



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to consider the Planning Commission's recommendation that the City Council downzone East Lodi Avenue on the north side, the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side, 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block from C-2, General Commercial to C-1, Neighborhood Commercial.

MEETING DATE: August 16, 1995

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to consider the Planning Commission's recommendation that the City Council downzone East Lodi Avenue on the north side, the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side, 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block from C-2, General Commercial to C-1, Neighborhood Commercial.

BACKGROUND INFORMATION: Earlier this year, Virginia Snyder with the Eastside Improvement Committee, corresponded with the Planning Commission concerning the unsightly conditions on East Lodi Avenue between the Southern Pacific Railroad and Cherokee Lane and asked the Planning Commission to help abate the problem. The major problem listed by the Committee were outside sales of used tires and second-hand furniture. The Committee also pointed out the lack of off-street parking and commercial enterprises being conducted in residential structures.

The Planning Commission determined that the out-of-doors sales issue could be addressed by downzoning the property to C-1, Neighborhood Commercial. Since the C-1 zone requires that all activities be conducted inside, the open-air sales would become non-conforming uses and ultimately abated.

The off-street parking issue and use of homes for commercial purposes have not yet been reviewed and recommended by the Planning Commission.

The enclosed map shows the status of each parcel in the downzoning area if the area is zoned C-1, Neighborhood Commercial.

FUNDING: Application Fees


James B. Schroeder
Community Development Director

JBS/lw

APPROVED: _____


THOMAS A. PETERSON
City Manager



recycled paper

CC9525.DOC

CC-1

MINUTES
LODI CITY PLANNING COMMISSION
CARNEGIE FORUM
305 WEST PINE STREET
LODI, CALIFORNIA

MONDAY

JULY 10, 1995

7:30 P.M.

The Planning Commission met and was called to order by Chairman Harry Marzolf

Commissioners Present: Michael Lapenta, Chairman Harry Marzolf,
Jonathan McGladdery, Craig Rasmussen, Dorean Rice,
John Schmidt.

ROLL CALL

Commissioners Absent: Roger Stafford

Others Present: John Luebberke, Assistant City Attorney, James B. Schroeder,
Community Development Director, David Morimoto, Senior Planner,
Eric Veerkamp, Assistant Planner and Lisa Wagner, Secretary.

The Minutes of the Regular Session of June 19, 1995 were approved as mailed.

**MINUTES
JUNE 19, 1995**

PUBLIC HEARINGS

Chairman Marzolf announced that now is the time and place for the public hearing to consider the downzoning of East Lodi Avenue and the 100 and 200 blocks of East Pine Street from C-2, General Commercial to C-1, Neighborhood Commercial. Senior Planner Morimoto introduced this matter to the Planning Commission. Mr. Morimoto explained that the Planning Commission and the Eastside Improvement Committee had expressed interest in the possibility of changing the zoning on East Lodi Avenue and a section of East Pine Street from General Commercial to Neighborhood Commercial and had requested staff to explore this possibility. The reason for this request was to eliminate, over time, some of the more intense commercial uses in these areas. These included bars, car lots, outside sales of used tires, and certain auto repair businesses. Staff briefly reviewed the types of uses that were permitted in C-2 zones vs. the types of uses that were permitted in C-1 zones. It was explained that even uses that became non-conforming as a result of the zoning change could be allowed to continue under a "grandfather clause." Under this practice, existing uses that became non-conforming would be allowed to continue as long as they did not substantially change or expand and that their use did not lapse for more than a six-month period. This would assure that all existing businesses could continue as they have done so in the past.

**DOWNZONING
OF
EAST LODI AVE.
&
THE 100 & 200
BLOCKS OF
EAST
PINE STREET**

Based on a land use study conducted by the Planning Department, it was estimated that approximately 6 businesses would clearly become non-conforming if the rezoning took place. These would include the outdoor tire sales, car lots, bars, and the Greyhound Bus facility. Staff noted that even if the zoning in these two areas were changed, the actual uses and appearance of the streets would not change overnight because most of the existing properties would still be permitted in the new C-1 zone and even the

non-conforming uses would be grandfathered-in. A significant change in appearance might not occur for many years.

Mr. Morimoto suggested that in addition to changing the zoning in the area, the City may also have to adopt a new set of regulations which establish clear guidelines on what improvements a business would have to make in order to conduct a commercial activity on a piece of property. This was particularly true for residences which were converted to commercial uses. These guidelines could include things like parking, landscaping, signing for the restriction on outdoor display or storage of sale items. The City will also have to revise their Zoning Ordinance to update the list of permit uses in both C-1 and C-2 zones. It was noted that the Zoning Ordinance dates back to 1953 and the types of uses included in the lists need to be updated.

The Planning Commission directed a number of questions to City staff dealing primarily the impact of the zoning change on existing businesses. Staff explained that City policy has always been to grandfather-in existing uses and treat them as existing non-conforming uses which would allow them to continue in operation as long as they did not go out of operation for a period in excess of six-months. The Commission also asked about businesses that store sale items out in the open. Staff explained that this would not be permitted in a C-1 zone; however, existing businesses would be allowed to remain. New businesses would have to conduct their business inside of a building. For example, the used tire sales could still be conducted if all of the tires were stored inside of a approved commercial building. Following some more additional discussion Chairman Marzolf opened the hearing to the public and asked if anyone in the audience wished to speak on this matter.

Coming forward to speak was Virginia Snyder, P.O. Box 2444, Lodi. Ms. Snyder spoke in favor of the zoning change with the hope that it would help upgrade the east side commercial areas. She also expressed her desire to allow existing businesses to remain in business even if they were non-conforming under the new zoning classification. She also felt that additional enforcement would be necessary to clean up some of these areas. She also briefly discussed the formation of a landmark district within the east side to establish certain architectural guidelines for the area.

The next speaker was Virginia Lahr, 311 East Elm Street. Ms. Lahr also spoke in favor of the proposed zoning change. She expressed particular concern about the outdoor tire sales. She felt they were a fire hazard. She noted that badly operated businesses had a negative impact on adjacent good businesses and made it more difficult for them to be successful. She also discussed the use of a "contingency use permit" which would restrict the uses of a property to a specific type of business which could not be changed without specific approval.

The next speaker was Camille Green, 405 E. Pine Street. Ms. Green felt that outdoor storage and sale of items went on because no one was doing anything to stop this type of activity. She felt that the City needed a code enforcement officer to handle these kind of problems.

The next speaker was Colleen Dixon, 333 E. Hilborn Street. Ms. Dixon also stated her support for the proposed zoning change and added that she did not want existing uses

put out of business. She did not; however, want the process of cleaning up the east side to take 20 years. She felt that other methods could be used to clean up the area.

The next speaker was Fred Muther, 904 Sylvia Drive. Mr. Muther stated that he owned the old Courtesy Motor property at the northeast corner of Pine and Stockton Street and also the old car lot across the street that is currently being used to sell used tires. Mr. Muther explained the problems that property owners in the area had in renting out their property and keeping good tenants. He suggested a number of ways landlords could work with their tenants to improve the appearance of their properties. He was opposed to any change in the zoning because it would limit the number of potential tenants that could utilize his property. He explained that many of the buildings in the area were old and were built for specific uses and would be difficult and expensive to convert to uses that might conform to the C-1 zoning. He felt that property owners needed every opportunity to rent out their properties in order to make a living.

The next speaker was Helen Beoshanz, 958 Quinta Court, Woodbridge. She read a letter from her husband expressing their opposition to the proposed rezoning. She felt that the existing C-2 zoning was appropriate for the area and that any action which made it more difficult for landlords to find tenants could lead to further deterioration of the neighborhood. She also implied that they would consider legal action for any loss to the value of their property.

The next speaker was Gertie Meidinger, 123 E. Pine Street. Ms. Meidinger spoke in opposition to the proposed zoning change. She explained that she owned the used car lot at 123 E. Pine Street. She noted that this property had been used for a car lot for many years and that she relied on the income from the property to supplement her social security income. She was opposed to anything that would effect her ability to lease the property out as a car lot.

The next speaker was Don Ostorero, 201 E. Pine Street. Mr. Ostorero explained that he owned Transmissions by Hal, which is located behind the Greyhound Bus Depot. He felt that the proposed zoning change would place an undue hardship on his business. He noted that the building was specifically built for an automotive related business and would be difficult to convert to some other type of use.

The next speaker was Fred Muther who had spoken previously. Mr. Muther noted that the east side was one of the few locations in Lodi where new businesses could start with low rents and low overhead. He felt that this was an important area for people starting a new business. He also discussed ways in which businesses, like the used tire sales, could be improved to make them more compatible with the surrounding area.

There being no further speakers, Chairman Marzolf closed the floor to the public. Commissioner Rassmussen stated that he was in favor of the proposed rezoning. However, he was concerned about the potential loss of tenants if a business were to lapse for more than six-months and how that would impact individual property owners. Commissioner Lapenta stated that he was in favor of rezoning because both streets were badly in need of improvement and the rezoning was a good first step. Commissioner McGladdery also stated that he was in favor of the rezoning on Lodi Avenue, but was less certain about Pine Street. He felt that Lodi Avenue presented a more pressing

problem and should be dealt with separately. He felt that Pine Street could be handled at later date, possibly in conjunction with the downtown revitalization effort. Senior Planner Morimoto noted that there were other areas in the downtown which might be suitable for a change in zoning. He noted that both Sacramento Street and Main Street had industrial zoning which might not be appropriate in light of the downtown revitalization effort. He stated that the Planning Commission might possibly want to look at changing the zoning at least in the downtown area, from industrial to some type of commercial zoning. The East Pine Street area could then be studied in conjunction with this effort.

Following some additional discussion, Commissioner McGladdery made a motion to rezone the properties on Lodi Avenue from C-2, General Commercial to C-1, Neighborhood Commercial and to hold off on any action on the East Pine Street properties until some future date. This motion was seconded by Commissioner Lapenta. Commissioner Schmidt and Commissioner Rassmussen both stated that they found the motion acceptable as long as the Pine Street properties were brought back before the Planning Commission sometime soon. It was their feeling that they did not want this action on the Pine Street area to be postponed indefinitely. Following this discussion, the Commission approved the motion on a unanimous vote.

COMMENTS BY PLANNING COMMISSION ON NON-AGENDA ITEMS

One of the Commissioners asked about the status of the removal of the railroad tracks on East Lodi Avenue. Deputy City Attorney Luebberke explained that the City was still in negotiations with the Central California Traction line and there was still some disagreement about whether the Lodi Avenue line was part of the mainline or if it was in fact a spurline. He also noted that the railroad company was doing some work on Lodi Avenue to try to improve the quality of the road surface.

**STATUS OF THE
REMOVAL OF
THE RAILROAD
TRACKS ON
EAST LODI
AVENUE**

ANNOUNCEMENTS

Community Development Director Schroeder took this opportunity to introduce Dorean Rice who was recently appointed as the newest Planning Commissioner. Chairman Marzolf welcomed Commissioner Rice to the Planning Commission.

**INTRODUCED
NEW PLANNING
COMMISSIONER
DOREAN RICE**

As there was no further business to be brought before the Planning Commission, Chairman Stafford adjourned the session at 9:00 p.m.

Respectfully submitted,



DAVID MORIMOTO, AICP
Senior Planner



COMMUNITY DEVELOPMENT DEPARTMENT

PROPERTIES OF PROPOSED REZONE



- RETAIL & SERVICES
- SINGLE FAMILY RESIDENCES
- MULTI-FAMILY RESIDENCES
- OTHER: PARKING, VACANT LAND, ETC.
- NONCONFORMING USES





CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: August 16, 1995

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

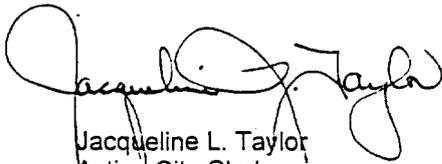
NOTICE IS HEREBY GIVEN that on **Wednesday, August 16, 1995** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) Downzoning of East Lodi Avenue on the north side of the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side, 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block from C-2, General Commercial C-1, Neighborhood Commercial.

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.

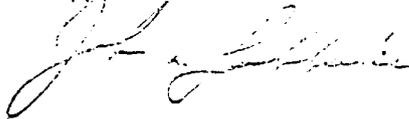
By Order of the Lodi City Council:



Jacqueline L. Taylor
Acting City Clerk

Dated: July 20, 1995

Approved as to form:



John Luebberke
Deputy City Attorney



DECLARATION OF MAILING

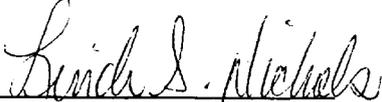
On July 20, 1995 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "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 July 20, 1995, at Lodi, California.

Jacqueline L. Taylor
Acting City Clerk


Linda S. Nichols
Deputy City Clerk

PUBLIC HEARING LIST

DOWNZONE

MARKING LIST FOR:	MARKING LIST FOR:	OWNER'S NAME	MARKING ADDRESS	CITY, STATE	ZIP
043-071-01	043-071-01	M4 P Investments P/P	112 S Main	Valley Springs	95252
-02	-02	Alvin & J Allmendinger Tr	8954 Redman Rd		
-03	-03	"			
-04	-04	Kling T Wong et al	24 N. Main St		95240
-05	-05	AHmendinger			95252
-12	-12	Donald B Lipscomb	105-A E Pine		95240
-11	-11	Buddhist Church of Lodi	23 N Stockton St.		95240
-20	-20	T.H. & V.B. Rosen Trs	853 Kristen Ct		95242
-21	-21	Steve & Della Wang	119 E Pine St		95240
-22	-22	Bennie & E. Meidinger	1022 Laurel Ave		95242
-072	-072	Donald & Janice Wang	2112 Southwest Dr.		95242
-02	-02	Gurwantahal vs. Bhakta	4 S Main St		95242
-03	-03	Leland Wah Yip	1200 Edgewood Dr.		95242
-08	-08	Keynolds Packing Co	53 E Tracy St.		95240
-09	-09	Kannu N & Vik Patel	22 1/2 S Main St		95240
-10	-10	Jesse & Jolana Mendosa	2601 E. Armstrong Rd		95240
-11	-11	Glory Properties Trs.	23438 N Blue Hill Rd		
-12	-12	Joahi & Richard Wapstrom	"		
-13	-13	Haurice O Roy Jr	755 S. Fairmount Av.	Woodbridge CA	95258
-14	-14	Edgar W. & Helen Beoshanz	P.O. Box 5		
-15	-15	"			
-16	-16	"			
-073-01	-073-01	Buddhist Church			
-02	-02	Japanese American Citiz. League	23 N Stockton		95240
-03	-03	Adriana S Vandertans	P.O. Box 2411	Lodi	95240
-04	-04	Jim D & Karen Munro	17257 Keunson Ln.	"	95240
-05	-05	Gary E Rice	17 N Washington St	"	"
-06	-06	Beoshanz			
-07	-07	"			
-08	-08	Mohammad D & R Khan	435 Harold St		
-09	-09	Fred & M. Hether Trs.	907 S. Julia Dr.		
074-08	074-08	Mohammed & S Alam	440 E Maple St #A		
-06	-06	Muzaffar K Khan	459 Hurlay St		
-07	-07	Paul Dandreis	17 S Washington St		
-08	-08	Sheryl Carey	33 "		
-09	-09	Women's Center Coalition	620 N San Joaquin St	Stockton CA	95207
-10	-10	Larry & Goretta Stice	893 E Hartsy Lane	Lodi	95240

PUBLIC HEARING LIST

DOWNZONE

MAR 10 LIST FOR:	AP #	OWNER'S NAME	MAR 10 ADDRESS	CITY, STATE	ZIP
	045-074-11	Larroya Norma Kramontes	309 E Oak St.	Lodi	95240
	-12	Lina C. Carter	213 E Oak St		
	-13	Esther Berg	209 E Oak St		
	-14	Bente Fleiburg v Hearing	1317 Hidvale Rd		
	-15	"			
	-16	Roy & Sandra Collins	P.O. Box 5	Woodbridge	
	075-01	Laurie F Folweiler	26 N Washington		
	-02	Fida & K Khan	22 N Washington		
	-03	N. & C. Investments	1029 S Church		
	-64	Fida & R Khan			
	-05	Inez Huppert	1313 W Locketford St		
	-06	Pedro M. De la Torre	318 E Elm		
	-09	Thomas & Pamela Herrmann	322 E Elm		
	-10	Joy Rollings	P.O. Box 2645	Lodi	95344
	-11	Michael D. & J.F. Meek	325 E Pine St		
	-12	Maria G. Arambula	11312 Hobbs St	Naturalis CA	95652
	-13	Akram M. Khan	213 E Pine	Lodi	
	-14	Mohammad Akram Khan	351 E Lodi		
	-15	Erwin C. & Beth Maldonado	311 E Pine		
	-16	Clifford T. & Chong Roost	301 E Pine St		
	-17	N & C Investments Ptp	1029 S Church		
	-18	Jay & Zephia D White	316 E Elm		
	076-01	N & C Investments Ptp			
	02	Richard & Laura Norris	306 E Pine		
	03	Mohammad Naz	306 1/2 E Pine		
	04	Statyres & Fotini Geraldis	1442 Koelker Dr.		
	05	"			
	06	"			
	07	Harry P & M Bistolatides	571 E Pine		
	08	Mohammad D & R Khan	435 Hatfield		
	14	Norman & Flakle	513 Cornie St		
	15	Christopher L. Kasta	301 E Oak St		
	16	Tara Meekle	3015 White Oak Hwy		
	17	Alfonso S. Mendoza	14 S Washington		
	121-11	Steven & Cindy Garrison	933 N Lincoln		
	-12	Douglas L. & B.J. Blaney	237 E Oak St		

FILE #

PUBLIC HEARING LIST

DOWNZONE

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MARKING LIST FOR:	AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
	043-122-01	DANIEL E McCarrer	326 E Oak	Lodi	95242
	-02	Douglas & June Kort	2311 W Cochran Rd	Lodi	95341
	-077-02	Southern Glue Etc RR Co	P.O. Box 1967	Stockton	95202
	-062-04	MAY KAM CHIN Eng	230 F Wine St	Lodi	95342
	-05	Saidar Afzal et al	122 E Oak	Lodi	95342
	-06	Magdalena Vargas LF Est	139 S Grant	Lodi	95342
	-064-01	Goodwill Industries Corp	1424 Prindel Ct	Lodi	95342
	-02	Gerald & L Boemia et al	165 S Washington	Lodi	95342
	-03	Loel Foundation Corp			
	-04	"			
	-066-01	Yvonne J Vallejo	302 E Oak St	FLK Grove CA	95759
	-063-01	Robert B & Carol Matteson	P.O. Box 970		
	-02	CXA Fasset et al Trs.	636 Dassy		
	-03	Mario & Martha Magana	112 E Walnut		
	-04	Craig Williams et al	118 E Walnut		
	-05	John & Al Ralston	2013 Edgewood		
	-06	Henry & Elsie Platter	4860 E Woodbridge		
	-07	Catherine M Schim	211 S Stockton		
	-08	Alex Olson Trust	1534 Vista Dr.		
	-09	Edward & E Olson Trs.	1806 Burgundy Ct		
	-061-01	Christy Export Leasing Co	P.O. Box 877	Camphusiel	95342
	-062-10	E & H Kokes Trs	4428 Northampton Dr.	Lodi	95342
	-11	Wayne A Koehler	115 E Walnut	"	95342
	-17	FR & CE Players Trs	1835 Robin Ln		
	064-06	Loel Foundation	105 S Washington		
	06	"			
	07	EMMA GAHL	215 E Walnut		
	08	Martin Medina Sol et al	211 E Walnut		
	09	Tarik Leal	307 E Walnut		
	061-01	FRANK J PAUL et al	1309 PRINCE Pt.		
	-02	LANCE F & KJ NORD	308 E Walnut		
	-03	Southern M Marine	5337 Verdi Way	Stockton	95207
	04	Subway & Marine Kravich	316 E Walnut	Lodi	95342
	05	"			
	06	Theodore & Mary R. Hutz	2155 W March Lane #2 C	Stockton	95307
	07	Harold & K Tennan	P.O. Box 614	Lodi	95342
	08	ETHEL LOUISE KEHLER	322 E Walnut		

PUBLIC HEARING LIST

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DCIV 17, CAME

MAILING LIST FOR:	AP#	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
	043-067-10	Patty J. Vinaver	430 E. Hillbush	Lodi	95240
	-11	Gary & L. Buzonis	964 Lucas Rd	"	95242
	-09	Phil & Judy H. Fernandez	322 1/2 E Walnut		
	-12	Buzonis			
	-13	"			
	-14	Salvador D. Rivera et al	307 E Lodi		
	-15	Anthony Fernandez Est	3451 Christensen Ln	Castro Valley	94546
	066-09	Joel & C.J. Sylvia	24321 Birch Terrace	Willits CA	95490
	-11	GARY & JUDY ANN BLOMQUIST	P.O. Box 845	Victor CA	95353
	-13	Wenel Jt & Pk Jenny	315 E Walnut	Lodi	
	-14	Eva Coffman Est	2573 White Ave	Clacko CA	95226
	-16	William Azcon et al	124 S Washington St	Lodi	95240
	130-01	JAMES E & Carol Dean	16 N Crescent	"	"
	02	Shirley A Collins	P.O. Box 1455	"	95240
	03	Richard & Penny Kadelarich	P.O. Box 315	Victor CA	95253
	04	David A & A'H Gutierrez	237 Maple		
	05	Ida Aldinger	344 E Walnut St.		
	06	Benny W A Christman	348 E Walnut St		
	07	Keith D & Leann Johnson	352 E Walnut		
	08	Perry A Clayton	356 E Walnut		
	09	Robert & M'G Cunningham	1853 Sorensen Rd Fl		
	10	Gary E Bender St et al Tr.	5325 E Kirby Lane		
	11	Ellie Mohr	404 E Walnut	Lodi	95240
	12	Kathryn J. Warr	1425 W Lockford St		
	13	Sarah B. Martinez et al	412 E Walnut		
	14	Adolph Stenbach Tr	416 E Walnut St #B		
	15	Frederick & R Edelmayr	2548 52nd St	Sacramento CA	95817
	16	Richard C Kellogg	420 1/2 E Walnut		
	17	John & LaVerne Hibner	19304 Fir Dr.	Pioneer CA	95664
	18	Cora M Wahl Tr	428 E Walnut		
	19	Pauline Nuss	432 E Walnut		
	20	Gary D Bender St. Tr.	5325 E Kirby Lane		
	21	Glen Bauer	2140 W Walnut		
	22	Marla C Garrigan	439 E Lodi		
	23	Martha A Salan	431 E Lodi		
	24	John Kellat et al	429 E Lodi		
	25	Robert & SN Asvitt	429 E Lodi		

PUBLIC HEARING LIST

DOWNZONE

MAILING LIST FOR:	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
043-130-26	BRYANT D & DAVIS I LOVE	421 E Lodi		95240
-27	Vinyl Korschak	938 E Oak		
-28	Zidan F Suplakan	1333 Edgewood Dr.		
-29	GABURRY & BUENOS	964 Lucas Rd	Woodbridge	95258
-30	Edgar N & Helen Beersanz	P O Box 9		95258
-31	"			95240
-32	Gerald & R F Spetling	359 E Lodi Ave		
-33	"			
-34	Frank Gansinger	901 S Crescent Ave		
-35	Mohammed D & R Khan	435 Harold		95342
-36	Glenn R Hinz	801 Laver Et		
-37	Julius & Margaret M Weber	416 W Turner		95258
-38	Ann L Turner	P O Box 823	Woodbridge	95340
-39	Oliver & M Tecklenburg	1486 N Mills Ln	Lodi	
-40	Mohammad Arsha et al	1019 Fiebest	"	
122-12	Jacolie F Goette	117 S Central		
-14	Alex & Rosalind Stotelo	349 E Walnut		95258
-15	Enriqueta Torres	P.O. Box 146	Woodbridge	
-16	Inez F Diagona	341 1/2 E Walnut		
-17	Kathy E Aldinger et al	341 E Walnut		
-18	Marianne Rivera	P.O. Box 8479	Lodi	95241
-19	"	"	"	"
-20	Patrick & E Hanley Ths	P.O. Box 2584	"	"
-21	George F & G Sylvia	329 E Walnut		
124	Tony & Elsie Martin	4860 E Woodbury Rd	Acampo CA	95220
-23	Anthony & J Canton	1029 S Church		
-16	Charles & C Harst	437 E Walnut		
-17	Godonk & Janet Herrera	435 E Walnut		
-18	Fred K Fischer Jr.	429 E Walnut		
-19	Naele Rosa Santibanez	425 E Walnut		
-20	Paul J & Susan Oesterman	2129 Southwest Dr.		
-21	Warren A Lamb	417 E Walnut		
-22	Alden F Rott et al	415 E Walnut		
-23	Terald & C Herman et al	6455 Vinberry Ln	Stockton	95211
-24	Esther Nava Gutierrez	405 E Walnut		
-26	Joe S & R R Perico	13201 N L W Sacramento Rd		95292

PUBLIC HEARING LIST

Downzone

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MAILING LIST FOR:	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP	FILE #
043-140-32	David A & F E Meagher	532 E Walnut		95240	
-33	Richard & J Newman	910 Colgate Ct		95242	
-34	Penny A Remington et al	528 E Walnut			
-35	Newman				
-36	LL Stein Life Estate	2 Del Rio Ct	St Helena CA	94574	
-37	Newman				
-38	Frank H & Yolanda Alvarez	518 E Walnut			
-39	Isabel S. Mendez	517 E Lodi			
-40	Virginia Hina Josa	514 E Walnut			
-41	Dorekas & E M McPherson	515 E Lodi			
-42	Thelma C Harst Jr.	528 E Walnut			
-43	Louis Maurino	511 E Lodi			
-44	Oleg Witt Jr.	815 N Orange			
-45	Melvin D & F A Kackby	509 E Lodi			
-46	Olgawitt				
-47	Rodolfo & Maria Norva	814 Lincoln			
-49	Katrine Klein	540 E Walnut			
-50	Paul & Sheryl Salsedo	542 E Walnut			
-51	George & Vikki Cecchetti	544 E Walnut			
-52	Rosemary H Martinez	2204 Newbury Cir			
-53	"				
-54	"				
-55	Alan Dale Maus	537 E Lodi			
-56	Maria C Giallo	244 E Lodi			
-57	Liquor & Rosa Guerrero	545 E Lodi			
-58	Atlantic Nightfield Co	P.O. Box 2005			
230-67	Carmelo J & PS Teresi	14776 Wells Lane	Los Angeles	90057	
-68	"				
-10	7"				
-23	Henry A & Karen Hansen Est.	P.O. Box 437		95240	
047-010-07	Kevin & Brenda Kelly	2305 W. Benham Hill	Stockton	95207	
-63	Leona Gugliemetti Tr. Et al	1330 Heathcote Dr.	Merced CA	95347	
-68	Central Cal. Tractor Co	920 SE Quincey	Topeka KS	66612	
-69	R & G Benetto Trs et al	3274 W. Sargent Rd	Lodi	95240	
-10	"				
-11	Felix Hubert				
-12	"	1213 W. Lockford St			

PUBLIC HEARING LIST

Page 7 of 8

MAILING LIST FOR:	FILE #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
047-020-13		EAL N Drege	2012 Kenway Ct		95242
-14		"		Lodi	95242
-16		CJY Keezle Ann Dege et al	14351 Vintage		
-17		Antwac v AT Aguilar	401 S Stockton		
-18		Patricia F v CR Miller	330 S Main St		95240
-19		Mary Lehr	1250 Edgewood Dr		
-20		"			
-21		John H Fr v KM Giannari	2126 Greenolds Dr		95242
-22		Gloria H Berry	1849 E Hwy 12	Lodi	95242
-23		Salvador v Sabah Duenas	224 E Lodi		
-24		Mary Lehr			
-25		John A v R B Lippert	230 E Lodi		
-26		"			
-27		Richard v J Newman Trs	910 Cologne Ct		
-28		Warren v Smith Tr et al	236 E Lodi		
-29		Carol v Lucella Buzonis	264 Lucas Rd	Lodi	95242
-30		Jim P v Karen Mirro	P.O. Box 864		
-31		David Rivera et al	241 1/2 E Hilborn		
-32		Steven v Mary Forbes	241 Hilborn	Lodi	95242
-33		J Steven v JL Manidi	114 Devine Dr	"	95242
-34		Glenn v Hunz	801 Laver Ct	Stockton	95219
-35		J v D Hendifahl	4341 St Andrews Dr	"	95207
-36		Donald R v MA Horica	1100 Alvaria Rd		
-37		Kenneth A Hieb	221 E Hilborn		
-38		Darlene C Eickmiller et al	300 E Tokay		
-39		Dustin Wade Taunton	1313 W Jackson St		
-40		Abdul v Israj Aziz	22 N Washington		
-41		Blenda Lewis	P.O. Box 71		
-42		Fred M v BT Nishio	205 Hilborn		
-43		Mary Lehr			
192- 01		Henry v Brenda Luna	200 Hilborn		
-02		Armandina Luna et al	204 Hilborn		
-03		Cecil Jr v F Rice	236 Greenwood Dr	Lodi	95242
-04		Russell v I Luna	229 Watson		
-05		Abdul v Israj Aziz	P.O. Box 604		
-06		Salma v Shanishul Haq	222 E Hilborn	Lodi	95242

ORDINANCE NO. 1622

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI
AND THEREBY REZONING EAST LODI AVENUE ON THE NORTH SIDE,
THE 200 BLOCK, THE 300 BLOCK, THE 400 BLOCK AND 501-545 OF THE 500 BLOCK,
AND ON THE SOUTH SIDE 104-112 OF THE 100 BLOCK, THE 200 BLOCK,
THE 300 BLOCK, THE 400 BLOCK AND 500-526 OF THE 500 BLOCK FROM C-2,
GENERAL COMMERCIAL TO C-1, NEIGHBORHOOD COMMERCIAL

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN 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 East Lodi Avenue on the north side, the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block are hereby rezoned from C-2, General Commercial to C-1, Neighborhood, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. 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 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 _____, 1995

STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

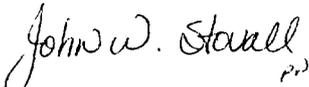
I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1622 was introduced at a regular meeting of the City Council of the City of Lodi held August 16, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -
Abstain: Council Members -

I further certify that Ordinance No. 1622 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:


JOHN W. STOVALL
City Attorney

RECEIVED

August 16, 1995

95 AUG 16 PM 3:31

JENNIFER M. PERIN
CITY CLERK

Dear City Council Members:

We are writing to protest the proposed rezoning of our property located at 334 East Lodi Avenue from C-2 General Commercial to C-1 Neighborhood Commercial. We operate a mobile industrial catering service with a licensed commissary.

We did not receive the first notice of the public hearing on this issue. None of the business owners we spoke to on Lodi Avenue had received notices either. A couple of days ago we received the second notice and in talking with other business owners, few were aware of this proposed rezoning.

In speaking with the Planning Department, we are unclear whether our business would be a permitted use in the proposed C-1 zone or whether we would be a legal non-conforming use. We are opposed to any rezoning which would result in our business becoming a legal non-conforming use. This non-conforming status could result in the loss of our business. For example, if our building burned, we would not be allowed to rebuild. Banks may not lend money on non-conforming uses. If an illness prevented the operation of our business for a period of time, we would not be allowed to resume if our use is non-conforming. In the event of Health Department mandated improvements, it is possible we would not be allowed to make the necessary improvements to comply. In addition, we are very concerned that the proposed rezoning would lower our property value by limiting uses.

We believe the deteriorated condition of some of the properties will be improved as the economy improves and new uses allowed within the C-2 zoning come into the area. Much of Lodi Avenue is zoned C-2 and we do not agree that this particular section should be changed.

We request that this rezoning be continued to a future date to allow Planning Department Staff to review the mailing list to ensure that all property owners are aware of this proposed rezoning. Additional time would allow affected property owners to study the issues and to meet with planning department staff.

Sincerely,



Russell and Carolyn Ings
Laura Ings
334 East Lodi Ave
Lodi, CA 95240
(209) 931-2955

