CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to consider the Planning Commission's recommendation to adopt the rezone and General Plan amendment for 319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and the residentially zoned portion of 353 North Washington Street. The rezone would be from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density, and R-1* to PUB, Public and also for approval of a General Plan amendment from LI, Light Industrial to MDR, Medium Density Residential and PQP, Public Quasi Public to MDR.

MEETING DATE: December 18, 1996

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council approve the Planning Commission's recommendation to adopt a rezone and General Plan amendment for the above stated properties.

BACKGROUND INFORMATION: This is a request for a rezone and General Plan amendment to increase the allowable density on the properties listed above. In order to accomplish this, the City must rezone the area from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density. The City must also amend the General Plan to change the land use designation of the area from LI, Light Industrial to MDR, Medium Density Residential. As part of this rezone and General Plan amendment, staff has taken the opportunity to amend a General Plan land use inconsistency and two zoning inconsistencies. The project area consists of 13 properties averaging approximately 7000 square feet in size. Each of the 13 properties is currently developed with residential or public uses.

The applicant for this project initiated the zoning change for 335 North Stockton Street because the property has little value with its existing 500 square foot home, and because it is adjacent to a 5 unit apartment to the south and multi-units to the north. The owner of the property wishes to make improvements; however, he feels this is not feasible for him to do so as a single home. The applicant believes that changing the zoning to allow for a higher density will make an investment in his property feasible and improve its existing condition.

APPROVED: _____
H. Dixon Flynn -- City Manager

Because it is not legal for the City to rezone a single property, staff chose to rezone all the residential properties fronting North Stockton Street between Lawrence Avenue on the north and the east/west alley north of East Lockeford Street. Each of the properties of the project area is either in a similar situation to the applicant's or already has more than one dwelling unit.

The properties of the proposed General Plan amendment and rezone consist of approximately 2 acres, are within the City Limits, and are fully developed as housing or public uses. The majority of the project area is zoned R-1*, Single-Family Residential (Eastside) which allows for one home to be built on each property. The current General Plan land use designation for the homes of the project area is LI, Light Industrial which is an inconsistency. Of the 13 properties in the project area 2 are public buildings, 5 have more than one residential unit, and the remaining 6 have a single residential unit. According to these figures, approximately half of the structures in the project area are inconsistent with the current residential single-family zoning, and all of the structures are inconsistent with their current light industrial General Plan land use designation.

The following is a breakdown of the existing land uses in the project area: The housing includes 6 single-family homes, 1 duplex, two single units on each of three properties, and one 5 unit apartment. The public uses include the Armory/National Guard Building and the American Legion Memorial Building. The project site is bordered on the south by housing, industrial properties, and a parking lot for the Armory/National Guard Building; bordered on the west across an alley by industrial uses; bordered on the north across Lawrence Avenue by the City's softball complex and Grape Bowl; and bordered on the east by Lawrence Park and the American Legion Memorial Building (see maps).

The General Plan amendment will change the land use designation for 12 of the properties from LI, Light Industrial to MDR, Medium Density Residential, and one of the properties (346 North Stockton Street) from PQP, Public Quasi-Public, to MDR. The General Plan amendment to redesignate 346 North Stockton Street from PQP to MDR is necessary because the property is zoned residential, has an existing single-family residence on it, and is not a public property.

Rezoning the project area will change the zoning for the 11 residential properties from R-1*, Single-Family Residence (Eastside) to R-MD, Residential Medium Density, and the remaining two public properties (320 and a portion of 353 North Washington Street) to PUB, Public. The Rezone to PUB is necessary because the properties exist as public uses with no residences upon them. This zoning is consistent with other similar public uses.

The proposed General Plan designation of MDR allows for a maximum residential density of no more than 20 units per acre. In order to maintain consistency with the proposed General Plan designation, and to meet the needs of this request, Staff chose R-MD zoning. Using the R-MD zoning standards, the six project area properties with only one dwelling unit, could potentially add one or two additional units.

Staff is aware that that there are some concerns from members of the public that believe we should maintain all residential development in the east Lodi area as single family homes. We would agree that maintaining single family development makes sense in areas that arepredominantly single family and surrounded by single family; however, the project area is not. It contains 13 properties which are surrounded by public and industrial uses, and only 6 of the properties actually have a single family residence upon it.

Staff feels that the existing development and the surrounding land uses are not conducive to maintaining a single family neighborhood. We further believe that providing reasonable investment into the area is beneficial for the neighborhood. Therefore, the applicants request is warranted based on these points.

The Planning Commission held a public hearing on this matter on September 9, 1996. The applicant, property owner and a neighboring owner spoke in favor of the request with no opposition present. The Planning Commission voted to recommend that the City Council approve the request as outlined.

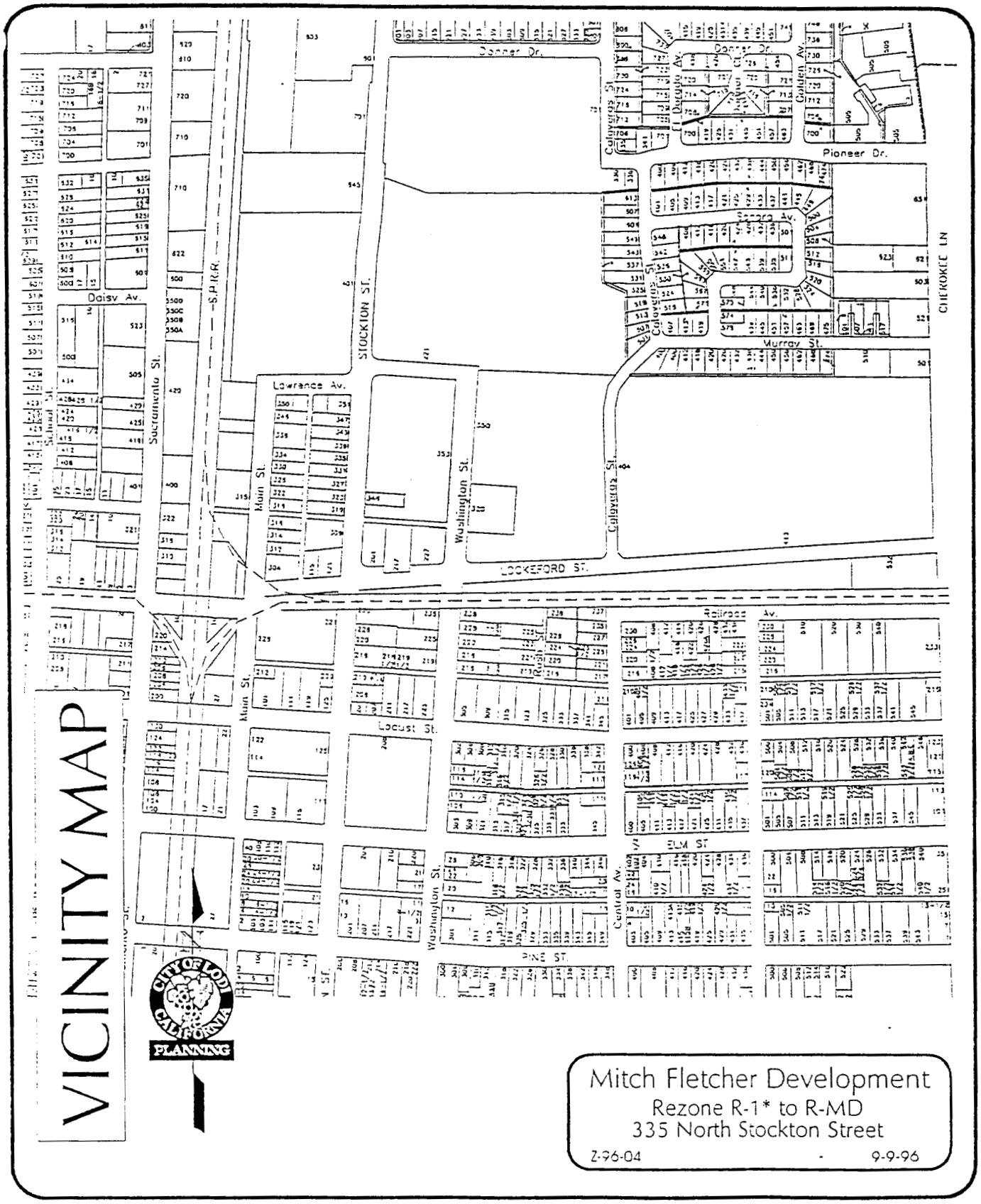
FUNDING: None required

Konradt Bartlam
Community Development Director

Prepared by Mark E. Meissner, Associate Planner

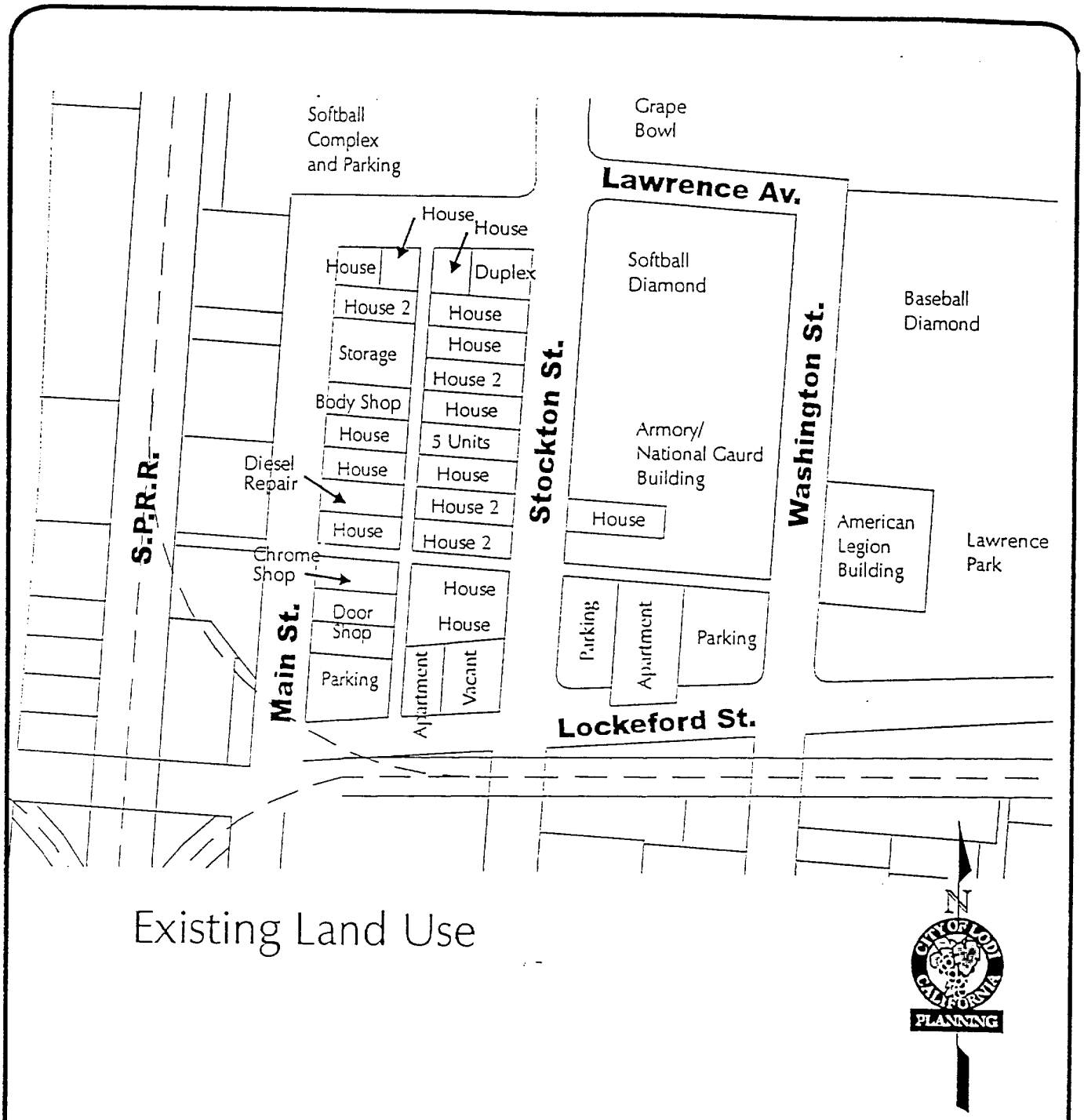
MM/mm

Attachments



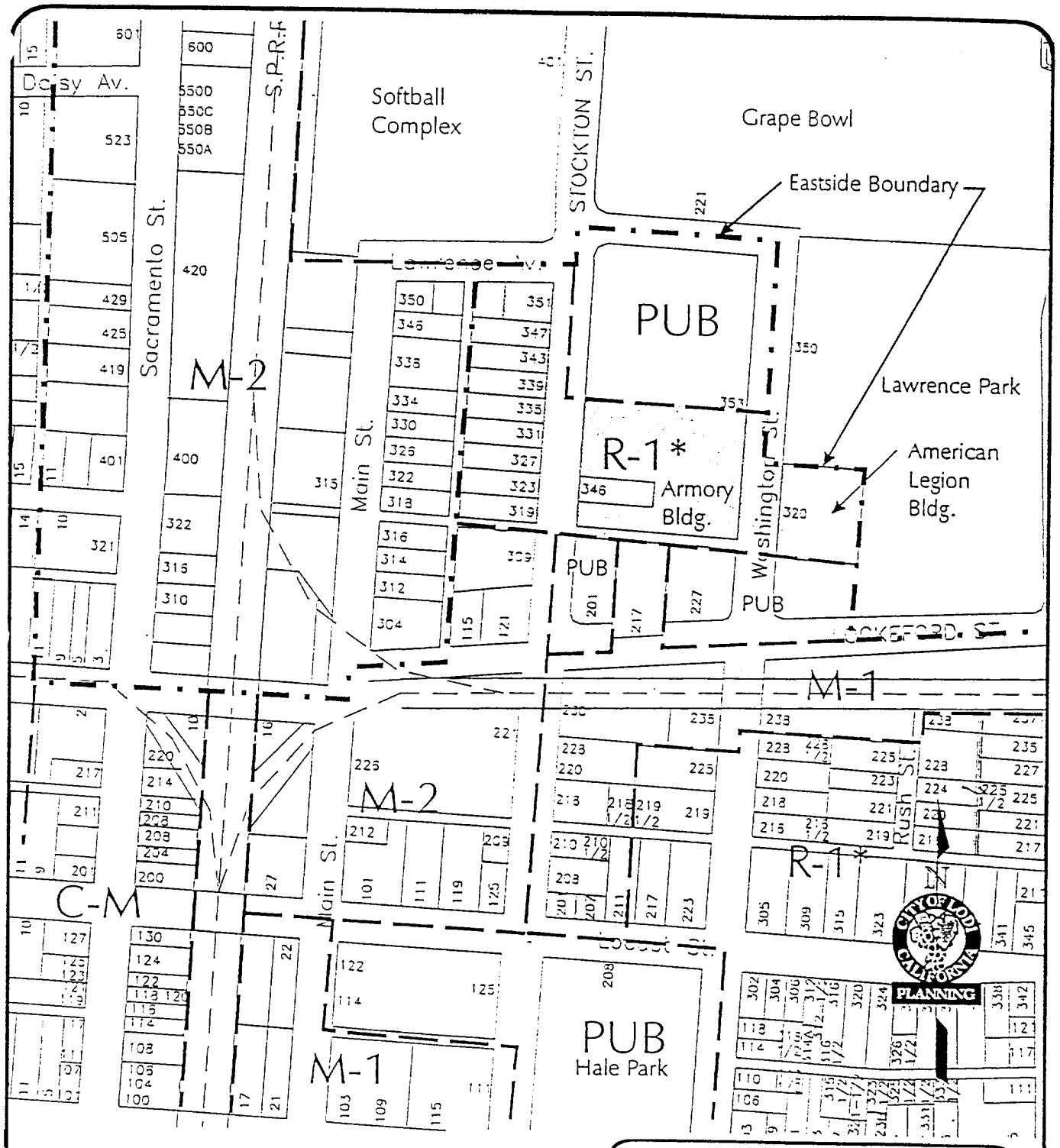
Mitch Fletcher Development
Rezone R-1* to R-MD
335 North Stockton Street

Z-96-04 9-9-96



Existing Land Use

Mitch Fletcher Development
G.P. Amendment and Rezone
335 North Stockton Street
GPA LU 96-3
Z-96-04 9-9-96

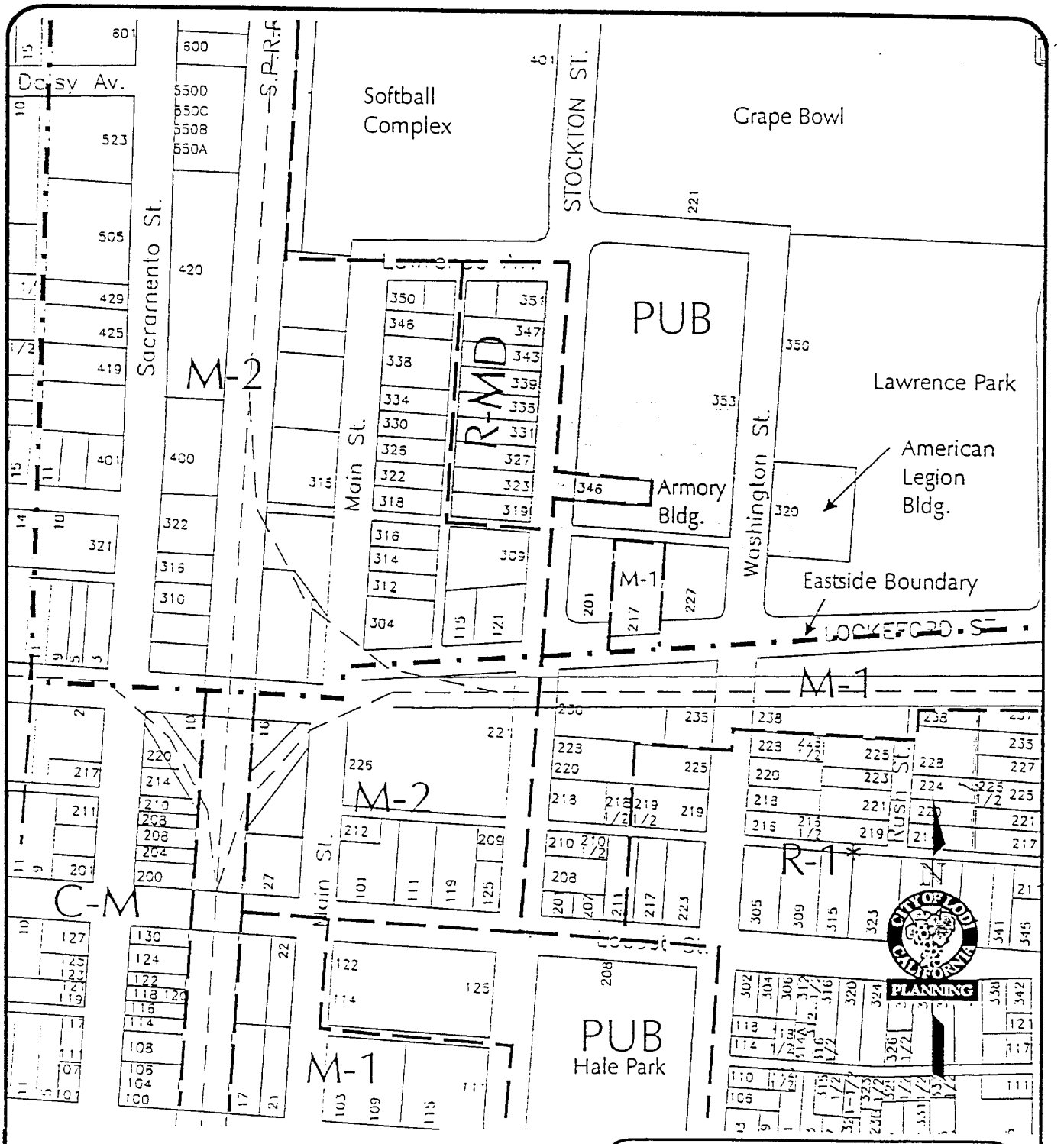


EXISTING ZONING

Page 1 of 2

Mitch Fletcher Development
Rezone R-1* to R-MD
335 North Stockton Street

Z-96-04 9-9-96

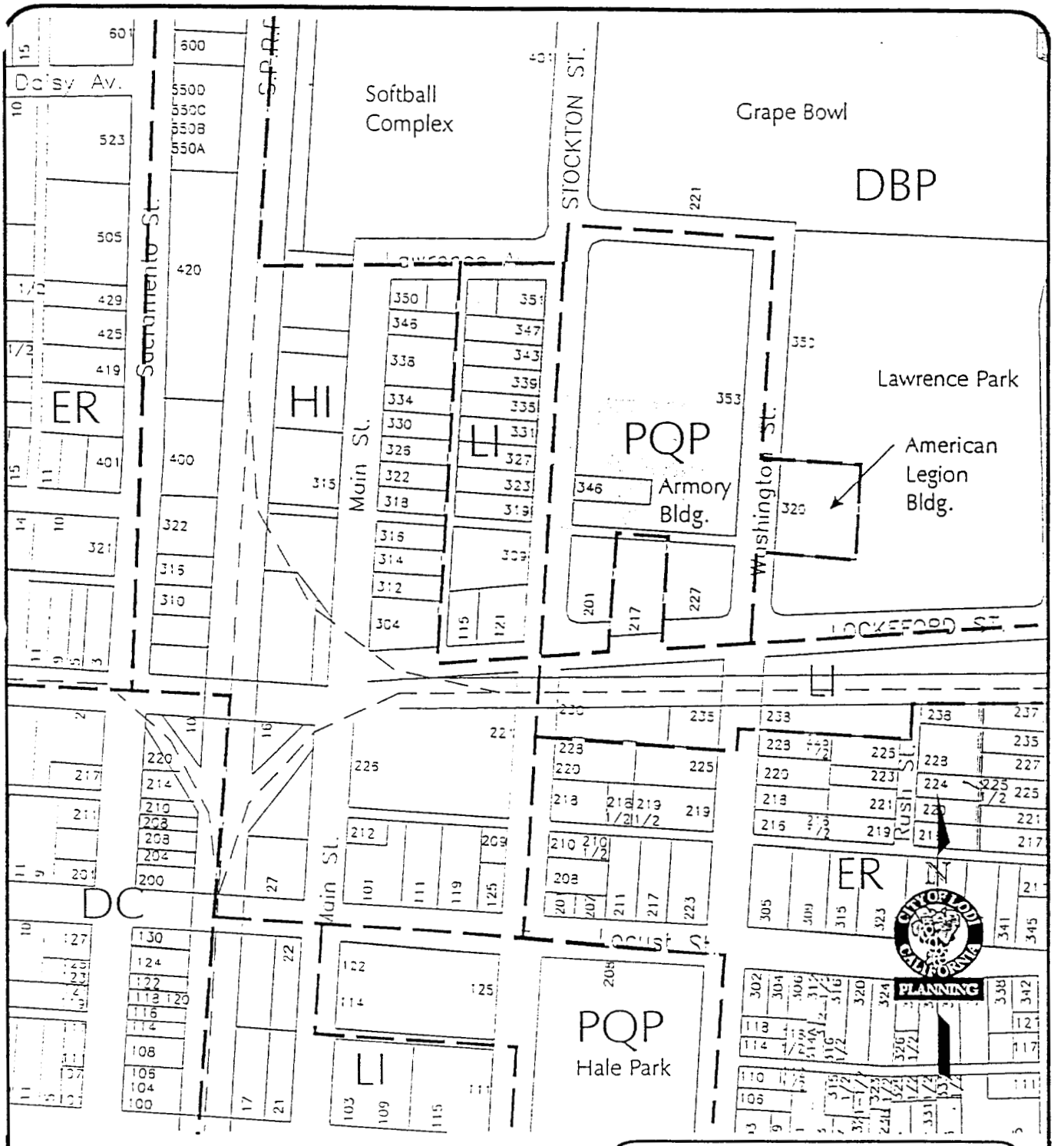


PROPOSED ZONING

Page 2 of 2

Mitch Fletcher Development
Rezone R-1* to R-MD
335 North Stockton Street

Z-96-04 - 9-9-96

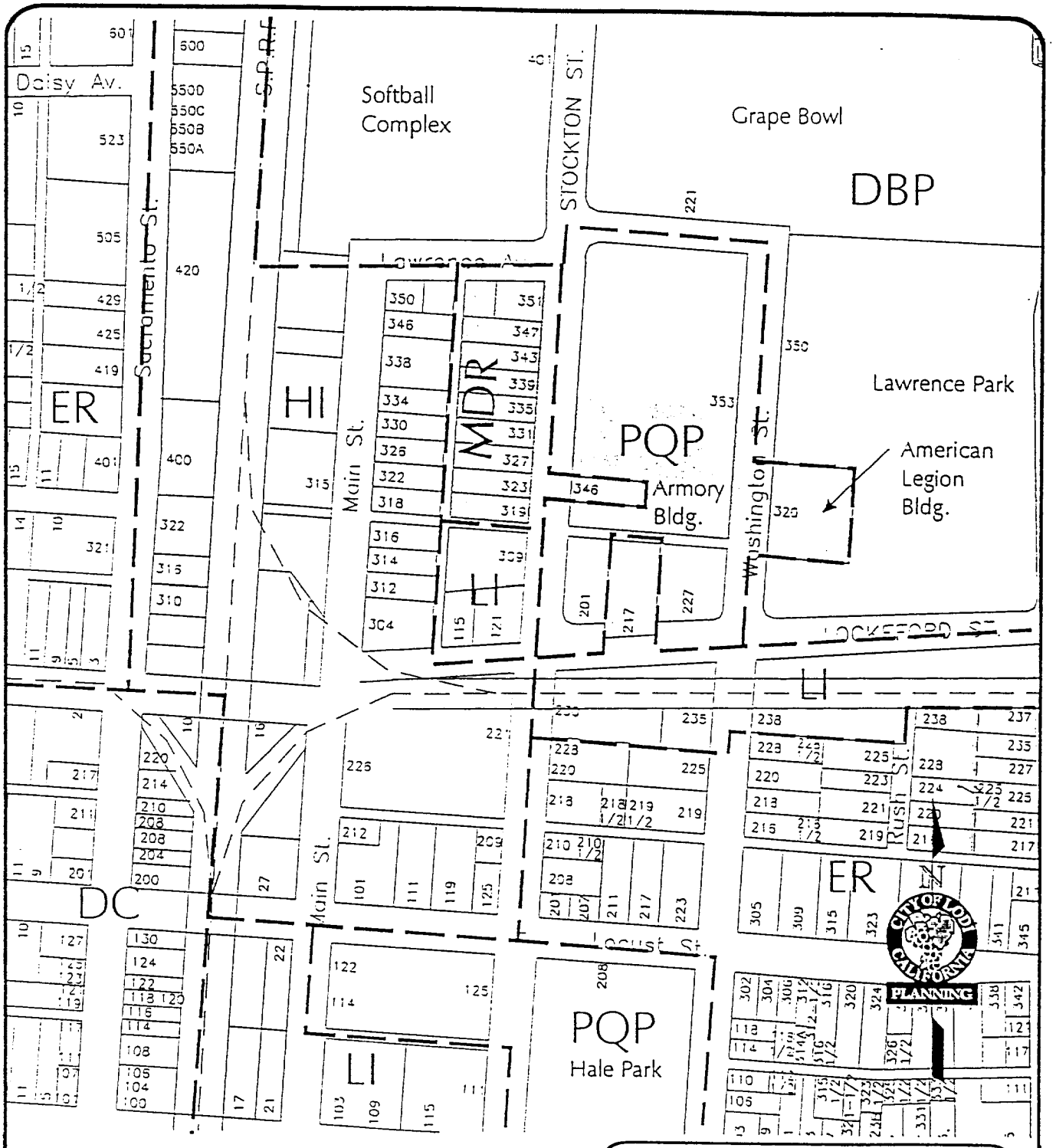


EXISTING GENERAL PLAN LAND USE DESIGNATIONS

Page 1 of 2

Mitch Fletcher Development
General Plan Amendment
335 North Stockton Street

GPA LU 96-3 9-9-96



PROPOSED GENERAL PLAN LAND USE DESIGNATIONS

Page 2 of 2

Mitch Fletcher Development
General Plan Amendment
335 North Stockton Street

GPA LU 96-3 9-9-96

RESOLUTION NO. P.C. 96-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF AN AMENDMENT TO THE GENERAL PLAN AND ZONE CHANGE FROM LI, LIGHT INDUSTRIAL AND PQP, PUBLIC/QUASI PUBLIC TO MDR, MEDIUM DENSITY RESIDENTIAL, AND R-1*, SINGLE-FAMILY EASTSIDE TO R-MD, RESIDENTIAL MEDIUM DENSITY AND PUB, PUBLIC.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the General Plan amendment and Zone change.

WHEREAS, the project area is made up of the following properties: 319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and a portion of 353 North Washington Street (APN's 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, 38, 39, 40 & 43).

WHEREAS, the project proponent is Mitchell, 1015 S. Central St., Lodi, CA.

WHEREAS, all legal prerequisites to the adoption of the Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Lodi as follows:

1. The Planning Commission finds that approval of the General Plan amendment and Zone change will result in good planning practice.

2. A Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.

3. The Planning Commission hereby recommends to the City Council, approval of an ordinance adopting the General Plan amendment and change of Zone as identified in this Resolution.

Dated: September 9, 1996

I hereby certify that Resolution No. 96-11 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on September 9, 1996, by the following vote:

AYES: Commissioners: Borelli, McGladdery, Rasmussen, Rice, Schmidt, Stafford and Marzolf

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Secretary, Planning Commission

MINUTES

LODI CITY PLANNING COMMISSION

CARNEGIE FORUM
305 WEST PINE STREET
LODI, CALIFORNIA

MONDAY September 9, 1996 7:30 P.M.

The Planning Commission met and was called to order by Vice-Chairman Rasmussen.

Commissioners Present: John Borelli, Jonathan McGladdery, Craig Rasmussen, Dorean Rice, John Schmidt, Roger Stafford, and Chairman Marzolf (arrived late). ROLL CALL

Commissioners Absent: None

Others Present: Konradt Bartlam, Community Development Director, John Luebberke, Deputy City Attorney, Mark Meissner, Associate Planner, Eric Veerkamp, Associate Planner, and David Morimoto, Senior Planner.

The minutes of July 8, 1996 were approved as mailed with Commissioner Borelli abstaining. MINUTES July 8, 1996

TENTATIVE MAPS

Tentative Map 96 P 002, request of Baumbach & Piazza, on behalf of the Dunscombe Family, for approval to create two (2) parcels from two (2) existing parcels at 2247 and 2249 West Kettleman Lane. Eric Veerkamp, Associate Planner, presented this matter to the Planning Commission. Mr. Veerkamp explained that the Dunscombe property contained a total of 5.89 acres and was currently divided into two parcels. One small parcel fronted on Kettleman Lane and contained the Dunscombe residence and surrounding yard. The second parcel contained the remaining 5+ acres of the property. The applicants were requesting to resubdivide the property into two new parcels that would match the proposed alignment of Tienda Drive. Parcel one would be located north of the alignment of Tienda Drive, while parcel 2 would be located south of Tienda Drive and would front on Kettleman Lane. TENTATIVE MAP 96 P 002, DUBSCOMBE FAMILY

There is a proposal to sell parcel one to the City of Lodi. The City would combine this parcel with an adjoining parcel to the east to create Roget Park which will become a passive use City park. The southern parcel which has a zoning of RCP, and contains the existing Dunscombe residence, will probably be sold and developed with some type of RCP use in the future. The Commission asked about the development of the segment of Tienda Drive which crosses this property. Community Development Director Bartlam explained that this segment of Tienda Drive will be constructed when surrounding properties develop and there is need to provide access to the area.

A motion by Commissioner Stafford, Commissioner Schmidt second, to approve Tentative Map 96 P 002. The votes were: ACTION ON TENTATIVE MAP 96 P 002

AYES: Borelli, McGladdery, Rasmussen, Rice, Schmidt, and Stafford

NOES:
ABSENT:
ABSTAIN:

PUBLIC HEARINGS

Request of PUBLIC HEARINGS

REQUEST OF MITCHELL FLETCHER DEVELOPMENT FOR A GPA, REZONE ON CERTAIN PROPERTIES LOCATED ON N. STOCKTON ST., E. LAWRENCE AVE., AND NORTH WASHINGTON ST.

a. REQUEST OF MITCHELL FLETCHER DEVELOPMENT, to consider the following:

1. A General Plan amendment to redesignate 319, 323, 327, 331, 335, 339, 343, 347, & 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and part of 353 North Washington Street (APN's 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, 39, 40, & 43) from LI, Light Industrial to MDR, Medium Density Residential.

2. To rezone the area including the following properties: 319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 North Stockton Street and 116 East Lawrence Avenue; (APN's 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, & 43) from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density.

3. A General Plan amendment to redesignate 346, North Stockton Street (APN 041-230-38) from PQP, Public Quasi/Public to MDR, Medium Density Residential.

4. To rezone 320 and part of 353 North Washington Street; (APN's 041-230-39 & 40) from R-1*, Single-Family Residential (Eastside) to PUB, Public.

5. Certification of a Negative Declaration as adequate environmental documentation on the above projects.

Mark Meissner, Associate Planner, presented this matter to the Planning Commission. Mr. Meissner explained that Mr. Fletcher had requested that the City rezone the property at 335 N. Stockton Street from R-1 Eastside to Residential Medium Density in order that he could construct a second residential unit on this property. Currently, the property contains a small single-family house. Mr. Meissner explained that under the R-1 Eastside zoning, lots were only allowed to have a single-family residence, or whatever number of units existed, at the time the R-1 Eastside was implemented back in the late 80's. Mr. Meissner went on to explain that ten residential lots on North Stockton Street, were an island of R-1 Eastside zonings surrounding by either industrial or public uses. The properties to the east along Main Street were a mixture of residential commercial and industrial uses. The properties to the south were primarily residential, although they were zoned M-2, Heavy Industrial. The properties to the east and north were primarily public uses and included the City softball complex, the Grape Bowl, the National Guard Armory, and the American Legion Building. Because of the surrounding uses and the inconsistencies between the zoning and existing uses, City staff decided to include all of the R-1 Eastside properties in this area as part of the proposed General Plan amendment and rezoning.

Staff was recommending that the properties on both sides of Stockton Street, beginning at 319 N. Stockton Street and ending at 351 N. Stockton Street be rezoned from R-1 Eastside to Residential Medium Density. This would allow the properties to be developed with duplexes and perhaps triplexes depending on the size of the lot and the existing structures. The public properties, which include the National Guard Armory Building and the American Legion Building, would be rezoned from R-1 Eastside to Public, to more accurately reflect their actual uses. The General Plan would also be amended to reflect the proposed zoning. Staff felt that

permitting property owners to add an additional unit onto their properties would be appropriate given the size of the parcels and the mixtures of uses found in the surrounding neighborhood.

Mr. Meissner then showed slides of the area to the Planning Commission. The Commission asked about the ownership pattern in this area. Staff explained, that as far as they could determine, only two of the properties were owner-occupied and the rest were being used as rentals. Additionally, Mr. Fletcher only owned one of the properties; however, the City included additional properties to make the proposal more logical and to avoid creating a "spot zone."

Vice Chairman Rasmussen then opened the floor for public comment. Coming forward to speak was Mitch Fletcher of Fletcher Development. Mr. Fletcher explained that he was the applicant for the proposal and was planning to construct a duplex on the property at 335 N. Stockton Street for the property owner. The duplex would have access both from Stockton Street and from the alley and would have ample room on the property to accommodate the two uses. He also noted that the property immediately to the south of him contained two units and the property to the north contained a 5-unit apartment building. He asked the Planning Commission for their approval of his request.

Robert Riggle, 712 Cross Street, Lodi. Mr. Riggle explained that he owned one of the properties in the subject area. He went on to describe the uses in the area and felt that the proposed rezoning was appropriate. He stated that he had seen Mr. Fletcher's building proposal and that he had no objection to what he was planning.

Dave Gutierrez, 33 S. Crescent Street, Lodi. Mr. Gutierrez stated that he owns the property at 335 N. Stockton Street. He explained that the property currently contained a small house, which is only 430 sq. ft. The house is located at the rear of the property adjacent to the alley and is too small to make it attractive for most renters. He felt that a larger unit would be more attractive to families. He explained that it would not be cost effective to tear down the existing house and replace it with only a single-family house; however, by replacing it with a duplex, the project would make better economic sense. He requested the Planning Commission's approval for the rezoning.

Maime Starr, Facilities Planning Director for LUSD. Ms. Starr explained that the School District was neutral on the proposal and was neither in favor or opposed to the applicant's request. Her only concern was the potential impacts that additional residential units might create on the LUSD. She explained that on any General Plan amendments which propose to increase the number of residential units, the School District would like to have a signed agreement with each of the property owners. The agreement would contain language stating that the property owners were willing to pay a school impaction fee, which would be higher than the standard rate, for any new residential unit constructed. She noted that it would not effect any existing units and would only be paid, if and when, a property owner decided to add additional units to their property. Because of the short time-frame, the District was not able to secure the impaction fee agreements from all of the individual property owners. She was present to request a delay in the approval of the project until they could secure the signed agreements.

The Planning Commission questioned Ms. Starr on the difference between the standard school impact fees and the fees being requested as part of the signed agreements. Ms. Starr stated that the prevailing rate for construction in existing areas was between $1.70 and $1.80 per square foot. The rate on the agreements was $2.91, the same as new residential construction in newly developed areas of the City. The Commission asked whether the Planning Commission could make the signing of the LUSD Impaction Fee Agreements a condition of

the General Plan approval. Ms. Starr stated that this was acceptable since the School District did not want to unduly delay the approval of the project. They would want the General Plan approval subject to the School District being able to obtain these signed agreements from all of the property owners affected by the rezoning. The Commission asked what would happen if one or two of the property owners refused to sign. Ms. Starr stated that in that case, the LUSD would probably opposed the General Plan amendment and rezoning.

Bob Johnson, Member of the Parks & Recreation Commission. He was concerned about placing additional living units in an area that was heavily utilized by various City recreational facilities. This included two softball complexes and the City's Grape Bowl. He noted that in the future, the City may wish to use these facilities for a variety of recreational uses which could impact adjacent residential properties. He was concerned that adding more residence to area would result in more complaints to the City regarding noise and traffic. He requested that the Planning Commission take this fact into consideration.

The Commission directed additional questions to staff, primarily regarding the number of units that might potentially be built on these lots. Community Development Director Bartlam explained that in most cases, no more than two or three units could be built on each of the existing lots and it would be possible that some of the lots would remain as single-family as they currently exist. As far as someone buying up all the properties and combining them into one large parcel, and constructing a 20 or 30-unit complex, it was theoretically possible but not very likely.

Several of the Commissioners expressed some concern about the proposed request; however, they acknowledged the "island nature" of the subject properties and the need for additional affordable living units in Lodi. The Planning Commission then took the following actions:

Action on the Negative Declaration

A motion was made by Commissioner Stafford, Commissioner McGladdery second, to **unanimously approve** the certification of the Negative Declaration as adequate environmental documentation on the proposed project.

Action on General Plan Amendment

A motion was made by Commissioner Rasmussen, Commissioner McGladdery second, to **unanimously approve** the proposed General Plan amendment to redesignate 319, 323, 327, 331, 335, 339, 343, 347, & 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and part of 353 North Washington Street (APN's 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, 39, 40, & 43) from LI, Light Industrial to MDR, Medium Density Residential, subject to the conditions outlined in Resolution 96-11, including the requirement that the subject property owners sign a written agreement with LUSD agreeing to pay a School Impaction Fee not less than $2.91 per sq. ft.

Action on Rezoning

A motion was made by Commissioner Rasmussen, Commissioner McGladdery second, to **unanimously approve** the rezoning the following properties: 319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 North Stockton Street and 116 East Lawrence Avenue; (APN's 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, & 43) from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density.

General Plan Amendment

A motion was made by Commissioner Rasmussen, Commissioner Schmidt second, to **unanimously approve** the General Plan amendment to 346 N. Stockton Street from PQP, Public Quasi/Public to MDR, Medium Density Residential.

Action on Rezoning

A motion was made by Commissioner Rasmussen, Commissioner Schmidt second, to **unanimously approve** the rezoning of 320 and part of 353 North Washington Street; (APN's 041-230-39 & 40) from R-1*, Single-Family Residential (Eastside) to PUB, Public.

Chairman Marzolf announced that the Planning Commission would conduct their annual election to elect a chairman and vice-chairman to serve during the 1996/97 year. Chairman Marzolf nominated Commissioner Rasmussen as the Planning Commission Chairman. Second by Commissioner Schmidt. The nomination of Commissioner Rasmussen was approved on a 6-0 vote.

Election of Officers

Commissioner Rasmussen made a motion that Commissioner McGladdery be nominated as the vice-chairman, Commissioner Schmidt second, approved on a 6-0 vote.

ANNOUNCEMENTS AND CORRESPONDENCE

New Planning Commissioner, John Borelli

Newly appointed Planning Commissioner, John Borelli, was introduced and welcomed to the Planning Commission.

ADJOURNMENT

As there was no further business to be brought before the Planning Commission, Chairman Marzolf adjourned the session at 8:45 p.m.

Respectfully submitted,

David Morimoto
Senior Planner

LODI UNIFIED SCHOOL DISTRICT

FACILITY PLANNING DEPARTMENT
1305 East Vine Street, Lodi, California 95240

October 17, 1996

OCT 8 - 1996

City of Lodi
Community Development Department
P.O. Box 3006
Lodi, CA 95241

Attn: Rad Bartiam, Community Development Director

SUBJECT: Mitchell Fletcher Development GPA & Rezone

Gentlemen:

Please be advised that the potential impact on school facilities created by the above referenced General Plan Amendment and Rezone has been acceptably mitigated via "Agreements for Provision of School Facilities Funding" executed by the property owners within the project area. Therefore, the District has no objection to approval of this project.

Should you have any questions, please feel free to contact either Lynette Scherer or myself at 331-7219. Thank you for your assistance in working through this matter.

Sincerely,

Mamie Starr

Mary Joan Starr
Administrative Director of
Facilities and Planning

MJS/LS

cc: Mitchell Fletcher

Lodi (209) 331-7218 Stockton (209) 953-8218
Fax (209) 331-7229

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE:	September 9, 1996
APPLICATION NO:	Rezone: Z-96-04 General Plan Amendment: GPA LU 96-3
REQUEST:	For approval of a Rezone from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density, and R-1* to PUB, Public. Also for approval of a General Plan Amendment from LI to MDR and PQP to MDR.
LOCATION:	319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and the residentially zoned portion of 353 North Washington Street (APN's 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, 38, 39, 40 & 43).
APPLICANT:	Mitchell Fletcher Development 1015 South Central Street #B Lodi, CA 95240
Site Characteristics:	The site of the proposed General Plan amendment and Rezone consist of approximately 2 acres, is within the City limits, and is fully developed as housing and public uses. The project area is zoned R-1*, Single-Family Residential (Eastside) which allows for one home to be built on each property.
General Plan Designation:	LI, Light Industrial PQP, Public Quasi-Public
Zoning Designation:	R-1*, Single-Family Residence (Eastside) PUB, Public
Size of Project Area:	13 properties totaling approximately 2 acres with an average lot size of roughly 7,000 square feet.

Adjacent Zoning and Land Use:

North:	Zoning:	PUB, Public.
	General Plan Designation:	DBP, Drainage Basin Park.
South:	Zoning:	M-1 & M-2, Light and Heavy Industrial.
	General Plan Designation:	LI & HI, Light and Heavy Industrial.
East:	Zoning:	PUB, Public.
	General Plan Designation:	DBP, Drainage Basin Park.
West:	Zoning:	M-2, Heavy Industrial.
	General Plan Designation:	HI, Heavy Industrial.

Neighborhood Characteristics:
Of the 13 properties in the project area, 2 are public buildings, 5 have more than one unit, and the remaining 6 have a single unit. Approximately 53% of the land uses in this zone are not single-family homes. The housing includes 6 single-family homes, 1 duplex, three properties with two single units on each, and one 5 unit apartment. The public uses include the Armory/National Guard Building and the American Legion Memorial Building. The project site is bordered on the south by housing, industrial properties, and a parking lot for the Armory/National Guard Building; bordered on the west across an alley by industrial uses; bordered on the north across Lawrence Avenue by the City's softball complex and Grape Bowl; and bordered on the east by Lawrence Park and the American Legion Memorial Building. (See Maps)

ENVIRONMENTAL ASSESSMENTS:
Negative Declaration ND 96-07 was prepared for this project. The project was determined to have no significant impacts and no mitigation measures have been required.

RECOMMENDATION:
Staff recommends that the Planning Commission approve the General Plan amendment and Rezone subject to the conditions as set forth in the attached resolution.

ALTERNATIVE PLANNING COMMISSION ACTIONS:
- Approve the General Plan amendment and Rezoning with alternate conditions
- Deny the General Plan amendment and Rezoning
- Continue the Request

ATTACHMENTS:
1. Vicinity Map
2. Maps of Existing and Proposed Zoning
3. Maps of Existing and Proposed Land Use Designations.
4. Map of Land Use
5. Draft Resolution

SEPTEMBER 5, 1996

FLETCHER DEVELOPMENT
1015 S. CENTRAL ST., #B
LODI, CA 95240

RE: 335 N. STOCKTON ST., REZONING

MR. MITCH FLETCHER,

ALTHOUGH I WILL BE UNABLE TO ATTEND THE MONDAY NIGHT'S PLANNING COMMISSION MEETING, I WOULD LIKE TO SAY I FULLY SUPPORT YOUR INTENTIONS TO IMPROVE THE PROPERTY OF 335 N. STOCKTON.

AS YOU KNOW, I OWN PROPERTY ON THE SAME STREET; 309 AND 313 N. STOCKTON ST. I ALSO OWN THE PROPERTY DIRECTLY BEHIND MY STOCKTON ST. PROPERTY; 312, 314 AND 316 N. MAIN, ALL OF WHICH IS OCCUPIED BY LODI CHROME AND DOORS PLUS INC.

AGAIN, I WOULD LIKE TO STATE, I BELIEVE THIS WOULD BE A STEP IN THE RIGHT DIRECTION TO STOP THE DETERIORATION OF THE NEIGHBORHOOD.

BEST REGARDS,

Douglas A. Larsson

DAL/jrb

DOUGLAS A. LARSSON
PRESIDENT

ORDINANCE NO. 1642

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY REDESIGNATING THE PARCELS LOCATED AT 319, 323, 327, 331, 335, 339, 343, 347 & 351 NORTH STOCKTON STREET, AND 116 EAST LAWRENCE AVENUE, (APN'S 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, & 43) FROM LI, LIGHT INDUSTRIAL TO MDR, MEDIUM DENSITY RESIDENTIAL; AND REDESIGNATING THE PARCEL LOCATED AT 346 NORTH STOCKTON STREET (APN 041-230-38) FROM PQP, PUBLIC QUASI/PUBLIC TO MDR, MEDIUM DENSITY RESIDENTIAL

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Land Use Element of the Lodi General Plan is hereby amended by redesignating the parcels located at 319, 323, 327, 331, 335, 339, 343, 347 & 351 North Stockton Street, and 116 East Lawrence Avenue, (APN'S 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32 & 43) from LI, Light Industrial to MDR, Medium Density Residential; and redesignating the parcel located at 346 North Stockton Street (APN 041-230-38) from PQP, Public Quasi/Public to MDR, Medium Density Residential, as shown on the Vicinity Map, on file in the office of the Lodi City Clerk.

Section 2. A Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. 96-11.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____day of _____, 1996

_____
PHILLIP A. PENNINO
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1642 was introduced at a regular meeting of the City Council of the City of Lodi held December 18, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1997 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1642 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form:

Randall A. Hays

RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1643

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE PARCELS LOCATED AT 319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 NORTH STOCKTON STREET, AND 116 EAST LAWRENCE AVENUE, (APN'S 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, 38 & 43) FROM R-1*, SINGLE-FAMILY RESIDENTIAL (EASTSIDE) TO R-MD, RESIDENTIAL MEDIUM DENSITY; AND ALSO REZONING 320 AND THE RESIDENTIALLY ZONED PORTION OF 353 NORTH WASHINGTON STREET, (APN'S 041-230-39 & 40) FROM R-1*, SINGLE-FAMILY RESIDENTIAL (EASTSIDE) TO PUB, PUBLIC

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The parcels located at 319, 323, 327, 331, 335, 339, 343, 346, 347, & 351 North Stockton Street, and 116 East Lawrence Avenue, (APN'S 041-230-22, 23, 24, 25, 28, 29, 30, 31, 32, 38 & 43) are hereby rezoned from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density; and also 320 and the residentially zoned portion of 353 North Washington Street, (APN'S 041-230-39 & 40) are hereby rezoned from R-1*, Single-Family Residential (Eastside) to PUB, Public, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. A Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. 96-11.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 6. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 7. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 1996

_____
PHILLIP A. PENNINO
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1643 was introduced at a regular meeting of the City Council of the City of Lodi held December 18, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1997 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1643 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form:

Randall A. Hays

RANDALL A. HAYS
City Attorney

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: December 18, 1996
Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer M. Perrin
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, December 18, 1996** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

a) The Planning Commission's recommendation that the City Council adopt the rezone and General Plan Amendment for 319, 323, 327, 331, 335, 339, 343, 346, 347 and 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and the residentially zoned portion of 353 North Washington Street -- this rezone would be from R-1*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density, and R-1* to PUB, Public and also for approval of a General Plan Amendment from LI, Light Industrial to MDR, Medium Density Residential and PQP, Public Quasi Public to MDR

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 and comments on this matter. 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, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Jennifer M. Perrin
City Clerk

Dated: November 6, 1996

Approved as to form:

Randall A. Hays
City Attorney

DECLARATION OF MAILING

Public Hearing: Planning Commission recommends rezone and general plan amendment Re: N. Stockton Street and East Lawrence Avenue

On November 7, 1996 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 7, 1996, at Lodi, California.

Jennifer M. Perrin
City Clerk

Jacqueline L. Taylor
Deputy City Clerk

Linda S. Nichols
Administrative Clerk

decmail/forms

	FirstName	LastName	Address1	City	State	PostalCode
1.	Roger & Jackie	Bentz	1506 Mariposa Way	Lodi	CA	95242
2.	Brian L. & Gaye	Elrod	347 N. Stockton St	Lodi	CA	95240
3.	Leanora M.	Reiswig, Tr.	8897 E. Kettleman Ln	Lodi	CA	95240
4.	Robert & V.	Riggle, TR	712 Cross Street	Lodi	CA	95242
5.	Marlene	Gutierrez, et al	541 S. Ham Lane Suite C	Lodi	CA	95242
6.	H and C	Investments	1029 S. Church St.	Lodi	CA	95240
7.	Irvin R. & L.	Bender, Trs.	P.O. Box 1014	Wood bridg e	CA	95258
8.	Sharon	Reiswig	319 N. Stockton Street	Lodi	CA	95240
9.	Doug & Susan	Larrsson	16231 N. Hoerl Road	Lodi	CA	95240
10.	Calvin L.	Kurle	346 N. Stockton St	Lodi	CA	95240
11.	Timothy & Saundra	Frey	317 Cork Oak	Lodi	CA	95242
12.	J & D	Herfindahl, Trs., Etal	4341 St. Andrews Drive	Stock ton	CA	95219
13.	Roy & Ingeburg	Belanger	2372 Brittany Lane	Lodi	CA	95242
14.	Syed & Dorothy	Shan	2910 White Oak Way	Lodi	CA	95242
15.	Jack & Lynette	Goans	330 N. Main Street	Lodi	CA	95240
16.	Barry & Lonnie	Hall	P.O. Box 860	Locke ford	CA	95237
17.	Gary & G.	Wagers, Trs.	6140 Wood Court	Lake Shast a	CA	96094
18.	Harold E. & R.	Woody	2609 Learned Avenue	Stock ton	CA	95240
19.	James G. & Edith	Purvis	2207 Oxford	Lodi	CA	95242

	FirstName	LastName	Address1	City	State	PostalCode
			Way			
20.	Muzafar	Khan	439 Murray Street	Lodi	CA	95240
21.	Lodi Post	No. 22 Inc.	P.O. Box 521	Lodi	CA	95241
22.	Deborah	Cook, Etal	P.O. Box 9170	Stock ton	CA	95208
23.	Wayne & Kimberlyn	Ogren	P.O. Box 1344	Lodi	CA	95241
24.	Wasiq	Khan	233 N. Central Avenue	Lodi	CA	95240
	Southern Pacific	Railroad Co.				

25 David Gutierrez 33 S. Crescent Lodi CA 95240

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26 Mitchell E. Fletcher Development 1015 S. Central Street #B Lodi, CA 95240

Eastside Improvement Committee
Citizen Volunteers Fighting Crime, Drugs, and Blight

P.O. Box 2444 Lodi, Ca. 95241 December 11, 1996 (209) 368-8848

TO: Lodi City Council and Staff
FROM: Virginia Snyder
RE: Proposed re-zoning of 300 block North Stockton St. from R-1 to RMD.

At one property owner's request, you will be asked on December 18 to re-zone the 300 block of North Stockton Street to allow a duplex to be built on every parcel in that block.

Our history has taught us that higher density housing in eastside neighborhoods has resulted in horrendous crime rates, lower property values, and a flight by owners of single-family homes. For years, destructive zoning practices allowed Lodi's eastside to be used as a dumping ground. Thankfully, recent city councils have and are making a heroic effort to reverse past practices which have destroyed the quality of life for over 20,000 Lodi residents.

At Mr. Bartlan's request, Colleen Dixon, Virginia Lahr, and myself met to discuss the proposed zoning change. We have a high regard for Mr. Bartlan's professionalism and expertise. However, those of us who have lived with the effects of overcrowding feel this proposed zoning will destroy one more eastside neighborhood.

Before you make your decision, I hope you'll have an opportunity to drive through the other medium and high density areas listed on the attached police summary. Swain and Lambert are all duplexes - exactly what is proposed for North Stockton Street. Do we really want more of this?

Many progressive cities are beginning to view a mix of duplexes, multiple units, and single family homes as good planning for healthy neighborhoods. That describes the 300 Block N. Stockton as it is today. As you'll see from the police report, it's now a quiet residential area, and reasonably safe for those who use the ball diamonds and the Grape Bowl.

We feel the Grape Bowl will become a major asset to Lodi in the future. Tourists would not feel safe parking in a crime-ridden area. Even though two parking spaces per unit would be required, tenant and visitor parking will still clog the street.

For the past four years, Lodi citizens and their government have struggled to reclaim Lodi's eastside. Thanks to City Councils, city staff, and citizen volunteers, ***it is working!*** If we stay on course, one day we can be proud of ALL parts of Lodi. I implore you - please don't nullify our joint efforts. Please don't create one more eastside ghetto.

Cordially,

Virginia

January-November 14, 1996

Lambert Ct.

3 Burglaries
1 Drug
4 Suspicious activity
13 Disturbances
3 Miscellaneous
2 Theft
3 Alarms
3 Domestic assault
1 Property damage
3 City code violation
1 Animal
9 Juvenile
1 Warrant
5 Property damage
2 Vehicle thefts
4 Vehicle stops
3 Special assignments
2 Vehicle code violations

All duplicates

69

Swain Dr.

4 Vehicle burglaries
1 Prisoner booking
2 Drugs
7 Juveniles
16 Disturbances
5 Suspicious activity
5 Persons cared for
1 Assault with a weapon
1 Domestic assault
2 Animal calls
1 Unattended death
1 Vehicle code violation
4 City code violations
1 Property damage
1 Warrant

All duplicates

121

January-November 18, 1996

400 E. Locust St.

49 Disturbance calls
18 Suspicious activity
26 Vehicle, bike or walking stops
8 Juvenile stops
7 Vehicle code violations
9 Warrants
2 Thefts
9 City code violations
2 Property damage
6 Drug violations
1 Special assignment
1 Weapons
1 Morals
2 Thefts
16 Miscellaneous
6 Persons cared for
3 Property damage
1 Possessing stolen property
6 Intoxicated persons
4 Domestic assaults
1 Vehicle theft
1 Collision
3 Subpoenas
1 Burglary

High density

182

January-November 18, 1996

500 E. Locust St.

6 Disturbances
5 Suspicious activity
2 Miscellaneous
2 Thefts
12 Vehicle or walking stops
1 Domestic assault
1 Vehicle theft
1 Animal call
2 Vehicle code violations
2 Property damage
2 Persons cared for
1 Parking enforcement
1 Juvenile
1 Drug
1 Intoxicated person
2 City code violations
1 Burglary
1 Property recovered/lost
1 Hate crime

High density

166

300 N. Stockton St.

1 Miscellaneous
1 Juvenile
7 Suspicious activity
1 Property damage
3 City code violations
1 collision
2 Vehicle code violations
1 Disturbance
1 Vehicle stop
1 Vehicle theft
1 Animal call
1 Theft

Nice Mixture of duplexes, Multiple units, and single family homes

21 Minor