

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 22, 2009**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of April 22, 2009, was called to order by Chair Kiser at 7:13 p.m.

Present: Planning Commissioners – Kirsten, Mattheis, Olson, and Chair Kiser

Absent: Planning Commissioners – Cummins, Heinitz, Hennecke

Also Present: Community Development Director Konradt Bartlam, Deputy City Attorney Janice Magdich, Assistant Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“March 25, 2009”

MOTION / VOTE:

There was not a quorum of Commissioners from the subject meeting in attendance to present a motion for this item. It will be carried over to the next available meeting.

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kiser called for the public hearing to consider the request for a Use Permit to allow conversion of five existing triplexes into residential condominiums; and Tentative Parcel Map to divide five triplexes into residential condominiums at 802-826 N. Mills Ave.

Assistant Planner Immanuel Bereket gave a brief PowerPoint presentation based on the staff report. In the Tentative Parcel Map resolution there have been some typo errors corrected, but the intent of the conditions have not changed.

Hearing Opened to the Public

- Robin Regla, applicant, came forward to answer questions.
- Commissioner Mattheis asked how many lots would be created. Mr. Regla stated there would be 15.
- Steve Pechin, Engineer for the project, came forward to answer questions.
- Commissioner Olson asked if there was code enforcement issues with the property prior to Mr. Regla purchasing it. Mr. Regla stated that there were upgrades necessary when he purchased them. Olson stated that the property looks very nice compared to what she remembers it looking like. Commissioner Kirsten mentioned that when he drove by the property it looks to have been cleaned up and is being very well maintained.
- Ann Cerney, Lodi resident, came forward with concerns regarding the affordability of the project. Ms. Cerney would like to have seen more documentation regarding how the CEQA guidelines were followed in determining the affordability status of the

property once it is converted from multi-family rental property to single-family ownership in the staff report. She didn't feel the project was a bad idea; she just wanted more information to help her make the determination.

- Commissioner Kirsten stated that after a visit to the property he noticed that there were five units that were empty. Ms. Cerney responded by stating that she would like to have had that information made available prior to the meeting. She has also added that she has seen property owners allow property to deteriorate so that they can then do a project like this, not that she felt that that is what happened in this case, but this information should be provided up front. Kirsten stated that he did not believe that that was the case here either.
- Commissioner Olson stated that she is definitely in sync with Ms. Cerney on affordable housing and good rental property, but feels that Mr. Regla is on the right track with this project. Ms. Cerney agreed regarding the project just not the process.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Olson second, approved the request of the Planning Commission for a Use Permit to allow conversion of five existing triplexes into residential condominiums; and Tentative Parcel Map to divide five triplexes into residential condominiums at 802 – 826 N. Mills Ave. subject to the conditions in the resolution. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Director Bartlam stated that the City has received four (4) appeals for the decision of the Planning Commission on the Wal-Mart Project and those appeals will be heard by the City Council at a special meeting on May 13th at Hutchins Street Square.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

None other than noted above and in the summary report in the Commission's packet.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Director Bartlam stated that the draft policies will be filtering to the Commission in the next month or so. A draft EIR should be ready some time this summer.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten gave a brief report of the last meeting.

10. COMMENTS BY THE PUBLIC

Continued

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:35 p.m.

ATTEST:

Konradt Bartlam
Planning Commission Secretary