

CITY COUNCIL MEETING

MAY 6, 1981

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Continued May 6, 1981

PARKING
DEFICIENCIES
HUTCHINS STREET -
LODI SPORTS
CENTER

Mr. Gary Vochatzer of the Lodi Racquetball Club addressed the Council advising that an agreement had been reached with the Hittle family for a lease agreement of their property to be used for temporary off-street parking for the Lodi Sports Center. Mr. Vochatzer indicated that it was his intention to gravel the subject area, provide fencing and lights. Discussion followed with questions being directed to Mr. Vochatzer and to Staff. On motion of Councilman Katnich, Pinkerton second, Council amended the Use Permit approved by the Planning Commission for the Lodi Sports Center and approved the off-street parking plan outlined by Mr. Gary Vochatzer, with the condition that if dust becomes a problem, the subject area will be oiled at the Lodi Sports Center's Expense.

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MEMORANDUM, City of Lodi, Community Development Department

TO: City Clerk
FROM: Community Development Director
DATE: April 10, 1981
SUBJECT: MEETING - PARKING AT LODI RACQUETBALL CLUB - 4/7/81

PRESENT:

- 1) Lodi Racquetball Club - Mr. Vochatzer, and Club Manager;
- 2) Hittle Family - Mrs. Hittle and Attorney Mertz;
- 3) City of Lodi - Mayor McCarty, City Manager Graves, City Attorney Stein, Public Works Director Ronsko and Community Development Director Schroeder.

The above parties met at the Club to preview a site that the Hittles have offered to lease to it for temporary off-street parking. The lease is proposed for 5 years with a six-month cancellation clause. The Hittles may offer to sell the property at a later date.

The major items of discussion were (a) the means of controlling dust; (b) the disposal of storm water; and (3) lighting. Mr. Vochatzer stated that he would retain Baumbach and Piazza, Consulting Engineers to design the parking lot and to address the concerns which were discussed. Mr. Ronsko and Mr. Schroeder would meet with the Engineering firm's representative to review the various alternate solutions.

Mr. Vochatzer also mentioned that he was attempting to purchase the Ferguson property north of the Club and that his banker would be appraising that property.

ROBERT J. MERTZ
STEWART C. ADAMS, JR.
HERBERT E. HORSTMANN
ANTHONY P. FUNKE

Roy Edwards

LAW OFFICES OF
MERTZ, ADAMS, HORSTMANN & FUNKE
PROFESSIONAL CORPORATION
121 WEST PINE STREET
LODI, CALIFORNIA 95240

JR
File
TELEPHONES
AREA CODE 209
369-3594 AND 369-4791
OR 334-2150
FROM STOCKTON: 478-5356

February 19, 1981

Lodi Sports Center
1900 South Hutchins Street
Lodi, California 95240

Attention: Mr. Gary Vochatzer

In Re: Parking and related problems operation
Lodi Sports Center.

Gentlemen:

Mr. and Mrs. Max Hittle have retained our office to assist them in securing relief from the dangerous and hazardous conditions resulting from traffic congestion generated by the opening of the sports center and the anticipated aggravation of this problem in the coming months with the anticipated increased use of the facilities.

This letter will formally put you on notice that you must immediately, (1) take necessary action to remove the rubbish container from the easement way along side the south boundary of your property; and (2) that all parking must be terminated in the subject easement way, as it has prevented, and will continue to prevent, my clients' free and unencumbered use of the rights of ingress and egress through such easement way to which they are legally entitled.

Your operations as presently maintained, with totally inadequate parking, are, in my opinion, an invasion of their property rights in the nature of a trespass and constitute good and sufficient basis for a legal claim, both for damages and possible injunctive relief, including relief from expansion of membership until existing parking conditions are corrected.

We are willing to meet with you or your legal representative and those City officials who we believe are in part responsible for this condition arising in an effort to find an acceptable solution. Absent your immediate and full cooperation, I have been instructed to initiate appropriate legal proceedings for the relief and damages as above indicated.

Very truly yours,

ROBERT J. MERTZ

RJM:ho

cc: Mr. & Mrs. Max Hittle
Mr. James Schroeder
Public Works Department (Attention Mr. G. E. Robison)
City of Lodi Fire Department (Attention Fire Marshal)

RECEIVED

FEB 25 1981

CITY OF LODI
PUBLIC WORKS DEPARTMENT