

CC 534  
CC 24

CITY COUNCIL MEETING  
MAY 15, 1985

REQUEST OF MARK  
EHLERS OF MARK EHLERS  
RESPIRATORY CARE TO AMEND  
R-C-P SET FOR  
PUBLIC HEARING

Following presentation of a letter from Mark Ehlers of Ehlers Respiratory Care asking for reconsideration of his request for an amendment to the R-C-P District to include

the renting and selling of respiratory - convalescent equipment, Council, on motion of Council Member Olson, Reid second, set this matter for Public Hearing at an Adjourned Regular Meeting of the Lodi City Council to be held May 29, 1985 at 7:30 pm.

# Ehlers Respiratory Care

Home Respiratory and  
Convalescent Equipment

(209) 334-4407  
(LODI)

(209) 463-8100  
(STOCKTON)

539 North Hutchins Street  
Lodi, CA 95240

3/22/85

MR. JIM SCHROEDER  
COMMUNITY DEVELOPEMENT DIRECTOR  
CITY HALL

PLANNING COMMISSION-CITY OF LODI

TO WHOM IT CONCERNS,

I AM WRITING IN REGARDS TO A CONVERSATION WHICH I HAD WITH JIM SCHROEDER AT CITY HALL APPROXIMATELY 1 WEEK AGO. I OWN AND OPERATE EHLERS RESPIRATORY CARE. WE ARE INTERESTED IN LEASING SPACE FROM MR. CHUCK WENTLAND, CONSOLIDATED INVESTORS, IN THE HAM LANE PROFESSIONAL CENTER. QUESTIONS HAVE COME UP REGARDING THE RCP ZONING. UNDER THE PRESENT GUIDELINES, OUR TYPE OF BUSINESS IS NOT LISTED. WE RENT AND SELL SPECIAL RESPIRATORY AND CONVALESCENT EQUIPMENT TO PEOPLE IN NEED, MOST OFTEN THROUGH THE PRESCRIPTION OF A PHYSICIAN.

IT IS OUR FEELING THAT OUR BUSINESS IS TRULY MEDICAL RELATED AND SHOULD FALL UNDER THE SAME ZONING AS THE EXISTING BUSINESSES AT THE LOCATION. PERHAPS OUR TYPE OF BUSINESS WAS NOT TAKEN INTO CONSIDERATION WHEN THE ZONING GUIDELINES WERE ADOPTED.

IF NECESSARY I WOULD BE MORE THAN HAPPY TO APPEAR BEFORE THE PLANNING COMMISSION OR CITY COUNCIL TO EXPLAIN MY SITUATION. THANK YOU FOR YOUR HELP IN THIS MATTER.

SINCERELY,



MARK EHLERS

EH  
EHlers  
Respiratory  
Care

Home Respiratory and  
Convalescent Equipment

RECEIVED

1985 MAY -8 PM 4: 38

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ALICE M. REIMCHE  
CITY CLERK  
CITY OF LODI

5/8/85

Hello,

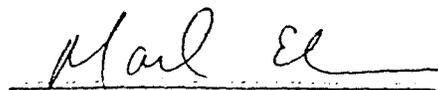
My name is Mark Ehlers, I own and operate EHLERS RESPIRATORY CARE, INC., in Lodi. Approximately 7-8 weeks ago I inquired into the possibility of leasing space in the Ham Lane Professional Center in Lodi. At that time I was informed that the current RCP Zoning governing this property did not include my type of Business. To Explain my Background, I am a Certified Respiratory Therapist. I am in the Business of Renting and Selling Respiratory-Convalescent Equipment. This is specialized Equipment needed to Treat the sick and disabled. This Equipment is dispensed in the same manner as Medicine, Eye Glasses. etc. I presently own and operate my Business at 539 N Hutchins in Lodi. My intentions are to relocate my showroom and offices to the Ham Lane Complex to place us closer to the Physicians, Hospitals and Medical profession which we work so closely with.

Following the information given to me on the Zoning problem, I spoke with Mr. Jim Schroeder, Community Development Director, and followed up with a letter written to Jim and the Lodi Planning Commission (See Attachment). I also appeared before the Planning Commission last month and presented my background and reasons for requesting the change in the RCP Zoning. The Planning Commission voted 4-0 to grant a Use Permit. The Commission then made their recommendation to the City Council, and a Public Hearing was set for 5/1/85. A few days before the Hearing, I received a notice in the mail regarding the Public Hearing on the RCP Zoning Change. Due to a complete oversight and misinterpretation on my part, I was not aware that I should appear at the Council Meeting to answer questions, etc.

Following the Council Meeting I learned that my Request had been noted upon and Denied. I have since spoke with various members of the Council to help clarify my position and requests. I now realize that I was in error in not attending the Council Meeting to present my Information. I would greatly appreciate another opportunity to come before the Council and Explain my Reasons and Request, I feel this would help clear up some confusion which seems to exist on this matter. I have Explained to the Representatives from the Ham Lane Professional Center that I will do what ever possible to correct this matter with the Lodi City Council. They have graciously given me 30 days to get this problem resolved.

I Thank You for your Time and Effort on Helping me with this Matter. I certainly have learned from this mistake and Hope the Council will understand my situation and work with me to correct this matter.

Sincerely,



MARK EHLERS

NOTICE OF PUBLIC HEARING  
BY THE CITY COUNCIL OF THE CITY OF LODI  
TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION  
THAT THE REQUEST OF MARK EHLERS TO AMEND THE R-C-P,  
RESIDENTIAL-COMMERICAL-PROFESSIONAL DISTRICT TO PERMIT  
THE RENTAL AND SALE OF SPECIAL RESPIRATORY AND CONVALESCENT  
EQUIPMENT AFTER ACQUIRING A USE PERMIT FROM  
THE PLANNING COMMISSION BE APPROVED

NOTICE IS HEREBY GIVEN that at an Adjourned regular meeting to be held Wednesday, May 29, 1985 at the hour of 7:30 p.m. or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, to consider the Planning Commission's recommendation that the request of Mark Ehlers to amend the R-C-P, Residential-Commercial-Professional District to permit the rental and sale of special respiratory and convalescent equipment after acquiring a Use Permit from the Planning Commission be approved.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views either for or against the above proposal. Written statements may be filed with the City Clerk 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, Lodi, California, at, or prior to, the Public Hearing.

Dated: May 15, 1985

By Order of the Lodi City Council

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

44  
**Ehlers  
Respiratory  
Care**

Home Respiratory and  
Convalescent Equipment

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*cc file  
9/17/85  
17*

Sincerely,

*Mark Ehlers*

MARK EHLERS

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COMMUNITY DEVELOPEMENT DIRECTOR  
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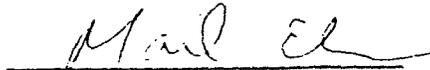
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