

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 25, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of June 25, 2008, was called to order by Chair Mattheis at 7:00 p.m.

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

Absent: Planning Commissioners – Kirsten

Also Present: Planning Manager Peter Pirnejad, Deputy City Attorney Janice Magdich, Junior Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“June 11, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Olson second, approved the Minutes of June 11, 2008 as written.

3. PUBLIC HEARINGS

None

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Planning Manager Pirnejad thanked Commissioner White for his service on the Commission.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

- a. Chair Mattheis stated that staff is available to answer any questions regarding the summary memo that is a part of the packet.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

- a. Recommend adoption of new regulations for the creation of Flag Lots within the City of Lodi.
  - Planning Manager Pirnejad stated that Staff has received some requests to continue this item, so that further discussion can be had with area contractors and representatives. He suggested that we continue with the presentation and discussion, Chair Mattheis agreed.
  - Planning Manager Pirnejad gave a brief presentation based on the staff report. He stated that these guidelines were created to give staff (Planning, Fire, and Public Works) minimum guidelines to follow. Each department has their own minimum standards. The current zoning ordinance does not have language for these standards to address this type of application. Staff has also received guidance from the Planning Commission on what they would like to see when the applications are brought before them for approval.
  - Planning Manager Pirnejad responded to the emails received (attached to the back of the minutes) requesting a continuance of this item as summarized below:
    - John Beckman had several concerns that can be read in detail in his email letter (attached)
      - Planning Manager Pirnejad responded to Mr. Beckman’s concerns by stating:

- Within the body of the letter Mr. Beckman states that developers that build on flag lots should be consulted during the creation of the policy to which Planning Manager Pirnejad stated that that was the intention of staff all along. Staff first brought this item before the Planning Commission back on April 23, 2008 to promote open discussion regarding this issue.
  1. There is more to approving flag lots than just promoting infill - Fire Concerns, Access issues, Lot size issues, big enough = external street.
  2. This concern is encouraged NOT required.
  3. The minimum lot size is the amount of area that is buildable, the flag portion of the lot is unbuildable and is not considered in the total lot size.
  4. The front yard setback for the back lot is reduced from the current requirement of 20 feet because the pole offers them the necessary access to the lot.
  5. No additional parking required – additional parking is provided in the driveway.
  6. This ordinance isn't meant to limit infill, it is intended to address the street presence for fire, public safety, and neighborhood character. Infill creation shouldn't be the only criteria.
  7. This item was to address Planning Commission's concerns regarding privacy of the existing dwelling surrounding the proposed project.
  8. This item is consistent with the direction that the State of California is heading.
- Joe Murphy
  - Mr. Murphy is requesting a continuance, which staff is recommending for this item.
- Pat Patrick
  - Mr. Patrick is requesting a continuance, which staff is recommending for this item.
- Planning Manager Pirnejad stated that he sent an email response to all the parties concerned letting them know that staff would be recommending the continuance of this item to promote further discussion.
- Vice Chair Kiser stated that if the lot will accommodate more than two dwellings he thinks they should still be able to put more than two. He also asked about the two-story dwellings being set back an extra 5'. Planning Manger Pirnejad stated that only the second story will need to be set back the extra 5' to avoid a tall wall.
- Vice Chair Kiser asked about the alley access issue. Planning Manager Pirnejad stated that staff wanted to leave alley access available for discussion on a case by case basis.

Discussion opened up to the Public

- Jeffery Kirst came forward to offer his opinions. Mr. Kirst handed out a rendition of a flag lot showing three separate parcels that would not be able to be done if these guidelines are approved.

Discussion occurred regarding the different ideas for Flag Lots.

Discussion closed to the Public

- Planning Manager Pirnejad stated that these guidelines were not intended to give staff a reason to deny Mr. Kirst's application. His application supersedes these guidelines. In working with Mr. Kirst to get this project to work several considerations have had to be made and issues address that have not come up in the past and this just strengthens the need for a set of guidelines for staff to follow.
- Commissioner Olson stated that she understands the intent of creating guidelines, but doesn't want to see an example like Mr. Kirst's denied because of these guidelines. She would also like to know why there is a requirement for two covered parking spaces. Planning Manager

Pirnejad stated that the requirement for two covered parking spaces is a part of our current Municipal Code.

- Vice Chair Kiser asked about the visibility of the dwelling on the middle lot of the example that Mr. Kirst provided. Planning Manager Pirnejad stated that the purpose is to provide visual access for Police and Fire to all the lots.

Discussion was re-opened to the Public

- Jeffery Kirsts stated that there have been other situations where Administrative Deviations have been granted for lot size. The parking issue would be similar to apartments, when a car is parked in the right-of-way the police are called and the car towed.
- Chair Mattheis asked how the lot size and the relationship of the pole size for Mr. Kirst's example fit with the neighborhood. Mr. Kirst stated that the issue he had with the pole size was where to start the measurement for the set back for the dwelling units.

Discussion we re-closed to the Public

- Chair Mattheis stated that he would like to look more at the set back issues as related to the pole part of the flag. He would like to get away from using, front, side, and back yard designations in flag lot situations thus looking at the intent of adjacencies in existing conditions. Planning Manager Pirnejad stated that staff could state the intent of the setback and let the developer show that they are trying to meet that intent. Chair Mattheis asked if this could be amended in the future when the new zoning code is adopted. Planning Manager Pirnejad stated that it could be altered and will need to be written into the new zoning code.
- Commissioner White asked if there could be separate guidelines set up for a one to two parcel split, one to three and so on. Chair Mattheis agreed with this suggestion. Commissioner White also suggested that staff keep the two covered parking spaces.

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Olson second, continued the request of item 7a to a date to be determined. The motion carried by the following vote:

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

- b. Recommend adoption of amended regulations for Site Plan and Architectural Review within the City of Lodi.

- Planning Manager Pirnejad gave a brief presentation based on the staff report. Staff is recommending option two.
- Chair Mattheis asked about the percentage of the applications that would need to be divided. Planning Manager Pirnejad stated that the majority of the applications fall under the discretionary category currently. Staff feels that there will be more of the non-discretionary type applications coming forward in the future.

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Olson second, approved the recommendation of Staff to amended regulations for Site Plan and Architectural Review within the City of Lodi as stated in Resolution PC 08-16. The motion carried by the following vote:

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

*Continued*

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

a. Report on Special Meeting of June 23, 2008.

- Vice Chair Kiser gave a brief report regarding the approval of the new Speed-e Car Wash.

9. ART IN PUBLIC PLACES

None

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

Chair Mattheis thanked Commissioner White for his service.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:30 p.m.

ATTEST:

Kari Chadwick  
Community Development Department Secretary