

**To:** Lodi Plan Commission  
**From:** Stephen Tremlett, AICP, Zoning Administrator  
**Subject:** Conditional Use Permit, Exterior Mural, 108 Lodi Street  
**Date:** March 10, 2022

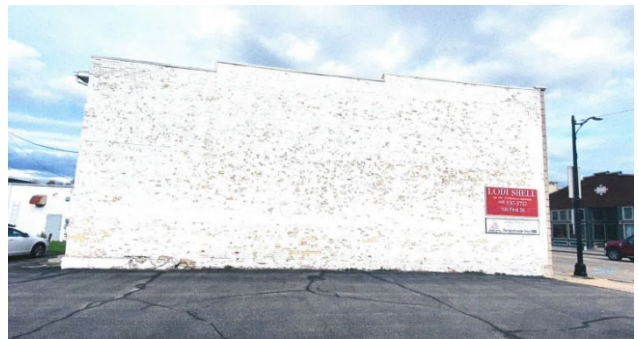
**Request**

Approval of a Conditional Use Permit at 108 Lodi Street, parcel 11246-45, for a mural up to 200 square feet to be hung on the west side wall that faces the Lodi Public Library. See attached application.

**Background Information**

The City previously issued an RFP and permits for the design, fabrication, and installation of a mural on the opposite side of the same building located at 108 Lodi Street. Lift Lodi, a local service organization, has commissioned a mural to cover the side of the building facing the Lodi Public Library.

The mural will be 192 square feet, consisting of 16” x 16” panels, with the design outlined on each panels. The intent is to hold several community paint sessions to fill in the design. Once finished the pieces will be installed, sealed with clear coat applied to protect it from the elements. Treated vertical stringers will be used to install the mural.



**Applicable Zoning & Development Code Regulations**

- Chapter 278 Sign Code, Table 278-15C.

**Consistency with the City’s Comprehensive Plan**

This is consistent with the vision in the adopted Main Street Corridor Plan and is consistent with the Comprehensive Plan.



**Consistency with the City’s Sign Code**

Murals within the C-2 District require a conditional use permit under the City’s Sign Code. Specifications regarding the total number of murals, their size, height and location are to be determined by the Plan Commission.

**MEMO**

3/10/2022

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**Recommendation**

Recommend Common Council approval of the conditional use permit per the following conditions:

- The total size of the sign shall not exceed 200 SF per the submitted application, dated February 15, 2022.
- Change of noncommercial speech on the mural shall not require a new permit.
- Any change of the mural to include a commercial message shall meet the requirements of the sign ordinance and will require a sign permit.
- The mural shall remain in state of proper maintenance as outlined in Sec. 278-10(B). Maintenance of mural will not require a new permit.
- Change of property ownership requires a signed letter from the new owner agreeing to the terms of the conditional use permit.

Sincerely,  
MSA Professional Services, Inc.



Stephen Tremlett, AICP  
Zoning Administrator

Enc: Gindt/Lift Lodi Conditional Use Permit Application



## **ARTICLE X. Conditional Use Standards**

### **§ 340-52. Intent.**

A conditional use is development which would not generally be appropriate within a district but might be allowed in certain locations within the district if specific requirements are met. The compatibility must be judged on the basis of the particular circumstances and may require the imposing of conditions before development or occupancy is permitted. The intent is to allow a reasonable degree of discretion in determining the suitability of a particular development at a specific location.

### **§ 340-53. Commission action.**

The Commission is empowered to recommend a development permit for a conditional use if the following requirements are met. Uses which require such a permit are identified in the district regulations.

A. Procedure. The requests for a permit for a conditional use shall be filed with the Administrator on an official application form and shall be accompanied by the required fee and detailed written and graphic materials fully explaining the proposed development. A public hearing shall be conducted by the Commission.

B. Notice. Notice of the hearing shall be given by a Class 1 legal notice. The Zoning Administrator shall also send written notice of such hearing to the owners of record of all lands situated wholly or partly within 200 feet of the perimeter of the subject property. Such notice shall be sent by regular mail at least 10 days before the date of the public hearing.

C. Conditions. The Commission shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. The Commission may recommend denial of the request.

D. Issuance and safeguards. The permit for a conditional use shall amend the development permit and shall be attached thereto. In recommending any conditional use, the Commission may prescribe appropriate conditions and safeguards in conformity with this chapter. The Commission may request that the City be provided with either a surety bond, cash escrow, certificate of deposit, securities, or cash deposit prior to issuance of the conditional permit. The security shall be used to guarantee compliance with the conditions of the permit and shall be returned to the developer when a certificate of occupancy is issued.

### **§ 340-54. Decision criteria.**

A. In making a determination on an application for a conditional use, the Commission shall consider all relevant factors specified in other sections of this chapter, including standards for specific requirements for certain land uses and activities.

B. The Commission shall consider the following criteria:

(1) Compatibility. The compatibility of the proposed use with existing development within 300 feet of the proposed use and within 500 feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible.

(2) Consistency with Comprehensive Plan. The relationship of the proposed use to the objectives of the City of Lodi Comprehensive Plan.

(3) Importance of services to the community. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable.

(4) Neighborhood protections. The sufficiency of the terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood.

(5) Conformance with other requirements of this chapter. The conformance of the proposed development with all provisions of this chapter.

(6) Other factors. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Commission feels are necessary for review in order to make an informed and just decision.



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2/15/2022

### Lift Lodi Community Mural Painting Project

The mural will consist of 16 x 16 inch pieces that when put together form the final design. The pieces will have the design drawn on them like a paint by number/coloring book.

There will be several painting sessions where people will be able to paint the pieces. The participants will be assisted by member of the Polliwog Studio team.

Once all the pieces are painted, the pieces will be installed, sealed and clear coat applied to protect against the elements.

This Installation consists of fastening 2" x 4" treated wooden vertical stringers to the building 16 inches apart.

The blue outline on the design is the shape of the mural. That shape will be applied to the stringers. Then the 16 x 16 inch pieces will be fastened to that creating the final mural.

Thanks,  
Bernie

