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CITY COUNCIL MEETING

SEPTEMBER 7, 1983

Agenda item K-5 - "Approve appeal of Cochran Road Property Owner regarding City requirements, re: Offsite Improvements" was introduced by City Manager Graves.

Public Works Director Jack Ronsko gave the following report concerning the matter to the Council and presented diagrams of the subject area for Council's perusal.

In August of 1980, the owners of 2025 Cochran Road signed an agreement with the City of Lodi agreeing to "install curb, gutter, sidewalk, street lights, grading and paving in conformance with standard City Policy, upon demand of the City and in no event later than five years from the date of execution of this agreement."

In September of 1982, the owners of corner parcel at 2041 Cochran Road entered into a different, but similar agreement. This agreement and the reason for deferring their improvement was discussed at the September 15, 1982, Council meeting. The City Council concurred in the postponement of improvements and the requiring of all improvements on the north side of Cochran Road (Peach to W.I.D. Canal) when the 2001/2009 Cochran Road parcel develops.

Recently, Dallas and Willa Paul have been discussing with the Assistant City Engineer the possible development of the 2001/2009 Cochran Road parcel. Council received a copy of a letter from the Pauls dated August 11, 1982, requesting the City to consider a phased development plan for the improvements west of their parcel. The letter requests that the City not call for all the improvements on Cochran Road and that the property owners be allowed to only install the curb and gutter at this time. The installation of the sidewalk and street lights would take place some time in the future.

The Pauls are also asking the City to be responsible for all street paving fronting 2017, 2025, 2033, and 2041 Cochran Road. Under present policy, if the owners of 2017 and 2033 collected to put in just their curb and gutter at this time, the City would do any necessary paving to complete the street. However, the City has an agreement with 2025 and 2041 Cochran which makes them responsible for their paving. It is felt that a far reaching precedent would be set if the City picked up the paving cost on the 2025 and 2041 Cochran parcels.

If the City were to call for all the improvements as they had discussed in September 1982 (i.e. 2025 and 2041 Cochran under their agreement with City and 2017 and 2033 Cochran under a Streets and Highway Code Improvement Act), the following actions would have to take place:

1. City would have to first acquire 7- $\frac{1}{2}$ feet of additional right-of-way from parcels at 2017 and 2033 Cochran Road.
2. City would have to call for improvements at 2025 and 2041 Cochran Road.
3. Once improvements under Paul's proposed development (2001/2009 Cochran) and the improvement at 2025 and 2041 Cochran were installed, the City would then call for improvements at 2017 and 2033 Cochran under a Streets and Highway Code Improvement Act.

Under this procedure, all of the Cochran Road improvements could not be constructed under one contract, which is the preferred method.

Therefore, if the Council wants full improvements in subject area, Staff suggested that the following procedure be considered:

1. City would call for improvement at 2025 and 2041 Cochran Road to be installed at the same time as Paul's development at 2001/2009 Cochran.
2. At 2017 and 2033 Cochran Road, the City could trade curb, gutter and sidewalk installation for street right of dedication.

Right-of-way costs	\$2,000 - \$3,000
Curb, Gutter & Sidewalk Costs	\$3,000 - 3,500

3. City would pick up paving cost only at 2017 and 2033 Cochran.
4. The (5) property owners on Cochran Road would all share in the cost of one street light (\$1500±).

The following residents of the area addressed the Council regarding the matter:

- a) Dallas Paul, 2001/2009 Cochran Road, Lodi
- b) Don Schock, 2025 Cochran Road, Lodi
- c) Claude Lewis, 2033 Cochran Road, Lodi
- d) Mr. and Mrs. Norman Carlin, 2041 W. Cochran Road, Lodi
- e) Ms. Christine Nielson, 2017 W. Cochran Road, Lodi
- f) Mr. John Zabella, prior owner of parcel on Cochran Road

A very lengthy discussion followed with questions being directed to Staff and to those residents who had given testimony.

On motion of Council Member Murphy, Snider second, Council determined that the City would call for curb and gutter improvements pursuant to existing agreements at 2025 and 2041 Cochran Road to be installed at the same time as Paul's development at 2001/2009 Cochran; further, Council determined that at 2017 and 2033 Cochran Road, the City would trade curb and gutter installation for street right of way dedication. It was further determined that the property owners would have to provide the sidewalk improvements pursuant to existing agreements at 2025 and 2041 Cochran Road at the time the City would call for such improvements