

LODI PLANNING COMMISSION

Teleconference Meeting

Streaming Link: <https://www.facebook.com/CityofLodi/>

REGULAR SESSION

WEDNESDAY,

SEPTEMBER 9, 2020

@ 7:00 PM

SPECIAL NOTICE

Effective immediately and while social distancing measures are imposed, Council chambers will be closed to the public during meetings of the Lodi Planning Commission. All Commissioners will appear telephonically or via Zoom.

The following alternatives are available to members of the public to watch Planning Commission meetings and provide comments on agenda and non-agenda items before and during the meetings.

Viewing:

Members of the public may view and listen to the meeting at: <https://www.facebook.com/CityofLodi/>

or

Please click the link below to join the meeting:

<https://zoom.us/j/92197832289?pwd=bDIXNENXL0VRNDNJQTNJeG9qbW8wdz09>

Password: 328533

Or iPhone one-tap: Us: +16699009128,,92197832289

Or Telephone: Dial: Us: +1 669 900 9128; Webinar ID: 921 9783 2289

Public Comment:

As always, members of the public can send written comments to the Planning Commission prior to the meeting by emailing pccomments@lodi.gov. These emails will be provided to the members of the Planning Commission and will become part of the official record of the meeting.

Members of the public who wish to verbally address the Planning Commission during the meeting should email those comments to pccomments@lodi.gov. Comments must be received before the Chair announces that the time for public comment is closed. Staff will read five minutes of each email into the public record. **IMPORTANT:** identify the Agenda Item Number or description in the subject line of your email. Example: Public Comment for Agenda Item Number 4a Senate Bill (SB) 5 and SB 1278 General Plan Safety Element.

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment in this meeting, please contact the Office of the Community Development Department at (209) 333-6711 or pccomments@lodi.gov at least 48 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. If you need special assistance in this meeting for purposes other than providing public comment, please contact the Office of the Community Development Department at (209) 333-6711 or pccomments@lodi.gov at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.160 (b) (1)).

SPECIAL TELECONFERENCE NOTICE

Pursuant to Executive Order N-29-20:

The Brown Act, Government Code Section 54953, contains special requirements that apply when members of a legislative body participate in a public meeting by telephone. Certain of these requirements have been suspended by Paragraph 3 of Executive Order N-29-20, executed by the Governor of California on March 17, 2020 to mitigate the spread of the coronavirus known as COVID-19. In particular, the Executive Order suspends that provision of the Brown Act that requires noticing, posting of agendas, and public access to each location where a member will be participating telephonically, as well as provisions that require physical presence of members of the legislative body or the public for purposes of a quorum or to hold a meeting. Executive Order N-29-20 allows an agency to conduct a teleconference meeting that provides members of the public telephonic or other electronic participation in place of making a physical location for the public to observe the meeting and provide public comment, consistent with other provisions of the Brown Act.

For information regarding this agenda please contact:
Kari Chadwick @ (209) 333-6711
Community Development Secretary

1. ROLL CALL
2. MINUTES – None
3. COMMENTS BY THE PUBLIC (NON-AGENDA ITEMS)

If you wish to address the Commission, please refer to the Special Teleconference Notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

4. PUBLIC HEARINGS

- a) Request for Planning Commission approval of a Use Permit to allow an open room personal fitness training studio within an existing tenant space at 271 S. Guild Ave. (Applicant: Ventura Boot Camp / Julio Hernandez & Adriana Oseguera; File 2020-026 U; CEQA Determination: Exempt per Section 15061 (b) (3))
- b) ~~Request for Planning Commission approval of a new 78 unit Assisted Living Facility on an approximately 56,162 square foot site at 1108 Sylvia Drive (Applicant: Michael Frazier on behalf SLL, LLC & Golden State Real Estate LLC; File Number: 2020-028 SP; CEQA Determination: Exempt Per Section 15332, Class 32 Exemption) – Public Hearing Item has been cancelled. It will be re-advertised for a future date.~~

NOTE: The above item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

5. PLANNING MATTERS/FOLLOW-UP ITEMS
6. ANNOUNCEMENTS AND CORRESPONDENCE
7. ACTIONS OF THE CITY COUNCIL
8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
9. ACTIONS OF THE LODI ARTS COMMISSION
10. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF (NON-AGENDA ITEMS)
11. 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 17.70.050, 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 17.70, Appeals, of the Lodi Municipal Code. Contact: City Clerk, City Hall 2nd Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

Item 4a.



**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: September 9, 2020

APPLICATION NO: Use Permit: 2020-026 U

REQUEST: Request for Planning Commission approval of a Use Permit to allow an open room personal fitness training studio within an existing tenant space at 271 S. Guild Ave. (Applicant: Ventura Boot Camp / Julio Hernandez & Adriana Oseguera; File 2020-026 U; CEQA Determination: Exempt per Section 15061 (b) (3))

LOCATION: 271 S. Guild Avenue
APN 049-190-44

APPLICANT: Ventura Bootcamp
Mr. Julio Hernandez & Ms. Adriana Oseguera
1010 Port Chelsea Circle,
Lodi, CA 95240

REPRESENTATIVE: KC1 Properties LLC Drafting and Design
c/o Mr. Ken Eaton
6241 Claussen Way
North Highlands, CA 95660

PROPERTY OWNER: Gavin, James M & Eileen J
1010 Port Chelsea Cir
Lodi, CA 95240

RECOMMENDATION

Staff recommends that the Planning Commission approve a Use Permit to allow an open room personal fitness training studio within an existing tenant space at 271 S. Guild Avenue, subject to conditions of approval.

PROJECT/AREA DESCRIPTION

General Plan Designation: Industrial
Zoning Designation: M (Industrial) District
Property Size: 13921 sq ft.

The adjacent zoning and land use characteristics:

	ADJACENT ZONING DESIGNATIONS AND LAND USES		
	GENERAL PLAN	ZONING CLASSIFICATION	EXISTING LAND USE
North	Industrial	M (Industrial) District	Central Valley Kitchens
South	Industrial	M (Industrial) District	Vino Farms
East	Industrial	Out of City Limits	Lodi Memorial Cemetery
West	Industrial	M (Industrial) District	R P Printing, Ventura Distribution & Manufacturing

SUMMARY

The applicant, Mr. Julio Hernandez & Ms. Adriana Oseguera, are proposing to open an open room personal fitness training studio within an existing tenant space at 271 S. Guild Avenue. This is their first physical facility, although they have worked in the industry for the past five years. Both owners are Certified Trainers and Certified Group Instructors. They have worked at In Shape and Crunch Fitness. They have an active social media platform where they create YouTube and Instagram training videos.

Per the Lodi Zoning Code, operating a personal fitness training studio in the M (Industrial) zone require the approval of a conditional use permit.

BACKGROUND

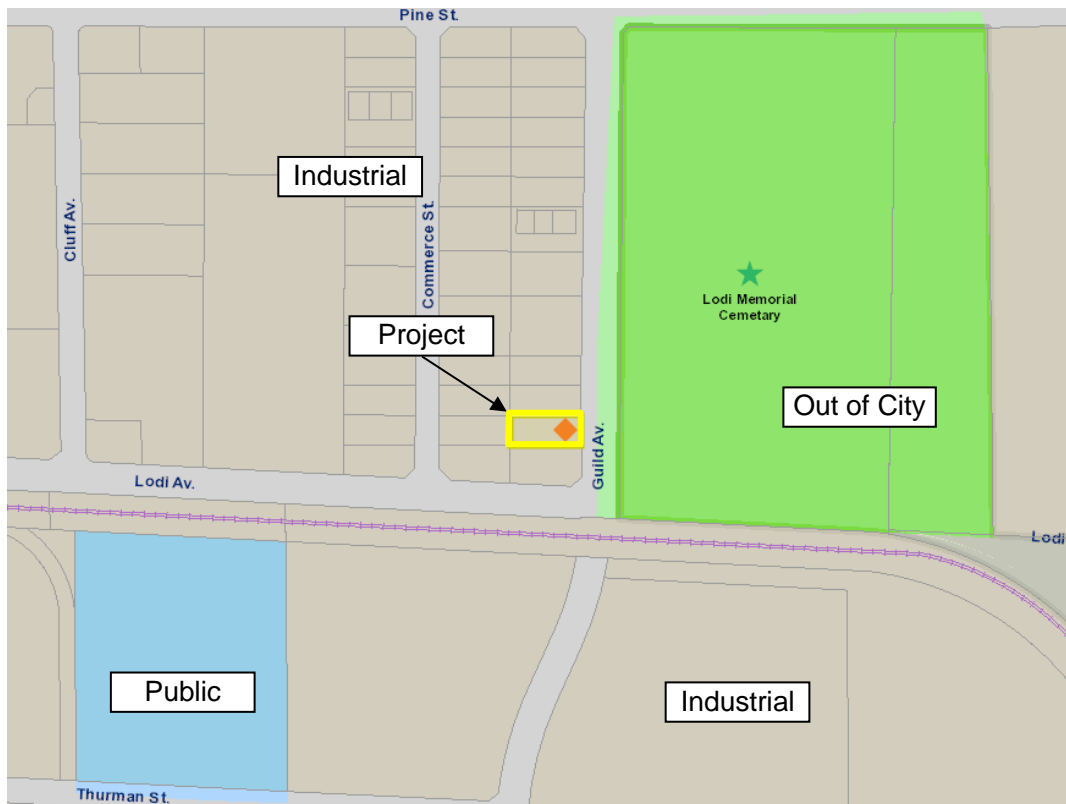
The following sections describe the site and its regulatory setting:

- General Plan and Zoning
- Existing Land Use

General Plan and Zoning

This site is designated Industrial on both the General Plan Land Use Map and the Zoning Map, as shown below.

Figure 1: General Plan



The Industrial land use designation is described as follows:

The Industrial classification includes a mix of heavy manufacturing, warehousing, general service, storage, and distribution activities. This category includes the

General Mills factory and existing uses along the railroad and east of SR-99. Industrial sites are available within and adjacent to the existing cluster of industrial uses in the east side of the city. The maximum FAR for this designation is 0.6. [Lodi General Plan Land Use Element]

Figure 2: Zoning Map



The M (Industrial) District is described as follows:

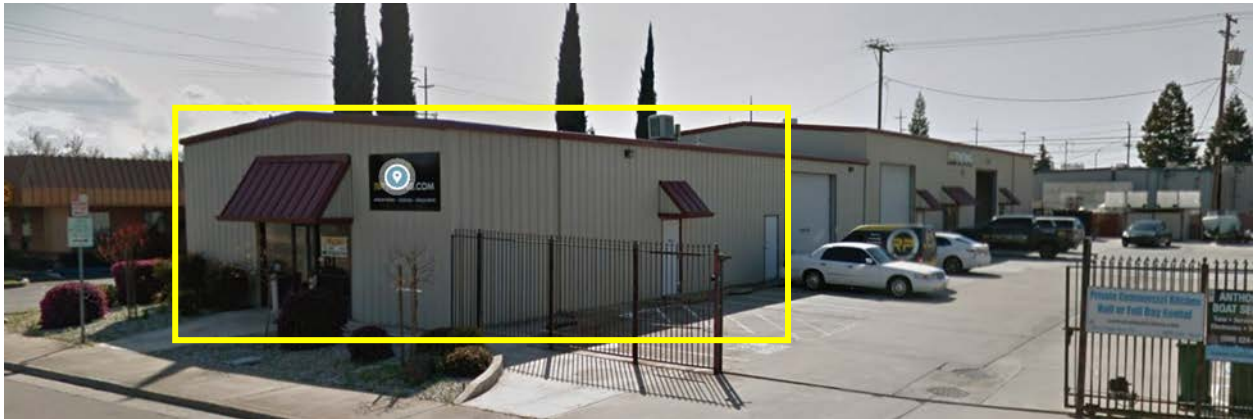
M (Industrial) District. The M zoning district is applied to areas appropriate for a mix of heavy manufacturing, warehousing, general service, storage, and distribution activities. The maximum FAR is 0.6. The M zoning district is consistent with the industrial land use designation of the general plan. [Lodi Zoning Code]

The site is just west of Lodi Memorial Cemetery.

Existing Land Use

There is an existing building on the site. The currently vacant suite being proposed for the business is the one closest to the street, as shown below. The tenant space is 2,850 sq ft in size.

Figure 3: Photos of the Building



Inside of the gated area are manufacturing and industrial uses. Across the street to the east is a cemetery.

Figure 4: Aerial Photo



PROPOSED PROJECT / REQUEST

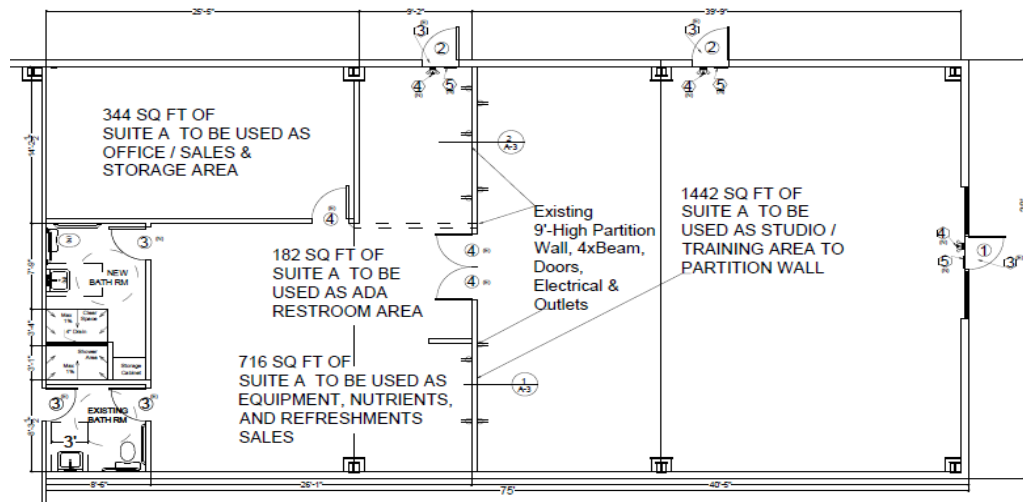
The applicant is requesting approval of an open room personal fitness training studio to provide individual and group training sessions. The fitness studio will offer exercise and training without fixed mechanical equipment, similar to other studio-type uses such as dance, Zumba, martial arts, yoga, and other similar cardio and strength training activities.

The applicant also proposes to offer beverages, supplements, and similar items to their clientele for purchase before and after classes.

The business' proposed programs are designed to accommodate up to 20 individuals per class. The applicant's proposed statement of operations is attached to this staff report.

The applicant's proposed hours of operation are: Monday to Sunday – 6:00 am to 10:00 pm. According to the applicant, peak hours of operation are expected to be from 5:00 pm to 7:00 pm.

The interior of the space is proposed to be primarily open, consisting of a reception area and exercise area. There are bathroom facilities for men and women. One ADA compliant shower facility is proposed.



There are approximately seventeen (17) parking spaces provided (including one handicap space) along the northern façade of the building that are shared with the use next door. The use next door is a distribution and manufacturing business, which based on its square footage, requires 3 parking spaces, leaving 14 spaces for the proposed use.

ANALYSIS

Based on staff's review, the proposed use is consistent with the activities allowed in the Zone M (industrial) with a Use Permit, including: open room cross training fitness studio and health related activities. Staff's proposed conditions of approval would prohibit equipment such as weight machine, exercise bikes to ensure that the use is consistent with the M Zone.

The proposed use, according to the Zoning Code, requires 14 parking spaces. In Section 17.32.040 Table 3-1 states that health/fitness clubs require 1 space per each 250sqft. The proposed space is 2,850sqft / 250sqft = 14 parking spaces. As noted above, sufficient parking is available for the proposed use per Zoning Code standards.

USE PERMIT FINDINGS

A Use Permit allows the comprehensive review of sensitive uses and ensures the proper integration of these uses into the community. These uses may only be suitable in specific locations, and only if such land uses are designed or constructed in a manner on a site that is consistent with zoning regulations and with the required findings for a Use Permit outlined in §17.40.040(F) of the City of Lodi Development Code. Use Permit review allows the opportunity to address any specific issues related to the proposal and to prevent or mitigate any potential impacts to the surrounding area through the imposition of conditions of approval.

Based on staff's review, as discussed above, staff recommends that the Planning Commission can make the required findings, in accordance with Lodi Development Code § 17.40.040(F), to approve the requested Use Permit. The required findings, and staff's recommended findings, are as follows:

1. *The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Development Code.* **Comment:** The existing building is zoned M (Industrial) District. "Studios—Art, dance, martial arts, music, etc." is an allowed use subject to a use permit in this zone. The proposed fitness studio is consistent with this type of use, in that it involves the use of a space for teaching physical activity without extensive equipment. Staff has prepared recommended conditions of approval to ensure that the use will not be detrimental to the welfare of persons or properties working or residing in the vicinity.
2. *The proposed use is consistent with the General Plan and any applicable specific plan.* **Comment:** The General Plan land use designation for the project site is Industrial, which allows, "... includes a mix of heavy manufacturing, warehousing, general service, storage, and distribution activities." The proposed fitness studio is consistent with the "general service" uses allowed in the Industrial land use category.
3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.* **Comment:** There are no proposed changes to the site and the proposed use (with approval of a conditional use permit) is consistent with the Zoning Code and the General Plan land use designation. The subject site is adequate in size and shape to accommodate the proposed use within a commercial area with all the required off-street parking. There is no evidence that the project will have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.
4. *The location, size, design, and operating characteristics of the proposed use is compatible with the existing and future land uses in the vicinity.* **Comment:** The existing use complies with all requirements as set forth for the issuance of a Use Permit, in that the site is adequate in size, shape and topography for the proposed use, consisting of an existing building. Second, the site is located in an industrial area that is accessible from public streets. Existing street networks are adequate in size and shape to accommodate the quantity and quality of traffic generated by the proposed use without any significant impacts to the street system. Third, the proposed use, with the implementation of staff's recommended conditions of approval, will not have an adverse effect upon other uses in the vicinity.
5. *The proposed project is in compliance with the California Environmental Quality Act (CEQA) and the Lodi Environmental Review Guidelines.* **Comment:** The project is found to be categorically exempt from CEQA review under CEQA Section 15061 (b) (3). This is the "common sense" exemption, which applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. There is no evidence that the project would result in significant environmental impacts.

Staff recommends that the Commission can make the required findings to approve the Use Permit as proposed. In staff's opinion, the proposed business would not produce any adverse impacts on the adjacent properties.

Proposed conditions of approval have been prepared to mitigate typical concerns related to the operation of the fitness studio. If concerns arise in the future and the City deems it necessary, the Use Permit can be reviewed by the Planning Commission to consider changes to the conditions of the Use Permit, or for revocation if needed.

CONDITIONS OF APPROVAL:

Staff has prepared recommended conditions of approval for the proposed use. The conditions are intended to ensure that the use operates within the parameters of the uses allowed in the M zoning district and within the capacity of the building and the site.

Recommended conditions for Planning, Building and Fire are in the attached Resolution. Staff's recommended conditions include:

1. Operate as an open fitness studio, focusing on activities which do not typically require the use of equipment.
2. Music and business related noise shall be maintained at a level that does not disturb neighboring tenants.
3. Hours of operation are limited to 6:00 am to 10:00 pm, 7 days a week.
4. Classes cannot exceed 20 individuals, not including employees.
5. Food, supplements and drinks may be sold to participants only.
6. Motion-sensing security lighting shall be provided in the outdoor vehicle parking area.
7. If the Max Occupancy is greater than 49, an Operational Permit will be required from the Fire Department.

ENVIRONMENTAL ASSESSMENT:

The project is Categorically Exempt according to the California Environmental Quality Act, Article 19 §15061 (b) (3). This is the "common sense" exemption, which applies to projects as follows:

"The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."
[CEQA 15061(b)(3)]

No significant environmental impacts are anticipated and no mitigation measures are required.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published in the Lodi News Sentinel on Saturday, August 29, 2020. (15) Public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who expressed their interest of the project.

RECOMMENDED MOTIONS

Should the Planning Commission agree with staff's recommendation, the following motion is suggested:

"I move that the Planning Commission adopt a Resolution finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3), and approving a Use Permit to allow a fitness studio in an existing tenant space at 271 S. Guild Avenue, subject to conditions of approval."

ALTERNATIVE PLANNING COMMISSION ACTIONS

- Approve the request with conditions as recommended by staff
- Approve the request with revised or additional conditions
- Deny the request
- Continue the request to a future meeting

Respectfully Submitted,

Concur,

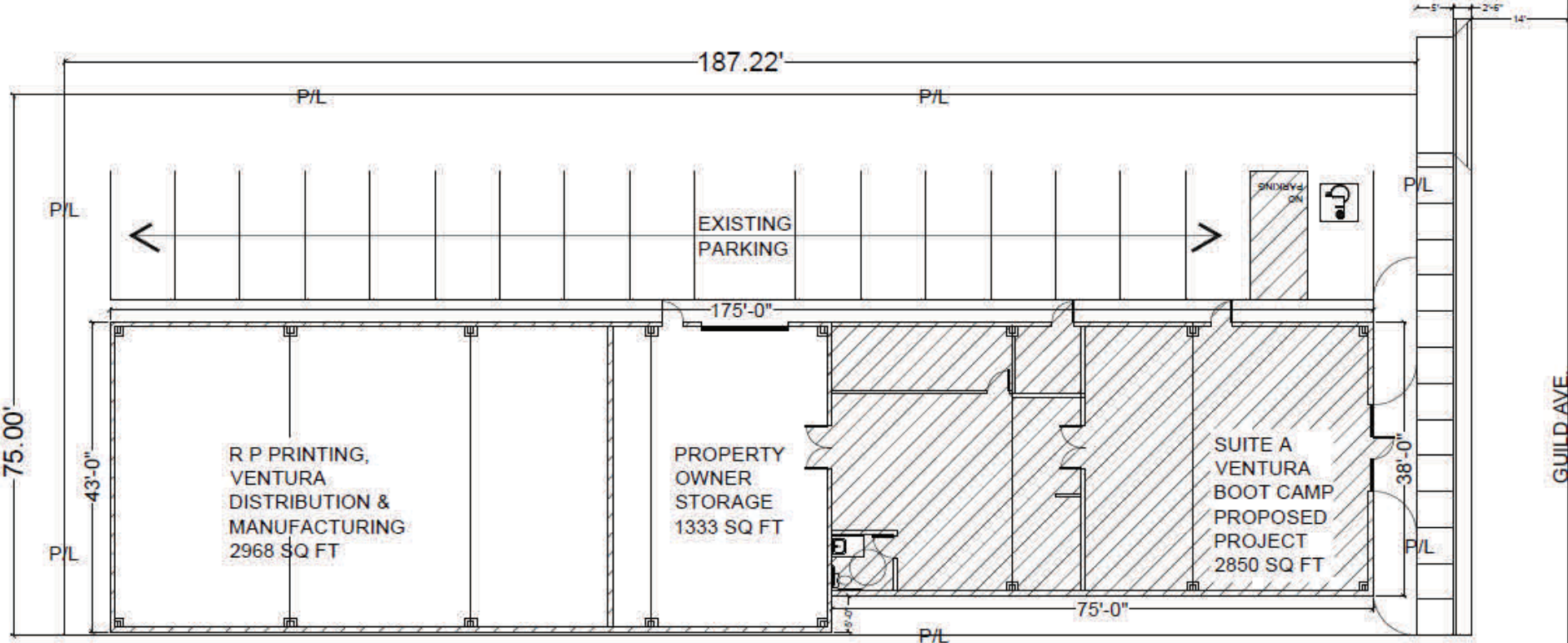
Joann Martinez
Contract Assistant Planner

John R. Della Monica Jr.
Community Development Director

ATTACHMENTS

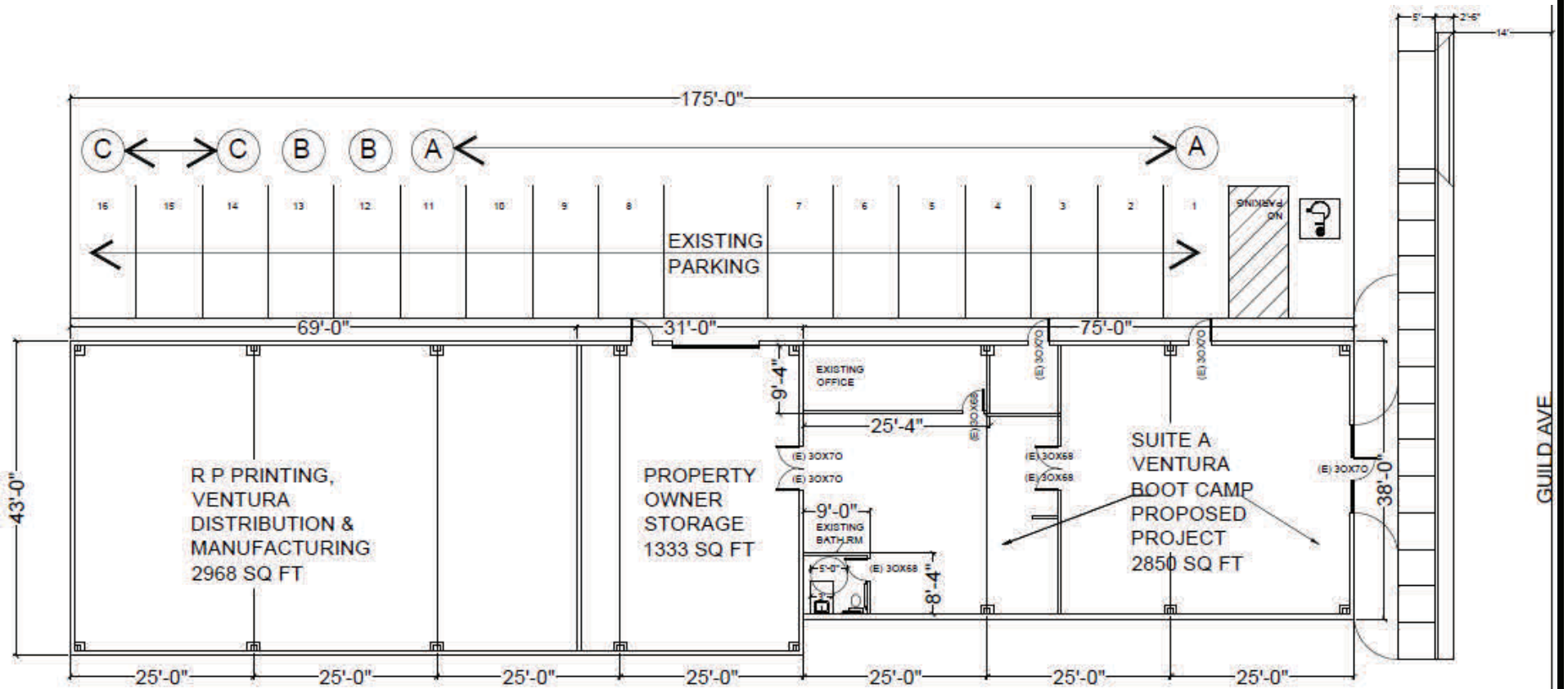
- A. Site and floor plan
- B. Draft Resolution

SITE PLAN



271 S. GUILD AV.

FLOOR PLAN



271 S. GUILD AV.

RESOLUTION NO. P.C. 20-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING A USE PERMIT (2020-026 U) TO ALLOW EXPANSION OF A PERSONAL FITNESS STUDIO AND TRAINING FACILITY WITHIN AN EXISTING INDUSTRIAL BUILDING LOCATED AT 271 S. GUILD AVE.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Development Code, Section 17.40; and

WHEREAS, the project site is located at 271 S. Guild Ave, Lodi, CA 95240 (APN: 049-190-44); and

WHEREAS, project proponent is Ventura Bootcamp, Mr. Julio Hernandez & Ms. Adriana Oseguera, 1010 Port Chelsea Circle, Lodi, CA 95240; and

WHEREAS, the project property owner is Gavin, James M & Eileen J, 1010 Port Chelsea Cir, Lodi, CA 95240; and

WHEREAS, the property has a General Plan designation of Commercial and is zoned (M)Industrial; and

WHEREAS, the requested Use Permit is to allow a personal fitness studio within an existing industrial building located at 271 S. Guild Ave; and

WHEREAS, pursuant to City of Lodi Zoning Ordinance § 17.42.020, this resolution becomes effective ten (10) business days from its adoption in the absence of the filing of an appeal; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project is found to be categorically exempt from CEQA review under Article 19 §15061 (b) (3). This is the “common sense” exemption, which applies to projects as follows: “The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” [CEQA 15061(b)(3)] No significant environmental impacts are anticipated and no mitigation measures are required.
2. The existing building is zoned M (Industrial) District. “Studios—Art, dance, martial arts, music, etc.” is an allowed use subject to a use permit in this zone. The proposed project site is a 2,850 sq. ft. tenant space within 14,041.5 sq. ft. of industrial building, and conforms to the parking requirement for a health and fitness club. The proposed fitness studio is consistent with this type of use, in that it involves the use of a space for teaching physical activity without extensive equipment. Staff has prepared recommended conditions of approval to ensure that the use will not be detrimental to the welfare of persons or properties working or residing in the vicinity.
3. The General Plan land use designation for the project site is Industrial, which permits the proposed use. The facility is restricted by size and space allocation within the building in a manner that limits occupancy, and will be subject to operational conditions that govern day to day aspects necessary to ensure that parking and traffic impacts do not interfere with the land uses in the area. The conditions for the restriction of the conditional use are consistent with the General Plan, will not affect neighborhood compatibility; and will not cause the operation of the conditional use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent neighborhood areas.

4. There are no proposed changes to the site and the proposed use (with approval of a conditional use permit) is consistent with the Zoning Code and the General Plan land use designation. The subject site is adequate in size and shape to accommodate the proposed use within a commercial area with all the required off-street parking. There is no evidence that the project will have a negative effect on the public health, safety, or welfare; or be materially injurious to persons, properties or improvements in the vicinity.
5. The existing use complies with all requirements as set forth for the issuance of a Use Permit, in that the site is adequate in size, shape and topography for the proposed use, consisting of an existing building. Second, the site is located in an industrial area that is accessible from public streets. Existing street networks are adequate in size and shape to accommodate the quantity and quality of traffic generated by the proposed use without any significant impacts to the street system. Third, the proposed use, with the implementation of staff's recommended conditions of approval, will not have an adverse effect upon other uses in the vicinity.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Use Permit Application No. 2020-026 U is hereby approved, subject to the following conditions of approval:

PLANNING:

1. The property owner and/or developer and/or successors in interest and management shall, at their sole expense, defend, indemnify and hold harmless the City of Lodi, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include, but is not limited to, any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Lodi shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
2. The property owner and/or developer and/or successors in interest and management shall 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.
3. The Lodi Code Enforcement Division, the Planning Commission and/or City Staff may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the use is operated in violation of conditions of approval or becomes a nuisance. Any modifications or proposed changes to the operation that would expand the use beyond what is allowed in these conditions shall be subject to review by the City.
4. Music and business related noise shall be maintained at a level that does not disturb neighboring tenants. No sound may emanate from the building which would cause a disturbance or nuisance or violate City noise standards.
5. Operations shall be limited as follows:
 - a. Hours of operation are: Seven (7) days a week – 6:00 am to 10:00 pm.
 - b. Classes cannot exceed 20 individuals, not including employees.
 - c. Food, supplements and drinks may be sold to participants only.
6. The facility shall operate as an open fitness studio, focusing on activities which do not typically require the use of equipment. Limited use of equipment such as exercise bicycles is allowed as an adjunct to the primary fitness studio use.

7. Motion-sensing security lighting shall be provided in the outdoor vehicle parking area for the safety of staff and participants during nighttime hours.

BUILDING & SAFETY:

8. Any changes to the existing building (including change of use or occupancy), which are regulated by the current codes, shall require a building permit. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2019 California Building code. Please review our policy handouts for specific submittal procedures.
9. The occupancy classification for this space will change to an A-3 occupancy. Verify that this assembly occupancy is allowed in the building. Plans to specify and show that in each story, the building area shall be such that the sum of the ratios of the actual building area of each separated occupancy, divided by the allowable building area of each separated occupancy shall not exceed 1. 2019 CBC, Section 508.4.2
10. Assembly areas require an operational permit. Apply for required operational permits at the Lodi Fire Department. Approval of required operational permits required prior to building permit issuance. 2019 CFC, Section 105.6.37
11. Fire rated occupancy separation walls (fire barrier) between this A-3 occupancy and adjoining B, M, F, S occupancies, may be required by 2019 CBC, Table 508.4
12. Plans shall provide occupancy load calculations for each area of the Suite based on square footage and the applicable occupant load factor from Table 1004.5. 2019 CBC, Section 1004.5
13. If the occupant load for any area of the Suite exceeds 49, the plans shall show:
 - a. A minimum of two (2) exits that are separated by a minimum of 1/2 (1/3 in sprinklered buildings) of the diagonal distance of the area served. 2019 CBC, Section 1007.1.1
 - b. Exit doors shall swing in the direction of egress travel. 2019 CBC, Section 1010.1.2.1
 - c. The exit doors and exit access doors shall be equipped with panic hardware. 2019 CBC, Section 1010.1.10
 - d. A means of illuminating the egress path of travel in case of power failure, including path to the egress doors, the corridor and the exterior landings. The emergency power system shall provide back up power for the duration of at least 90 minutes and shall illuminate the path of travel at the rate of an average of 1 foot candle at floor level. 2019 CBC, Sections 1008.1 thru 1008.3.5
 - e. Show locations of required illuminated exit signs. 2019 CBC, Section 1013
 - f. Provide complete and adequate details and locations of the required tactile exit signs at the following locations:
 - i. Each grade-level exterior exit door shall be identified by a tactile exit sign with the word, "EXIT."
 - ii. Each exit access door from an interior room or area that is required to have a visual exit sign, shall be identified by a tactile exit sign with the words, "EXIT ROUTE." 2019 CBC, Section 1013.4
14. Unless the building/suites meet one of the exceptions of 2019 CPC, Section 422.2 (allowing a unisex restroom), separate toilet facilities shall be provided for each sex. Plumbing occupant load shall be calculated using the plumbing occupant load factor specified by 2019 CPC Table A for each area use. The required number of plumbing fixtures (water closets,

urinals, lavatories) shall be provided, as specified for A-3 occupancy by 2019 CPC, Table 422.1.

15. Restrooms will be required to be accessible as per 2019 CBC, Section 11B-213
16. The plans show a set of double doors between the proposed lease area and owner' storage to the West side. The doors shall be walled in. 2019 CBC, Section 1010.1
17. Plans shall show method of heating the tenant space capable of maintaining a temperature of 68 degrees at a point 3' above the floor. 2019 CBC, Section 1203.1
18. If the tenant space is not previously (permitted) a conditioned space, insulation may be required by the 2019 California Energy Code.
19. The California Building Code (Title 24 Section 11B-202) requires that existing buildings, when alterations are made, shall be verified for compliance with disabled access requirements. These requirements shall apply only to the specific area of alteration and shall include an accessible entrance, an accessible route to the altered area, at least one accessible restroom for each sex, telephones and drinking fountains (if existing), and when possible additional items such as parking, storage and alarms. If the construction costs of the alterations to the building are less than the current valuation threshold of \$161,298.00 and if the cost of the above listed accessibility upgrades are disproportionate (exceeds 20% of the project without the upgrades), then the required accessibility upgrades may be provided to the extent that is proportionate (20% of the valuation) as per 2016 CBC, Section 11B-202.4, Exception 8. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access.

FIRE:

20. If the Max Occupancy is greater than 49, an Operational Permit will be required.

PUBLIC WORKS:

21. Payment of the following prior to building permit issuance unless noted otherwise:
 - a. Regional Transportation Impact Fee (RTIF) at the time of building permit issuance.
22. Additional comments and conditions will be provided in conjunction with the approval of a building permit for this project.

Based upon the findings outlined above, the Planning Commission of the City of Lodi hereby approves Use Permit 2020-026 U, subject to the conditions of approval listed above.

Dated: September 9, 2020

I certify that Resolution No. 20-__ was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on Wednesday, September 9, 2020 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST _____
Secretary, Planning Commission

Item 4b.

The Sylvia Drive Assisted Living item has been pulled from this agenda and will be re-advertised for a future meeting date