

# Noticing Requirements



## DECLARATION OF MAILING

**PUBLIC HEARING TO CONSIDER APPEALS OF BROWMAN DEVELOPMENT COMPANY  
AND WAL-MART STORES, INC. REGARDING THE DECISION OF THE PLANNING  
COMMISSION TO NOT CERTIFY THE FINAL REVISED ENVIRONMENTAL IMPACT  
REPORT REGARDING THE LODI SHOPPING CENTER PROJECT LOCATED AT  
2640 WEST KETTLEMAN LANE**

On Friday, February 6, 2009, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Notice of Public Hearing to consider appeals of Browman Development Company and Wal-Mart Stores, Inc. regarding the decision of the Planning Commission to not certify the Final Revised Environmental Impact Report regarding the Lodi Shopping Center project located at 2640 West Kettleman Lane, attached hereto marked Exhibit A. The mailing list for said matter is attached hereto marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 6, 2009, at Lodi, California.

ORDERED BY:

**RANDI JOHL**  
**CITY CLERK, CITY OF LODI**

  
JENNIFER M. PERRIN, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK



**CITY OF LODI**  
Hutchins Street Square  
125 S. Hutchins St., Lodi

**NOTICE OF PUBLIC HEARING**

**Date: March 11, 2009**

**Time: 6:30 p.m.**

For information regarding this notice please contact:

**Randi Johl**  
City Clerk  
Telephone: (209) 333-6702

**EXHIBIT A**

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Wednesday, March 11, 2009**, at the hour of 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at Hutchins Street Square, 125 South Hutchins Street, Lodi, to consider the following item:

- a) **Appeals of Browman Development Company and Wal-Mart Stores, Inc. regarding the decision of the Planning Commission to not certify the Final Revised Environmental Impact Report regarding the Lodi Shopping Center project located at 2640 West Kettleman Lane.**

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2<sup>nd</sup> Floor, Lodi, 95240, 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 close of the public hearing.

By Order of the Lodi City Council:

Randi Johl  
City Clerk

**Dated: February 4, 2009**

Approved as to form:

D. Stephen Schwabauer  
City Attorney

EXHIBIT B

APPEALS REGARDING DECISION OF THE PLANNING COMMISSION TO  
NOT CERTIFY THE LODI SHOPPING CENTER EIR

Mailing List

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\* Judy V. Davidoff, Esq.  
Sheppard Mullin Richter & Hampton LLP  
Four Embarcadero Center, 17<sup>th</sup> Floor  
San Francisco, CA 94111

\* Andrea K. Leisy, Esq.  
Remy Thomas Moose & Manley LLP  
455 Capitol Mall, Suite 210  
Sacramento, CA 95814

\* Mailed 2/17/09 - jmt

## Lodi Shopping Center REIR 300 ft Mailing list for City Council Meeting March 11, 2009

EXHIBIT B

APN	OWNER	ADDRESS	CITY	STATE	ZIP
02741007	SACRAMENTO KETTLEMAN LLC ETAL	1954 MT DIABLO BLVD #A	WALNUT CREEK	CA	94596
02742001	GEWEKE FAMILY PTP	PO BOX 1420	LODI	CA	95241
02742003	IN N OUT BURGERS CORP	13502 HAMBURGER LN	BALDWIN PARK	CA	91706
02742013	GEWEKE VIII LP ETAL	PO BOX 1210	LODI	CA	95241
05803003	VAN RUITEN RANCH LTD	PO BOX 520	WOODBRIDGE	CA	95258
05803009	REICHMUTH, THOMAS E TR	2541 LYNCH WAY	LODI	CA	95242
05803011	BDC LODI III LP	100 SWAN WAY SUITE 206	OAKLAND	CA	94621
05803012	WAL MART REAL EST BUSINESS TRU	MAIL STOP 0555	BENTONVILLE	AR	72716
05814001	TESORO SIERRA PROPERTIES LLC	300 CONCORD PLAZA DR	SAN ANTONIO	TX	78216
05814004	FRAME, DEAN K & SHARON L TR	212 RUTLEDGE DR	LODI	CA	95242
05814006	HERRMANN, CHARLENE K TR ETAL	1200 GLENHURST DR	LODI	CA	95240
05814007	DEL RIO, SANTIAGO M & RAMONA T	15315 N HOERL RD	LODI	CA	95240
05814011	GREVER, ZANE M & PATSY R TR	1432 PARK ST	LODI	CA	95242
05814012	PETERSON, M BILL	PO BOX 473	LOCKEFORD	CA	95237
05814014	PETERSON, RUTH SUSAN	PO BOX 331	SUTTER CREEK	CA	95685
05814042	BARBER VALLEJO PROPERTIES LP	2595 AUTO MALL PKWY	FAIRFIELD	CA	94533
05814044	FIRST LODI PLAZA ASSOCIATES	1556 PARKSIDE DR	WALNUT CREEK	CA	94596
02705021	GEWEKE FAMILY LTD PTP	2475 MAGGIO CIR	LODI	CA	95240

## Kari Chadwick - sent e-notification to these individuals

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**Distribution List Name:** Lodi Shopping Center EIR redo

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