

cc. 53(b)

CITY COUNCIL MEETING

February 17, 1982

PUBLIC HEARINGS

APPEAL OF JACK L.  
GILLILAND, M.D.  
900 S. FAIRMONT  
AVENUE, LODI RE  
REZONING OF 1001  
WINDSOR DRIVE,  
LODI FROM R-1  
TO R-C-P CONTINUED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public hearing to consider the appeal of Jack L. Gilliland, M.D., 900 S. Fairmont Avenue, Lodi of the Planning Commission's denial of his request to rezone the parcel at 1001 Windsor Drive, Lodi (Assessor's Parcel No. 031-103-21) from R-1, Single-Family Residential, to R-C-P, Residential Commercial-Professional.

Mrs. Lloyd Brosnikoff, 901 Windsor Drive, Lodi and Mr. Dick Wilcos, 1007 S. Orange, Lodi addressed the Council asking that the matter be continued as they felt they had not received adequate notice of this meeting and therefore were not prepared.

City Attorney Stein and City Clerk Reimche indicated that the legal requirements of public notice had been met with a legal publication regarding the Public Hearing appearing in the Lodi News Sentinel on January 23, 1982.

Following discussion with questions being directed to Staff, Council, on motion of Councilman Katnich, Murphy second continued the hearing to the regular Council meeting of March 17, 1982.

Pg 97

January 17, 1982

To: Lodi City Council  
From: Del Caywood, 921 Windsor Drive, Lodi, Ca. 95240  
Subject: The rezoning of property at 1001 Windsor Drive from  
R1 to C.P. or R.C.P.

I write to continue my protest of the rezoning of this property.

However, I do want to interject a new thought that could be more pertinent to the subject rezoning than all of the other pros and cons.

My wife and I like to play Twilite Golf during the summertime. My wife cannot play golf if the heat is too intense. In order for us to know if we can play I have become a thermometer watcher.

I have a total of eight thermometers scattered around but three are pertinent to the subject. I have a thermometer outside of our kitchen window. This thermometer is in the sun. I have a thermometer outside of our bedroom window. This thermometer is in the shade and open to some breeze. A third thermometer is in a tree in our front yard. This tree is surrounded by grass and open to any breeze.

Due to the above reasons I have a record of the temperature variables of these three thermometers. These readings were often used to guide us with our golf decisions.

I feel the City Council may be making zoning decisions based on a faulty Environmental Impact Report.

At present there are no heat producing elements at the subject property.

The subject rezoning will remove over 6000 square feet of open lawn. This lawn and house area will be replaced by over 16,000 square feet of heat absorbing paving. To this you can add the heat absorbing cars to be parked there. The seven foot fence, extending to the street, will further add to the potential heat factor by restricting the air flow.

As our Westerly evening breeze arrives this hot air will spill over the fence directly into our bedrooms and yards.

With the exception of a few houses all homes in this area were constructed with the bedroom windows facing West to capture the evening breeze. Builders and Contractors twenty to thirty years ago realized the value of this evening breeze.

As the temperature builds and then spills over into our area I am sure the temperature in our area will also increase.

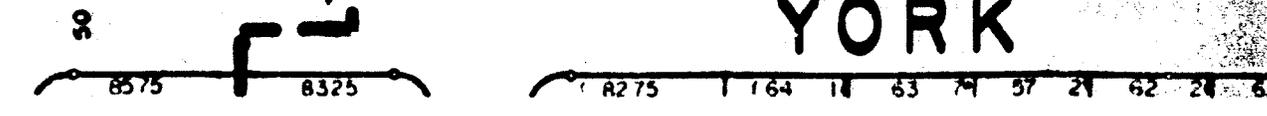
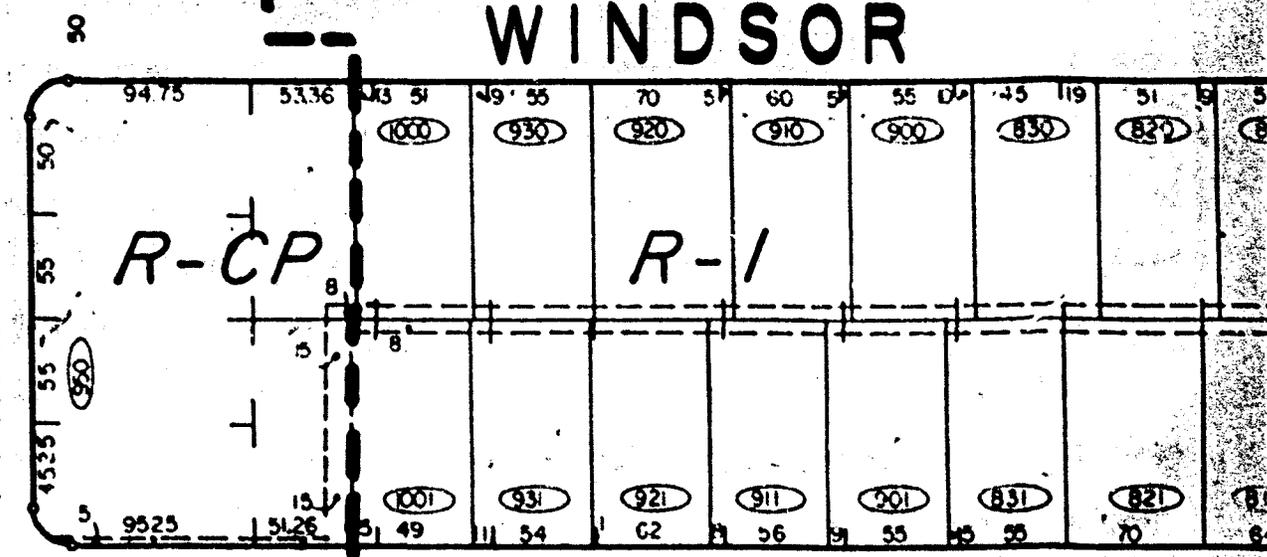
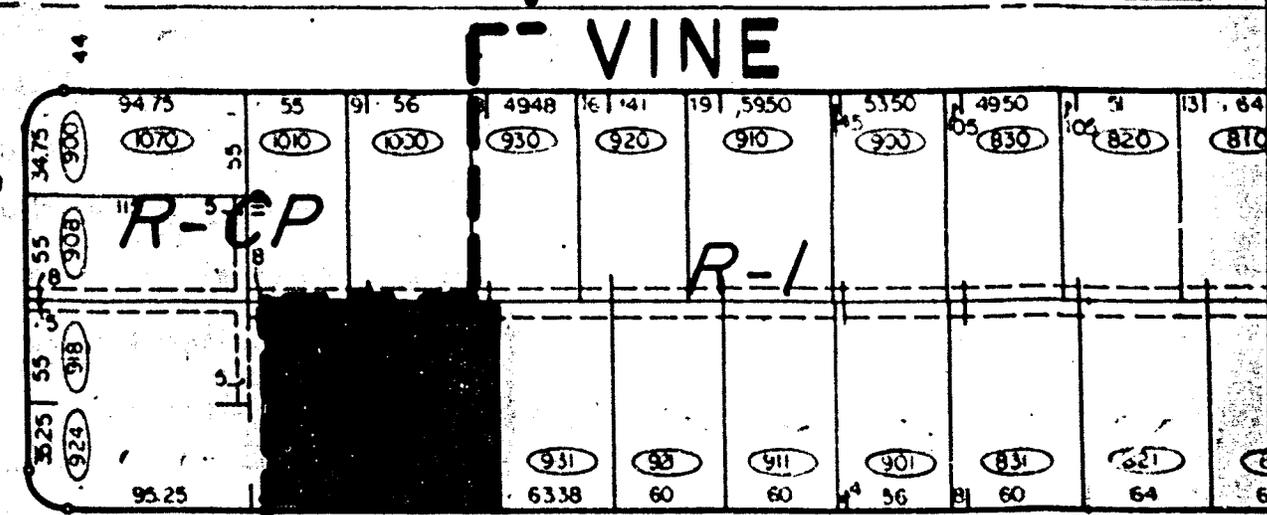
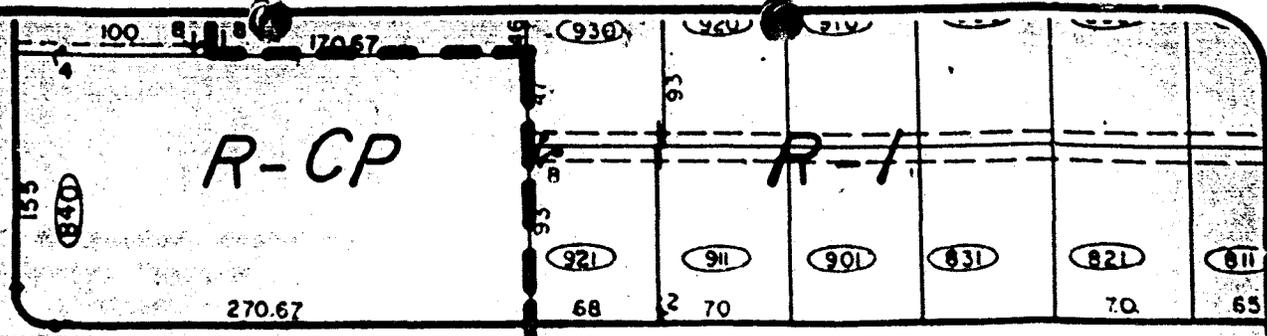
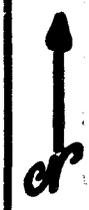
The O'Shea property is the first house that will be affected. Our property is second. Any increase in temperature that exceeds my records will be intensified at the O'Shea's.

In the best interest of all, you the City Council, Lodi Taxpayers, The Developers and the local Residents I ask you to consider calling for a new comprehensive Environmental Impact Report taking into consideration the facts that I have mentioned.

If no new report is issued and we do get more heat and less evening breeze, then I feel I will have a right to file for recourse and so may others.

  
Del Caywood  
921 Windsor Drive  
Lodi, Ca. 95240

FAIRMONT AVE.



SWANSON REZONING REQUEST  
Z-81-6

1001 Windsor Drive AP#03 -130-21  
R-1 to R-CP

January 5, 1982

Mr. Jim Schroeder, secretary  
Lodi Planning Commission  
Lodi, California

Dear Mr. Schroeder,

This letter is in reference to the public hearing scheduled for January 11 and at which time Dr. Swanson's request for a zoning change at 1001 Windsor Dr. to R-C-P will be heard.

On Wednesday November 18, 1981 I made a statement to the city council on this issue. I was a spokesman for the 48 individuals who opposed a zoning change at 1001 Windsor Dr. and signed a petition to that effect.

I have enclosed my statement and our petition for you to share with the members of the Planning Commission. The opposition to a zoning change remains the same. We were shocked that the council voted against the Planning Commission's earlier refusal to grant Dr. Swanson's request for a zoning change. I would safely estimate that 95 percent of those individuals who reside within 300 feet of 1001 Windsor Dr. are strongly opposed to any change in zoning. We want the residential character (R-1) of all the remaining properties on York, Windsor, and Vine and east of Fairmont to remain residential. I cannot begin to tell you how strongly we feel about this. It is our fervent wish that the Planning Commission will listen to us, the people who live there.

We will be at the Planning Commission meeting on January 11 to be heard and seen.

Thank you for your time and attention to this matter.

Sincerely,

*Reid Cerney*  
Reid Cerney

*Mailed to Planning Commission  
1-7-82 - RJC*

Lodi City Council

Attention: Councilmen McCarty, Hughes, Pinkerton, Katnich, and Murphy

Dear Councilmen,

This petition refers to Dr. Dennis R. Swanson's appeal to the city council to reverse the city planning commission's denial of his request to amend the land use element of the General Plan by redesignating the parcel at 1001 Windsor Drive, Lodi, from low density residential to office institutional.

We petition the city to deny Dr. Swanson's request to amend the land use element of the General Plan from low density residential to office institutional. We bought our homes in this neighborhood because this area had been zoned residential. Over the years we have been saddened by the planning commission's and the council's ready willingness to make change after change (spot zoning) from low density residential to professional commercial and now the request for office institutional. We have been greatly displeased by this encroachment. Less than three years ago Dr. Swanson requested and was awarded a zoning change at 1000 W. Vine Street, one block north of Windsor Dr. Parcel by Parcel and lot by lot Dr. Swanson and others are changing the residential character of our neighborhoods. We strenuously object to this piecemeal redesignating of residential land. Past decisions of the planning commission and the council have already altered the residential character of Vine and Windsor Streets, east of Fairmont. We petition the city council to support the Planning commission on this issue and stop further encroachment along the designated residential zones of Vine and Windsor. Enough is enough.

We beg the council to listen to those who would be effected by another change in zoning. We, the undersigned, represent some of those who reside in the immediate (300 feet) residential neighborhood and who would be effected by a zoning change. We simply wish for Windsor and Vine streets to remain residential throughout as originally intended. We feel quite certain that those same medical and professional people who continually come before the planning commission and the council would object to any encroachment or zoning changes where they live.

We are grateful to the planning commission for its decision to deny Dr. Swanson's request. We ask you, gentlemen of the council, to deny his appeal.

Respectfully submitted,  
 Residents within 300 feet of  
 1001 Windsor Dr.

	<u>NAME (signature)</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
1	Ernest I. Hays	910 - W. Vine	368-2023
2	James Keffer	920 W. Vine	368-2316
3	John O'Shea	931 Windsor	369- <del>7586</del>
4	Alice O'Shea	931 Windsor	368-6293
5	Joe O'Shea	" "	" "
6	Rayton W. Hayward	921 Windsor	368-2017
7	Mabel Hayward	921 Windsor	368-2017
8	John V. Sibole	920 Windsor Dr.	368-20-60
9	Ella M. Sibole	936 Windsor Dr.	368-2060
10	Francis M. Eschard	920 Windsor Dr.	369-0088
11	Margaret Eschard	920 Windsor Dr.	369-0088
12	James J. Keffer	830 Windsor Dr.	368-1816
13	Margaret A. Huber	830 Windsor Dr.	" "
14	John Huber	830 Windsor Dr.	" "

	<u>NAMES (signature)</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
15	Francis Makino	900 Windsor St.	369-9086
16	Ida Krause	910 Windsor	334-0773
17	Mary Krause	1000 Windsor	368-7025-
18	Jane Joints	911 Windsor	368-2343
19	Frank Joints	911 Windsor	368-2343
20	Stacy Brown	901 Windsor	368-6498
21	Maymie Roberts	831 Windsor Av.	369-5963
22	Harold L. Roberts	831 Windsor Av.	369-5963
23	Edward Hyde	831 York St.	368-5877
24	Ida Hyde	831 York St.	368-5877
25	Frank E. Remus	901 York St.	369-3972
26	Gayle L. Remus	901 York St.	369-3972
27	Ray. Shate	911 York St.	369-3229
28	Doris Shate	911 York St.	369-3229
29	Woodrow Ensminger	921 York St.	368-3419
30	Ruth Ensminger	921 York St.	368-3479
31	Clarence Wermers	931 YORK ST	369-4892
32	Kitty Wermers	931 York St.	369-4892

	<u>NAME (signature)</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
33	M. Ellen Carney	900 W. Vine St.	368-0942
34	Carl E. Wille	1000 York St.	368-0922
35	Bernice H. Wille	1000 York St.	369-9092
36	Paul J. Chuchs	1813 So Orange St.	369-6768
37	Frances Derrick	920 Ehrhardt	368-1504
38	Ardis Schueler	900 Ehrhardt Dr.	368-3210
39	Dorise Schueler	900 Ehrhardt Dr.	368-3210
40	Joseph J. Dwyer	921 W. Vine St.	834-9636
41	Adelle D. Dwyer	921 W. Vine St.	334-9636
42	Russ Weyat	911 W. Vine St.	368-7857
43	Nebra Weyat	911 W. Vine St.	368-7857
44	Dorlene K. Heil	831 W. Vine St.	368-2828
45	Ed C. Carney	900 W. Vine St.	368-0942
46	Ann Carney	900 W. Vine St.	368-0942
47	Leon Heil	831 W. Vine St.	368-2828
48	Martha L. Keffler	920 W. Vine St.	368-2316
49			
50			

November 17, 1981

I swear that all the persons who signed this petition are who they purport to be and have signed in my presence. I am the sole circulator of this petition.

*Reid C. Cerney*  
Reid C. Cerney

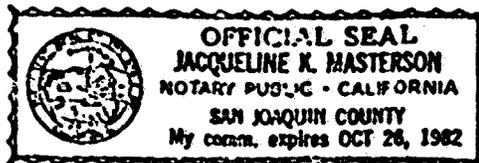
STATE OF CALIFORNIA     )  
  ) SS  
COUNTY OF SAN JOAQUIN

SUBSCRIBED TO AND SWORN BEFORE ME THIS 17TH DAY OF NOVEMBER, 1981.

WITNESS MY HAND AND SEAL.

*Jacqueline K. Masterson*  
JACQUELINE K. MASTERSON

LS



Industrial Way  
Business Park

M-1

M-1

INDUSTRIAL WAY

R-1 / Ind. G.P

M - 1

Ferdun and woods  
Industrial Park

HOUSTON PROPERTY  
22 acres  
Rezoning Request R-1 to M-1

R-1 / Ind. G.P

N

C - M

R-1 / Ind. G.P.

R-1 / Ind. GP

EAST VINE STREET

City of  
Lodi

City of Lodi  
Basin

County

County

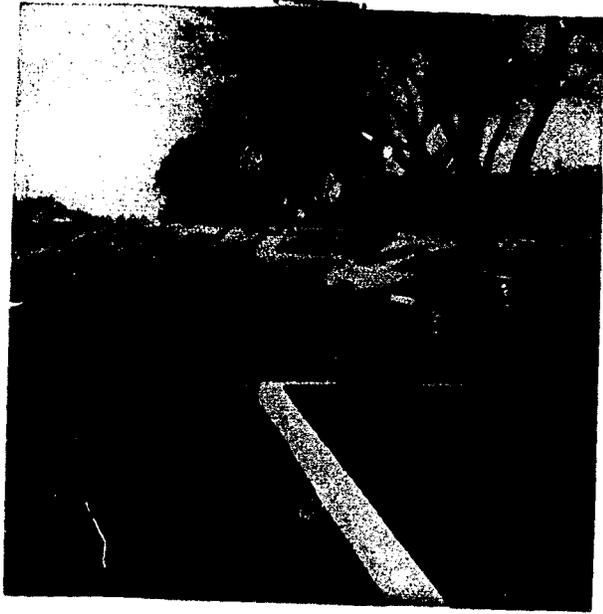
C.C.T.R.R.

Existing City Limits

WILKINSON ROAD

**HOUSTON REZONING**  
**R-1 to M-1**  
**820 So. Cluff Ave. 049-070-14**

1/5/81



Rec'd City Council  
2/5/82  
ac



Rec'd City Council  
2/2/82  
ac