

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 13, 2008**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of February 13, 2008, was called to order by Chair Mattheis at 7:00 p.m.

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

Absent: Planning Commissioners – Olson

Also Present: Planning Manager Peter Pirnejad, Junior Planner Rick Caguiat, City Attorney Steve Schwabauer (7:30), and Administrative Secretary Kari Chadwick

2. MINUTES

“October 10, 2007”

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, White second, approved the Minutes of October 10, 2007 as written. (Commissioners Olson abstained because she was not on the Commission at the time the meetings were held)

“January 9, 2008”; January 23, 2008”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner White, Kiser second, approved the above Minutes with one correction: the deletion of Commissioner Kuehne and addition of Commissioner Olson under roll call for the meeting of January 9, 2008.

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 Mattheis called for the public hearing to consider continuing the request of Mr. Mohammad Abu Arqoub for site plan and architecture of a convenience store with a gas station at 730 South Cherokee Lane to a date to be determined. This item was continued from November 28, 2007.

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Kirsten second, continued the request of Mr. Mohammad Abu Arqoub for site plan and architecture of a convenience store with a gas station at 730 South Cherokee Lane to a date to be determined. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Hennecke, Kirsten, Kiser, White, and Chair Mattheis

Noes: Commissioners – None

Absent: Commissioners – Olson

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Mattheis called for the public hearing to consider continuing the request of Farmers and Merchants Bank for Growth Management Allocations, a General Plan Amendment, a Rezoning and an associated Mitigated Negative Declaration to permit construction of up to 47 residential units at the southwest corner of Lower Sacramento Road and Turner Road to a date to be determined. This item was continued from November 14, 2007.

MOTION / VOTE:

The Planning Commission, on motion of Vice Chair Kiser, Kirsten second, continued the request of Farmers and Merchants Bank for Growth Management Allocations, a General Plan Amendment, a Rezoning and an associated Mitigated Negative Declaration to permit construction of up to 47 residential units at the southwest corner of Lower Sacramento Road and Turner Road to a date to be determined. The motion carried by the following vote:

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

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Mattheis 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 Alebrijes Mexican Bistro located at 1301 W. Lockeford Street Suite D.

Junior Planner Caguiat gave a brief PowerPoint presentation based on the staff report.

Hearing Opened to the Public

- Solo, Owner, came forward to answer questions.
- Chair Mattheis asked Mr. Solo how long he had been open. Mr. Solo stated 3 months.

Public Portion of Hearing Closed

- Chair Mattheis & Commissioner Kirsten stated that they are in favor of this application.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner White, Hennecke second, approved the request of the Planning Commission for a Use Permit to allow a Type-41 on-sale beer and wine license at Alebrijes Mexican Bistro located at 1301 W. Lockeford Street Suite D subject to the conditions in resolution PC 08-02. The motion carried by the following vote:

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

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Mattheis called for the public hearing to consider the request for approval of a Use Permit to upgrade an existing Type-41 alcohol license to Type-47 on-sale general at El Rosal located at 728 W. Kettleman Lane.

Junior Planner Caguiat gave a brief PowerPoint presentation based on the staff report.

Commissioner White asked if the applicant loses the Type 41 or if she is able to retain both. Planner Manager Pirnejad stated that the Type 41 license is forfeited.

Hearing Opened to the Public

- Janet Martinez & Mrs. Martinez, daughter of the owner & the owner, came forward to answer questions.
- Chair Mattheis asked Mrs. Martinez how long she had been in business. Mrs. Martinez stated that she has been in business 10 years.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Cummins, Kiser second, approved the request for a Use Permit to upgrade an existing Type-41 alcohol license to Type-47 on-sale general at El Rosal located at 728 W. Kettleman Lane subject to the conditions in Resolution PC 08-03. The motion carried by the following vote:

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

4. PLANNING MATTERS/FOLLOW-UP ITEMS

Planning Manager Pirnejad gave a brief report on each of the items below.

- a. LAFCO approval of MSR
- b. Planners Institute Conference – March 26 – 28, 2008.
- c. Fitness Systems (Ongoing Code Enforcement)
- d. Planning Articles
 - January 2, 2008; SF Chronicle; “Pennsylvania township bringing back sidewalks”
 - January 2, 2008; SF Chronicle; “Sustainable Sites Initiative aims for landscape-specific standards”

City Attorney Schwabauer arrived.

5. ANNOUNCEMENTS AND CORRESPONDENCE

- a. Brown Act & Ethics Training Announcement
 - City Attorney Schwabauer reported that the City Attorney’s office will be working with the City Clerk’s office to set up dates for the bi-annual training sessions.
- b. “Roberts Rules of Order” (Given to Chair & Vice Chair) & A copy of the City of Lodi Resolution establishing the rules for the conduct of its meetings (Resolution 2006-31).
- c. TOD Updated Schedule Attached
 - Planning Manager Pirnejad gave a brief report on items “b” & “c”.

6. ACTIONS OF THE CITY COUNCIL

- a. Summary Memo as attached to the packet.
Chair Mattheis stated his approval of this new format.
Planning Manager Pirnejad gave a brief report on items that will be coming before the Council in the near future.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

- a. Schedule as attached to the packet.
Chair Mattheis asked if there was a date scheduled for the next workshop. Planning Manager Pirnejad stated that Staff would pass the date on to the Commission as soon as it is scheduled, but the current understanding is that the expectation is that it could occur in the first week of April.

Continued

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Planning Manager Pirnejad stated that the Mayor is scheduled to appoint the new SPARC Members at the next City Council Meeting on February 20th.

Vice Chair Kiser gave a brief report on the actions taken at the meeting on the February 11th.

9. UPDATE ON COMMUNITY SEPARATOR/GREENBELT TASK FORCE

a. Council approved City Manager to enter into negotiations with Ken Vogel (County Supervisor) regarding Armstrong Road Zoning.

- Planning Manager Pirnejad gave a brief report on the above agenda item. The focus at this point is price.

10. ART IN PUBLIC PLACES

a. Next meeting scheduled for February 27, 2008 to review Art Proposal for the corner of Lodi Ave. & Washington St.

Planning Manager Pirnejad gave a brief report on the above agenda item.

Commissioner Kirsten asked about the status of the "Toast the Harvest" art piece. Planning Manager Pirnejad stated that the Committee is still working on the details and more information should be available after the meeting on the 27th.

11. COMMENTS BY THE PUBLIC

None

12. COMMENTS BY STAFF AND COMMISSIONERS

Commissioner Cummins asked Staff to get the Commission the total square footage of commercial space available in the City limits and the ratio of grocery space vs population.

13. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:52 p.m.

ATTEST:

Peter Pirnejad
Planning Manager