanding concerns or issues affecting the grocery store or operations.

The applicant is proposing a 14 ft by 18 ft area next to the kitchen to have 5 tables for up to 18 patrons to sit down and eat. (Attachment B)

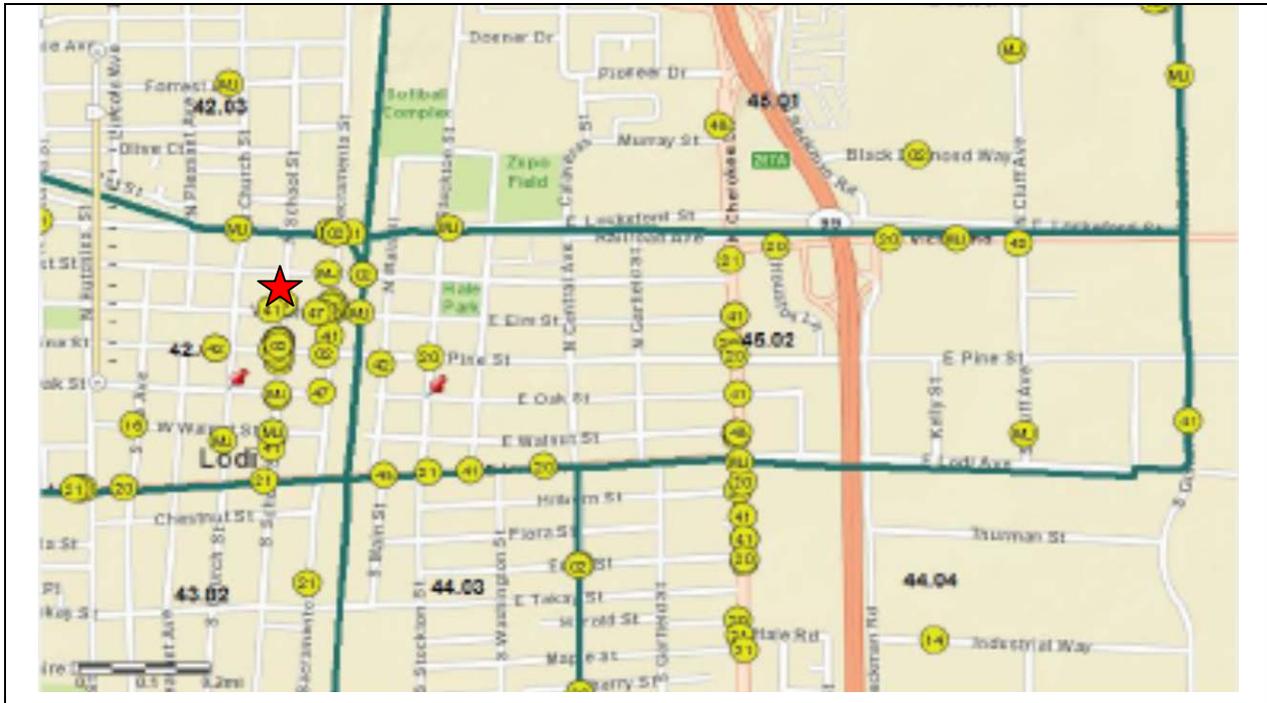
The grocery store is looking to add additional amenities for the customers. The Type 20 ABC license and Type 41 ABC licensees are consistent in selling beer and wine.

## **ANALYSIS**

The area is over-concentrated as defined by ABC for licenses. Planning staff is of the opinion that a public need and necessity is warranted in this case because the primary function of the establishment is a restaurant and does not involve off-site retail or wholesale distribution of alcohol. In the past, the Planning Commission and City staff has supported restaurants that wish to acquire ABC licenses because, typically, restaurants that serve alcohol in conjunction with food sales do not create alcohol related problems. The ABC Type 41 license requires the restaurant to operate as a bone fide eating establishment.

The proposal is to allow the on-site sale of beer and wine to local customers of the on-site taqueria. The small percentage of the floor area committed to the Type 20 license would not change the predominate use as a neighborhood market. Appropriate conditions of approval have been crafted to control the sales of alcohol and provide for the periodic review to ensure the use does not become a local nuisance to the neighborhood from increased homelessness, vagrancy or increased crime to the business.

The project site is within Census Tract 45.02, which covers the area as shown in Figure 1. The area is over-concentrated as defined by ABC for licenses. Planning staff is of the opinion that a public need and necessity is warranted in this case because the primary function of the establishment is a grocery store and would provide local customers the convenience of single stop shopping. Most of the ABC licenses in the census tract (18) are on-site consumption type licenses, which 8 are off-site sales either Type 20 or 21. Area gas stations and local food markets are evenly split in the census tract in the Type 20 and 21 licenses.



Census Tract 45.02

The discretionary Use Permit procedure enables the Planning Commission 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 the Planning Commission can make the required findings to approve the requested Use Permit. The required findings are supported 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. **Evidence:*** The requested permit would allow an existing grocery store, within the Mixed Use Corridor Zoning District, to on-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). No significant environmental impacts are anticipated and no mitigation measures are required. See additional environmental justification below.

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, October 15, 2016. Forty (40) 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 Use to allow the sale of beer and wine Alcoholic Beverage

Control (ABC) Type 41 for Arteagas Grocery, based on the findings and evidence in the staff report and 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  
City Planner

Stephen Schwabauer  
Community Development Director

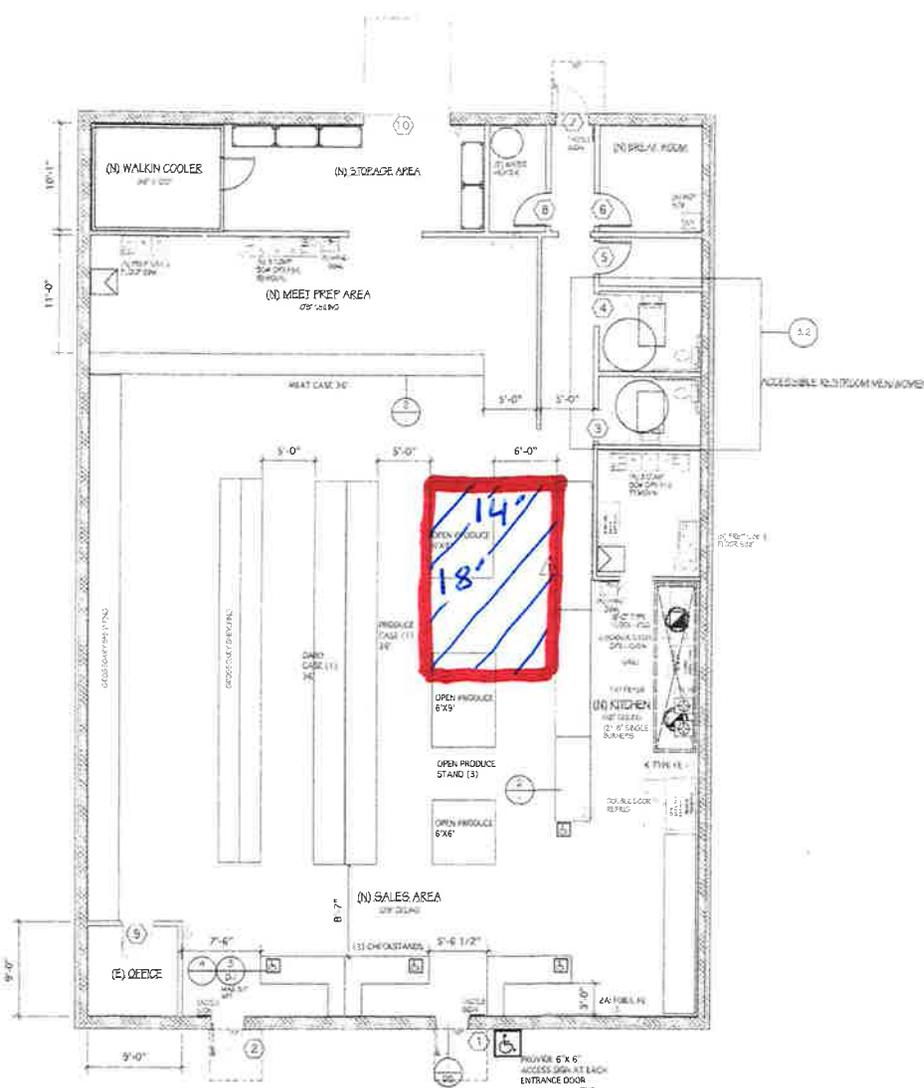
**ATTACHMENTS:**

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

# VICINITY / AERIAL MAP



Arteagas Market – 200 E. Oak Street



FLOOR PLAN  
Scale: 3/16" = 1'-0"

USE LEVER TYPE FAUCETS AT ALL SINKS INCLUDING PREP SINK, COOLER SINK AND SINK AND LAVES IN THE RESTROOMS. COMPLY WITH SECTIONS 11052.121 & 21161 CEC NO GRASPING, FINISHING MAX 5# PRESSURE.

ALL WALLS ARE EXISTING AND NO CHANGES BEING MADE WITH THIS TENANT IMPROVEMENT.

ALL FIXTURES ARE TO BE NSF & UPC APPROVED.

ALL EQUIPMENT IS TO BE UL LISTED AND APPROVED.

ALL PIPING, ELECTRICAL INSTALLATIONS ARE TO BE CONCEALED WITHIN THE WALLS AND CEILING AS REQUIRED BY THE HEALTH DEPT.

COMPUTERS TO BE LAMINATE TYPE.

TILE FLOOR AND BASE ARE TO BE INSTALLED PER LOCAL INDUSTRY STANDARDS.

PROVIDE SEALS FOR ALL WINDOW DOORS PER 2001 CEC.

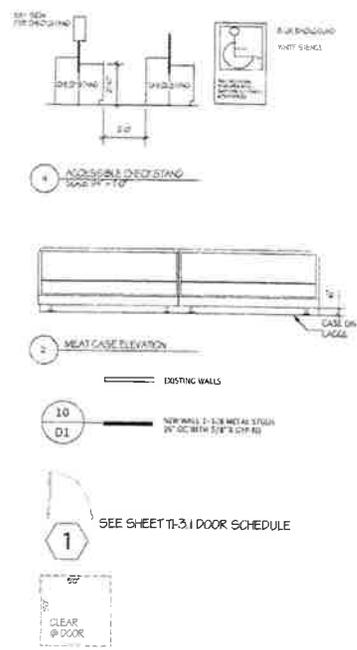
SEE DETAILS FROM WALKIN COOLER MANUF. VERIFY 3/16" POWDER DRIVEN PINS AT 24" O.C. FOR ATTACHMENT OF WALKIN BOX TO CONCRETE FLOOR. BRACE THE TOP OF THE BOX WITH 20 GAGE 1/2" DIA. X 4" O.C. TO STRUCTURE ABOVE.

ELECTRICAL METHOD INSIDE THE WALKIN BOX IS TO BE FOR WET LOCATION.

ALL CASES ARE TO BE ANCHORED PER MANUF. REQUIREMENTS OR USE 3/8" X 3" RED HEADS AT EACH CORNER OF SHELVING OR CASES.

USE #4 REBAR FOR PLUMBING TIE-IN @ 24" O.C. EA WAY.

- PROVIDE SIGNS FOR:
- "NO SMOKING" IN THE FOOD PREPARATION AREA
  - "HAND WASHING REQUIRED" AT ALL EMPLOYEE HAND WASHING
  - "EXIT" CHUTE POSTER



		FFG CONSTRUCTION MONTECALA, CA 94025 CONTRACTOR: LEM BRASCH
020 OAK LOCAL CO. JAMIE GARCIA	02001 PLS JAMIE GARCIA	FLOOR PLAN
SHEWEN		11-3

**RESOLUTION NO. P.C. 16-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF ARTEGAS GROCERY STORE FOR A USE PERMIT TO SELL BEER AND WINE (TYPE 20 AND 41) AT 200 E OAK STREET.**

**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 the Artegas Grocery Store; and

**WHEREAS**, the project site is located at 200 East Oak Street (APN: 043-064-01); and

**WHEREAS**, the project site is owned by Fida Khan, 325 North Church Street, Lodi, CA 95240; 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 and wine sales (Type 20 and 41 license) for the existing grocery store; and

**WHEREAS**, Census Tract 45.02 in which the proposed is located currently has an over concentration of licenses for alcoholic beverage sales and consumption; and

**WHEREAS**, the Planning Commission must make a finding of necessity or public convenience in order to permit the issuance of an additional Alcohol Beverage Control license in this tract; 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. Planning Commission finds that a public need and necessity is warranted in this case because the primary function of the establishment is a grocery store and the sale of alcoholic beverages, as part of a grocery store, is an acceptable and customary convenience to the local residence.
6. 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. 2016-32 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 Type 20 and Type 41 Licenses. The on-site and off-site sale of beer and wine shall occur only during the hours of 8:00 am to 9:00pm. 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. Outside food preparation shall be out of the public right-of-way and monitored to ensure public safety. The applicant shall consider barriers to keep pedestrians away from the barbecue unit.
7. The two (2) tree planter wells on Oak Street shall be replaced / replanted with trees approved of by the Public Works Department. Tree species shall be consistent with the Public Works street tree standards. The project applicant will maintain the trees with appropriate watering and care.
8. 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.
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.

10. A commercial kitchen was installed under the last Tenant Improvement Permit #B10-1519. No dining areas or other assembly areas were approved under that permit. Due to the change of use and/or occupancy of the building to include seating for dining and alcohol consumption, Tenant Improvement plans will be required to be submitted to the Building Department.
11. 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.
12. Due to the change of use for a portion of the building to a dining area, the number of plumbing fixtures in the restrooms will need to be evaluated. 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 by 2013 CPC, Table 422.1.
13. Assembly areas for food or drink consumption are classified as A-2 occupancies by the 2013 CBC, Section 303.3 unless plans show the area has a floor area of less than 750 sqft; or has a calculated occupant load of less than 50 as per 2013 CBC, Section 1004.1.2 & Table 1004.1.2 in which case can be classified as a part of the main occupancy or a Group B occupancy.
14. If the occupant load of the dining area exceeds 49, the following requirements will need to be addressed:
  - a. The occupancy classification for this space will change from a M to an A-2. It shall be demonstrated that the A-2 occupancy is allowed in the building based on construction type, square footage and 2013 CBC, Table 503
  - b. Plans shall show that the building qualifies for non-separated occupancies under 2013 CBC, Section 508.3.3 or show fire rated occupancy separation walls as specified by 2013 CBC, Table 508.4.
  - c. Two exits shall be required. Exit doors shall be equipped with panic hardware and show swing in the direction of egress travel. 2013 CBC, Sections 1008.1.2, 1008.1.10
  - d. Exit doors shall be separated by minimum of 1/2 the diagonal distance of the area served in non-sprinklered buildings or minimum of 1/3 the diagonal distance of the area served in sprinklered buildings. 2013 CBC, Section 1015.2.1
  - e. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes. 2013 CBC, Section 1014.2 (4)
  - f. Emergency egress illumination, with back up power supply, shall be provided for all area discharge elements and the exterior landings. 2013 CBC, Section 1006
  - g. Illuminated exit signs shall be provided. 2013 CBC, Section 1011
  - h. Occupant load sign shall be provide at or near the main entrance. 2013 CBC, Section 1004.3
  - i. 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
15. 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 \$150,244.00 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.

I hereby certify that Resolution No. 16-XX was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on October 26, 2016, by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

ATTEST: \_\_\_\_\_  
Secretary, Planning Commission

DRAFT