CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing for Appeal of Planning Commission Decision denying the request of Del Smith for a Use Permit to place a temporary office trailer at Wine and Roses.

MEETING DATE: December 19, 2001

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Staff is recommending that the City Council deny the request of Del Smith to place an office trailer at the Wine and Roses facility, located at 1037 Woodhaven Lane. The applicant wants the City Council to reverse the Planning Commission's position that the proposed office trailer should be approved for a two-year period. Denial of the appeal would mean that the Planning Commission's decision stands.

BACKGROUND INFORMATION: The request is to place a trailer for office use in the service courtyard behind the barrel room kitchen, located along the Woodhaven Lane frontage. The Wine and Roses property is zoned C-1, Neighborhood Commercial. A temporary building for commerce is permitted in this zone subject to a Use Permit. Staff's overriding concerns about this project remain the physical location of the trailer on the property, how long it will be there, and whether it is safe.

Planning Commission Action

On November 14, 2001, the Planning Commission denied the request of Del Smith to locate a 60-foot by 12-foot trailer at the Wine and Roses Facility at 1037 Woodhaven Lane, Assessor's Parcel Number 015-230-46. Specifically, the applicant was seeking approval in order to use the trailer to accommodate seven (7) sales and marketing employees who work for Wine and Roses. According to the applicant, the business is in a situation where they need to add office space in a hurry.

As part of the recent construction, a second floor office in the banquet building was converted into a meeting room to accommodate customer needs. To make up for this lost office space the proprietors used the newly built laundry room in the banquet building as offices. Since the laundry room is primarily used for the hotel rooms, there was no immediate need for it. With the hotel rooms nearing completion, the laundry room needs to be put back into service, hence the need for office space. The applicant has stated that the quickest and most cost effective way to accomplish this is to bring in a temporary trailer and set it on the site.

On a unanimous decision, the Planning Commission voted 4-0 to deny the request.

Staff Analysis

According to the plans submitted by the applicant, the trailer will be setback a minimum of 16 feet from the property line along Woodhaven Lane. It will be a minimum of 10 feet from the decorative masonry wall at this location. The trailer, as proposed, will be setback at three (3) feet from the historic inn on its south end, and at nine (9) feet from the east wall of the barrel room kitchen along its west adjacency.

Staff's opinion of the proposal is that while not ideal, it is a workable solution to the applicant's needs on a short term basis; however, a byproduct of placing the trailer in the kitchen service yard is that it will probably limit the usability of this area for purposes for which it was designed. Both Community Development and Public Works

APPROVED: _____
H. Dixon Flynn -- City Manager

staff have expressed concerns about food and other deliveries being staged from Woodhaven Lane. Staff would caution the applicant that such activity needs to be done onsite and not from the public right-of-way.

The most important item of concern is how long the trailer will be on site in relation to the Building Code safety concerns. The trailer, as a temporary structure, does not meet Building Code fire safety requirements. However, there is an allowance in the Uniform Building Code, Section 3103, "Temporary Building or Structure" to permit a temporary building such as this one. The Lodi Fire Department also expressed concerns about the trailer's proximity to the old inn. Relocating the trailer to provide a minimum five (5) foot setback from the historic inn will satisfy the Fire Department's concerns, but not the remaining Building Code issues. Staff continues to recommend a one (1) year limit on placement of the trailer with the understanding that this temporary situation should be returned to normal operations as soon as possible.

An option that exists for Wine and Roses that would allow the trailer to exist for more than a year is to create a fire rated wall on the west and south side of the trailer. Typically, this is achieved by having 1 layer of 5/8" sheetrock on the inside and outside of the wall with a water-proof barrier on the outside of the exterior sheetrock. This essentially treats the trailer as any other structure that would be built in the same location. Additionally, the trailer needs to have a ten-foot separation from the barrel room in order to alleviate the need for protective openings.

Should Wine & Roses decide to follow the above-mentioned option, staff feels that allowing the trailer for a maximum of two years is reasonable and would recommend the City Council approve that request.

We would also strongly recommend that Wine & Roses complete the planning and design work necessary to permanently house the additional staff by the end of the first year.

FUNDING: There is no request for funding.

Konradt Bartlam
Community Development Director

Prepared by Eric Veerkamp, Associate Planner

Attachments

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

DRAFT

Request of Del Smith for a Use Permit allowing placement of a temporary office trailer at the existing Wine and Roses Facility at 1037 Woodhaven Lane, Assessor's Parcel Number 015-230-46. Mr. Phillips and Mr. White both excused themselves from this item due to current business relationships with the applicant. Associate Planner Veerkamp presented the matter to the Commission. The proposal was to have a pre-manufactured 60 X 12-foot mobile home delivered to the property to house additional staff. City staff was concerned about placement of the trailer, how long it would remain, and how it would be viewed from Woodhaven Lane. The trailer would be located in the kitchen courtyard of the new banquet facility, which caused concern about food and goods being delivered to the business and having to use the public right-of-way for unloading purposes. Placement of the trailer behind the barrel room kitchen required the relocation of the trash enclosure, which was relocated to the northeast corner of the property. Staff was recommending a one-year time limit that the trailer could be on the property and that it be painted the same color as the existing buildings and skirting would be required around the base for a cleaner, finished appearance. The one-year limitation is based on a building code issue with regard to wall and opening protection to the existing banquet room facility; however, there was an allowance in the Building Code to permit a temporary building, such as the one proposed. Additionally, the Fire Department was requesting that the trailer be placed 5 feet from the historic inn.

Hearing Opened to the Public

Del Smith, 2505 W. Turner Road, Lodi. Mr. Smith stated that he currently had 100 employees and was in need of more room to house his staff. He further stated that they sell "atmosphere" at the Inn and the office trailer would blend with its surroundings. He will be planting pepper trees to shield the trailer from Woodhaven Lane and it would be painted the same color as the surrounding buildings.

Commissioner Mattheis asked Mr. Smith the current height of the east wall? Mr. Smith replied that it was 6-feet-tall. Commissioner Mattheis pointed out the height of the trailer was 10-feet tall, and questioned where the trailer would be located after the one year term. Mr. Smith replied that he had pondered several options, but did not have an answer.

Commissioner Heinitz questioned why the current expansion did not include any office space for the employees.

Russ Munson, 2505 W. Turner Road, Lodi. He noted the relocated trash enclosure would not be moved from the parking lot. He felt that the recommended one-year term was not long enough and they do have a problem housing all their employees. The trailer was an alternative until permanent offices could be located. They do have space in the north parking lot to expand; however no plans have been made. He asked for a two-year time limit rather than one-year.

Commissioner Mattheis was concerned about the location in relationship to the community. He felt the service area was already an "eye sore" and adding a trailer would be even more of an eyesore. Mr. Munson stated they would be more careful in keeping the gate closed that fronts onto Woodhaven Lane. They have utilized all the space they could already and they need more. Mr. Bartlam suggested the use of the parking area to the north of the property as an alternative that would not have a one-year limitation. Mr.

Munson felt that the proposed location was the best, if the trailer were to be located in the northwest parking lot, it would have to be removed in the future to start construction of a permanent office space.

Hearing Closed to the Public

Commissioner Beckman made a motion to approve the temporary trailer for a two-year period. This motion died due to the lack of a second.

Community Development Director Bartlam pointed out that the Building Code would not permit the trailer for more than one year.

Commissioner Heinitz felt the plan was not thought out enough.

The Planning Commission on motion of Commissioner Mattheis, McGladdery second, denied the request of Del Smith for a Use Permit allowing placement of a temporary office trailer at the existing Wine and Roses Facility at 1037 Woodhaven Lane, Assessor's Parcel Number 015-230-46 by the following vote:

AYES:	Commissioners:	Beckman, Heinitz, Mattheis, and McGladdery
NOES:	Commissioners:	
ABSENT:	Commissioners:	Crabtree
ABSTAIN:	Commissioners	Phillips and White

RESOLUTION 01-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI DENYING THE REQUEST OF WINE AND ROSES FOR A USE PERMIT ALLOWING THE PLACEMENT OF A TEMPORARY OFFICE TRAILER AT 1037 WOODHAVEN LANE.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on Use Permit No. U-01-20. The Use Permit shall allow the placement of a temporary office trailer at 1037 Woodhaven Lane.

WHEREAS, the project proponent is Wine and Roses, 2505 West Turner Road Lodi, CA 95240;

WHEREAS, all legal prerequisites to the approval of this request have occurred;

WHEREAS, the property is zoned C-1, Neighborhood Commercial;

WHEREAS, the property is located at Assessor Parcel Number 015-230-36.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. The project has been found to be Categorically Exempt under §15311 Class 11 of the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder.
2. It is found that approval of the Use Permit will not result in good planning practice.
3. It is further found that the Use Permit will not conflict with easements acquired by the public at large for access through or use of the property.
4. Use Permit U-01-20 is hereby denied.

Dated: November 14, 2001

I hereby certify that Resolution No. 01-35 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on November 14, 2001, by the following vote:

AYES: Beckman, Heinitz, Mattheis, and McGladdery

NOES:

ABSENT: Crabtree

ABSTAIN: Phillips and White

ATTEST: _____
Secretary, Planning Commission

MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission

From: Community Development Department

Date: November 14, 2001

Subject: Request of Del Smith for a Use Permit allowing placement of a temporary office trailer at the existing Wine and Roses Facility at 1037 Woodhaven Lane, Assessor's Parcel Number 015-230-46

SUMMARY

The City has received a request from Del Smith to place a temporary office trailer on the back of his Inn property. The plan is to have a pre-manufactured 60-foot by 12 foot trailer delivered to the property. The trailer would be located on the Woodhaven Lane side of the facility in the service area behind the kitchen. This is between the banquet room and the new decorative wall along Woodhaven Lane.

According to the applicant, the business is in a situation where they need to add office space in a hurry. As part of the recent construction, a second floor office was converted into a meeting room to accommodate customer needs. To make up for this lost office space the proprietors used the newly built laundry room in the banquet building as offices. Since the laundry room is primarily used for the hotel rooms, there was no immediate need for it. With the hotel rooms nearing completion, the laundry room needs to be put back into service. Wine and Roses is seeking to accommodate seven (7) sales and marketing employees somewhere in close proximity to the front desk. The applicant has stated that the quickest and most cost effective way to accomplish this is to bring in a temporary trailer and set it on site.

BACKGROUND

The applicant has recently completed (within the past year) a major expansion of the Country Inn facility at Woodhaven Lane and Turner Road. New portions of the Inn include new offices and retail uses, wine tasting room with wine sales, and a new banquet room and restaurant with seating for 250 persons. Still under construction are some 40-hotel rooms. Other relatively minor improvements on the property in various stages of completion are, remodeling the historic Towne home (the inn), constructing a new swimming pool, spa, and therapy facility, and the addition of parking to serve the new uses (approximately 230 spaces) as well as driveways to serve the new uses.

ANALYSIS

The request is to place a trailer for office use in the service courtyard off the barrel room kitchen. The Wine and Roses property is zoned C-1, Neighborhood Commercial. A temporary building

for commerce is permitted in this zone subject to a Use Permit. Staff's concerns about this project consist of the physical placement of the trailer on the property and its safety, the aesthetics of the finished product, the duration of stay, and access to and from the offices (trailer) as well as the main building(s).

According to the plans submitted by the applicant, the trailer will be setback a minimum of 16 feet from the property line along Woodhaven Lane. It will be a minimum of 10 feet from the decorative masonry wall at this location. The trailer will be setback at three (3) feet from the historic inn on its south end, and at nine (9) feet from the east wall of the barrel room kitchen along its west adjacency. Taking into account the required stairways, there will be five (5) feet of clear space between the trailer and the kitchen. Floor space inside the trailer is planned to be divided up as follows. A reception desk is located at one end, with four offices in the middle, and a small meeting room at the other end. Two other work areas are located adjacent to the meeting room. A corridor down the length of the trailer connects all the rooms.

Staff's opinion of the proposal is that while not ideal, it is a workable solution to the applicant's needs on a short term basis. There is probably not another location on the site where the trailer would not be in the way since a lot of activities are conducted outside on the property. Placing it somewhere else may compromise Wine and Roses' ability to use their grounds and it would be difficult to make it attractive out in the open. However, a byproduct of placing the trailer in the kitchen service yard is that it will probably limit the usability of this area for purposes for which it was designed. Both Community Development and Public Works staff have expressed concerns about food and other deliveries being staged from Woodhaven Lane. Staff would caution the applicant that such activity needs to be done onsite and not from the public right-of-way. We recommend that alternate arrangements be made for deliveries during the time the trailer is onsite, if approved.

The physical placement of the trailer should not present any problem because the surface is already level and paved. As a temporary building, the trailer will be placed on pier blocks and anchored to the ground to meet seismic requirements. Two handicap accessible ramps are located on either end of the building to provide access. These ramps will be required to meet Building Department requirements. Unfortunately, the trailer will not be able to meet Building Department fire safety requirements. However, there is an allowance in the Uniform Building Code , Section 3103, "Temporary Building or Structure" to permit a temporary building such as the one proposed. Staff's recommendation is that it should be at this location for a period not to exceed one year.

In order to give the trailer a proper finished appearance, Mr. Smith has acknowledged that it is his desire to paint it to match the main buildings, and staff agrees that the trailer needs to match. Further, while there is no requirement for skirting around the base of the trailer, staff is recommending skirting to give the trailer a cleaner, more finished appearance.

The last item of concern is how long the trailer will be on site. Staff's position is that this should be limited to a temporary situation. By no means is placing a trailer in front of the service entrance of a restaurant an ideal situation. As previously mentioned, the Wine and Roses facility was designed with this enclosed courtyard for a reason. The temporary situation should be returned to normal operations as soon as possible. We are recommending the trailer be allowed

for one (1) year. In the meantime, Wine and Roses should pursue permanent solutions to their office space needs.

While not technically a part of this project, a new trash enclosure is tied to this project by necessity. Placing the office trailer behind the barrel room kitchen required the relocation of the trash enclosure, which in turn, necessitated the removal of three (3) parking spaces. This work is already underway. The new enclosure is located at the extreme northeast corner of the property. The property provides more than the minimum number of required parking spaces, so there is no problem removing three (3) of them to make room for the enclosure. Landscaping lost due to the relocation is being replaced at the west end of the new enclosure. The project will not generate any additional demand for parking because the employees are already working on the site, only in a different location.

RECOMMENDATION

Staff recommends that the Planning Commission approve the request of Del Smith for a Use Permit allowing placement of a temporary office trailer at the existing Wine and Roses Facility at 1037 Woodhaven Lane, Assessor's Parcel Number 015-230-46, subject to the conditions on the attached Resolution.

ALTERNATIVE PLANNING COMMISSION ACTIONS

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

Respectfully Submitted,

Eric W. Veerkamp
Associate Planner

Reviewed and Concur,

Konradt Bartlam
Community Development Director

EWV

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE:	November 14, 2001
APPLICATION NO'S:	Use Permit U-01-20
REQUEST:	Request of Del Smith for a Use Permit to locate a temporary office trailer at the Wine and Roses facility.
LOCATION:	1037 Woodhaven Lane;(APN 015-230-46)
APPLICANT:	Del Smith/Bridgehaven Partners 2505 West Turner Road Lodi, CA 95252
OWNER:	same
Site Characteristics:	The property at 1037 Woodhaven Lane is the location of the existing Wine and Roses Inn facility. Recent improvements here include the main dining room, the wine and visitors center, and hotel rooms (under construction). The portion of the property where the trailer would be placed is blacktopped and contains the trash enclosure and service entrance to the main dining room.
General Plan Designation:	NCC, Neighborhood Community Commercial
Zoning Designations:	C-1, Neighborhood Commercial
Property Size:	The size of the entire piece of property at 4.57 acres.

Adjacent Zoning and Land Use:

North:	PD, Planned Development. The land to the north of the proposed project site is the remainder of the former site of the Bridgehaven project, a medium density residential development.
South:	C-1, Neighborhood Commercial. The existing Wine and Roses Country Inn occupies the land directly adjacent on the south.
East:	R-GA, Residential Garden Apartments. There is a condominium complex on the south east corner of Woodhaven Lane and Eilers Lane and an apartment complex across the street from that (north east corner).
West:	R-1, Single-Family Residential. The Bridgetown subdivision is directly adjacent on the west side. Single family homes are in various stages of completion.

Neighborhood Characteristics:

This project area is in the extreme north west corner of Lodi. In fact, part of the subject property sits on the edge of the Woodbridge Irrigation District (WID) Canal, the northern City Limits line. Three of the four corners of Turner Road and Lower Sacramento Road are commercially zoned, and currently contain commercial uses. The remaining parts of the neighborhood surrounding the subject site are residential, including the south east corner of Turner and Lower Sacramento Road.

ENVIRONMENTAL ASSESSMENTS:
The project was found to be categorically exempt according to the California Environmental Quality Act §15315, Class 15, Minor Land Divisions. No significant impacts are anticipated and no mitigation measures have been required on this project.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published on November 3, 2001. A total of 33 notices were sent to all property owners of record within a 300-foot radius of the subject property.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the request of Del Smith for a Use Permit to locate a temporary office trailer at the Wine and Roses facility, located at 1037 Woodhaven Lane, APN 015-230-46, subject to the conditions listed in the attached Resolution.

ALTERNATIVE PLANNING COMMISSION ACTIONS:
- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

ATTACHMENTS:

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Draft Resolution

RESOLUTION ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF WINE AND ROSES FOR A USE PERMIT ALLOWING THE PLACEMENT OF A TEMPORARY OFFICE TRAILER AT 1037 WOODHAVEN LANE.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on Use Permit No. U-01-20. The Use Permit shall allow the placement of a temporary office trailer at 1037 Woodhaven Lane.

WHEREAS, the project proponent is Wine and Roses, 2505 West Turner Road Lodi, CA 95240;

WHEREAS, all legal prerequisites to the approval of this request have occurred;

WHEREAS, the property is zoned C-1, Neighborhood Commercial;

WHEREAS, the property is located at Assessor Parcel Number 015-230-36.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. The project has been found to be Categorically Exempt under §15311 Class 11 of the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder.
2. It is found that approval of the Use Permit will result in good planning practice.
3. It is further found that the Use Permit will not conflict with easements acquired by the public at large for access through or use of the property.
4. Use Permit U-01-20 is hereby approved, subject to the following conditions:
   a) That the trailer shall be permitted for a one (1) year period.
   b) That all required permits, inspections, and final approvals be obtained for the installation of the office trailer and parking areas.
   c) That all applicable Federal, State, and local rules and regulations shall be met by this Use Permit.

Dated: _____

I hereby certify that Resolution No. _____ was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Secretary, Planning Commission

Wine and Roses

2505 West Turner Road
Lodi, CA 95242

December 13, 2001

City of Lodi
Mr. Rad Bartlam
Community Development Department

Re: Appeal of requested use permit for a two-year office trailer.

Dear Mr. Bartlam,

During a recent planning commission meeting the commissioners rejected our proposal for a use permit for the placement of a temporary office trailer. We would like to modify our pending use permit request and address the concerns expressed by the planning Commissioners. It is our understanding their concerns were:

1. Concern the aesthetic view of a trailer will be adverse to our neighbors.
2. Our proposed location does not meet building code due to the close proximity of adjacent structures.
3. This location is not very well planned.

Starting with the third, this office is used for our sales and marketing staff and needs to be at the heart of our operations. Alternative locations would be a minimum of 250 feet away making it inefficient, costly and unfeasible. For all of the reasons we have previously expressed, moving the trailer to a different location will not serve the purpose that it is needed, therefore moving is not an alternative for us.

We have met with Mr. Phil Schrock, building department engineer, to better understand the requirements necessary to meet the building code for this location. He expressed he may support a two year use permit providing we brought the trailer in conformity with the building code. It is our intention to do the following improvements to meet the building code:

1. Provide 5 feet clearance from the south side of the trailer (B occupancy) to the historic inn (R-1 occupancy). This south wall of the trailer will be improved to become a one-hour firewall. (5/8 sheetrock will be added to the inside and 5/8 sheetrock will be added to the outside)
2. Provide 9 feet clearance from the west side of the trailer (B occupancy) to the Garden Ballroom (A occupancy). This west wall of the trailer will be improved to become a one-hour firewall. (5/8 sheetrock will be added to the inside and 5/8 sheetrock will be added to the outside)
3. The only opening on these two adjacent walls of the trailer, adjacent to existing structures, will be two (one hour) rated doors.
4. See attached map for clarification of location and dimensions.

As far as the aesthetics of this trailer, we have every intention to address the street view to be in keeping with our unique "Wine Country" surrounding. That will include:

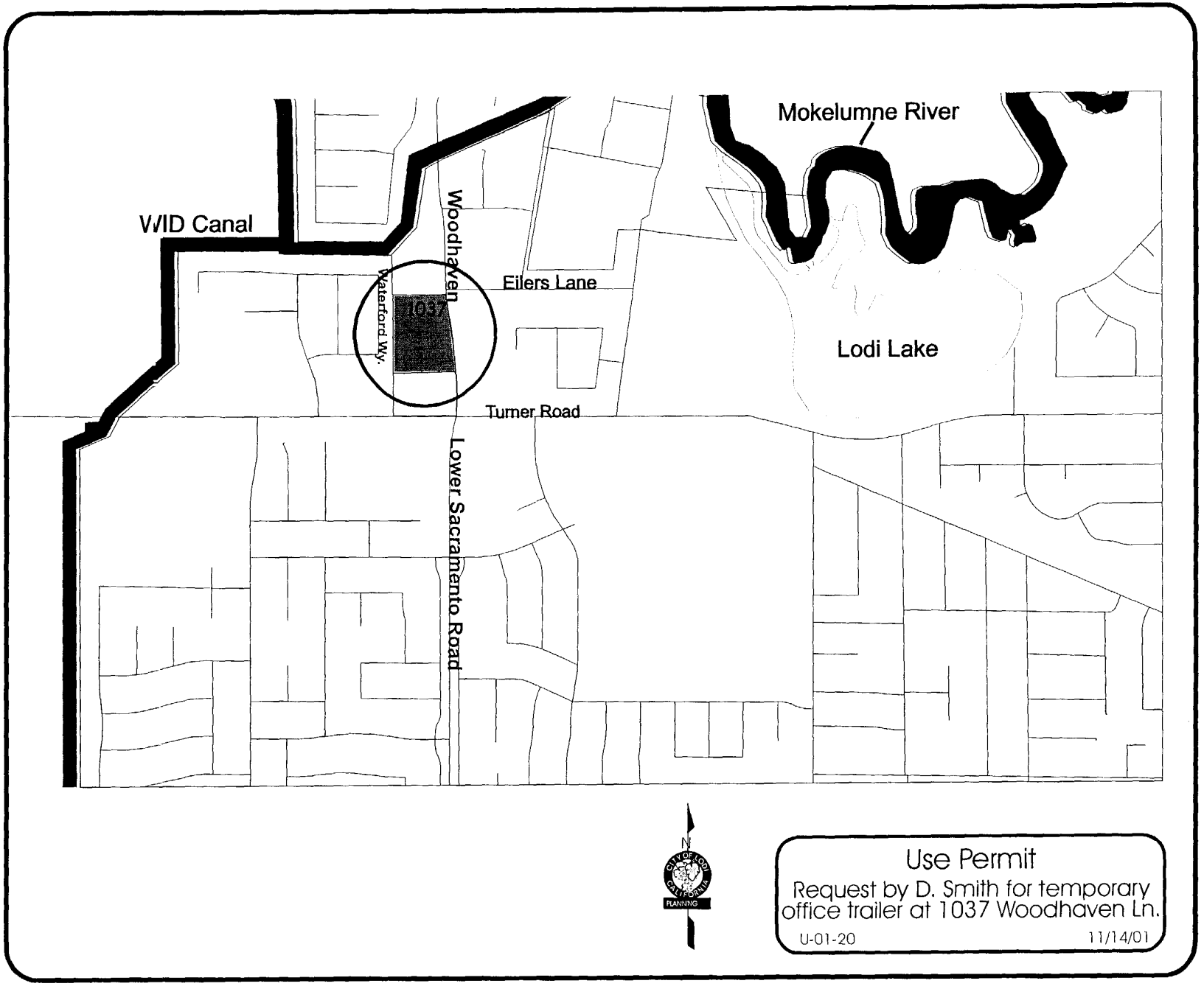
1. Locate the trailer behind a 6-foot high decorative wall.
2. Plant larger pepper trees adjacent to the road to better block the view.
3. Paint the trailer siding to match the ballroom.
4. Add shutters and flower boxes to the windows creating a cottage look.

We hope these modifications to our requested two-year use permit will address the planning commissioners concerns. Please let us know if we might be able to provide any other information.

Thank you for your consideration,

Del Smith

cc; City Council Members



Use Permit

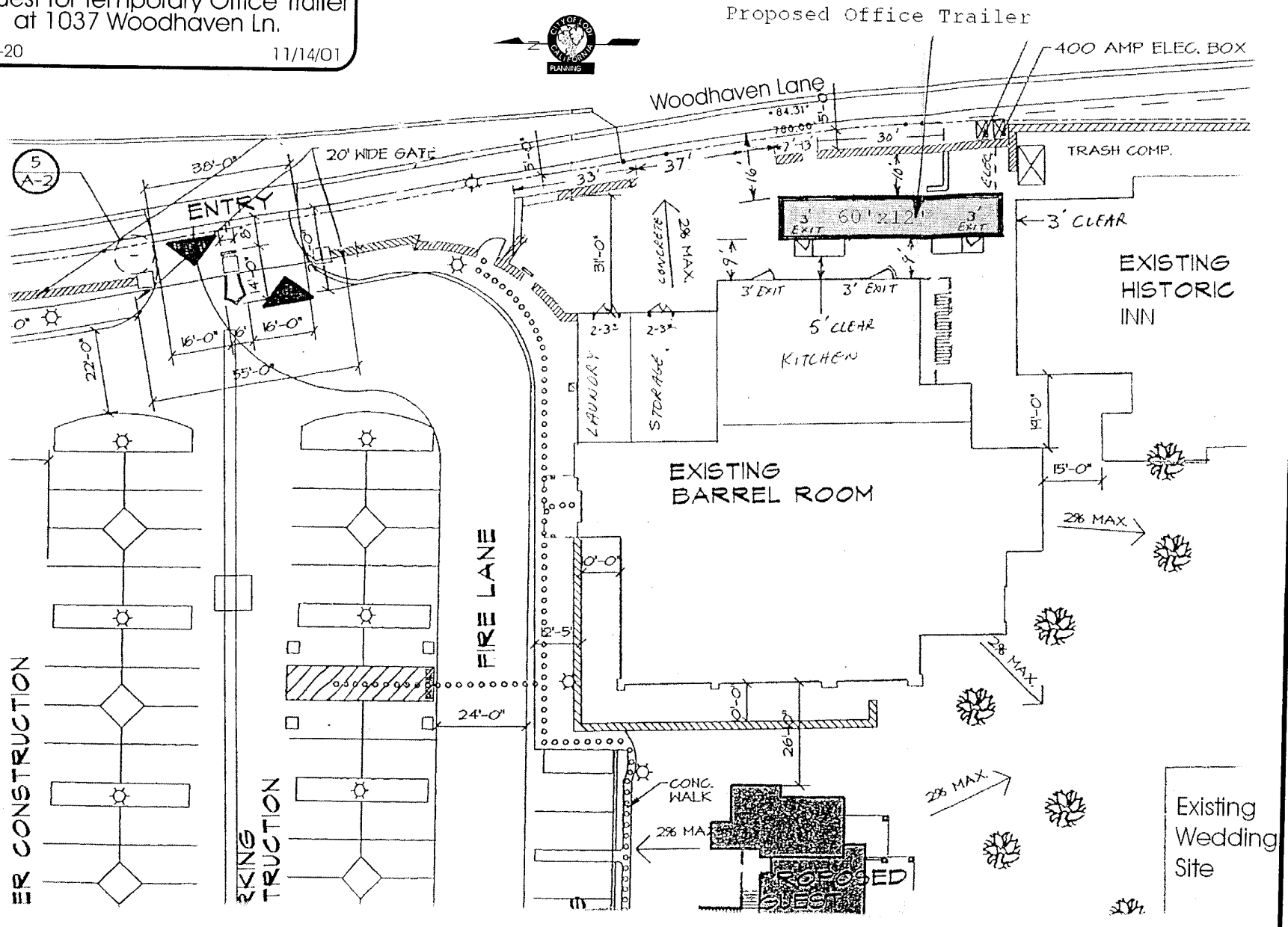
Request by D. Smith for temporary office trailer at 1037 Woodhaven Ln.

U-01-20 11/14/01

Use Permit for Wine and Roses

Request for Temporary Office Trailer at 1037 Woodhaven Ln.

U-01-20 11/14/01



RESOLUTION NO. 2001-299

A RESOLUTION OF THE LODI CITY COUNCIL GRANTING THE APPEAL OF WINE & ROSES FOR A USE PERMIT ALLOWING THE PLACEMENT OF A TEMPORARY OFFICE TRAILER AT 1037 WOODHAVEN LANE

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WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on Use Permit No.U-01-20. The Use Permit was requested to allow the placement of a temporary office trailer at 1037 Woodhaven Lane; and

WHEREAS, the project proponent is Wine and Roses, 2505 West Turner Road, Lodi, CA; and

WHEREAS, proponent appealed to the City Council the action of the Planning Commission relative to Use Permit No. U-01-20; and

WHEREAS, the property is zoned C-1, Neighborhood Commercial; and

WHEREAS, the property is located at Assessor's Parcel Number 015-230-36.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED, BY THE City Council of the City of Lodi as follows:

1. The project has been found to be Categorically Exempt under §15311 Class 11 of the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder.

2. It is found that approval of the Use Permit will result in good planning practice.

3. It is further found that the Use Permit will not conflict with easements acquired by the public at large for access through or use of the property.

4. Proponents Appeal is hereby granted, Use Permit U-01-20 is hereby approved, subject to the following conditions:

   a) That the trailer shall be permitted for a Two (2) year period.

   b) That all required permits, inspections, and final approvals be obtained for the installation of the office trailer and parking areas.

   c) That all applicable Federal, State, and local rules and regulations shall be met by this Use Permit.

   d) Provide 5 feet clearance from the south side of the trailer (B occupancy) to the historic inn (R-1 occupancy). This south wall of the trailer will be improved to become a one-hour firewall. (5/8 sheetrock will be added to the inside and 5/8 sheetrock will be added to the outside).

e) Provide 9 feet clearance from the west side of the trailer (B occupancy) to the Garden Ballroom (A occupancy). This west wall of the trailer will be improved to become a one-hour firewall (5/8 sheet rock will be added to the inside and 5/8 sheet rock will be added to the outside).

f) The only opening on these two adjacent walls of the trailer, adjacent to existing structures, will be two (one hour) rated doors.

g) See attached map for clarification of location and dimensions.

h) Locate the trailer behind a 6-foot high decorative wall.

i) Plant larger pepper trees adjacent to the road to better block the view.

j) Paint the trailer siding to match the ballroom.

k) Add shutters and flower boxes to the windows creating a cottage look.

Dated: December 19, 2001

==========

I hereby certify that Resolution No. 2001-299 was passed and adopted by the Lodi City Council in a regular meeting held December 19, 2001 by the following vote:

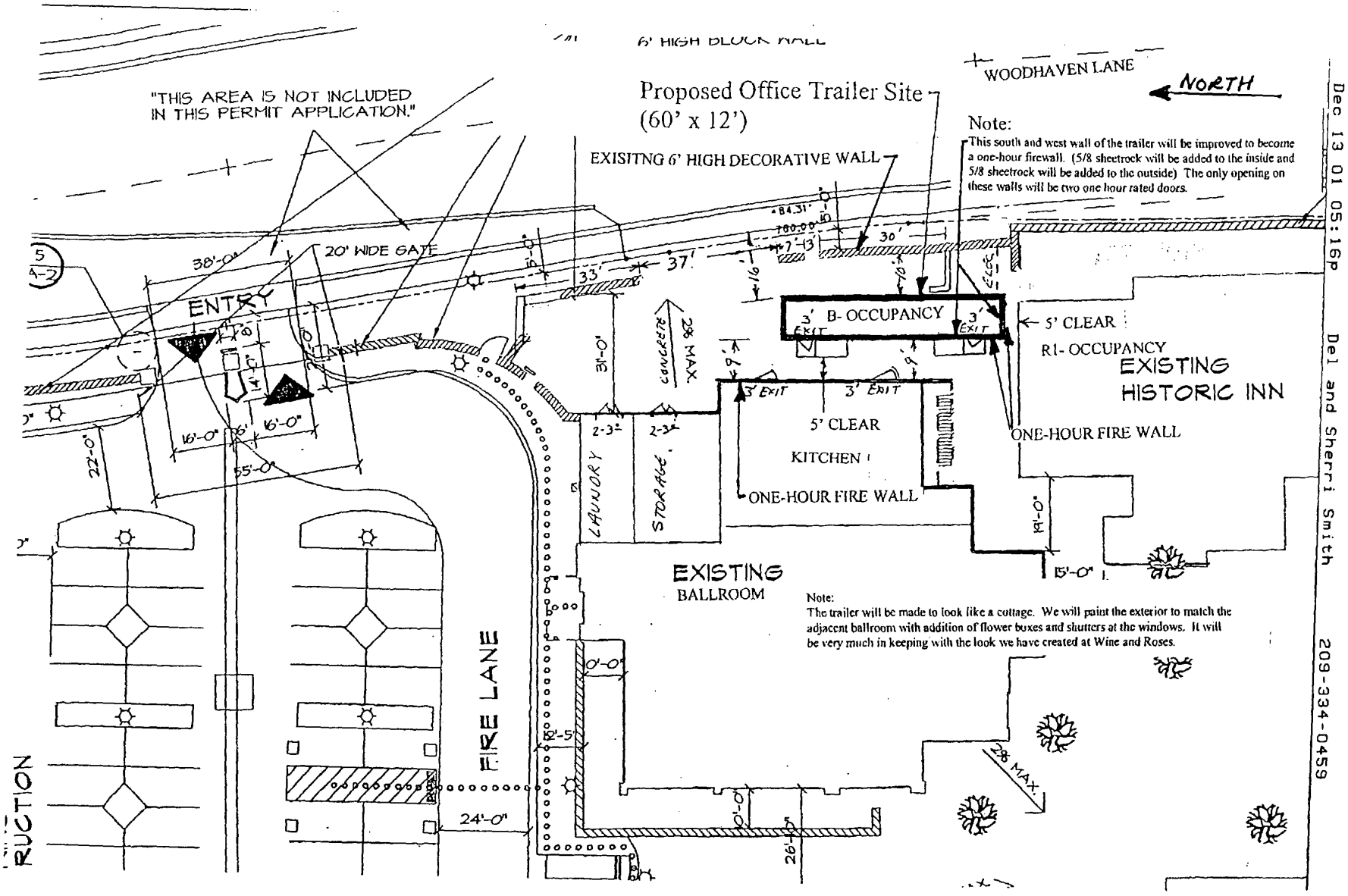
AYES: COUNCIL MEMBERS - Howard, Land, Nakanishi and Mayor Pennino

NOES: COUNCIL MEMBERS - Hitchcock

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

SUSAN J. BLACKSTON
City Clerk


6' HIGH BLOCK WALL
WOODHAVEN LANE
NORTH
"THIS AREA IS NOT INCLUDED IN THIS PERMIT APPLICATION."
Proposed Office Trailer Site (60' x 12')
EXISITNG 6' HIGH DECORATIVE WALL
Note:
This south and west wall of the trailer will be improved to become a one-hour firewall. (5/8 sheetrock will be added to the inside and 5/8 sheetrock will be added to the outside) The only opening on these walls will be two one hour rated doors.
20' WIDE GATE
ENTRY
38'-0"
33'
37'
30'
3' B- OCCUPANCY
3' EXIT
5' CLEAR
R1- OCCUPANCY
EXISTING HISTORIC INN
ONE-HOUR FIRE WALL
3' EXIT
5' CLEAR
KITCHEN
ONE-HOUR FIRE WALL
LAUNDRY
STORAGE
CONCRETE
28 MAX.
31'-0"
2'-3"
16'-0"
55'-0"
22'-0"
19'-0"
15'-0"
EXISTING BALLROOM
Note:
The trailer will be made to look like a cottage. We will paint the exterior to match the adjacent ballroom with addition of flower boxes and shutters at the windows. It will be very much in keeping with the look we have created at Wine and Roses.
FIRE LANE
24'-0"
26'-0"
RUCTION

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily, except Sundays and holidays, in the City of Lodi, California, County of San Joaquin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953, Case Number 65990, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

December 7

all in the year 2001

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 7 day of

December 2001

Kelsey Davis

Signature

This space is for the County Clerk's Filing Stamp

RECEIVED

2001 DEC 11 AM 8:20

CITY CLERK
CITY OF LODI

Proof of Publication of

Public Hearing-Dec 19 2001

Re: Wine & Roses

PUBLIC NOTICE

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
Dec. 7, 2001 — 3889

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