



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
MEETING DATE: July 19, 1989
AGENDA TITLE: East Tokay Street Driveway Petition - Discussion and Appropriate Action

RECOMMENDED ACTION: That the City Council: 1) approve guidelines for street design and driveway conflicts; 2) direct staff on enforcement of driveway encroachment violations; and 3) take no action on the East Tokay Street petition.

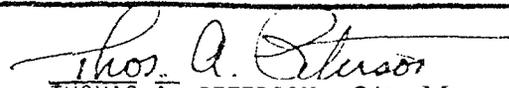
INTRODUCTION: The City received the attached petition from 35 property owners in the area of East Tokay Street asking the City, at its expense, to modify the street cross slope or the **curb**, gutter, and driveways to better provide access and to eliminate any problem with vehicles scraping the pavement or sidewalk. Due to scheduling conflicts on both parts, discussion has been delayed until this meeting. This petition is attached as Appendix 1.

The problem with the cross slope on East Tokay Street was first brought to the City Council in 1987 by the staff when the City was determining how best to improve East Tokay Street between Stockton Street and Cherokee Lane with an asphalt overlay. Leona Miller, residing at 513 East Tokay Street, later brought her driveway problem to the Council's attention after the project was completed.

The cause for the attached petition was created when the City notified the property owner of 442 East Tokay Street that the obstruction they recently placed in the gutter would have to be removed. The following is a description of that incident.

On May 2, 1989, one of the City's Maintenance Workers observed a concrete obstruction being placed in the flow line of the curb and gutter on East Tokay Street. The Maintenance Worker, per our policies, informed his Supervisor who informed the Assistant Street Superintendent. The Street Superintendent went into the field and observed that a concrete obstruction had recently been placed in the curb and gutter in front of an apartment complex at 442 East Tokay Street. After determining the owner's name, he talked to the owner and indicated that an obstruction was not allowed by the City and that any work in the public right-of-way needed an encroachment permit and that the obstruction would have to be removed. That day, the Street Superintendent confirmed this requirement in writing by sending the

APPROVED:


THOMAS A. PETERSON, City Manager

FILE NO.

attached letter of May 2, 1989 (Appendix 2). Upon receiving the letter, the owner called the Street Superintendent, who was out. The owner then came in to talk to the Public Works Director. The owner brought the City letter together with pictures of other similar violations in the immediate area. Upon checking out the information received, the Public Works Director wrote the attached letter of May 12, 1989 (Appendix 3), indicating that the concerns of the property owner had been reviewed and after reviewing the matter with the City Attorney, it was determined that the obstruction was an encroachment and in violation of the City Code and must be removed. The property owner was then given additional time to remove the encroachment. It was also determined by the City Attorney that because of the other similar encroachment brought to our attention, that those specific encroachments would have to be removed unless they were installed prior to our encroachment permit ordinance or unless they had an encroachment permit authorizing the installation. At the same time, the City received the attached petition dated May 15. Enforcement of the encroachment violation was deferred until the petition could be heard by the City Council (Appendix 4).

The purpose of this report is to provide design guidelines for future street overlay projects, together with providing the City Council with the required information to answer the request under the petition and to deal specifically with the more recent encroachment at 442 East Tokay Street.

BACKGROUND INFORMATION:

Why Vehicles Scrape at Driveways

In order to evaluate possible solutions to this problem, it is pertinent to review why and how vehicles scrape when using driveways. The following discussion is specific to Lodi and does not include situations that occur in mountain or hilly communities.

Most of the problems occur when the back portion of the vehicle drags on the pavement when the rear wheels are in or near the gutter (Case 1). In some situations, the center of the vehicle drags on the driveway/sidewalk area (Case 2). In a few instances, the front of a vehicle may scrape when approaching the driveway or upon leaving if the vehicle backed in. Since the front clearance is usually greater than the rear and solutions to Cases 1 and 2 would correct this case, it has not been considered separately.

The contributing factors that determine whether or not a vehicle scrapes are summarized in Table 1 and shown graphically in Exhibit A.

Table 1
Vehicle Scraping Factors & City Control

<u>Factor</u>	Case 1 Rear <u>Scrapes Street</u>	Case 2 Center <u>Scrapes Sidewalk</u>	<u>City Control</u>
<u>Street Characteristics</u>			
1. Street Cross Slope	X		Total - Construct & maintain
2. Driveway Slope (Rise)	X	X	Partial - Set standards for portion in right-of-way; owner/builder determines driveway slope
<u>Vehicle Characteristics</u>			
3. Wheelbase Length	X	X	Partial - Set design criteria to accommodate certain sizes
4. Ground Clearance	X	X	Partial - Same as above
<u>Driver Characteristics</u>			
5. Speed	X	X	None
6. Vehicle Condition (tire inflation, modifications, trailer hitches, etc.)	X	X	None

As can be seen in Table 1, the City has direct control over only one factor. (street cross slope) and partial control over three others, mainly in setting standards and design criteria. All are interrelated and are discussed below:

1. Street Cross Slope - The standard for new construction is 2.5% plus the gutter slope. This provides good drainage and is fairly typical in the Central Valley, although some agencies use as low as 1-1/2% without grinding. A typical maintenance overlay of 1" will add 2% or so and a heavier overlay such as recently done on Tokay Street will add 4% or more. (Note - as discussed later and shown in the Exhibits, the effect of the gutter slope is included in the street cross slope. In new streets, the effective cross slope including the gutter is 4.4% as computed 4' from the flow line.)
2. Driveway Slope (Rise) - The driveway slope or total rise from the gutter consists of the curb and sidewalk within the right-of-way plus the driveway on private property. In new residential construction with rolled curb, the back of the sidewalk is 6" above the flow line. There are no standards for the private driveway slope which range from 2% to 5% and greater in some cul-de-sac lots. Thus, the total rise may vary from 7" (0.58') to 10" (0.83') measured at 10' from the gutter.

3. Wheelbase Length - The length of the vehicle determines how the driveway slope raises the front of the car, thus lowering the rear end. Since nearly all vehicles are longer than the distance from the gutter to the back of sidewalk, the property owner's driveway slope can be critical.
4. Ground Clearance - At the back of the vehicle, this is expressed by the "Angle of Departure" (see Exhibit A) which varies considerably. It takes into account both the clearance to the bumper or any other lower component and the back overhang length.

Wheelbase length and ground clearance combinations for two model years (1980 and 1988) of most domestic vehicles and some imports are shown in Exhibit B. (Source: Motor Vehicle Manufacturer's Association of the United States.) Two "Design Vehicles" are shown which provide nearly a "worst case" short and long vehicle.

In Case 1, the rear of the vehicle scrapes when the sum of the driveway slope and street cross slope equal the rear ground clearance as expressed by the "Angle of Departure" (see Exhibit A, Case 1). For a given vehicle, this relationship can be calculated. This is shown graphically in Exhibit C for the "Design Long Car" and "Design Short Car". The Design Vehicle will scrape for any combination of driveway rise and street cross slope above the line. For the given Design Vehicles, the "Long Car" controls the design, thus the following discussion applies to the Design Long Car dimensions (120" wheelbase, 9.75° Angle of Departure).

Actual Experience

The preceding discussion is essentially theoretical. As a test, 82 driveways were measured and evidence of scraping was noted. Driveways filled with asphalt, concrete, pipe, etc. are not included since applicable measurements could not be obtained. The results are shown in Exhibit D and summarized in Table 2.

Table 2
 Field Observation Summary - Number of Driveways

	Total	Tokay Street Stockton to Cherokee	Pine Street Cherokee to Highway 99	S. Side of Cochran Rd. Westwind to Tilden	Miscellaneous Locations
Driveway shows scraping* in street (Case 1)	27	24	2	1	0
Driveway shows scraping* in sidewalk (Case 2)	30	26	4	0	0
No apparent problem	39	19	8	7	5

*14 driveways showed both problems

The three streets shown were selected based on known *or* suspected problems. The miscellaneous locations are in new areas where a problem should not exist. As Exhibit D shows, nearly all the actual locations showing a problem are above the calculated heavy line.

Possible Solutions

There are three general solutions to the driveway problem:

<u>Technique</u>	<u>Description</u>	<u>Solves</u>
A) Reduce the street cross slope	<p>This can be partially accomplished by grinding before an overlay or completely accomplished by rebuilding the street</p> <p>By using special grinding machines, the existing pavement can be lowered to partially offset the increase in thickness due to the overlay. This reduces the new cross slope. The effectiveness depends on the thickness of the overlay and the width of the grinding.</p> <p>Correcting the problem by rebuilding the street is cost prohibitive. It would be analogous to replacing an asphalt composition roof on a house every 20 years or so instead of placing new shingles on top of the old ones once or twice.</p>	Case 1 only
B) Replacing the driveway	<p>1) Within the right-of-way only</p> <p>2) Extending onsite to reduce slope</p> <p>Replacing driveways to correct scraping problems has not been formally addressed by the City. In fact, as shown earlier, replacement would not solve the Case 1 problem without extensive work on private property to reduce the driveway slope. The decision on the Tokay Street project was to overlay the street and do minimal curb and gutter replacement to correct major drainage problems. The Council Communication from that meeting is attached as Exhibit F. It was recognized that driveways for for the benefit of the private parcel. Under long-time City</p>	Case 2 only Cases 1 & 2

<u>Technique</u>	<u>Description</u>	<u>Solves</u>
	policy, replacement of driveways with tax dollars was limited to street widenings and as necessary to correct drainage problems in conjunction with a City project.	
C) Raising the gutter.	This can be done by filling the gutter with asphalt concrete for the entire block, constructing bridge-type driveways, or, if drainage patterns will allow, replacing all the curb, gutter, and driveways Filling the gutter with asphalt concrete was proposed as part of the Tokay Street overlay project in 1987. At that time, it was recognized that the cost of correcting the then existing driveway deficiencies was prohibitive. (Replacement would have more than doubled the cost of the \$100,000 paving project.) We only found one local agency which has a standard design for "bridge-type" driveways which provide a smooth driveway and provide some drainage (see Exhibit E). There are many disadvantages to even the best bridge-type driveway: A) They still plug up and block drainage. B) They impede vehicles attempting to park on the street. C) They disrupt street sweeping and leaf pickup and cause additional wear on the brooms and higher maintenance costs. D) Vehicles using them can be damaged if they miss the edge of the driveway. E) The metal plates (which must be removable for cleaning) can be knocked down into the drainage slot.	Cases 1 & 2

- F) The meta plates may rattle loudly
when driven over.

Obviously, many of the residents on Tokay Street have found their own solution, that is filling the gutter and driveway approach with concrete or asphalt concrete. Some made an attempt not to impede drainage by including a pipe. Photographs of some of the installations will be provided at the Council meeting.

Past Practice

The Public Works Department does not have any records on how often this type of problem has occurred and what may have been done about it. The number of complaints has been minimal. Generally, if a problem existed after an overlay, it was there before also. We have occasionally done some minor modifications after an overlay to reduce a newly created problem.

After the Tokay Street project, a claim was filed by a resident and the matter heard by the City Council. The claim was rejected and the City offered to share in the cost of modifications to the driveway. It was recognized then that the modification would have to be extended on to the private parcel in order to correct the problem. The total costs ranged from \$500 for a minimal job to \$1,000 which would provide a standard 12' wide driveway. The Council minutes from that meeting of June 15, 1988 and follow-up letter are attached as Exhibits G and H. The property owner declined to participate.

The City has no formal design standards for overlays, nor do most other cities. As noted in Exhibit F, we have not done very many thick overlays. Given what we have learned, if we were to do the Tokay Street project now, we would do more grinding to reduce the cross slope before the overlay.

Discussion

It may seem that much ado is being made over a relatively minor problem. However, having one's car scrape the street every time the driveway is used is a major annoyance. The question is, "How much of the taxpayers money should be spent to correct and/or prevent the problem?"

Simply saying, "Do whatever is necessary to keep all cars from scraping" is not workable. Aside from not having enough money, it is not possible to design an overlay and guarantee that no vehicles will scrape. Certainly, our design techniques can be improved. For example, past designs called for grinding width of 3.5 feet. It appears now we should use a minimum of 6 feet. A typical sequence of overlays is shown in Exhibit I.

The practical solution, then, will involve some decisions as to what vehicle dimensions to accommodate, how much responsibility lies with the property owner, and how to handle existing situations that do not meet the standards. The recommendations made later are based on the following assumptions:

1. Worst case vehicle dimensions, per Design Vehicle Exhibit B.
2. The property owner is responsible for deficient driveways.
3. The City will share in the cost of corrections for some intermediate cases.
4. Beyond some established maximum point, the City should correct the problem.
5. Existing problems will remain until the street is scheduled for rehabilitation or the property owner wishes to pay for the work.

Recommendations

Staff recommends the following guidelines pertaining to street cross slope and driveways be followed on new projects:

- A. Where the cross slope (as measured from the flowline to 4' out) will exceed 13%, the design will be changed to reduce the slope or include driveway modifications. If this requires a substantial change in the project budget, it will be brought back to the City Council.
- B. Where the cross slope will be over 10% and less than 13%, the project will be brought to the City Council with various alternatives.
- C. Where the street cross slope will not exceed 10%, the project will proceed as usual.

For existing situations, the following is recommended:

- A. Problems solely due to driveway construction (Case 2) are the responsibility of the property owner.
- B. Encroachments and other illegal driveway modifications shall be abated as done in the past. This would include the one at 442 East Tokay and any others found to be newly installed. In the past, the City has assumed existing violations were installed prior to the encroachment ordinance adoption in 1966. The Council could direct staff to establish a "grandfather date" such as the completion of the Tokay Street project. Another option is to assume all existing encroachments are in violation and place the burden of proof on the property owner.

Impact on Tokay Street

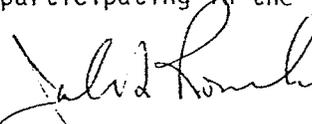
If the above guidelines are applied to Tokay Street as it exists now, the driveways measured break down as follows:

<u>Street Cross Slope</u>	<u>Total # of Driveways Measured</u>	<u># Showing Street Scraping (Case 1)</u>	<u># Showing Driveway Scraping (Case 2)</u>	<u># Showing Both Problems</u>	<u># Showing NO Problem</u>
13% & above	9	6	7	5	1
10% to 13%	33	15	16	8	10
Less than 10%	14	3	3	1	9

In reality, however, knowing the guidelines ahead of time, the project would have been designed differently to further reduce the cross slope and this information and a cost estimate would have been presented to the Council for a decision prior to completion of the design. In future cases, most of the problems will be resolved in the design stage.

Petition

It is also recommended that the petition from the Tokay Street residents be denied. The cost to do what the petitioners request is prohibitive. In 1987, the City spent approximately \$15,000 to replace 400 feet of curb and gutter and 1,100 square feet of sidewalk on Tokay Street. There is over 4,000 feet of curb and gutter in this segment and roughly 25,000 square feet of sidewalk and driveway. The concrete work alone would be over \$200,000. The most equitable solution from the taxpayers' and the property owners' standpoint would be to form an assessment district with the City participating in the total cost.


Jack L. Ronsko
Public Works Director

JLR/RCP/mt

Attachments

cc: Street Superintendent
Burton Haynes

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER (209) 333-6795

June 14, 1989

Alice

THOMAS A. PETERSON
City Manager

RECEIVED
ALICE M. REIMACHE
City Clerk

1989 JUN 14 10:01 AM
JAMES M. MCRAE
City Attorney

ALICE M. REIMACHE
CITY CLERK
CITY OF LODI

Mr. & Mrs. Burton Haynes
105 W. Vine St.
Lodi, CA 35240

Dear Mr. & Mrs. Haynes:

This **will** confirm our telephone conversation yesterday in which we discussed the petition regarding E. Tokay Street which has been submitted to the City Council. Because of the fact that there might not be a full City Council in attendance for the next regular meeting, I requested your concurrence in moving this item to the agenda for the regular meeting of Wednesday, July 5, 1989. The meeting starts at 7:30 p.m. in the City Council Chambers on the second floor of City Hall. You indicated that would not be a problem and said you would advise your neighbors.

Thank you for your cooperation. We will expect to see you July 5.

Sincerely,



Thomas A. Peterson
City Manager

TAP:br

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. We the undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill; (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: *Albert Baumgardner*
ADDRESS:
TELEPHONE: *320 E Tokay*
SIGNATURE: *369-6312*

NAME:
ADDRESS: *Ernie Beglau*
TELEPHONE:
SIGNATURE: *316 Tokay Street, A*

t NAME: *Lodi - 368-3413*
ADDRESS:
TELEPHONE: *Dennis Kijofel 36-82901*
SIGNATURE: *308 E. Tokay St*

NAME: *Dennis Kijofel*
ADDRESS:
TELEPHONE:
SIGNATURE: *Frank Randall*
18 E. TOKAY ST 3696405

NHME
ADDRESS
TELEPHONE
SIGNATURE

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-cut thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. The undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill; (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: Barbara Crockett
ADDRESS: 504 E. Tokay St.
TELEPHONE: 367-0390
SIGNATURE: Barbara Crockett

NAME: Bonica Murphy
ADDRESS: 516 E. Tokay St.
TELEPHONE:
SIGNATURE: Bonica E. Murphy

NAME: Shirley Thornton (Shirley Thornton)
ADDRESS: 506 E. Tokay
TELEPHONE: 368-8152
SIGNATURE: Shirley Thornton

NAME: Shirley Thornton
ADDRESS: 506 E. Tokay
TELEPHONE: 368-8152
SIGNATURE: Shirley Thornton

NAME: DENISE Iske
ADDRESS: 324 E. Tokay
TELEPHONE: 369-9163
SIGNATURE: Denise Iske

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. We the undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill; (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: *Barbara Hawkins*
ADDRESS: *441 E. Tokay*
TELEPHONE: *339-2163*
SIGNATURE: *Mrs Barbara Hawkins* &—

NAME: *Wilbur Hawkins*
ADDRESS: *441 E. Tokay*
TELEPHONE: *339-0163*
SIGNATURE: *Mrs Wilbur Hawkins*

NAME: *Brad Frechette, + Cindy Frechette*
ADDRESS: *437 E. Tokay*
TELEPHONE: *339-2814*
SIGNATURE: *Cindy Frechette*

NAME *Manuel Higuera*
ADDRESS *415 E. TOKAY ST.*
TELEPHONE *334-4046*
SIGNATURE *Manuel Higuera*

NAME *Mabel Subler*
ADDRESS *33 E TOKAY ST*
TELEPHONE *3337015*
SIGNATURE

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. We the undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill; (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: *Ligalia Ramirez*
ADDRESS: *337 E. TOKAY ST.*
TELEPHONE: *334-0864*
SIGNATURE: *Ligalia Ramirez*

NAME: *RUSSELL MEISCH*
ADDRESS: *444 E TOKAY ST.*
TELEPHONE: *339-8319*
SIGNATURE: *Russell Meisch*

NAME: *KERIN REYNOLDS*
ADDRESS: *442 E. TOKAY*
TELEPHONE: *369-3934*
SIGNATURE: *Kerin Reynolds*

NAME: *William Doherty*
ADDRESS: *362.0543*
TELEPHONE: *362.0543*
SIGNATURE: *William Doherty*

NAME: *Richard Lerma*
ADDRESS: *429 E. TOKAY ST.*
TELEPHONE: *334-4053*
SIGNATURE: *Richard Lerma*

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes. 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years **the** streets have been paved over and over thus causing a deep curve between **the** street and the sidewalk. This becomes a **problem** every time one tries to **enter** and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many **citizens** have added a board or a concrete fill to the gutter and their driveway to be able to exit without damagino the sidewalk and their front and rear bumper. Another concern **is** that the traffic has increased to the point where taking a long time to exit the driveway **is** a **safety** hazard. We the undersigned ask the City to **lessen** the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill;(which **is** currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: SHARLENE A. TURNER
ADDRESS: 424 E. TOKAY
TELEPHONE: 209 368 6075
SIGNATURE: Sharlene A. Turner

NAME: JAMES DOZIER
ADDRESS: 305 E. TOKAY ST.
TELEPHONE: 334-0467
SIGNATURE: James Dozier

NAME: Michele Averill
ADDRESS: 311 E. TOKAY
TELEPHONE: 333-1571
SIGNATURE: Michele Averill

NAME
ADDRESS
TELEPHONE
SIGNATURE

NAME
ADDRESS
TELEPHONE
SIGNATURE

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street. Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. We the undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill; (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: Mrs Williams 333 9894
ADDRESS: 623 S. Cherokee
TELEPHONE:
SIGNATURE: Mrs Williams

NAME: Mrs Kimmy 533 E.
ADDRESS: Tokay St
TELEPHONE: 368-1824
SIGNATURE:

NAME: OPED To Allie
ADDRESS: 525 - East Tokay St
TELEPHONE: 368-5558
SIGNATURE: 368-4041 S KHAN

NAME: Mrs Fred Shaw
ADDRESS: 517 E. Tokays
TELEPHONE: 368-0751
SIGNATURE:

NAME: Leona Miller
ADDRESS: 513 E. Tokay St
TELEPHONE: 368-92850
SIGNATURE:

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. We the undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill; (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: Robin Scarberry
ADDRESS: 700 S Central Ave
TELEPHONE: 333-8291
SIGNATURE: Robin Scarberry

NAME: Rose Moran
ADDRESS: 330 S TOKAY
TELEPHONE: 369-1841
SIGNATURE: Rose Moran

NAME: Ben Reile 812 N Orange
ADDRESS:
TELEPHONE:
SIGNATURE:

NAME: Vicki & Steve Farhey
ADDRESS: 332 E. TOKAY St.
TELEPHONE: 368-4762
SIGNATURE: Vicki Farhey

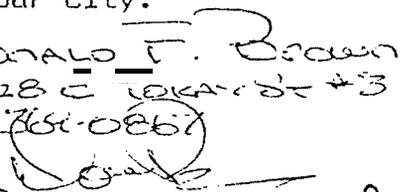
NAME: Brett SASS
ADDRESS: 620 S Central Ave
TELEPHONE: 3330660
SIGNATURE: Brett SASS

May 15, 1989

Honorable Mayor, Members of the Lodi City Council and Planning Commission.

Circulation of this petition: Mrs. Irene Haynes, 105 West Vine Street, Lodi, California 95240. Telephone: 334-4053.

This petition is regarding the deep curve in the gutters along East Tokay Street. Over the years the streets have been paved over and over thus causing a deep curve between the street and the sidewalk. This becomes a problem every time one tries to enter and exit the driveway, their car bumper front and back bottom-out thus denting the car and in some cases cracking the sidewalk. In order to elevate this problem many citizens have added a board or a concrete fill to the gutter and their driveway to be able to exit without damaging the sidewalk and their front and rear bumper. Another concern is that the traffic has increased to the point where taking a long time to exit the driveway is a safety hazard. We the undersigned ask the City to lessen the deep curve from the street to the driveway, at the City's expense. This would eliminate citizens from constructing their own makeshift fill: (which is currently a violation of chapter 12.04 of the Lodi Municipal Code) and increase the safety of our City.

NAME: Donald T. Brown
ADDRESS: 528 C Tokay St #3
TELEPHONE: 369-0867
SIGNATURE: 

NAME: Leona M. Auch
ADDRESS: 524 E. Tokay St. 1
TELEPHONE: 369-3987
SIGNATURE: Leona M. Auch

NAME: Ida & Jae Richter
ADDRESS: 512 E. Tokay St.
TELEPHONE: 369-3143
SIGNATURE: 369-3143-

NAME: Jeri Ann Jenks
ADDRESS: 428 E. Tokay
TELEPHONE: 339-1178
SIGNATURE: Jeri A. Jenks

NAME: Renee Whiteside
ADDRESS: 412 E Tokay
TELEPHONE: 3670800
SIGNATURE: Renee Whiteside

Appendix 2

CITY COUNCIL

JAMES W. PINKERTON, Jr., Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
DAVID M. HINCHMAN
EVELYN M. OLSON
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER: (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

May 2, 1989

Mr. Burton Haynes
105 West Vine Street
Lodi, CA 95240

SUBJECT: Encroachment Violation No. SW-89004
442 East Tokay Street
- Concrete and Pipe Placed in Driveway and Gutter

This is to advise you that the concrete and pipe placed in the driveway and gutter at 442 East Tokay Street is a violation of Chapter 12.04 of the Lodi Municipal Code. Copies of portions of that chapter are enclosed.

We must ask that the concrete and pipe be removed by May 15, 1989.

If the work is not completed by then, City forces will do the removal, and you will be billed for costs of labor and equipment.

If you have any questions regarding this matter, please feel free to contact me at 333-6740.


Glen C. Baltzer
Street Superintendent

GB:pa

Enclosures

cc: Public Works Director
City Attorney

S0589.02



CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER : (209) 333-6795

Appendix 3

City Manager

ALICE M. REIMCHE

City Clerk

BOB McNATT

City Attorney

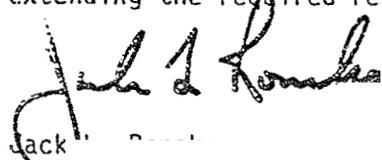
May 12, 1983

Burton Haynes
105 W. Vine Street
Lodi, CA 95240

SUBJECT: Encroachment Violation. No. SW-89004
442 E. Tokay Street
Concrete and Pipe Placed in Driveway and Gutter

This is to confirm the phone conversation that I had with Irene Haynes on May 12, 1989. After evaluating your concerns related to the requirements under our attached letter of May 2, 1989 and reviewing this matter with the City Attorney, it was determined that the encroachment is in violation of the City Code and must be removed.

Because of the time spent by the City evaluating this matter, we will be extending the required re oval date from May 15, 1989 to May 22, 1989.



Jack
c Works Director

JLR/mt

Enclosure

cc: Street Superintendent
City Attorney

LHAYNES/TXTW.02M

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5534
TELECOPIER (209) 333 6795

Appendix 4

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

May 24, 1989

Burton Haynes
105 West Vine Street
Lodi, CA 95240

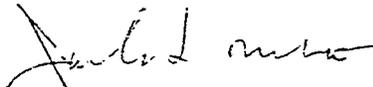
SUBJECT: Concrete and Pipe Encroachment in Driveway and Gutter
442 East Tokay Street

--

The City Manager asked that I inform you that your petition asking the City to modify high crown streets will be placed on the City Council agenda for its meeting of June 21, 1989. A copy of the staff's communication to the City Council on this matter will be forwarded to you.

The requirement to remove the encroachment in the driveway at 442 East Tokay Street will not be acted upon by this Department until the matter is heard by the City Council on June 21, 1989.

If you have any questions concerning this, please contact me.



Jack L. Ronsko
Public Works Director

JLR/mt

cc: City Manager
City Attorney
Street Superintendent

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER: (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

BOB McNATT
City Attorney

RECEIVED
1989 JUL 14 PM 12:37

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

July 14, 1989

Burton Haynes
105 West Vine Street
todi, CA 95240

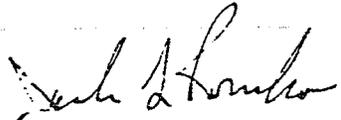
SUBJECT: East Tokay Street Driveway Petition

The above item will be discussed at the City Council meeting on Wednesday, July 19, 1989, at 7:30 p.m. The meeting will be held in the City Council Chamber, 2nd Floor, City Hall, 221 West Pine Street. You are welcome to attend. Enclosed is a copy of the staff report.

We have also enclosed the agenda memo from the City Manager which indicates that because of the complexity of this item, the Council may not want to take action Wednesday night. This would allow them to look at other similar areas in town that could be affected. The Council may also want to have a special work session for discussion of just this item.

If you wish to comment on this item at the meeting, please contact Alice Reimche, City Clerk, at (209) 333-6702.

If you have any questions about the item, please call Richard Prima or me at (209) 333-6706.


Jack L. Ronsko
Public Works Director

JLR/mt

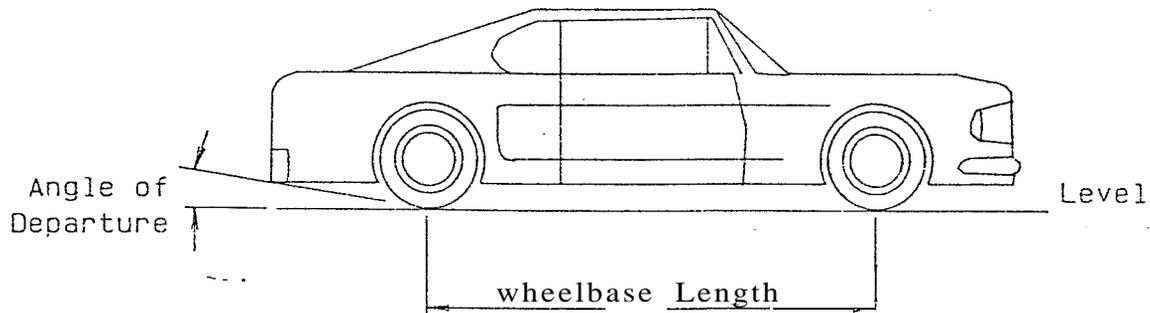
Enclosures

cc: City Clerk

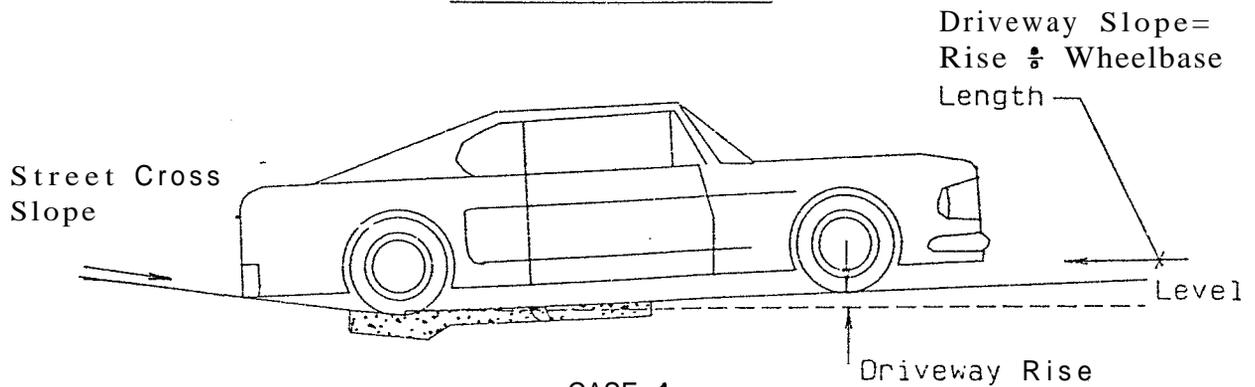


CITY OF LODI
PUBLIC WORKS DEPARTMENT

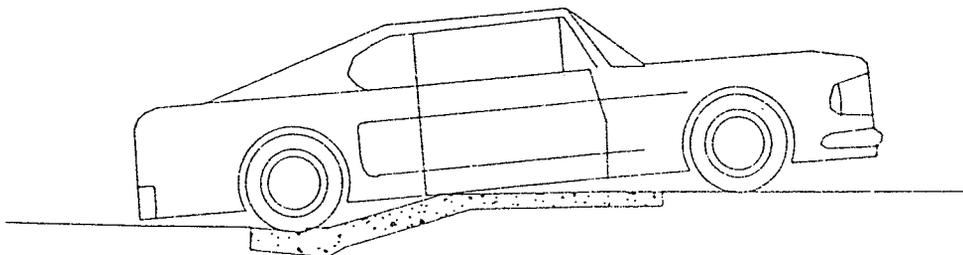
VEHICLE & STREET CHARACTERISTICS



VEHICLE DIMENSIONS



CASE 1
VEHICLE SCRAPES STREET



CASE 2
VEHICLE SCRAPES SIDEWALK

Vehicle Dimensions

1988
 1980
 Short & Long Design Vehicles

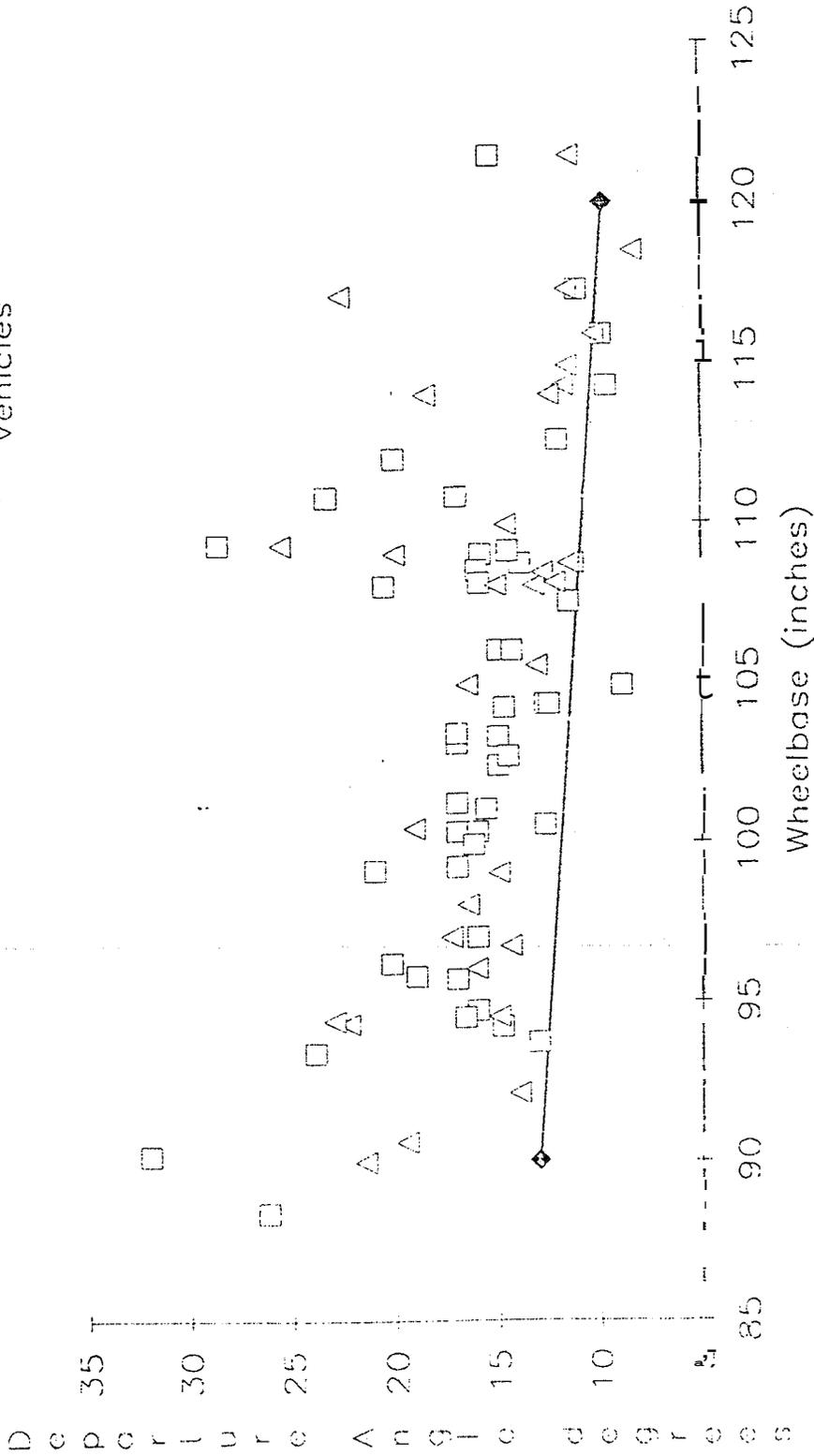
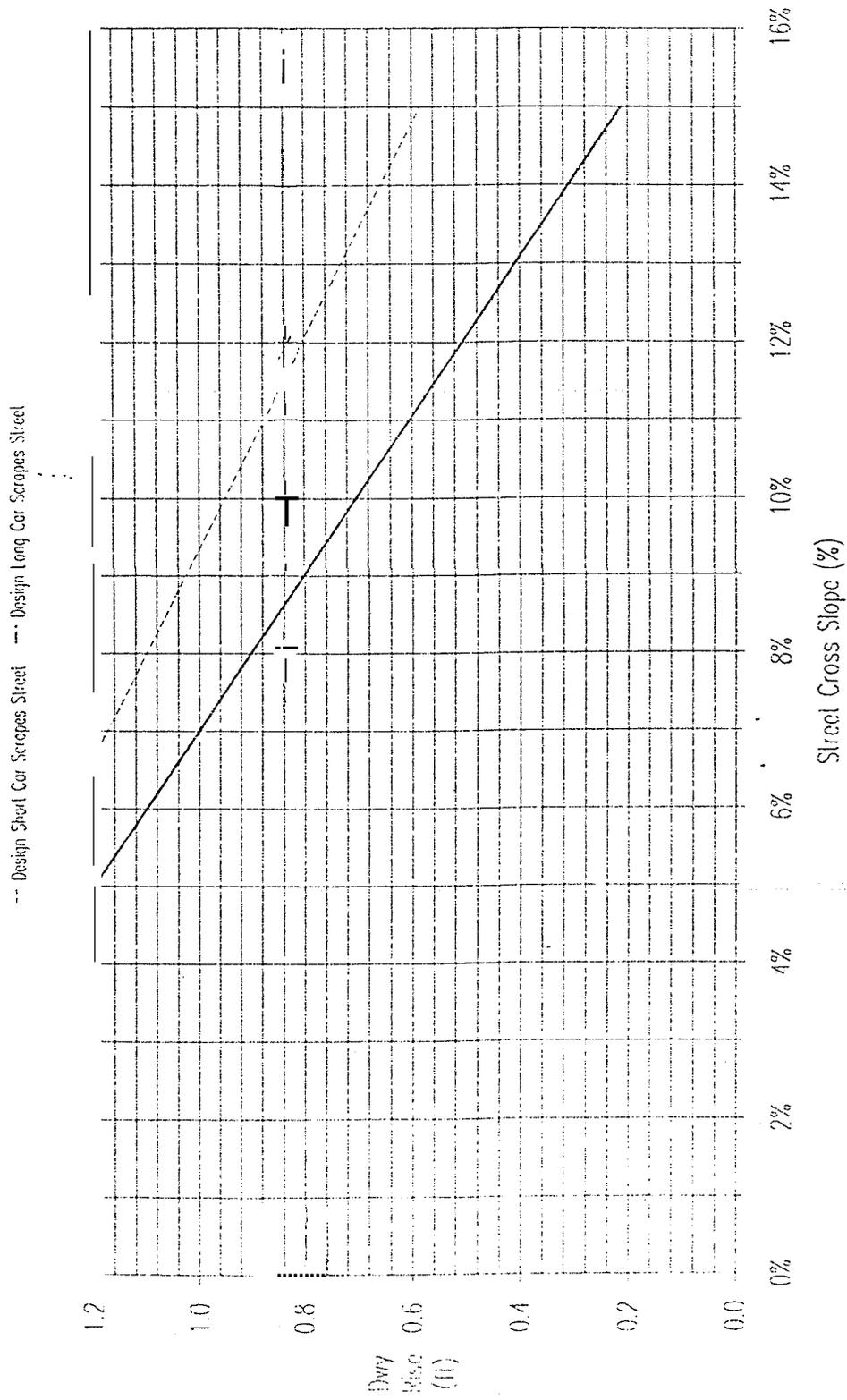


Exhibit B

CARDIM2.XLC

Tolerable Driveway Rise vs. Cross Slope



Tolerable Driveway Rise vs. Cross Slope

— Design long Car Scrapes Street
 * Design Rise @ long car
 * No Scrapes in Street Actual Driveway Measurements
 ◇ Scrapes in Street

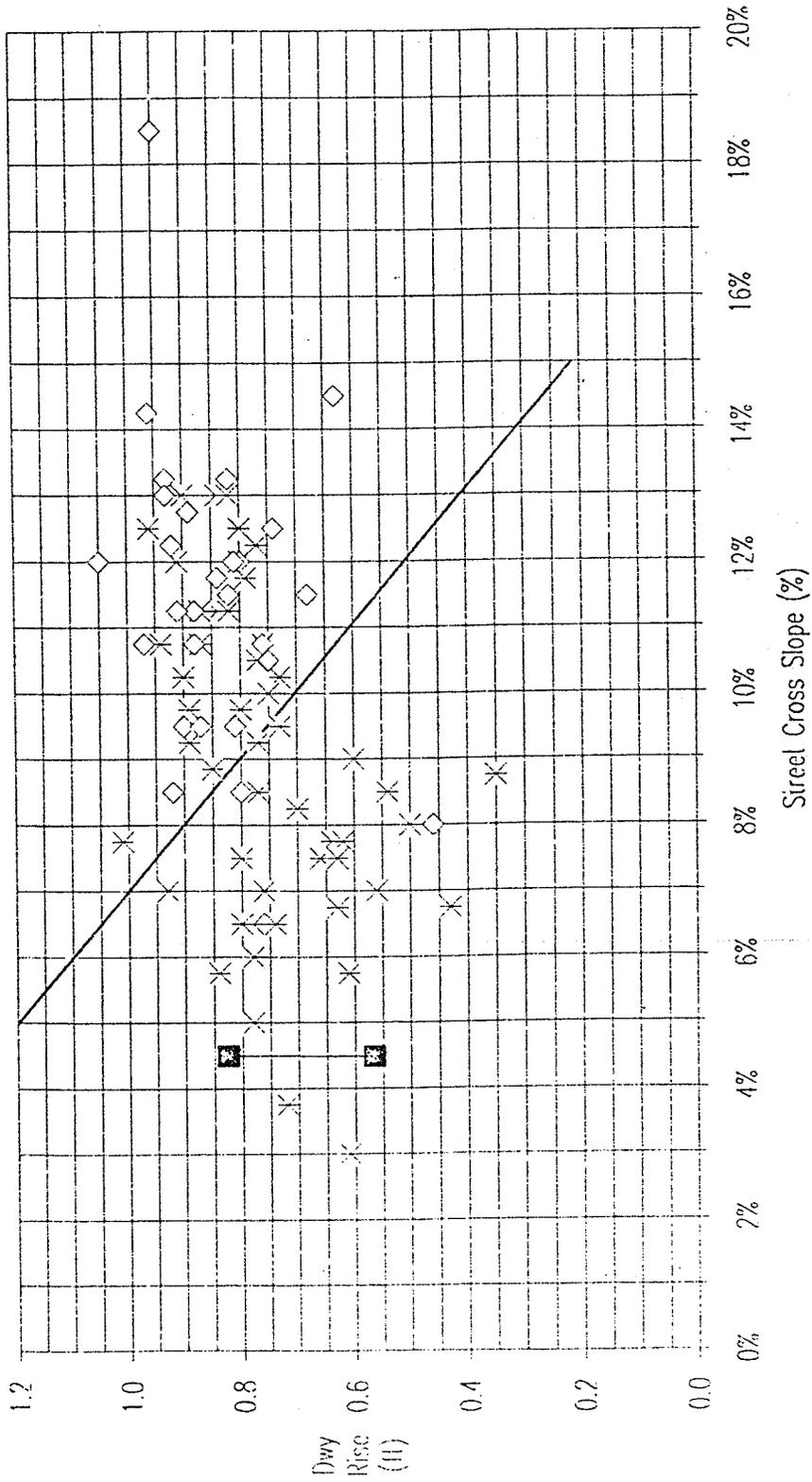
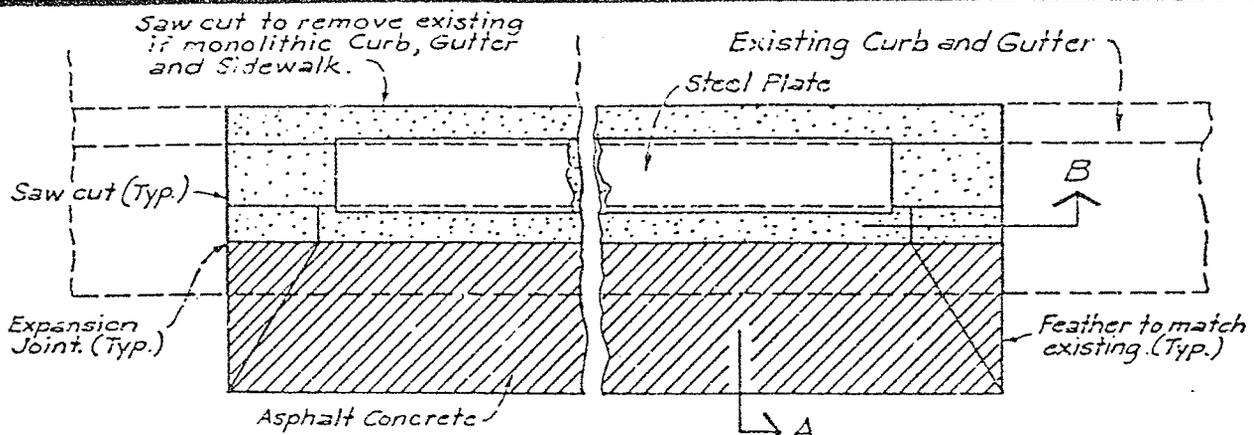
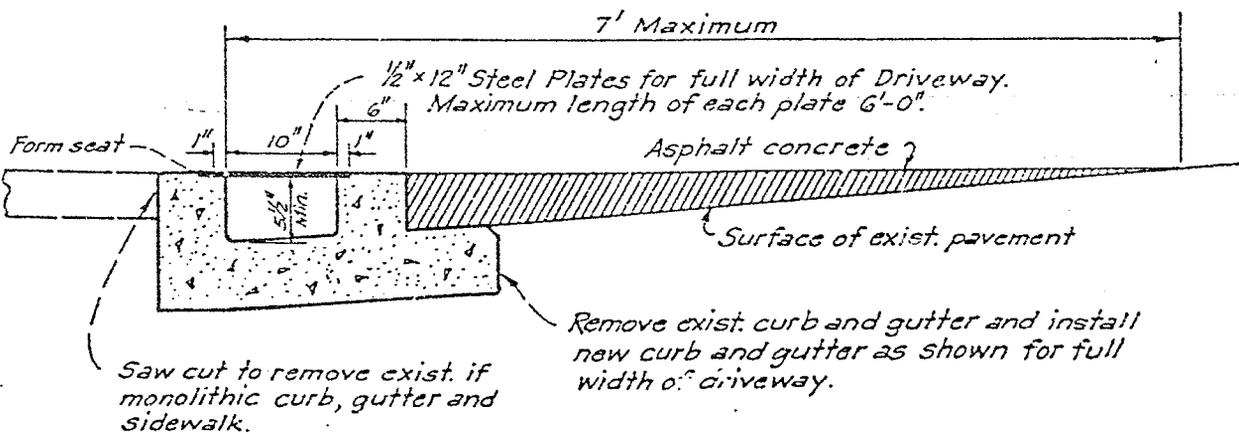


Exhibit D

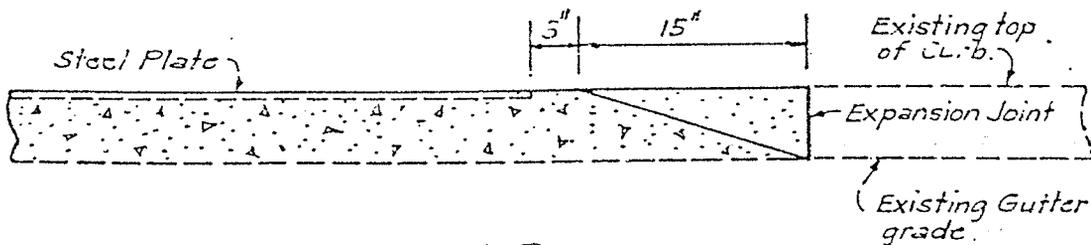
DWY-LONG.XLC



PLAN



SECTION A



SECTION B

NOTE

- 1.- Property Owner shall be responsible for keeping Gutter clean under Driveway.
- 2.- Fine hair broom finish on concrete surfaces.

No.	Revised	By	BRIDGE-TYPE DRIVEWAY	Approved by
		YJ		<i>[Signature]</i> Director of Public Works
Drawn by Y.J.				Date 5/25/72
Checked by R.W.			CITY OF STOCKTON DEPARTMENT OF PUBLIC WORKS	29
Scale None				Drawing No.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
 FROM: City Manager
 MEETING DATE: May 6, 1987
 AGENDA TITLE: Tokay Street Overlay, Stockton to Cherokee - Review of Project Alternatives

RECOMMENDED ACTION: That the City Council discuss the alternatives and establish the paving alternative for this project and a guideline for future overlay projects.

BACKGROUND INFORMATION: At a recent shirtsleeve meeting, staff presented a problem on the Tokay Street overlay project. The problem involved the large amount and high cost of curb and gutter replacement. Council requested that the matter be given additional study and brought back at a regular meeting.

To put the problem in perspective, the following is a brief description of the normal maintenance program on a typical street:

<u>Age of Street</u>	<u>Description of Work</u>	<u>cost</u>	<u>Remarks</u>
1 year	Seal Coat	\$0.01/SF	
5 to 10 years	Crack Seal	Varies	
10± years	Slurry Seal	\$0.05/SF	} Little or no curb gutter work done
20± years	Thin Overlay (Minor St.)	\$0.20/SF	
20± years	Thick Overlay (Major St.)	\$0.40 to \$1.00/SF	Curb & gutter?
30± years	Reconstruct	\$3.00+/SF	Usually widening so all curb & gutter is new, or major repairs to new standard

The "curb and gutter" under the thick overlay remarks is shown with a "?" because there has been no formal procedure established for the following reasons:

"The City has done very few thick overlays over the last 10 years; usually the major streets needed widening or reconstruction.

"The thick overlays that have been done were on streets that needed relatively little curb and gutter replacement.

APPROVED:

THOMAS A. PETERSON, City Manager

FILE NO.

Reduced funding levels have made the use of thick overlays imperative. We are now using these on older streets that 10 years ago we would have considered candidates for reconstruction. (Example - Pine Street between Cherokee and Highway 99.) As we use thick overlays on older streets, we are and will continue to find extensive amounts of poor curb and gutter. Broken and depressed curb and gutter allows water to pond and weakens the edge of the street subgrade (aside from being a nuisance). In the past, we have been attempting to repair gutters when the ponded water extends out of the gutter into the street. This is referred to as the "Std. Design" in the remaining discussion.

On a street with few driveviays and reasonable grade, replacing curb and gutter is fairly straightforward. On a flat, old street with lots of driveways (like Tokay Street), curb and gutter repair becomes major project. There are four construction alternatives which are described below and on the attached drawing.

Construction Alternatives

<u>Alternative</u>	<u>Description</u>	<u>Advantages</u>	<u>Disadvantages</u>
1. std. Design	Replace curb & gutter where ponding exceeds gutter width	Improves drainage and street shoulder life	High cost, still only a partial fix compared to complete replacement, affects driveway access
2. Pave the gutter	By replacing the high spots in the gutter and paving from curb to curb, the depressions will be filled and a marginal flow line could be established. Some older examples include: Hutchins Street (E) S/Pine, Elm Street (S) E/Sacramento, and Sacramento (E) S/Elm	Relatively low cost, improves driveway access	Will not hold up to street sweeper broom, will require additional maintenance (patching)
3. Fix worst gutter	Replace only the absolute worst depressed or raised gutters	Relatively low cost	Difficult to select which gutter to replace, leaves significant amount of poor gutter, affects driveway access
4. Do nothing with the gutter			
a) pave center of street only	Pave the travel lanes, leaving the parking lanes as is	Least cost, no affect on driveways	Leaves poor gutter
b) pave full width	Pave gutter toe to gutter toe	Low cost	Leaves poor gutter, affects driveway access

The costs of the alternatives applied to the Tokay Street project are shown on the attached bar chart. They would be representative of similar projects on other older, residential streets.

Another alternative involves financing. Presently, these projects are funded out of the various street funds, which mainly come from taxes on fuel. The City could require the property owners to pay for the sidewalk and driveway work.

Driveways

A related problem is that of driveway access. Older streets generally have a higher crown than the newer design streets and, in some cases, have higher curbs. Many modern vehicles scrape the pavement when using a driveway. An overlay only makes this problem worse.

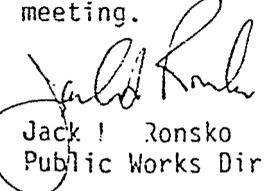
Staff feels that this problem is not one that the City should spend additional money to correct. Overlays are a normal, accepted street maintenance technique. Insuring that vehicles will not scrape is nearly impossible and even attempting to do so would take an enormous amount of engineering time and construction expense in driveway replacement.

In some instances, property owners have installed illegal ramps with or without culverts in the gutter. These are a maintenance problem and often are a safety hazard. The policy has been to have any new ramps removed and for ones that have been in place, they will be removed when the curb and gutter is replaced.

Summary

Staff feels that street maintenance is very important and should not be neglected. Street maintenance has a much higher priority than curb and gutter maintenance. Thus, the additional money that could be spent on curb and gutter replacement is better spent on pavement maintenance and reconstruction. The City of Lodi does budget a minor amount of funds for curb and gutter replacement. Initially, we were recommending that we pave over the gutter portion of the curb; however, after further evaluation, it is felt that Alternative 4b, paving the full street width with no curb and gutter replacement, is in everyone's best interest. This alternative provides the property owner with a new street, allows the City to do curb and gutter repair in the future under our existing curb and gutter replacement program, and provides additional funds over the standard design for needed street maintenance in other areas.

Staff will present the details of the Tokay Street project at the Council meeting.



Jack J. Ronsko
Public Works Director

JLR/RCP/ma
Attachment

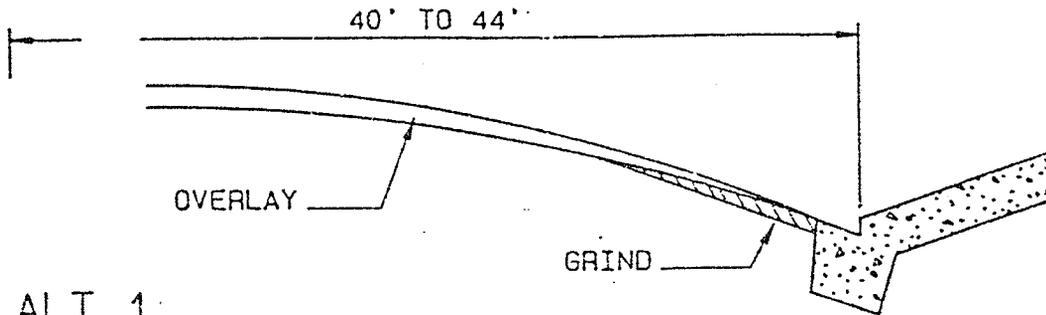
cc: Street Superintendent
bcc: Associate Civil Engineer Lindseth
CTOKAY2/TXTW.02M

April 28, 1987



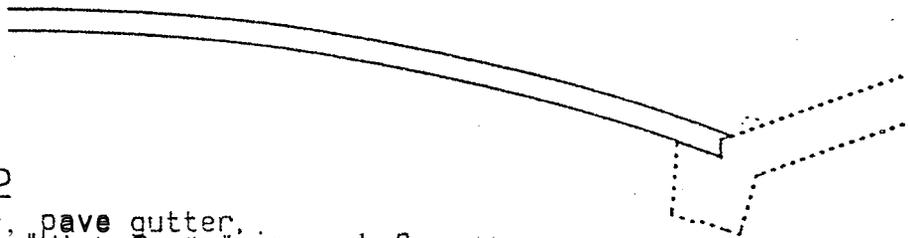
PUBLIC WORKS
DEPARTMENT

Tokay Street
Overlay Alternatives
Stockton St. to Cherokee Ln.

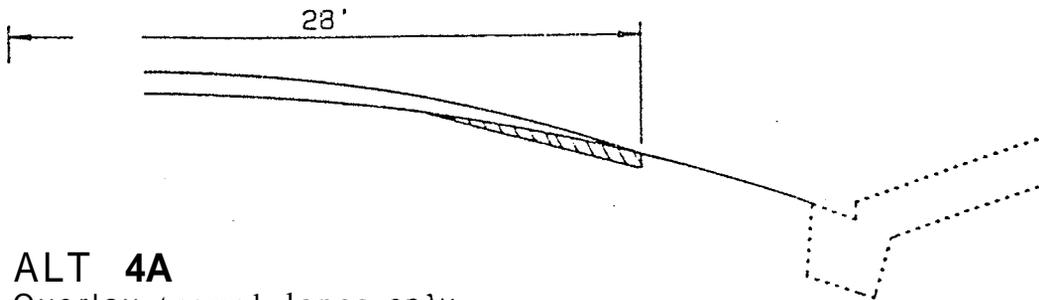


ALT 1
Overlay, replace poor curb & gutter,
sidewalk & driveways as required.

ALT 3
Overlay, replace worst curb & gutter only.



ALT 2
Overlay, pave gutter,
replace "High Spots" in curb & gutter.



ALT 4A
Overlay travel lanes only.

ALT 4B
Full width (similar to ALT 1)

Tokay St. Overlay – Project Costs

Stockton to Cherokee

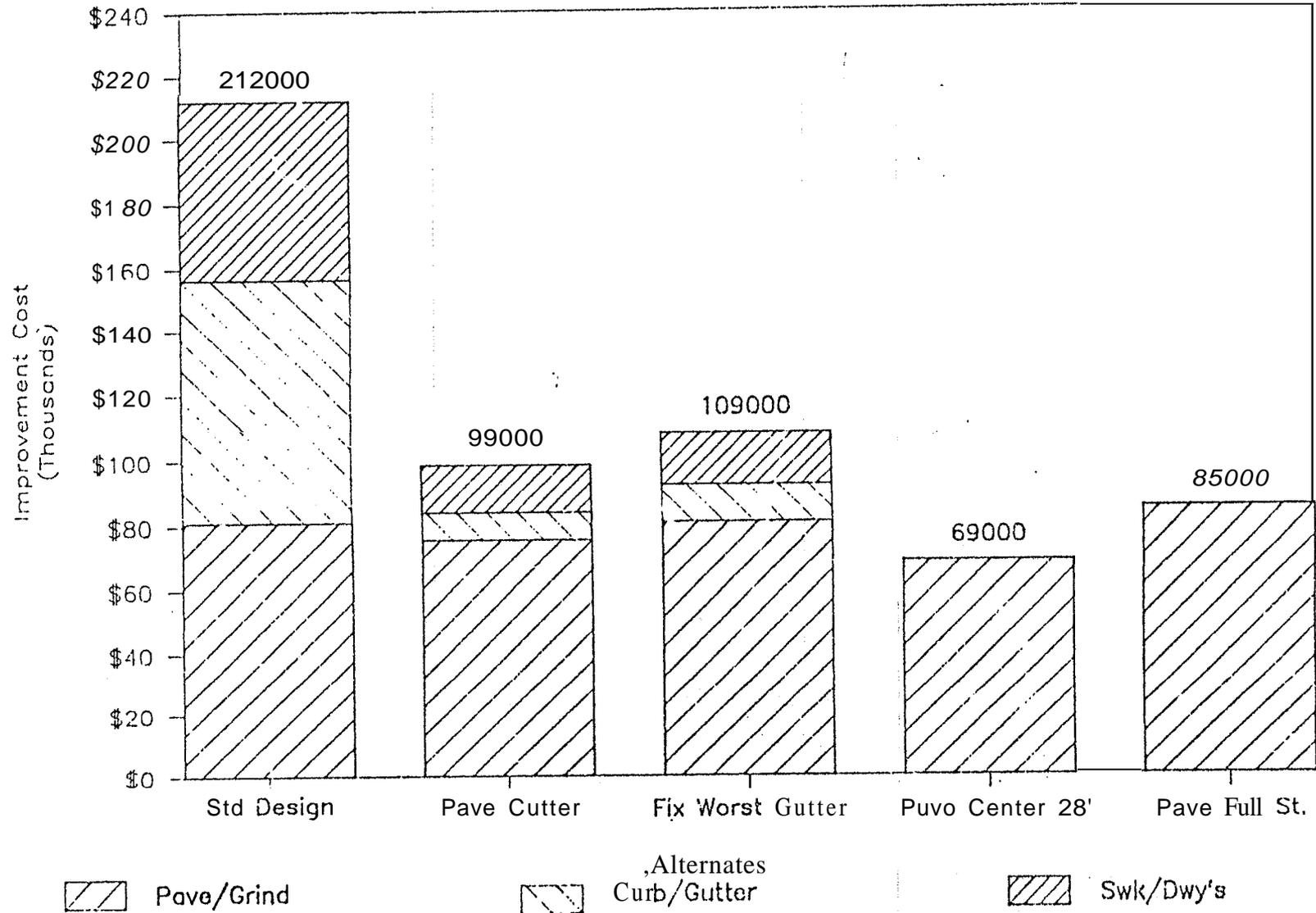


Exhibit G

REQUEST FOR NEW
DRIVEWAY AT 513
EAST TOKAY STREET

CC-16
CC-45(b)

The City of Lodi recently received a letter from Mrs. Leona Miller requesting that the City of Lodi construct a new driveway approach at 513 East Tokay Street.

The City Council was advised that in the fall of 1987, the City of Lodi let a contract for the placing of an asphalt concrete overlay on Tokay Street between Cherokee Lane and Stockton Street. At the time of this construction, one of the design concerns was whether to pave to the existing gutter (which had not been a standard practice) or provide an overlay that would match the toe of the curb and gutter. It was determined at that time to place the asphalt concrete overlay in conformance with our established standards.

The placement of the asphalt overlay increased the crown of the existing street which was a problem at this location before the City's project. The City's project did worsen the condition. Depending on the type of car that uses this driveway and the speed of the car entering and exiting, a car may "bottom out". Eased on the scrapes on the pavement, it is evident that Leona Miller's car does have a problem with this driveway.

When the rear wheels of her automobile are in the gutter, the front wheels are on her drive behind the sidewalk.

Therefore, removing and replacing just the existing driveway does not solve the problem of her rear bumper dragging. In order to raise the rear bumper, it becomes necessary to lower her driveway behind the walk where the front wheels rest, lower the sidewalk, and provide a transition in the walk on both sides of the new driveway. It would also be necessary to regrade the lawn or construct a curb along the lowered areas.

A letter was sent to Mrs. Miller on May 3, 1988 outlining a compromise that the staff felt they could make on this replacement. The estimated total cost of replacing the 7' driveway, sidewalk, and a portion of the on-site drive is \$500. The City offered to pay \$200, leaving \$300 remaining as the property owner's responsibility. Staff did not feel that we could obligate the City to any larger percentage, and that the owner should be responsible for some of the costs.

Should the owner elect to widen the driveway to 12', the total cost would be approximately \$1,000. The City's portion would be \$600, the additional cost being primarily for removing and replacing curb, gutter, and adjacent paving which was not necessary if the driveway were not widened. Leona Miller's cost for a 12' driveway replacement would be \$400.

While 513 East Tokay appears to have the worst problem in this block because of the street configuration, there are many other driveways that show similar problems with the new pavement and several that show conflict between automobiles and concrete at the join between driveway and sidewalk. Whatever is determined to be reasonable in this case should be looked upon as possibly precedent-setting as there are numerous other streets within present City limits that may cause a similar problem at the time an overlay is installed. Possible distribution of costs could be based on percentages (40-60); so many dollars per foot of width, either by City or owner, with the other party picking up all remaining costs; or the City could be responsible for certain items such as removal and/or compaction, curb and gutter, or ???, with the owner picking up the remainder. Figures above indicate the magnitude of costs for a single width drivecay. Double width driveways would obviously cost more, but would not be directly proportional.

Since the speed with which one enters or leaves the driveway and the make of vehicles affect the cross-sectional profile that causes a problem, there should also be a limit at which the City feels responsible. This would most likely be based on either a "standard vehicle" or the owner's vehicle (unmodified) and a numerical clearance - such as 2 or 3 inches when empty other than the driver.

Differences in clearance because of type of shocks, hard/soft, old/new, would not appear to be an item that should be taken into consideration.

Keeping in mind that Staff feels strongly that the City should not bear the entire cost, it is this department's recommendation that some adjustment be made for 513 East Tokay Street, and once the installation is made, the effects be measured and a draft policy be developed and returned to the City Council for approval.

Mrs. Miller was in the audience and addressed the Council regarding the matter.

Discussion followed with questions being directed to staff and to Mrs. Miller.

On motion of Council Member Hinchman, Snider second, the City Council directed staff to met and negotiate with Mrs. Miller as to which of the two options she would prefer for construction of a new driveway approach on her property and then to proceed with the subject construction, once an agreement has been reached.

Exhibit H

CITY COUNCIL

JAMES W. PINKERTON, Jr., Mayor
JOHN R. [Randy] SNIDER
Mayor Pro Tempore
DAVID M. HINCHMAN
EVELYN M. OLSON
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER: (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

June 20, 1988

Mrs. Leona Miller
513 East Tokay Street
Lodi, CA 95240

Dear Mrs. Miller:

This letter will confirm action taken by the Lodi City Council at its regular meeting of June 15, 1988 whereby, following review of your request for a new driveway approach at 513 East Tokay Street, Lodi, the City Council directed staff to meet with you to negotiate which of the following two options you would prefer:

- a) Replacing the 7' driveway, sidewalk and a portion of the on-site driveway

Estimated cost - \$500.00
City will pay - \$200.00
Property owners responsibility - \$300.00

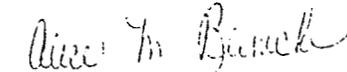
- b) Widening the driveway to 12'

Estimated cost - \$1,000.00
City will pay - \$600.00
Property owners responsibility - \$400.00

A representative of the Public Works Department will contact you shortly regarding this matter.

Should you have any questions, please do not hesitate to call this office.

Very truly yours,



Alice M. Reimche
City Clerk

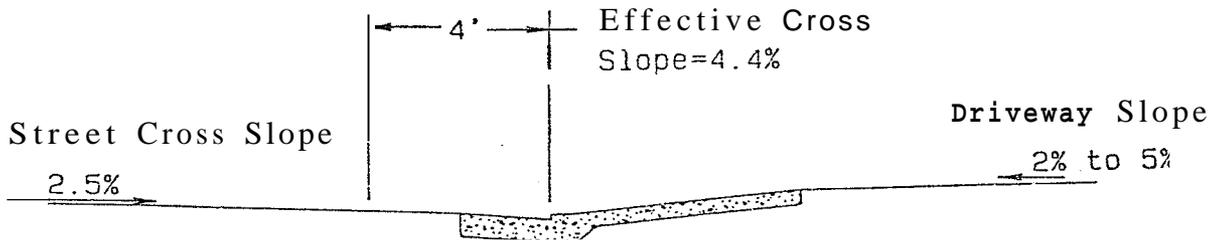
AMR:jj

cc: Glenn Robiscn
Assistant City Engineer



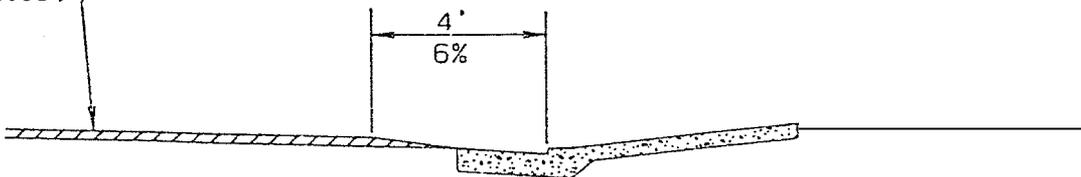
CITY OF LODI
PUBLIC WORKS DEPARTMENT

**STREET CROSS SLOPE
INCREASE DUE TO OVERLAYS**



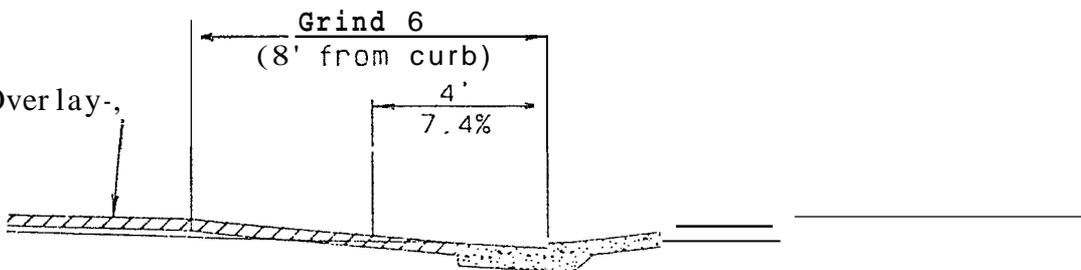
NEW CONSTRUCTION

1" Maintenance Overlay Feathered Out At Gutter.



FIRST MAINTENANCE OVERLAY

2" Overlay.



SECOND OVERLAY