

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 26, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of March 26, 2008, was called to order by Vice Chair Kiser at 7:00 p.m.

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

Absent: Planning Commissioners – Chair Mattheis

Also Present: Planning Manager Peter Pirnejad, Senior Planner David Morimoto, Deputy City Attorney Janice Magdich, and Administrative Secretary Kari Chadwick

2. MINUTES

“March 12, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Olson second, approved the Minutes of March 12, 2008 as written.

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, Vice Chair Kiser called for the public hearing to consider the request of Zion Reformed Church for approval of a Use Permit to allow operation of child care center and preschool at 101 South Ham Lane. (Applicant Zion Reformed Church; File No. 08-U-03).

Senior Planner Morimoto gave a brief PowerPoint presentation based on the staff report. The exterior of the Church Building will not change other than to upgrade a couple of exits.

Vice Chair Kiser asked how many children the use permit will accommodate. Senior Planner Morimoto stated that the Use Permit will be for a maximum of 81 students.

Commissioner Olson asked if the ratio of supervisors to children will increase from when the middle school occupied the space. Senior Planner Morimoto stated that yes there will be 8 or 9 employees which includes 1 or 2 clerical.

Hearing Opened to the Public

- Matt Doer, applicant, came forward to answer questions. Mr. Doer stated that the physical address of the church is 105 S. Ham Ln. not 101. He also stated that the student/teacher ratio will depend on the different age groups. The younger the age groups the higher the ratio of teachers to students. This number is regulated by the State.
- Ruth Robinson, Ham Lane, came forward to express her concerns over the noise, but stated that her concerns had been alleviated during the presentation.
- Ron Williams, Junewood Court, came forward to speak in favor of the project.

Public Portion of Hearing Closed

- Commissioner Cummins, Kirsten, and Olson stated their support of the project.
- Commissioner Olson expressed a concern over the potential traffic problem with the High School traffic added to that area.

- Vice Chair Kiser asked if the exit from the parking lot was a right-turn only. Senior Planner Morimoto stated that there are no turning requirements from this driveway. He also stated that Public Works has reviewed the application and did not feel there would be a problem. Deputy City Attorney Magdich pointed out that the Public Works Department will be able to add additional comments/conditions on the project during the permit process per condition number 10 of the resolution.
- Commissioner Cummins asked to open the hearing back up to the public.

Public portion of hearing re-opened

- Matt Doer came forward to answer Commissioner Cummin's question regarding the safety for the traffic flow while the middle school was operating at this location. Mr. Doer stated that there were not any traffic problems during that time.

Closed

- Planning Manager Pirnejad added a couple of alterations to the resolution as follows:
 - Throughout the WHEREAS section staff would like to change the address from 101 South Ham Lane to 105 South Ham Lane.
 - Add a WHEREAS to read: the childcare center will have a maximum of 81 children and operating hours between 6 am and 6 pm Monday through Friday.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Hennecke second, approved the request of Zion Reformed Church for a Use Permit to allow operation of child care center and preschool at 105 South Ham Lane subject to the conditions in Resolution #P.C. 08-05 as amended above. The motion carried by the following vote:

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

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Vice Chair Kiser called for the public hearing to consider the request for a Use Permit to allow a Type-41 on-sale beer and wine license at Taqueria Casa Mexicana located at 651 North Cherokee Lane Suite G. (Applicant: Job Sanchez; File Number: 08-U-04).

Planning Manager Pirnejad gave a brief PowerPoint presentation based on the staff report.

Hearing Opened to the Public

- Elena Sanchez, applicant, came forward to answer questions.

Public Portion of Hearing Closed

- Vice Chair Kiser, Commissioner Kirsten and Olson stated their support for the project

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, White second, approved the request of Job Sanchez for a Use Permit to allow a Type-41 on-sale beer and wine license at Taqueria Casa Mexicana located at 651 North Cherokee Lane Suite G subject to the conditions in Resolution P.C. 08-06. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Hennecke, Kirsten, Kiser, Olson, and White
Noes: Commissioners – None

Absent: Commissioners – Chair Mattheis

4. PLANNING MATTERS/FOLLOW-UP ITEMS

- a. Review and approve the City of Lodi Annual Housing Element Progress Report for 2007.

Planning Manager Pirnejad stated that staff went back and added the items requested by the Planning Commission. He added that Community Improvement Manager Wood is available to answer any questions also.

Vice Chair Kiser asked if it was difficult for any city to meet the affordable housing criteria not just Lodi. Community Improvement Manager Wood stated that the affordable housing criteria required for the Housing Element item is something new to him and would rely on Planning Manager Pirnejad to answer. Planning Manager Pirnejad stated that that is correct. The numbers are difficult to reach, but we are trying to show a best effort in achieving them.

Commissioner Olson stated her appreciation of the extra work staff put into this Housing Element progress report.

Commissioner Kirsten asked for staff to go over the deed restrictions. Planning Manager Pirnejad stated that the properties that have these restrictions are typically income restricted for up to 45 years.

Commissioner Kirsten asked who finances/owns the property. Planning Manager Pirnejad stated that the unit may be owned by the qualifying applicant/purchaser. Community Improvement Manager Wood added that the down payment assistance loans are 30 year loans and are deferred for the first 5 years and can be deferred for the full 30 years. There have been cases where the property has been sold midway through the 30 year term and then that money comes back to the program.

Commissioner Olson stated that a municipality can reach 25% of the RHNA allocations by rehabbing older homes.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Olson, Kirsten second, approved the request to accept the 2007 Housing Element Annual Progress Report subject to the conditions in Resolution P.C. 08-04. The motion carried by the following vote:

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

5. ANNOUNCEMENTS AND CORRESPONDENCE

Commissioner Kirsten gave a brief report on the happenings at the Planners Institute.

Planning Manager Pirnejad gave a brief update on the timing of the Lodi Shopping Center item. Commissioner Kirsten asked who would know why there are so many delays. Planning Manager Pirnejad stated that staff has the understanding that the response to comments document is taking longer than anticipated.

Planning Manager Pirnejad gave a summary update on the LEED ND project and the TOD project.

6. ACTIONS OF THE CITY COUNCIL

- a. Planning Manager Pirnejad gave a brief report regarding the items on the memo included in the packet.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Planning Manager Pirnejad stated that the General Plan Update third revised version of the alternatives has been brought to staff.

Continued

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. UPDATE ON COMMUNITY SEPARATOR/GREENBELT TASK FORCE

None

10. ART IN PUBLIC PLACES

a. Choose a representative to serve on the Art In Public Places Committee.

Planning Manager Pirnejad stated that the Committee meets the last Wednesday of every month unless otherwise posted at 3 pm.

MOTION / VOTE:

The Planning Commission approved the nomination of Commissioner Dave Kirsten to represent the Planning Commission on the Art In Public Places Committee.

11. COMMENTS BY THE PUBLIC

None

12. COMMENTS BY STAFF AND COMMISSIONERS

None

13. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:00 p.m.

ATTEST:

Peter Pirnejad
Planning Manager