

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p>AGENDA LODI PLANNING COMMISSION</p>	<p>REGULAR SESSION WEDNESDAY, AUGUST 28, 2019 @ 7:00 PM</p>
---	---	---

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 – “March 13,2019”, “April 10, 2019”, “May 8, 2019”, “June 12, 2019” & “July 24, 2019”
3. PUBLIC HEARINGS
 - a. None
4. PLANNING MATTERS/FOLLOW-UP ITEMS
5. ANNOUNCEMENTS AND CORRESPONDENCE
6. ACTIONS OF THE CITY COUNCIL
7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
8. ACTIONS OF THE LODI ARTS COMMISSION
9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)
10. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF (NON-AGENDA ITEMS)
11. REORGANIZATION
 - a. Planning Commission Chair & Vice Chair
 - b. Planning Commission Representatives to: SPARC and Lodi Arts Commission
12. 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 to Appeal:

If you disagree with the decision of the commission, 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 hearing, may appeal.

Pursuant to Lodi Municipal Code Section 17.72.110, actions of the Planning Commission may be appealed to the City Council by filing, within ten (10) business days, a written appeal with the City Clerk 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: City Clerk, City Hall 2nd Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 13, 2019**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of March 13, 2019 was called to order by Vice Chair Cummins at 7:00 p.m.

Present: Planning Commissioners – Gomes, Hennecke, Hicks, Kirsten, Slater and Vice Chair Cummins

Absent: Planning Commissioners – Chair Olson

Also Present: City Planner Craig Hoffman, Deputy City Attorney John Fukasawa and Department Secretary Kari Chadwick

2. MINUTES

“January 9, 2019” & “February 13, 2019”

MOTION / VOTE:

No Motion/Vote was able to be made because the minutes were available for review.

Craig Hoffman, City Planner, stated that there is only one public hearing item on the agenda tonight. Item 4a will be to receive comments on the environmental document and item 6a will be an informational item only.

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 Cummins called for the public hearing to consider the request of the Planning Commission to approve a Use Permit and Site Plan Review to allow the construction of a 400,340 sq ft building with a Type-2, 14 and 22 ABC license for wine processing, storage and shipping at 1170 South Guild Ave. (Applicant: Lodi Grape Station, Calif G.P.; File 2019-3 U / SP; CEQA Determination: Exempt per Section 15332 – In-fill development consistent with the General Plan and Zoning Code)

City Planner Craig Hoffman gave a brief presentation based on the staff report. Staff is recommending approval of the project as conditioned in the draft resolution.

Commissioner Slater asked for a clarification on the exact piece of land the building will sit. Mr. Hoffman pointed out the exact parcel on the map. Mr. Slater asked where the parking will be located. Mr. Hoffman stated the staff parking will be in the front part of the property. He added that this project will not be offering a wine tasting room, so additional parking will not be required.

Hearing Opened to the Public

- Steve Bauschon, applicant, came forward to answer questions.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Hennecke, Kirsten second, finds that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 – In-fill development consistent with the General Plan and Zoning Code and adopts a Use Permit and Site Plan Review to allow the construction of a 400,340 sq ft building with

a Type-2, 14 and 22 ABC license for wine processing, storage and shipping at 1170 South Guild Ave, subject to the findings and conditions of approval contained in the draft resolution. The motion carried by the following vote:

Ayes: Commissioners – Gomes, Hennecke, Hicks, Kirsten, Slater and Vice Chair Cummins
Noes: Commissioners – None
Absent: Commissioners - Chair Olson

4. PLANNING MATTERS/FOLLOW-UP ITEMS

- a) Receive Comments for the Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration for the Turner Road Lake House Mixed Use Development Project

Craig Hoffman, City Planner, gave a brief overview of the project and introduced Charlie Simpson from Basecamp. Mr. Simpson is the Planning firm that put the environmental document together.

Mike Debortoli, plant manager for the generating facility directly adjacent to this project, came forward to express concerns regarding this project being so close to the power plant. He stated that this facility is a gas turbine power plant with heavy machinery and a natural gas pipeline with receiving area and a 120,000 fuel storage tank. Mr. Debortoli stated that they are happy to work with the applicant to help mitigate the concerns, but added that their main concerns with the document are in regards to the lack of mitigation for noise, fire, air and land use. He stated that the proposed zoning change will cause the noise from the plant to be out of compliance and there isn't anything specific in the Mitigated Negative Declaration that states how this will be mitigated. The fire concern is from the need for a 100 foot radius around the Diesel tank that should be maintained and in addition to that the natural gas systems have pressure release vents and will release pressure if there is a system malfunction. Air is another concern and this facility uses Diesel fuel oil in the self-starter. The Land Use in regards to the parking structure could compromise the fencing around the facility. He also added that they don't feel that the zoning change request meets the requirement in the City's Municipal Codes that the use be compatible with the adjoining land uses. Mr. Debortoli stated that they are willing to work with the applicant to come up with viable mitigation measures for these items.

Commissioner Hennecke asked staff to show where the tanks are located. Mr. Debortoli showed where the tanks are located on the site plan.

Commissioner Kirsten asked for clarification regarding the number of hours that the plant needs to run. Mr. Debortoli stated that it is limited to 200 hours per year. Mr. Kirsten asked if there have been any problems with fire or gas pressure releases since the facility was built in 1985. Mr. Debortoli stated that there has not been any issues with either of those items. Mr. Kirsten asked if there are any residential developments this close to a facility like this anywhere else. Mr. Debortoli stated that he is not aware of any and if they were going out to find land to put a facility like this they would not consider a site this close to a residential area.

Vice Chair Cummins asked who owns the power plant. Mr. Debortoli stated that NCPA owns the plant and the City of Lodi is a member of NCPA.

Commissioner Kirsten asked if the noise reading is being taken from the height of the wall or the building. Mr. Debortoli stated that they would take the reading from the height of the buildings.

Commissioner Slater asked what forms of mitigation could be used. Mr. Debortoli stated that he has seen trees used, but that is in a case where a high pitch noise needed mitigating. He added that baffles can be used to mitigate some possible fan noises.

Larry Bradfield, president of the Town and Park Condominium Association, came forward to express his concerns regarding the traffic noise and if the hotel is going to be located on the corner

there will be complaints. He also added that the gas turbine noise is heard from his residence which is located just to the west of the old General Mills site.

Steve Vanderhoven, Woodlake Court resident, came forward to express concerns regarding the noise at the Turner Road and Lower Sacramento Road intersection and the turbine as well. He added if a light isn't install at the only entrance/exit to the development there will be traffic issues at that intersection.

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

- a) Executed a Reimbursement Agreement with Anthem United Perrin Ranch, Limited Partnership for Annexation Entitlement Processing and Environmental Review Services for the Proposed Perrin Ranch Project at 1890 East Harney Lane

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

8. ACTIONS OF THE LODI ART COMMISSION

Commissioner Kirsten stated that there are no changes since the last meeting.

9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

None

10. COMMENTS BY STAFF AND COMMISSIONERS (NON-AGENDA ITEMS)

None

11. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:30 p.m.

ATTEST:

Kari Chadwick
Planning Commission Secretary

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 10, 2019**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of April 10, 2019 was called to order by Chair Olson at 7:00 p.m.

Present: Planning Commissioners – Gomes, Hennecke, Hicks, Kirsten, Slater and Chair Olson

Absent: Planning Commissioners – Cummins

Also Present: City Planner Craig Hoffman, Deputy City Attorney John Fukasawa and Department Secretary Kari Chadwick

2. MINUTES

“January 9, 2019”, “February 13, 2019” & “March 13, 2019

MOTION / VOTE:

No Motion/Vote was able to be made because the minutes were available for review.

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 Olson called for the public hearing to consider the request of the Planning Commission to approve a Use Permit and Site Plan and Architecture Review to allow a 4,010 sq. ft. pad building with drive thru lanes at 1102 West Kettleman Lane. (Applicant: Miner Joaquin Building Corp (Bank of Stockton); File 2019-02 U/SP; CEQA Determination: Exempt per Section 15332)

City Planner Craig Hoffman gave a brief presentation based on the staff report. He added that condition 40 is not applicable to this project and staff recommends it be removed. Staff is recommending approval of the project as conditioned in the draft resolution with the removal of condition number 40.

Commissioner Slater asked if there is anything that can be done regarding the current condition of the adjacent parking lot. Mr. Hoffman stated that staff will reach out to the Bella Terra Plaza owners.

Hearing Opened to the Public

- Gary Price, applicant representative, came forward to answer questions.
- Commissioner Kirsten asked what the proposed buildout time is going to be. Mr. Price stated that they want to get it built this season.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Hennecke, Gomes second, finds that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 – In-fill development consistent with the General Plan and Zoning Code and approves a Use Permit and Site Plan and Architecture Review to allow a 4,010 sq. ft. pad building with drive thru lanes at 1102 West Kettleman Lane, subject to the findings and conditions of approval contained in the draft resolution. The motion carried by the following vote:

Ayes: Commissioners – Gomes, Hennecke, Hicks, Kirsten, Slater and Chair Olson
Noes: Commissioners – None
Absent: Commissioners - Cummins

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Olson called for the public hearing to consider the request of the Planning Commission to approve Growth Management Allocation for 9 Low Density Lots; and a Subdivision Map for the Bennett – Iris Drive Subdivision, a 2 acre, 9 unit subdivision at 1458 Iris Drive. (Applicant: Bennett Land Investments, INC - Dennis Bennett; File: 2019-05 S; CEQA Status: Section 15332 – In-fill development consistent with the General Plan and Zoning Code)

City Planner Craig Hoffman gave a brief presentation based on the staff report. Staff is recommending approval of the project as conditioned in the draft resolution as modified in the Blue Sheet.

Commissioner Slater asked what the street width will be. Mr. Hoffman stated that the street width will be 36 feet curb to curb.

Hearing Opened to the Public

- Dennis Bennett, applicant, came forward to answer questions. Mr. Bennett stated that they have reached out to many of the neighbors and are in the process of getting a demolition permit to take down the abandoned structures on the property. He added that many of the homes will be custom built homes.
- Commissioner Slater asked if there will be any two-story homes being built. Mr. Bennett stated that the properties are large enough to accommodate a nice size single story home, but he can't guarantee that someone will not build a two-story since these are being sold for custom home builds. Mr. Slater asked if there are any potential drainage issues. Mr. Bennett stated that there are not any drainage issues and all of the lots will drain to the street and the City's storm drainage system.
- Raymond Meyer, local resident, came forward to ask what plans are in place to remove the telephone pole from his property that serviced the applicant's property. Mr. Bennett stated that they are aware of the pole and are in touch with the utilities regarding the possible removal of the pole. Mr. Meyer expressed his concern regarding the affect it will have on the other utilities.
- Sam Malcome, local resident, came forward to express his concerns over the possibility of a two-story homes being built directly behind his residence. He would like to see a single-story built on those properties. Mr. Malcome stated that there is a property elevation difference and is concerned with the possible water runoff. He stated that there is a power pole that is directly adjacent to the new fence that he just built and he would like to make sure that his fence is not damaged by the construction. He would also like to know what the proposed buildout will be for the project. Mr. Hoffman stated that it is illegal for water to cross property lines, so the new development will be draining toward the new street that will be built. Mr. Bennett came forward to address the time line by stating that it will all be dependent on how long the improvement plans take, but they would like to start as soon as possible. He also addressed the fence question by stating that most of the fencing around the property will need to be replaced, but where the fencing is still in good condition he will be contacting the property owners.
- Commissioner Hennecke asked what size single-story home could be built on the current lot size of 6100 square feet. Mr. Hoffman stated it is approximately 3000 square feet.
- Commissioner Slater asked for confirmation that the applicant is aware that there is a condition on the fencing that requires pressure treated or metal posts to be used. Mr. Hoffman stated that it is a condition in the resolution and the applicant is aware.

- Steve Pechin, Baumbach and Piazza, came forward to address the grading question. He stated that the lots are graded to accommodate a one percent fall from the back property line to the back of sidewalk.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Slater, Hicks second, finds that the project has satisfied the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 – In-fill development consistent with the General Plan and Zoning Code and approves a Subdivision Map for the Bennett – Iris Drive Subdivision, a 2 acre, 9 unit subdivision and recommends the City Council approve 9 Low Density Growth Management Allocations for the project at 1458 Iris Drive, subject to the findings and conditions of approval contained in the draft Blue Sheet resolution. The motion carried by the following vote:

Ayes: Commissioners – Gomes, Hennecke, Hicks, Kirsten, Slater and Chair Olson
Noes: Commissioners – None
Absent: Commissioners - Cummins

4. PLANNING MATTERS/FOLLOW-UP ITEMS

- a) Receive Citizen Comments on the “2018 Housing Element Annual Progress Report (APR).” The City must report on the implementation status of each program included in the City’s 2015-2023 Housing Element of the General Plan. The report must be submitted to the California Department of Housing and Community Development (HCD) and the Governor’s Office of Planning and Research (OPR)

Craig Hoffman, City Planner, gave a brief report based on the information provided in the staff report.

Hearing Opened to the Public

No public comments made.

Public Portion of Hearing Closed

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

None

7. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Commissioner Slater gave a brief report regarding the item that was discussed at the meeting earlier this evening.

8. ACTIONS OF THE LODI ART COMMISSION

Commissioner Kirsten gave a brief report regarding the items discussed at recent meetings.

9. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

None

10. COMMENTS BY STAFF AND COMMISSIONERS (NON-AGENDA ITEMS)

Commissioner Hennecke stated that he will be in Sacramento for board meetings as part of his position on the State Realtors Association to lobby the legislatures to help guide them in a positive direction.

Chair Olson would like to have a discussion regarding VRBO's and Air B & B's at a future meeting. Commissioner Slater stated that he is a visual person, so would like to see where they are located on a map. Commissioner Hennecke stated that he would like to see the ordinance language and offered to bring back some information that he has used in other cities. Ms. Olson stated that she had a wonderful experience with them during her daughter's wedding and would like to see a bit more information on them. Mr. Hoffman stated that a VRBO needs to have a business license which requires a Home Occupation Permit, so if there are any issues the Home Occupation Permit can be pulled which negates the Business License. Mr. Hoffman stated that he can bring back some information for discussion.

11. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:50 p.m.

ATTEST:

Kari Chadwick
Planning Commission Secretary

DRAFT

May 8, 2019,
June 12, 2019
&
July 24, 2019

The above Planning Commission minutes were not available at the time of packet preparation.

They will be made available prior to the start of the August 28, 2019 meeting if they have been completed.