

# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing For December 19, 2001 To Consider The Appeal Of Del Smith To The Planning Commission's Decision To Deny Use Permit U-01-20 To Place A Temporary Office Trailer At The Existing Wine and Roses Facility At 1037 Woodhaven Lane (APN 015-230-46)

**MEETING DATE:** December 5, 2001

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** That the City Council set a public hearing for December 19, 2001 to consider the appeal of Del Smith to the Planning Commission's decision to deny Use Permit U-01-20 to place a temporary office trailer at the existing Wine and Roses facility at 1037 Woodhaven Lane (APN 015-230-46).

**BACKGROUND INFORMATION:** In accordance with Lodi Municipal Code §17.72.110, *Appeal to Council*, appellant Del Smith filed a written appeal with the City Clerk's Office within five days after the Planning Commission's decision on November 14, 2001 to deny his request for a Use Permit (U-01-20) to place a temporary office trailer at the existing Wine and Roses facility at 1037 Woodhaven Lane (APN 015-230-46). It is therefore recommended that the City Council set this matter for a public hearing on December 19, 2001.

**FUNDING:** None required.



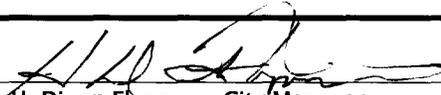
Susan J. Blackston  
City Clerk

SJB/jmp

Attachment

cc: Community Development Director  
Planning Commissioners

APPROVED: \_\_\_\_\_



H. Dixon Flynn -- City Manager

Wine and Roses  
2505 West Turner Road  
Lodi, CA 95242

RECEIVED  
2001 NOV 19 PM 3: 22  
CITY CLERK  
CITY OF LODI

November 19, 2001

City of Lodi  
Council Members

Dear Council Members,

On Wednesday, November 14, Wine and Roses requested a use permit to locate a 60' x 12' temporary office trailer behind the trees and six-foot high service wall on Woodhaven Road. Commission members David Phillips and Dennis White had to recuse themselves because of business dealing with Wine and Roses. The remaining four were divided, two for and two against a two-year use permit approval. The application was denied.

Due to the importance of this additional office space to our expanded operations, Wine and Roses is appealing the denial of our use permit to the Lodi City Council. We are requesting the council hear our use permit application at its earliest convenience.

Sincerely,

  
Del Smith

REF APPLICATION # U-01-20



**CITY OF LODI**  
Carnegie Forum  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

Date: December 19, 2001

Time: 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
City Clerk  
Telephone: (209) 333-6702

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Wednesday, December 19, 2001 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) the appeal of Del Smith to the Planning Commission's decision to deny Use Permit U-01-20 to place a temporary office trailer at the existing Wine and Roses facility at 1037 Woodhaven Lane (APN 015-230-46).

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston  
City Clerk

Dated: December 5, 2001

Approved as to form:

Randall A. Hays  
City Attorney



*Please immediately confirm receipt of this fax by calling 333-6702*

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** Set Public Hearing for December 19, 2001 to consider the appeal of Del Smith to the Planning Commission's decision to deny Use Permit U-01-20 to place a temporary office trailer at the existing Wine and Roses facility at 1037 Woodhaven Lane (APN 015-230-46)

PUBLISH DATE(s): **FRIDAY, DECEMBER 7, 2001**

TEAR SHEETS WANTED: **Three (3) please**

SEND AFFIDAVIT AND BILL TO: SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

DATED: DECEMBER 5, 2001

ORDERED BY:

\_\_\_\_\_  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

Faxed to the Sentinel at 369-1084 at \_\_\_\_\_(time) on \_\_\_\_\_(date) \_\_\_\_\_(pages)  
Kelsey \_\_\_\_\_ Phoned to confirm receipt of all pages at \_\_\_\_\_(time) \_\_\_\_\_Jac \_\_\_\_\_Jen (initials)