



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Provide Direction to Staff to Resolve Unpermitted Sidewalk Removal at 1032 Laurel Avenue  
**MEETING DATE:** January 20, 2010  
**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Provide direction to staff to resolve unpermitted sidewalk removal at 1032 Laurel Avenue.

**BACKGROUND INFORMATION:** Mrs. Sharon Hughes, the property owner of 1032 Laurel Avenue, removed the sidewalk and replaced it with grass in approximately October 2008, in response to the City of Lodi's order to repair the damaged sidewalk fronting the property. This work was performed without securing an encroachment permit from the City that is required when any work is performed within the City's right of way. Under the City's existing sidewalk policy, the repairs are the property owner's responsibility because there are no City street trees which could have caused the damage. In removing the sidewalk without an encroachment permit, Mrs. Hughes violated Lodi Municipal Code Section 12.04.060. Mrs. Hughes requests permission to purchase the street right-of-way along her property at the end of the cul-de-sac that fronts Lodi Lake in lieu of replacing the sidewalk. The attached exhibits present information regarding the conditions at this location.

The parcel at 1032 Laurel Avenue is located at the north end of Laurel Avenue, at which location the public street narrows to 11 feet in width. At this location, the 11-foot-wide street has the appearance of being a private driveway, even though it is public right of way. The public right of way ends at the north property line of the parcel at 1032 Laurel Avenue. There are two parcels with homes located north of 1032 Laurel Avenue to which access is provided by a shared private driveway.

Staff considered several options, outlined below, to resolve the issue of whether or not to force replacement of the sidewalk upon the property owner. Staff requests Council direction by selecting one of the three or an alternative option before proceeding.

- 1) Order the property owner to replace the sidewalk and, if the work is not completed, the City will replace the sidewalk and will then seek reimbursement as provided for by City policy and the Streets and Highways Code.
- 2) Sell the right-of-way to the property owner at its appraised value with a requirement that a private access easement be provided to the benefit of northern neighbors.
- 3) Offer to exchange the right-of-way for handicap ramp improvements at the corner of Laurel Avenue and Turner Road, consistent with past City practice of exchanging right-of-way for improvements, and provide a private access easement as required in Option 2.

Staff would not normally consider the latter two options, but given the nature of the existing cul-de-sac, neighborhood complaints about parking abuses on Laurel Avenue and the pre-existence of a private drive

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

  
Blair King, City Manager

already on the northernmost house on Laurel Avenue, a transfer of the right-of-way may be appropriate in this unique case.

**FISCAL IMPACT:** Potential income/in-kind improvements to Street Fund and potential appraisal cost.

**FUNDING AVAILABLE:** None identified.

  
\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director

Prepared by Curtis Juran, Assistant Streets and Drainage Manager  
FWS/CJ/dsg  
Attachments  
cc: D. Stephen Schwabauer, City Attorney  
Curtis Juran, Assistant Streets and Drainage Manager



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## LAUREL AVENUE NORTH OF TURNER RD



PRIVATE STREET  
BEGINS

1040

STREET NARROWS  
TO 11 FEET

1032

1026

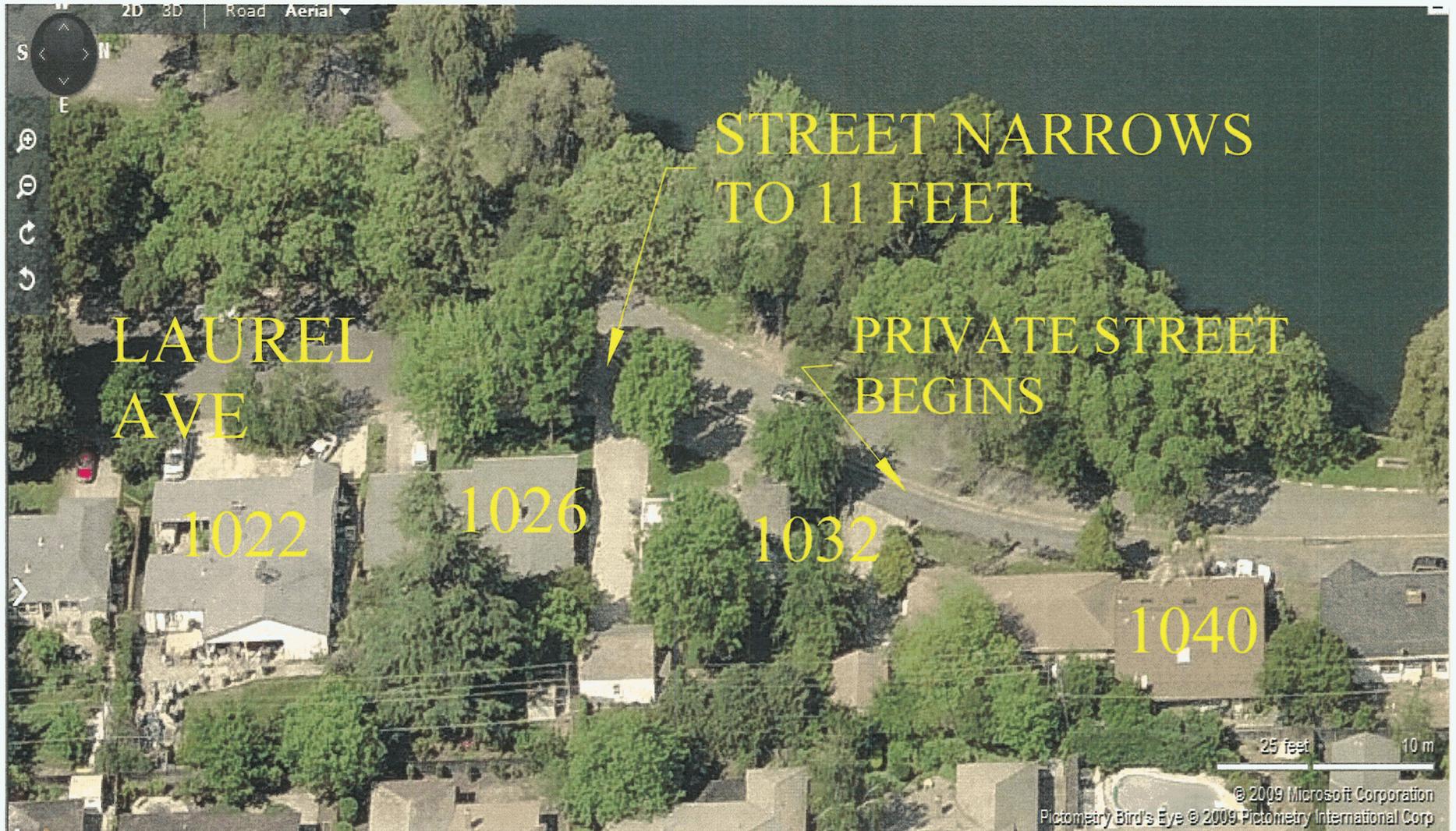
1022

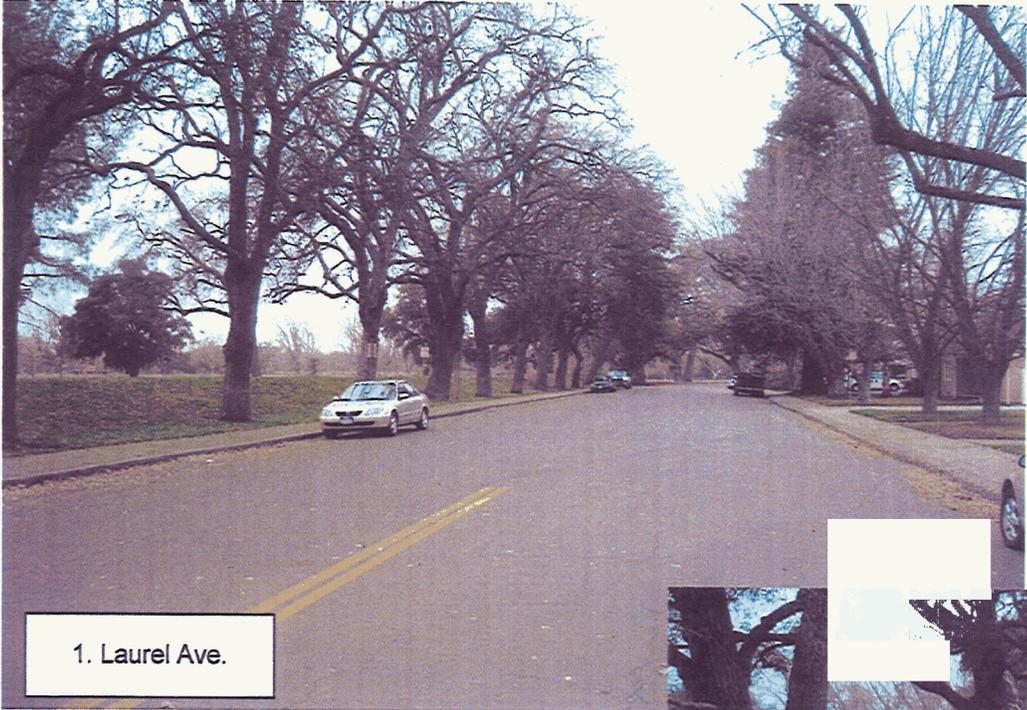


# CITY OF LODI

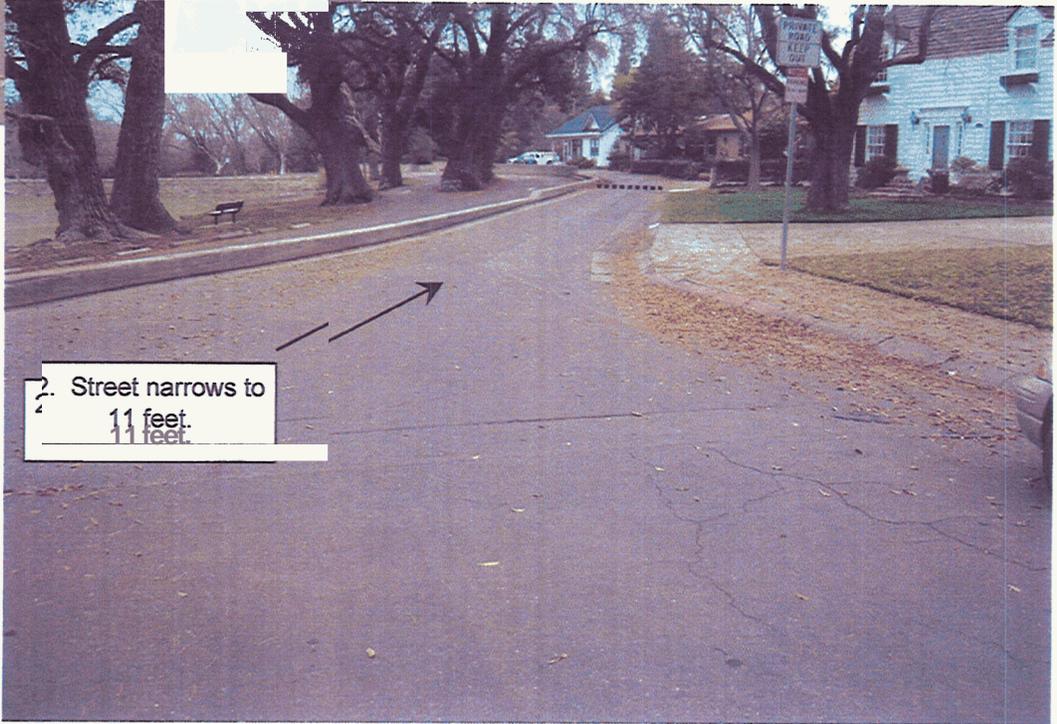
PUBLIC WORKS DEPARTMENT

## LAUREL AVENUE NORTH OF TURNER ROAD

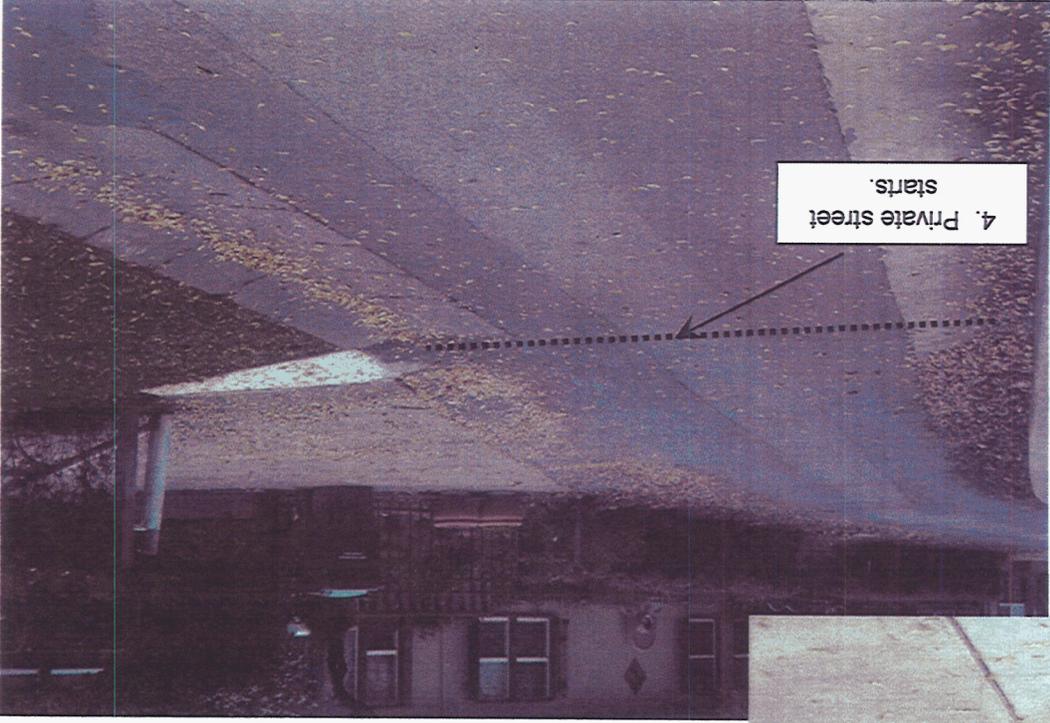




1. Laurel Ave.



2. Street narrows to 11 feet.





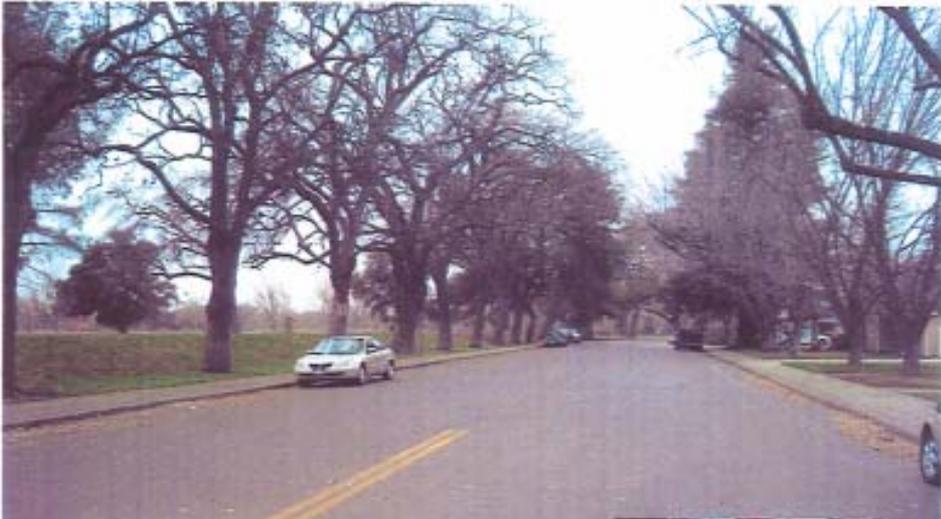
Intersection of Laurel Ave. & Turner Road, possible site for handicap ramps.



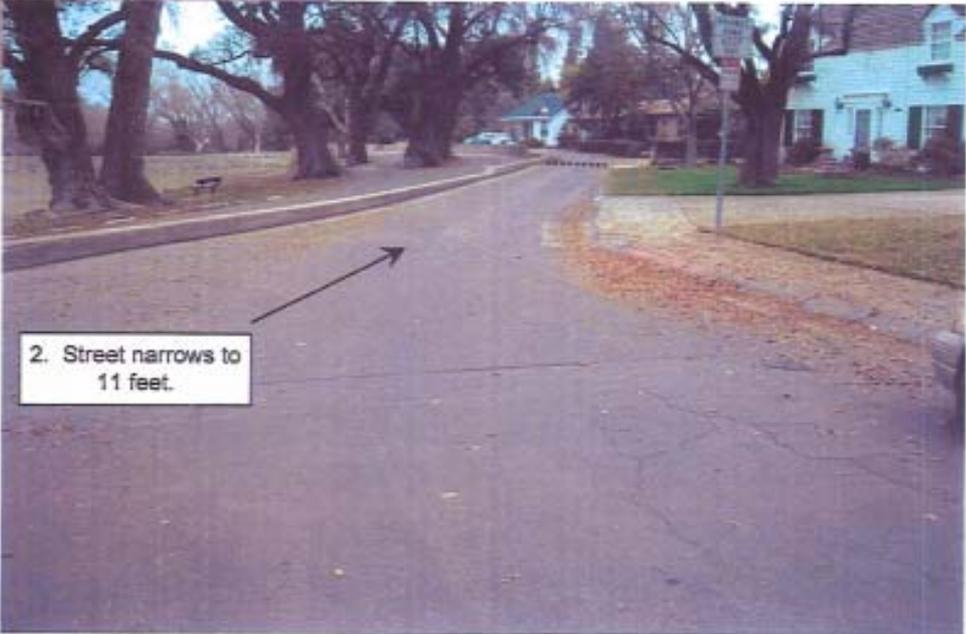
The City of Lodi  
**Public Works  
Streets Division**



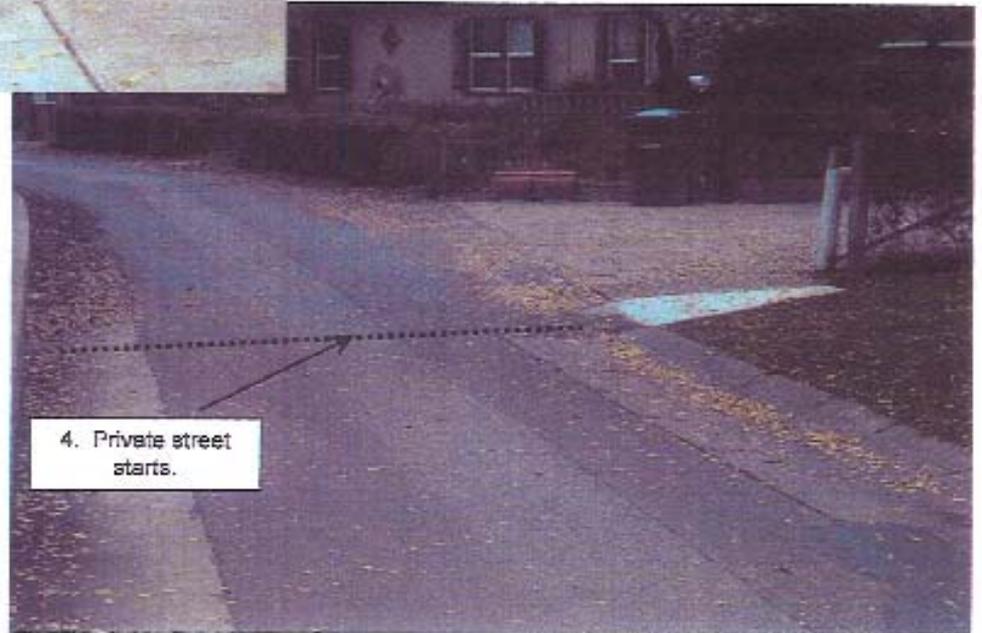
1032 Laurel Avenue  
Agenda Item J - 2



1. Laurel Ave.



2. Street narrows to 11 feet.





LAUREL  
AVE

1022

1026

STREET NARROWS  
TO 11 FEET

PRIVATE STREET  
BEGINS

1032

1040

25 Feet



# Alternatives

- Property owner replaces sidewalk (\$4,000)
- Sell property owner right of way
- Exchange right of way for ramp improvements at Turner Road



Intersection of Laurel Ave. & Turner Road, possible site for handicap ramps.





Questions?