

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p>AGENDA LODI SITE PLAN & ARCHITECTURAL REVIEW COMMITTEE</p>	<p><u>REGULAR SESSION</u> WEDNESDAY, JUNE 8, 2011 @ 5:15 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 – “May 11, 2011”
3. REVIEW ITEMS
 - a. Continued from October 27, 2010 - Request for Site Plan and Architectural Review Committee approval to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane. (Applicant: Maria Barajas; File 10-SP-01)
4. COMMENTS BY THE PUBLIC
5. COMMENTS BY SPARC MEMBERS & STAFF
6. 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 of Appeal:

If you disagree with the decision of the committee, 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 meeting, may appeal.

Pursuant to Lodi Municipal Code Section 17.81.070, actions of the Site Plan and Architectural Review Committee may be appealed to the Planning Commission by filing, within ten (10) business days, a written appeal with the Community Development Director 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: Community Development Director, City Hall 1st Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6711.

**SITE PLAN AND ARCHITECTURAL
REVIEW COMMITTEE SPECIAL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 11, 2011
MINUTES**

1. CALL TO ORDER / ROLL CALL

The Regular Site Plan and Architectural Review Committee meeting of May 11, 2011 was called to order by Chair Kiser at 5:15 p.m.

Present: Committee Members Kirst, Slater, Stafford and Chair Kiser

Absent: Committee Members None

Also Present: Associate Planner Immanuel Bereket

2. MINUTES

a) March 9, 2011 minutes approved unanimously, motion by Slater, second by Stafford.

3. REVIEW ITEMS

a) Request for Site Plan and Architectural Review Committee approval to construct a new 10,275-square-foot industrial/warehouse building at 101 Hansen Drive. (Applicant, Herb Prezler Construction. File # 11-SP-04).

Associate Planner Bereket presented and briefly described the project. He provided background on the project. He stated that the Municipal Code mandates all nonresidential buildings proposed for construction in M-1 zoning district which abut upon areas zoned C-2 zones are subject to site plan and architectural (SPARC) review and approval. He stated the project site abuts C-2 zoning district. He stated that the applicant is proposing to construct a pre-engineered, two-story metal building at 101 North Hansen Drive. He described the overall site layout and building design of the building. Mr. Bereket stated that the west elevation should receive further architectural treatments.

After staff's presentation, the Committee asked a few questions about the project. SPARC Member Mr. Slater stated that he does not feel the west elevation needs signification treatment. He stated wall-mounted light fixtures would suffice. He pointed out that the west elevation is partially concealed from public view by an existing building. Mr. Kiser agreed but stated the west elevation appears massive and should receive some kind of treatment. Mr. Slater asked if the proposed landscape and plant species selected meet the City's standards. Mr. Bereket stated conditions of approval mandate that plant spices be selected from City approved plans, which are mostly drought tolerant type of species. Mr. Kiser asked if handicap parking stalls are provided. Mr. Bereket pointed to the location of the parking stalls and added that the number of stalls provided meet the City requirements. Mr. Slater requested to see the northern elevation. Mr. Bereket displayed the northern elevation and stated that the north elevation would be visible from adjacent Oak Street.

Herb Prezler, project representative, spoke on behalf of the project. He stated his objection to window or door openings on the western elevation as it serves no purpose. However, agreed with Mr. Slater that the applicant would provide wall-mounted light fixtures throughout the site to further soften the mass appearance. Mr. Prezler stated that the applicant has limited time schedule to construct and occupy this building. Mr. Kiser asked if Giuffra's Party Supply would move into this new location and what would happen with their existing location. Mr. Prezler stated that Giuffra's Party Supply has a lease at their existing location and their lease expires at

the end of the year. He further stated that the property owner has already rented out their current space to another business. Mr. Stafford asked if he has read the conditions. Mr. Preszler stated they agree with the conditions excepts his client do not feel there should be any opening on the western elevation. Mr. Stafford asked if his clients would re-start their catering business. Mr. Preszler stated he has no information to answer one way or another.

There being no more questions, the Chair asked for any motion to approve the project.

MOTION / VOTE:

On motion of SPARC Member Kirst, second by SPARC Member Slater, approved the request of Herb Preszler to construct an industrial/warehouse building at 101 Hansen Drive, subject to the SPARC Common Design Requirements and Supplemental Conditions. The vote was as follows:

Ayes: Kirst, Slater, Stafford and Chair Kiser

Noes: None

Absent: None

3. COMMENTS BY THE PUBLIC

No Comments.

4. COMMENTS BY THE PUBLIC

No Comments.

5. COMMENTS BY SPARC MEMBERS AND STAFF

No Comments.

6. ADJOURNMENT

There being no further business to come before the Site Plan and Architectural Review Committee, the meeting was adjourned at 5:50p.m.

ATTEST:

Immanuel Bereket
Associate Planner



MEMORANDUM, City of Lodi, Community Development Department

To: Site Plan and Architectural Review Committee
From: Immanuel Bereket, Associate Planner, Community Development Department
Date: June 8, 2011
Subject: Continued from October 27, 2010 - Request for Site Plan and Architectural Review Committee approval to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane. (Applicant: Maria Barajas; File 10-SP-01)

RECOMMENDATION

Staff recommends the Site Plan and Architectural Review Committee approve of the request of Ms. Maria Barajas to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane, subject to the SPARC Common Design Requirements and Supplemental Conditions.

SUMMARY

The applicant installed a storage container without a permit at their store located at 725 South Cherokee Lane. The applicant, as a response to Code Enforcement citation, would like to legally reinstall the storage container at a different location on the parcel. In response to SPARC instructions, the applicant proposed revised elevations for review and approval.

BACKGROUND

On October 27, 2010, the Site Plan and Architecture Review Committee held a public meeting to consider the applicant's request to allow an outdoor storage cargo container at the site, which has been installed without a permit and is subject of a code enforcement action. At that meeting, SPARC heard a presentation based on the staff report, asked questions of staff and the applicant; closed the public hearing, and based on the record as whole voted (4-1) to continue the item. Further, the requested revisions to the plans and instructed staff to send out a public hearing notices to all property owners of record within 300-ft radius. Staff has worked with the applicant to find an acceptable resolution in accordance with items discussed at this meeting. Staff sent a public hearing notice to all property owners of record within 300-ft radius on May 26, 2011 as well as posted a legal notice in the Lodi News Sentinel.

ANALYSIS

The property at 725 South Cherokee Lane is developed with a single-story commercial building containing a single tenant space. The site faces Cherokee Lane to the east, Harold Street to the north, residences to the west and an alley to the south. The site contains nine (9) striped parking spaces and court area with permanent seating fixtures. The site also hosts a food vendor truck in the court area. The uses immediately surrounding the property include a variety of stores and uses ranging from gas stations, to car wash and mini-stores, and residential uses to the west. There is currently an unpermitted cargo container on the site and is visible from Cherokee Lane as well as from an adjacent alley. As proposed, the cargo container would be relocated away from Cherokee Lane toward the rear of the property. Specifically, it would be placed on the southwest corner of the parcel with the door facing north.

As illustrated on the revised plans, the cargo container would have a footprint of approximately 320 sq. ft and would effectively displace 5 stripped parking spaces. It would be 8-ft in height. It would be setback at least six (6) feet from the alley and seven (7) feet from the western

property line. Proposed placement for the storage container has been chosen with screening in mind. The container will be set back far enough from the existing fence as well as the residential properties to the west so that its visibility should not be minimal. And while the existing fence may need to be repainted/refaced at some point, in combination with existing landscaping, it should provide adequate screening of the cargo container. As illustrated on revised plans, the container would be fully enclosed with stucco treated walls. Vertical columns are provided every 111-ft apart to break up the mass appearance of the western and eastern elevations. The south elevations treated with stucco and the north elevation features the only entrance. Proposed roofing material consists of mission style tile. As proposed, the container would be fully enclosed with stucco finishes. It will be painted to match the principal building.

Currently, the site is developed with ten (10) parking spaces, which exceeds the number of parking spaces required by one. The proposed facility would displace five (5) parking spaces. However, as illustrated on the plans, there will be four new onsite parking spaces, which would meet the City's standards relating to size and dimensions. If the proposed project is approved, the site will contain nine parking spaces, which would satisfy the City's requirements. The area slated for the new parking spaces is currently occupied by unpermitted cargo container.

The business has signs at the Cherokee Lane and alley frontages, which constitute the maximum of signage the business is permitted. In addition, there are unpermitted banner signs. Conditions of approval require the applicant to remove all illegal signs from the business as well as cease to utilize A-frame signs. Further, conditions of approval prohibit placement of any signage on the proposed storage container.

Staff believes that the storage container provides the business's need for storage room and the storage, as designed and conditioned herein, that the use would be a compatible. Staff has reviewed the proposed storage container for consistency with the City's rules and previous SPARC and Planning Commission approvals for other sites and determined that the proposed storage containers should be approved with the conditions attached at the end of this report. The applicant's request has been reviewed by various City departments. All departments recommend approval of the project subject to the conditions outlined below. Based upon City evaluation and analysis, staff recommends that the Site Plan and Architectural Review Committee adopt the findings of this report and approve the proposed project at 725 South Cherokee Lane, subject to SPARC Common Conditions and Supplemental Conditions.

SUPPLEMENTAL CONDITIONS

In addition to the Committee's Common Design Requirements, staff recommends approval of the request of Maria Barajas to install a storage container at 725 South Cherokee Lane, subject to the Supplemental Conditions.

1. The project proponent and/or successors in interest and management shall defend, indemnify and hold the City, its agents, officers, and employees harmless of any claims, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of this SPARC application, so long as the City promptly notifies the project proponent of any claim, action or proceedings against the City and will cooperate fully in defense of the action or proceedings.
2. The project proponent shall submit appropriate plans to the Community Development Department for plan check and building permit. The plans shall include architectural features such as the colors, elevation including all other elements approved by the Site Plan and Architectural Committee. Any significant alteration to the site plan as approved by the Site Plan and Architectural Committee shall require an action by the Site Plan and Architectural Committee. Minor changes, however, may be approved subject to review and approval of the Community Development Director.

3. The developer/applicant shall construct and 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.
4. Final exterior materials and colors shall be consistent with what is shown on the SPARC plans and be approved by the Community Development Director prior to issuance of building permit.
5. The proposed parking stalls shall meet the City's minimum dimensions. End stalls must be a minimum of 10-ft wide and 20-ft deep.
6. The applicant shall submit appropriate plans to the Community Development Department for plan check and building permit within one hundred-twenty (120) days from the effective date of this SPARC approval.
7. The applicant shall submit a landscaping and irrigation plan to the Community Development Department for review and approval. Landscaping materials indicated on the conceptual landscape and irrigation plan may be changed per the review of the Community Development Director or designee but shall not be reduced in amount.
8. The project proponent shall submit appropriate plans to the Community Development Department, Building Division, for review and approval. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2010 California Building Code.
9. All plan submittals before January 1 2011 shall be based on the City of Lodi Building Regulations and currently adopted 2010 California Building code. Please review our policy handouts for specific submittal procedures.
10. Fire rated construction of walls and protection of openings shall be provided for the new storage container where required due to construction type, occupancy and location on property or proximity to other structures. 2010 CBC, Sections 702, 704.3, 704.8 and Tables 601, 602, 704.8.
11. An accessible route of travel complying with 2010 CBC, Section 1114B.1.1 shall be provided between the existing market and the new accessible parking space per 2010 CBC, Sections 1127.B.1 and 1133B.1.1.1.
12. Walkways and sidewalks along the accessible routes of travel (1) shall be continuously accessible, (2) have maximum 1/2" changes in elevation, (3) are minimum 48" in width, (4) have a maximum 1/4" per foot side slope, and (5) where necessary to change elevation at a slope exceeding 5% (i.e., 1:20) shall have ramps complying with 2010 CBC, Section 1133B.5. 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 2010 CBC, Section 1133B.8.5.
13. No signage shall be permitted on the proposed storage container. All signs shall be in strict compliance with the City of Lodi's Zoning Ordinances. All signage shall be subject to review and approval of the Community Development Director. All signage shall be individual channel letters or the equivalent. No exposed raceway shall be permitted with the signage. All identification signs shall require a building permit.
14. Prior to reliance on this conditional approval, the applicant shall sign an affidavit, stating that the applicant has read, understands and will comply with the above conditions. This affidavit shall be returned to the City of Lodi Planning Division prior to issuance of a building permit.

15. Any fee 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 fee 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 in full to the City.
16. Additional comments and conditions will be provided in conjunction with the approval of a building permit for this project.

Respectfully Submitted,

Concur,

Immanuel Bereket
Associate Planner

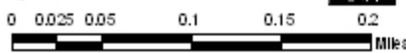
Konradt Bartlam
Community Development Director

EXHIBITS:

- A. Vicinity Map
- B. Aerial Map
- C. Site Plans
- D. Proposed Elevations
- E. October 27, 2010 SPARC Meeting Minutes



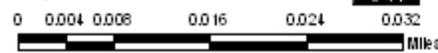
Project Site



Vicinity Map
 La Capilla Market
 725 South Cherokee Lane
 Lodi, CA 95240

Legend

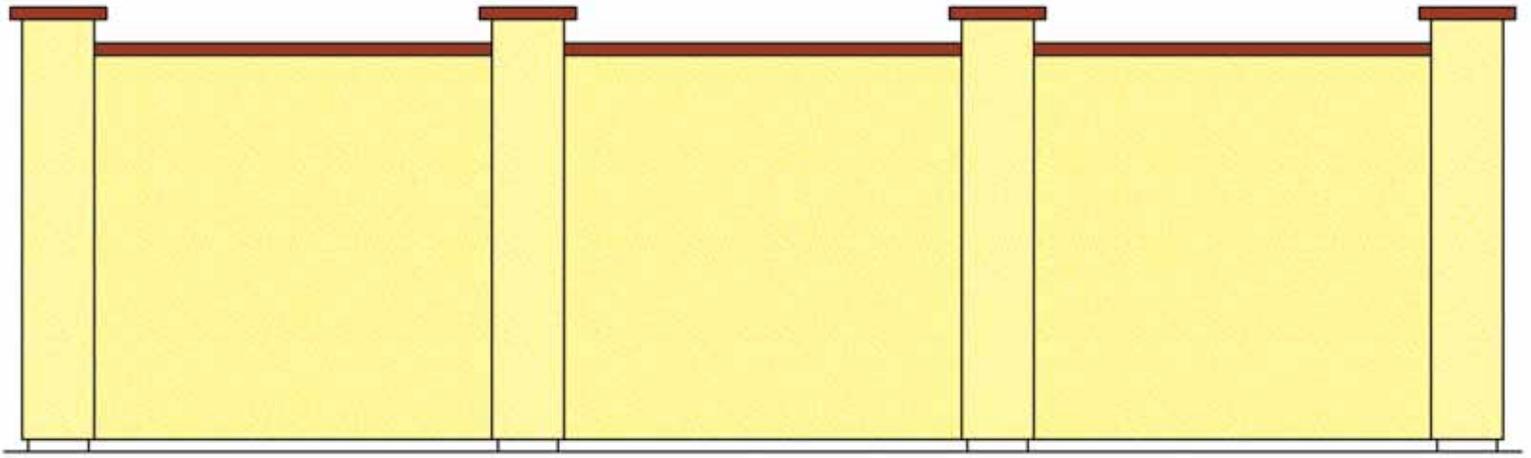
 Project Site



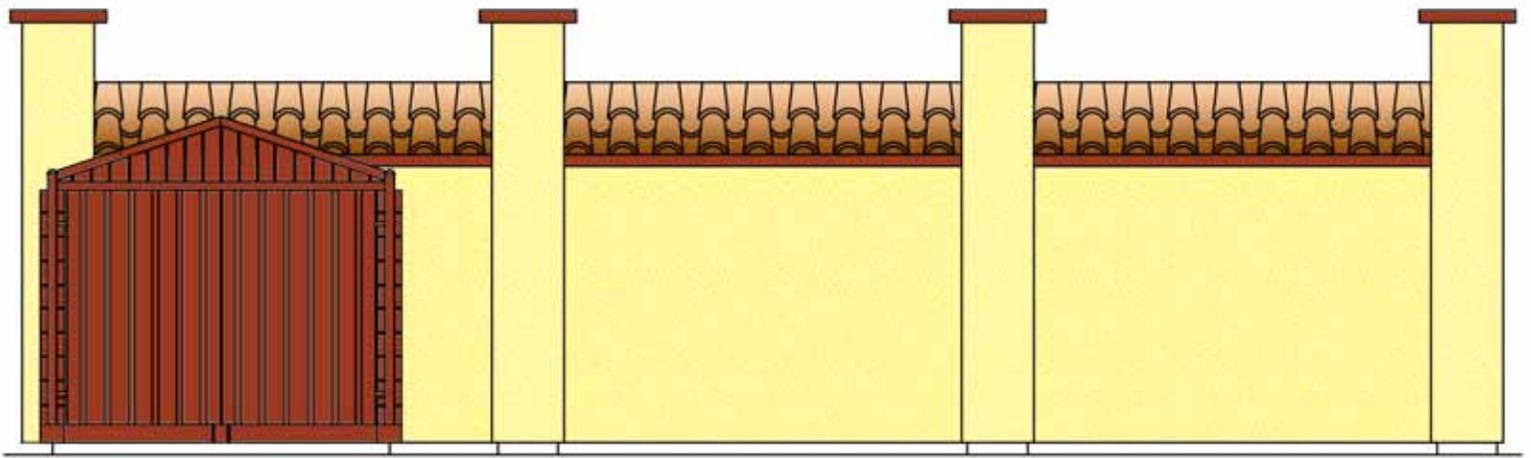
Aerial Map
La Capilla Market
725 South Cherokee Lane
Lodi, CA 95240

Legend

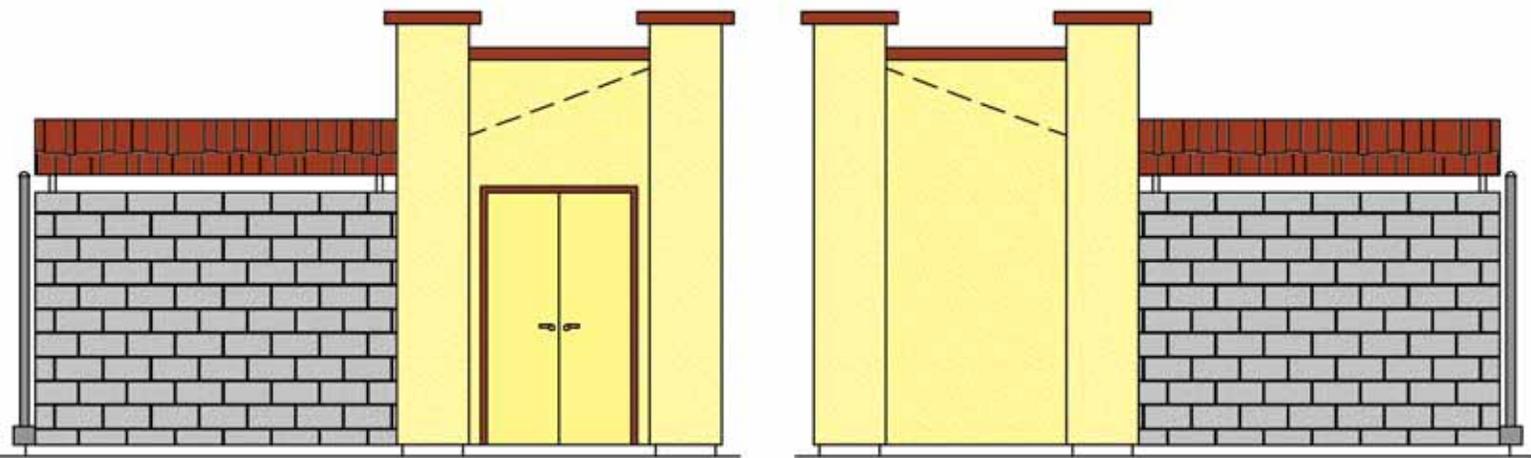
 Project Site



WEST



EAST



SOUTH

NORTH

EXTERIOR ELEVATIONS

**SITE PLAN AND ARCHITECTURAL
REVIEW COMMITTEE SPECIAL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 27, 2010
MINUTES**

1. CALL TO ORDER / ROLL CALL

The Regular Site Plan and Architectural Review Committee meeting of October 27, 2010 was called to order by Chair Selleseth at 5:15 p.m.

Present: Committee Members Kiser, Reyes, Slater, Stafford and Chair Selleseth

Absent: Committee Members None

Also Present: Community Development Director Konradt Bartlam, Deputy City Attorney Janice Magdich, and Associate Planner Immanuel Bereket

2. MINUTES

None

3. REVIEW ITEMS

- a) Request for Site Plan and Architectural Review Committee approval to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane. (Applicant: Maria Barajas; File 10-SP-01)

Associate Planner Bereket presented and briefly described the project. He stated that the applicant installed a storage container without a permit at their store located at 725 South Cherokee Lane. In response to Code Enforcement actions, the applicant submitted a SPARC application. Mr. Bereket stated that City staff has been working with the applicant and her engineer to find a workable solution. He stated the storage container would be installed on their parking lot behind their existing grocery store. He stated the container is eight (8) feet wide by forty (40) feet deep and is approximately ten and half feet tall. He stated conditions of approval mandate the container to be painted so as to match the body of the existing building, which primarily consists of beige colors.

After staff's presentation, the Committee asked a few questions about the project. SPARC member Kiser asked if any parking spaces would be removed. Mr. Bereket replied that the container would displace a total of five (5) parking spaces, but four spaces would be created in an area currently occupied by an unpermitted storage container. Mr. Kiser asked if the number of parking spaces meet requirements. Mr. Bereket stated with the addition of four new parking stalls, the business would satisfy off-street parking requirements.

SPARC member Slater expressed his concern regarding the design and location of the container. He asked if the adjacent residential neighbors have been notified of this meeting. Director Bartlam stated that the City does not notify neighbors of pending SPARC meetings, but it advertises it in the paper. Mr. Slater expressed his concern that the neighbors have not been notified and that the project should be continued to future date. He requested that staff notify neighbors of future meetings.

SPARC member Stafford asked about the landscape plan. He asked if the strip of land on the alley side was for landscaping. Mr. Bereket stated that area is considered a setback and would be landscaped. Mr. Bereket also stated the landscaped setback area would serve as screen. Mr. Stafford stated his concern regarding the

architectural features of the container and stated that it should be treated. He stated there are ways to make it aesthetically appealing. He also stated his concern that the neighbors have not been notified.

Mike Smith, project engineer, spoke briefly and stated that his client is open to providing architectural treatment to the container. He stated that his client has a long term plan to expand the building and that the container is only a short-term solution. He stated the business needs storage facility but they cannot expand at this time due to financial constraints.

Mr. Slater asked if his client would be willing to continue the item to future dates and bring it back with new architectural designs to make it appealing. Mr. Smith responded that his client would not object. Mr. Stafford asked if the application is continued, would it adversely affect the applicants. Mr. Bartlam stated it would not.

SPARC member Reyes stated that the conditions imposed on the project would mitigate any of the concerns raised by SPARC members and he stated that it should be approved as proposed. SPARC member Kiser stated that although he understood the financial difficulties of the applicant, he stated he is hesitant to approve as submitted because it would set a precedent. He stated that the container needs to be treated so that the neighbors don't register complaints with the City. SPARC member Selleseth asked if a time limit could be imposed on the container. Mr. Bartlam stated that the project, as submitted, constitutes a building and that no time limit could be imposed on the project.

There being no more questions, the Chair asked for any motion to approve the project.

MOTION / VOTE:

On motion of SPARC member Kiser, second by Commissioner Slater, the request of Ms. Maria Barajas to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane was continued to a future date not yet determined with the following condition:

- Staff shall notify the neighbors of future SPARC meetings regarding this project.

The vote was as follows:

Ayes: Kiser, Slater, Stafford and Chair Selleseth

Noes: Reyes

- b) Request Site Plan and Architectural Review Committee approval of the site plan and architecture of the proposed outdoor storage facility at 226 North Main Street. (Applicant: Baumbach and Piazza, Inc., on behalf of Farwest Safety Inc; File 10-SP-05).

Associate Planner Bereket presented and briefly described the project. He stated that the City received a complaint that Farwest Safety Inc. was using an undeveloped vacant site to store their equipment. The complaint was forwarded to the Police Department, Code Enforcement Unit for investigation. In the course of the investigation, it was learned that Farwest Safety Inc., placed asphalt material on the ground in violation of Stormwater Management Program and that the site was being used as an outdoor storage facility without SPARC review and approval. Upon becoming aware of their storage of materials outdoors, staff informed Farwest Safety Inc. that they would need to apply for a SPARC application and develop the parcel in accordance with the City stormwater run-off requirements in order to continue to store equipment at this location. On June 22, 2009, Baumbach and Piazza, Inc. filed a SPARC Application No. 10-SP-05 requesting approval to legalize the outdoor storage of equipment at the project site. He stated the City requires use of vacant

sites for outdoor storage facility require review and approval by the City of Lodi Site Plan and Architecture Review Committee (SPARC) to ensure full compliance with City standards and requirements.

Mr. Bereket stated that the applicant must to replace the existing chain-link fence that is on the property line with a solid 8-ft tall CMU fence. He stated the new fence must maintain a 10-ft setback on Lockeford Street and 5-ft setback along Main Street. Mr. Bereket stated that a condition of approval is included requiring the fence to be relocated 10 feet from the property line along Lockeford and Main Street and be replaced by 8-ft tall CMU wall along Lockeford Street on the south, along Main Street on the east and the first 5-ft along the western property line (abutting the UPRR). Mr. Bereket further stated the remainder of the fence along the western property line may be of chain-link fence. All setback areas must be landscaped.

Mr. Bereket stated that these requirements have been communicated to the applicants and their engineer well in advance of the meeting. Mr. Bereket stated that the outdoor storage area must be fully screened. He stated that the project site is adjacent to the Downtown District and is a major gateway to the downtown from the north.

After staff's presentation, the Committee asked a few questions about the project. SPARC member Kiser asked if the project proponents agree with the conditions of approval. Mr. Bereket stated that the applicants and their engineer were present at the meeting and that he would defer to them to answer. Mr. Pechin, of Baumbach and Piazza, stated that his clients do not agree to the terms of conditions for a number of reasons. He stated that the CMU wall wasn't necessary since the project site was industrial and other adjacent businesses do not even provide screening. He further states that his clients would be willing to install chain-link fence with slats to provide cover. He stated CMU walls would be expensive proposition to his client.

Gary Anderson, project proponent, stated that the business cannot afford CMU wall at this time due to financial constraints. He stated that the project does not generate any revenue to justify expenditure it would require to install CMU wall.

Mr. Pechin provided staff and SPARC members a list of various businesses in Lodi where chain-link fences are used. SPARC member Slater asked staff if any of those businesses could be required to screen their properties better. Director Bartlam replied that if these businesses applied for expansion or any City approval, then the City would require them to do so. However, since the businesses predate the City's requirements, the City could not retroactively impose new requirements.

Mr. Pechin asked SPARC to continue the item so that he could work with staff to find a solution. SPARC member Stafford asked if continuation of the item affects the applicants. Mr. Bereket stated that it wouldn't. Mr. Kiser expressed his concern of outdoor storage facility so close to downtown. Mr. Kiser stated that the City has invested time and financial resources to revitalize the downtown area and unscreened, exposed outdoor storage would defeat these efforts. He stated that he doesn't oppose the project, but it needs to be screened properly. He stated he supports continuation of the item to a future date. Mr. Pechin said he would work with staff if the item is continued.

There being no more questions, the Chair asked for any motion to approve the project.

MOTION / VOTE:

On motion of SPARC member Kiser, second by Slater, the request of Baumbach and Piazza, Inc., on behalf of Farwest Sign Inc., for site design and architecture of a

proposed outdoor storage facility at 226 North Main Street was continued to a future date not yet determined.

The vote was as follows:

Ayes: Kiser, Reyes, Slater, Stafford and Chair Selleseth
Noes: None.

3. COMMENTS BY THE PUBLIC

None

4. ADJOURNMENT

There being no further business to come before the Site Plan and Architectural Review Committee, the meeting was adjourned at 5:45p.m.

ATTEST:

Immanuel Bereket
Associate Planner