

RESOLUTION NO. 97-121

A RESOLUTION OF THE LODI CITY COUNCIL DENYING THE APPEAL OF USE PERMIT NO. U-97-02, THEREBY ALLOWING RITMOS DANCE CLUB TO OPERATE A DANCE CLUB ON THE SECOND FLOOR OF THE RICHMAID BUILDING AT 112 SOUTH CHEROKEE LANE UNDER CERTAIN CONDITIONS, AS SET FORTH IN PLANNING COMMISSION RESOLUTION NO. P.C. 97-11 AND THE AMENDED CONDITION AS SET FORTH BELOW

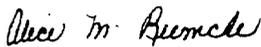
BE IT RESOLVED, that the Lodi City Council hereby denies the appeal of Use Permit No. U-97-02, thereby allowing Ritmos Dance Club to operate a dance club on the second floor of the Richmaid Building at 112 South Cherokee Lane, under the following conditions:

- 1.) All conditions specified in Planning Commission Resolution No. P.C. 97-11 be adhered to as shown on Exhibit A attached hereto and made a part hereof, except for an amendment to Section 4 – A which shall read as follows:
 - A) The Ritmos Dance Club shall limit dancing to Thursday through Saturday with live music allowed only on Friday and Saturday nights. The club shall close at 2:00 a.m.

Dated: August 20, 1997

I hereby certify that Resolution No. 97-121 was passed and adopted by the Lodi City Council in a regular meeting held August 20, 1997 by the following vote:

AYES: COUNCIL MEMBERS - Land, Sieglock, Warner and Pennino (Mayor)
NOES: COUNCIL MEMBERS - Mann
ABSENT: COUNCIL MEMBERS - None
ABSTAIN: COUNCIL MEMBERS - None


ALICE M. REIMCHE
City Clerk

RESOLUTION NO. P.C. 97-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
APPROVING A USE PERMIT ALLOWING THE RITMOS DANCE CLUB ON THE
UPPER FLOOR OF THE RICHMAID BUILDING, LOCATED AT 112 SOUTH
CHEROKEE LANE

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law and in accordance with Lodi Municipal Code, Section 17.72.070, on the requested Use Permit to allow the Ritmos Dance Club at 112 South Cherokee Lane, Lodi.

WHEREAS, the project proponent is Lidia Favila and Otilia Favila Gutierrez, 836 South Central Avenue, Lodi, CA 95240.

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

WHEREAS, the property is zoned C-2, General Commercial.

WHEREAS, the property is located at 112 South Cherokee Lane (upper floor).

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

- 1) A Notice of Exemption has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder.
- 2) It is hereby found that the Use Permit approval is unlikely to cause public health problems.
- 3) It is further found that the approval of the Use Permit is consistent with general and specific plans.
- 4) Use Permit Application No. 97-02 is hereby approved, subject to the following conditions:
 - A) The Ritmos Dance Club shall limit dancing to Thursday through Saturday with music *only* on Friday and Saturday nights. The club shall close at 2:00 AM.
 - B) The Ritmos club shall abide by all requirements of the City's Noise Ordinance. Furthermore, the upper floor windows shall remain closed during normal operating hours in order to contain noise within the building.
 - C) The adjacent south parking area at 120 South Cherokee Lane shall be designated as the parking lot for the Ritmos Dance Club.
 - D) The following improvements shall be made to said parking lot at 120 South Cherokee Lane prior to occupancy of the Ritmos club:
 - a) The parking surface shall be repaved and the lines of the parking spaces shall be repainted per City Standards.

- b) The parking lot shall be made free of weeds and other debris.
- c) The ice cream manufacturing equipment storage area at the rear of said parking lot shall be either cleaned up by removal of the equipment, or by screening of the area by a solid fence at least seven (7) feet high.
- d) At least two low-level, shielded lights illuminating the paved area shall be added to the interior of the parking lot.
- E) All paved or concrete areas either in front (west side) of the Richmaid Building or on the north side of the building shall be made free of weeds and other debris.
- F) All building mounted signs pertaining to previous businesses except the original Richmaid Ice Cream sign, shall be either removed or painted over to the satisfaction of the Community Development Director. This includes accessory signs "tacked on" to the Richmaid sign.
- G) All broken second story windows shall be repaired or replaced.
- H) A minimum of two uniformed security officers be present at the club during all hours of operation. Additionally, a minimum of 2 guards shall remain on the premises until 1-hour after closing time. Said officers shall meet Lodi Police Department's criteria for security personnel.
- I) The applicant shall sign a notarized affidavit within ten (10) days after adoption of this resolution indicating an acceptance of all conditions of approval.
- J) The Use Permit shall be reviewed by the Planning Commission six months from the date of adoption on 12/23/97.

Dated: June 23, 1997

I hereby certify that Resolution No. 97-11 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on June 23, 1997, by the following vote:

AYES: Commissioners: Borelli, Marzolf, McGladdery, and Rasmussen

NOES: Commissioners: Schmidt and Stafford

ABSENT: Commissioners: Rice

ABSTAIN:

ATTEST: 
 102 Secretary, Planning Commission