



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Planning Commission's Recommendation to approve the following requests of Terry Piazza, Baumbach and Piazza, Inc. on behalf of River Pointe Partners (1) for a General Plan Amendment to Redesignate the Parcels at 1 and 11 West Turner Road (APN's 041-250-10 and 26) from HI, Heavy Industrial to LDR, Low Density Residential; (2) to Rezone the Parcels at 1 and 11 West Turner Road (APN's 041-250-10 and 26) from M-2, Heavy Industrial to P-D, Planned Development District and (3) to Certify the River Pointe Environmental Impact Report as Adequate Environmental Documentation on the project.

MEETING DATE: October 5, 1994

PREPARED BY: Community Development Director

RECOMMENDED ACTION: that the City Council conduct a Public Hearing to consider the Planning Commission's recommendation to approve the following requests of Terry Piazza, Baumbach and Piazza, Inc. on behalf of River Pointe Partners:

1. for a General Plan Amendment to redesignate the parcels at 1 and 11 West Turner Road (APN's 041-250-10 and 26) from HI, Heavy Industrial to LDR, Low Density Residential;
2. to rezone the parcels at 1 and 11 West Turner Road (APN's 041-250-10 and 26) from M-2, Heavy Industrial to P-D, Planned Development District; and
3. to certify the River Pointe Final Environmental Impact Report as adequate environmental documentation.

BACKGROUND INFORMATION: The proposed River Pointe project contains 44 single-family lots on the north side of West Turner Road between the Rivergate Subdivision and the Southern Pacific Railroad right-of-way.

The site was formerly occupied by a winery and has been under redevelopment for some time. Besides a diesel spill, the Environmental Impact Report discusses noise from the railroad, problems associated with being adjacent to the Mokelumne River, and access from Turner Road.

The developers have reached agreement with Fish and Game and the State Lands Commission on problems associated with the river.

The noise from trains will be mitigated by placing a sound wall on top of an engineered fill adjacent to the railroad. The Southern Pacific Railroad Company has agreed to this solution as long as the developers pay for the project.

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

CCCD9417.DOC

River Pointe Circle is proposed as a private, gated street and the developers are hiring a Traffic Engineer to mitigate any traffic access problems.

If the City Council approves the above requests, River Pointe Partners will present the Planning Commission with a Tentative Subdivision Map. At the Tentative Map stage, the State requirement for public access to the Mokelumne River must be discussed and a solution found. However, this item is not presently before the City Council.

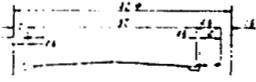
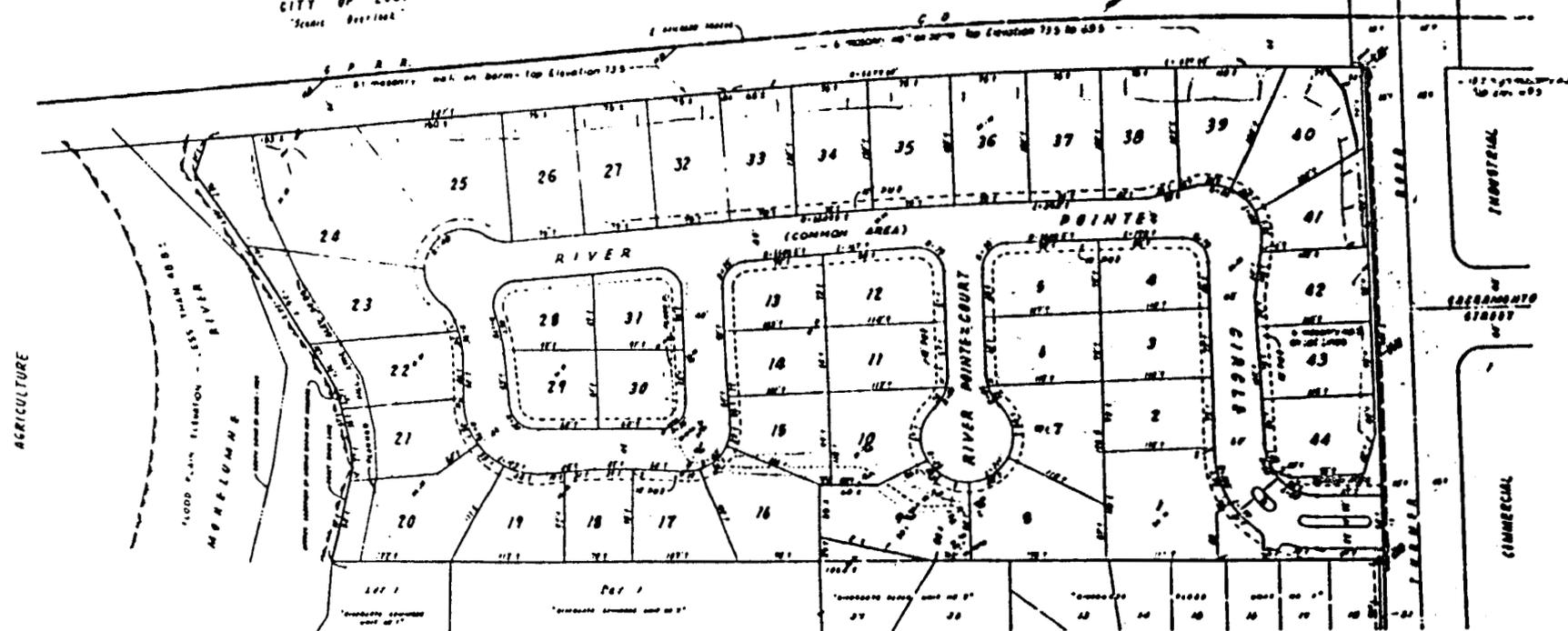
FUNDING: Application fees.


James B. Schroeder
Community Development Director

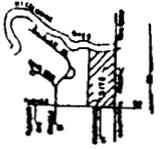
JBS/ck
Attachments

CITY OF LOS ANGELES
 "Scale: 1" = 100' "

SINGLE FAMILY RESIDENTIAL



CROSS SECTION
 1" = 10' 0"
 10.0' 0"
 1.0'



VICINITY MAP
 1" = 10' 0"

Utilities Services to be Provided by:

- 1. Electrical Service _____ City of Los Angeles
 - 2. Sewer Service _____ City of Los Angeles
 - 3. Gas Service _____ City of Los Angeles
 - 4. Telephone Service _____ Pacific Bell Company
 - 5. Water Service _____ City of Los Angeles
 - 6. Sanitary Service _____ City of Los Angeles
- Locations _____ shall be provided as required by the various utilities.



SEE MAIL ROOMS
 SEE MAIL ROOMS
 SEE MAIL ROOMS

REVISED DEVELOPMENT PLAN

RIVER POINTE

BEING A PORTION OF THE UNDIVIDED QUARTER OF SECTION 20, T.4N., R.2E., W.200M., CITY OF LOS ANGELES COUNTY, CALIFORNIA

JUNE, 1990 SCALE: 1" = 100'

DESIGNED BY: [Firm Name]
 CHECKED BY: [Firm Name]
 APPROVED BY: [Firm Name]

NO.	DATE	BY	REVISION

<p>BAUMBACH & PIAZZA CIVIL ENGINEERS SURVEYORS</p>	<p>LAND USE MAP</p>	<p>1" = 100' 6-955</p>
---	---------------------	-------------------------------------

MEMORANDUM, City of Lodi, Community Development Department

TO: CITY COUNCIL

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JULY 25, 1994

**SUBJECT: FINDINGS OF APPROVAL FOR RIVER-POINTE SUBDIVISION
EIR**

A. Environmental Impact - Riparian Habitat

The proposed project will encroach upon the riparian corridor of the Mokelumne River. The loss of any riparian habitat would result in significant impacts to plant and wildlife resources.

Proposed Mitigations

1. That the applicant has agreed to leave the existing riparian habitat along the Mokelumne River intact. All existing natural trees will be preserved, except for any trees determined to be dead or dying. Native riparian shrubs will also be maintained and any inappropriate plantings removed. The determination of what plants remain or are removed will be made in consultation with the Department of Fish and Game working with the City and the applicant.
2. It is also recommended that a buffer zone be created along the riparian corridor that will retain the existing plants and will prohibit the future planting of plant species that are not native to the riparian habitat. This buffer could extend from the south bank of the river back as far as the edge of the proposed fill line (elevation 50') of the project. A list of approved native plants that could be planted in this area can be compiled by the City in cooperation with the Department of Fish and Game or other qualified parties.
3. That the City accept the applicant's offer to donate fee title of a riparian habitat located across the river from the proposed project. This parcel, located on the north side of the river just east of the S.P.P.R., is approximately 1.4 acre in size and has a largely undisturbed growth of riparian trees and plants. The Department of Fish and Game has examined the property and determined that it is an excellent example of riparian habitat. In addition to the riparian area,

the applicant is offering an additional 50-foot buffer strip along the north side to separate it from adjacent agricultural areas. The land can be held in a land trust or other suitable instrument for the benefit of the public. At present the area would be a scenic habitat and not open to the public.

Finding

The mitigations proposed are sufficient to offset any encroachment into the riparian area adjacent to the Mokelumne River and the lack of public access through the development. The dedication of the property on the north side of the Mokelumne River will provide a permanent area of high quality riparian habitat. This area is largely undisturbed and is not heavily impacted by adjacent urban uses. The quality of the plant life is high and because of its relatively isolated location, the potential for wildlife habitat is also high.

B. Environmental Impact - Noise

The EIR found that train noise from the adjacent S.P.P.R would expose residents of the project to levels of noise considered unacceptable for residential development.

Proposed Mitigations

1. The applicant is proposing to construct an earthen embankment parallel to the railroad track. The height of the embankment will vary but will be roughly even with the railroad ballast and run the length of the project. At the point the embankment crosses the project property line, the applicant is proposing to construct an 8-foot high solid masonry wall running parallel with the railroad tracks. The top of the block wall will be on average approximately 20 feet higher than the residential lots.
2. Design the proposed residences with the noise problem in mind. Keep east facing windows and doors below the height of the soundwall. Use double or triple pane windows on walls facing the tracks and keep houses to one story where possible. Insulate all walls and caulk and seal all window and door openings. Place bedrooms as far from the railroad tracks as possible.
3. Once the embankment and sound wall are complete and specific house locations are determined, a new noise analysis should be required. The analysis would determine the effectiveness of the sound wall and whether additional measures are required. This should be done before any building permits are issued.

Finding

The addition of the earthen embankment and the masonry sound wall will reduce noise impacts from the S.P.P.R. to a less than significant level. The additional requirement that a new noise analysis be done prior to issuance of any building

permits will also assure acceptable noise levels in the interiors of the proposed residences.

C. Environmental Impact - Circulation.

The EIR suggests that the single point of access into the project from Turner Road creates a potential safety and traffic problem by limiting ingress and egress to the project. There also is concern expressed about pedestrian safety for residents crossing Turner Road, particularly school children. Finally, there is concern that onsite parking on the private street may not be sufficient to accommodate resident and visitor parking requirements.

Proposed Mitigation

It is recommended that the developer be required to retain a qualified traffic engineer to study these issues and incorporate their recommendations into the development plan.

Finding

The developer will retain a traffic engineer and incorporate their findings into the development plan. This will reduce potential safety and circulation problems to an acceptable level.

D. Environmental Impact - Flooding

The EIR points out that between 5 and 19 residential lots in the project are shown within the 100 year flood zone. This would expose them to potential hazard from a 100 year flood.

Proposed Mitigation

The developer must elevate the lowest floor of any residential structure to 18 inches or more above the level of the base flood elevation. This can be achieved by a combination regrading of the site to raise the building pads above the flood elevation and increasing the foundation heights to place the finished floors 18 inches above the base flood elevation. The developer will be required to provide the City with survey map showing the elevation of every lots within the flood zone prior to the issuance of any building permits.

Finding

The proposed mitigation will assure that all residences have finished floor elevations at least 18 inches above the base flood elevation.

Environmental Impact

The site will have extensive grading and compaction work as a part of the proposed project. There was extensive excavation done in prior years to remove underground fuel tanks and contaminated soil. Much of this soil is piled around the site.

As a part of the development a major earthen embankment will be built adjacent to the S.P.P.R. tracks to serve as a base for the sound wall. Finally, the site will require extensive grading to create proper flow lines and to raise portions of the property above the flood zone line.

Proposed Mitigation

1. The developer shall retain an engineer to determine the design and stability of the embankment and masonry wall along the railroad line. The engineer will also inspect the work in progress to ensure its proper construction. A soils report should also be done for all of the building lots to insure the proper soil compaction prior to the construction of any residential structures.

Finding

The proposed mitigation will assure the structural integrity of any earth work done as a part of this development.

EXCERPTS FROM PLANNING COMMISSION MINUTES OF AUGUST 8, 1994

PUBLIC HEARINGS

Vice Chair Hitchcock opened the public hearing for the request of Terry Piazza, Baumbach & Piazza, Inc. on behalf of River Pointe Partners for the following actions:

1. for a General Plan Amendment to redesignate the parcels at 1 and 11 West Turner Road from HI, Heavy Industrial to LDR, Low Density Residential;
2. to rezone the parcels at 1 and 11 West Turner Road from M-2, Heavy Industrial to P-D, Planned Development District; and
3. to recommend certification of the River Pointe Environmental Impact Report as adequate environmental documentation.

Community Development Director Schroeder introduced this matter for the Planning Commission. Mr. Schroeder explained that the River Pointe project was submitted to the City over two years ago at which time the City hired a consultant to prepare an environmental report on the project. Following completion of the EIR, the applicant requested that the City hold off further processing of the project until they could resolve certain issues identified by the EIR. The applicants feel they have resolved these issues and are now asking that the City move forward with the processing of the application. Mr. Schroeder went on to explain that the proposal will occupy a 12.11 acre site located on the north side of Turner Road, west of the Southern Pacific railroad tracks. The site also backs onto the Mokelumne River which forms its north boundary. Mr. Schroeder explained that the site had previously contained a winery facility which was most recently owned by Italian Swiss Colony. The winery was vacant for a number of years and was subsequently torn down and all structures removed from the property. The applicants are requesting a change in General Plan designation from Industrial to Low Density Residential to permit construction of a 44-lot single-family residential which will be built utilizing a private street system with a single access point to Turner Road.

Senior Planner Morimoto then briefly reviewed the environmental documents prepared for the project. Mr. Morimoto explained that the City had retained the services of Kreines & Kreines consulting firm to prepare an environmental impact report for the project. The EIR identified a number of potential impacts resulting from the project. Most of these impacts, however, were felt to be less than significant. The report identified five impacts which were considered significant and would require some type of mitigation. The first impact was the encroachment upon the riparian corridor of the Mokelumne River. There is a potential for loss of riparian habitat which would result in significant impacts to plant and wildlife resources. Staff explained that the applicants were proposing three mitigation measures for this potential impact. The first was that the applicant leave the existing habitat along the Mokelumne River in tact. Because the site has been heavily used as a winery, there is limited natural vegetation left on the site. However, there are still a few trees and shrubs along the south bank of the river.

The second mitigation measure is the creation of a buffer zone along the riparian corridor that will retain the existing plants and will prohibit the future planting of species that are not native to the riparian habitat. This buffer could extend from the south bank of the river as far back as the edge of the proposed fill line which is at elevation 50 feet of the project.

The third measure is that the City accept the applicants' offer to donate fee title of the riparian habitat located across the river from the proposed project. This parcel, located on the north side of the river just east of the Southern Pacific railroad tracks, is approximately 1.4 acres in size

and has a largely undisturbed growth of trees and plants. The Department of Fish & Game has examined the property and determined that it is an excellent example of riparian habitat. In addition, the applicant is also offering a 50-foot buffer strip along the north side of this riparian area to separate it from adjacent agricultural areas. This land will be held in a land trust or other suitable instrument for the benefit of the public.

The Commission inquired about the width of the proposed buffer zone along the south side of the river. Staff explained that the width would vary but would average approximately 30 feet. This would be the distance between the south bank of the river and the area being raised by grading to bring it out of the flood zone. The Planning Commission also had questions regarding the land on the north side of the river which is being set aside as a riparian habitat. The Commission asked who would own and maintain this area and if there would be access for maintenance. Staff explained that the exact details of who would own and maintain the land has not been worked out. The City and the applicant are attempting to work with the State to find a suitable organization to hold the land in public trust. This group would maintain the land as a scenic easement, but it would not be open to the public for any type of active use. As far as access for maintenance, the applicant owns the adjoining property to the north and indicated that he is willing to allow an access easement through his property for the purpose of maintenance and security.

The Community Development Director then read two letters, one from the State Lands Commission and the other from the State Fish & Game Department indicating that they are both satisfied with the proposed mitigation measures and are willing to give their approval to the proposed project.

The second significant environmental impact identified by the EIR is the problem of noise. The EIR found that train noise from the adjacent Southern Pacific Railroad track would expose residents of the project to levels of noise considered unacceptable for residential development. Staff explained that the applicants are proposing three mitigation measures. The first is to construct an earthen embankment parallel to the railroad track. The height of the embankment will vary but will be roughly even with the top of the railroad ballast. On top of this embankment the applicants propose to construct an 8-foot high masonry block wall running the entire length of the project. The top of the block wall will be approximately 20 feet higher than the residential lots. The block wall and the embankment were designed to deflect some of the train noise from the proposed project.

The second mitigation is to specially design residences that will be located adjacent to the railroad track so that consideration will be given to all door and window openings which face the railroad tracks. Also additional insulation and other sound deadening measures will be incorporated into the design of the structures.

The third mitigation is to do a noise analysis of the proposed sound wall as well as the final design and location of the houses in the project. The noise analysis will determine if the proposed sound mitigation measures are adequate to reduce noise levels to an acceptable residential level.

The third environmental impact is the question of traffic circulation. The EIR suggests that the single point access into the project from Turner Road could create a potential safety and traffic problem by limiting ingress and egress to the project. There was also concern about pedestrian safety for people crossing from the project to the other side of Turner Road where schools and stores are located. The proposed mitigation is that the applicant hire a qualified traffic engineer to prepare a detailed traffic analysis to determine if the current design of the project creates any

significant traffic hazards and if so what changes can be made to reduce the problem. Community Development Director Schroeder indicated that Public Works Director Ronsko concurred with this mitigation measure.

The fourth impact identified by the EIR was the potential for flooding on the project site. Currently, a portion of the project site lies within the floodway of the Mokelumne River. The proposed mitigation is to elevate the lowest floor of any residential structure to 18 inches or more above the level of the base flood elevation. This will be achieved by a combination of regrading the site to raise the building pads above the flood elevation and, in some cases, increasing the foundation heights to place the finished floors 18 inches above the base flood elevation. The developer will be required to provide the City with a map showing the elevations of every lot within the flood zone prior to issuance of any building permits.

The final environmental impact is the issue of soil geology. The site has had extensive grading and compaction work as a part of the proposed project. There was extensive excavation done in prior years to remove underground fuel tanks and contaminated soil. In addition, the applicant is proposing to construct a large earthen bank adjacent to the railroad tracks as part of his noise mitigation measures. The proposed mitigations are twofold. First, the developer shall retain an engineer to determine the design and stability of the earthen embankment and masonry wall along the railroad tracks. The engineer will also inspect the work in progress to ensure its proper construction. A soils report shall also be done for all of the building lots to ensure the proper soil compaction prior to construction of any residential structures. Second, the applicant must submit to the City a written report indicating that the property is free of any hazardous waste or other soil contaminants in accordance with State and local regulations.

Senior Planner Morimoto indicated that based on the proposed mitigation measures developed by the City and the applicant, it was felt that all of the significant impacts which may result from the proposed project could be mitigated to a less than significant level.

Commissioner Schmidt inquired about the noise reduction measures. He wondered if the construction of the block wall would in fact decrease noise levels on the adjacent properties. Staff indicated that while the block wall would not eliminate the train noise, it would at least deflect or reduce the level of noise to an acceptable level on the subject property. He explained the reason the City is recommending that a noise analysis be done on the wall design is to make sure the wall would actually achieve the desired purpose.

There being no further questions, Vice Chair Hitchcock opened the hearing to the public and asked if anyone in the audience wished to speak on this matter. Coming forward to speak was Terry Piazza, Baumbach & Piazza, Inc. Mr. Piazza stated that he and his clients agreed with the mitigations outlined by staff and the EIR. He indicated that as part of the EIR they have already done a noise analysis and the proposed earthen berm and block wall are a result of the noise study. He also stated that they are willing to do a traffic study if necessary. However, they felt that the project would not create any adverse traffic problems.

The next speaker was Richard Thorpe. Mr. Thorpe stated he is one of the partners in the project and that he and his partners have been working for several years to resolve some of the issues involved with this property. He explained that one of the major hurdles was the contamination of the soil with diesel fuel from the previous winery operation. He stated getting the contaminated soil removed and getting the property certified as being free of contaminants has been a long time consuming process. In response to a previous question, Mr. Thorpe stated that he would be willing to provide administrative access to whatever party or agency takes control of the riparian habitat area on the north side of the river. He stated that this access will be

provided once the project is approved. He added that he is currently working with the Department of Fish & Game and the State Lands Commission to establish some type of conservancy to own and maintain the riparian habitat property. Details of this agreement have not been worked out, but will be completed when the project is approved.

The next speaker was Gene Tupper, 1041 Awani Drive. Mr. Tupper said he was concerned about the appearance of the proposed sound wall from the east side of the railroad tracks where he lives. He thought the appearance could be improved by the planting of trees or shrubs on both sides of the wall to reduce its visual impact. He also added that he did not feel the sound wall would create any noise problems for residents on the east side of the railroad tracks.

The next speaker was Tom Murphy, 1142 Rivergate Drive. Mr. Murphy indicated he represents two of the homeowners associations located in the Rivergate Mokelumne subdivision. He stated that the residents are generally in favor of the project and would like to see the property developed as a residential project as opposed to a commercial or industrial development. The two areas of potential concern to the Rivergate residents are the location of the proposed street access into the project adjacent to three of the lots on Rivergate Place. He was of the opinion that if the street could be moved further to the east or that a block wall could be constructed along the common property line, this would help reduce any potential noise problems. His second concern was the drainage on the property. He stated that currently the River Pointe property is approximately two feet higher than the lots in the Rivergate subdivision and some water runs off onto the adjoining properties. He requested that some measure be taken to be sure that once the River Pointe property is developed that the drainage be kept on-site and be directed toward City storm drains.

There being no one else wishing to speak on this matter, Vice Chair Hitchcock closed the hearing to the public. Following some additional discussion the Planning Commission, on a motion by Commissioner McGladdery, second by Commissioner Marzolf, unanimously approved the following actions:

1. a General Plan Amendment to redesignate the parcels at 1 and 11 West Turner Road from HI, Heavy Industrial, to R-LD, Residential, Low Density;
2. to rezone the parcels at 1 and 11 West Turner Road from M-2, Heavy Industrial, to P-D, Planned Development; and
3. to recommend certification of the River Pointe Environmental Impact Report as adequate environmental documentation and to include the mitigation measures outlined by the draft, final and supplemental EIR's as part of the conditions for approval.

ORDINANCE NO. 1599

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY
REDESIGNATING THE PARCELS LOCATED AT 1 AND 11 WEST TURNER ROAD
(APN's 041-250-10 and 26) FROM HI, HEAVY INDUSTRIAL TO
TO LDR, LOW DENSITY RESIDENTIAL
(RIVER POINTE PROJECT)

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 1 and 11 West Turner Road (APN's 041-250-10 and 26) from HI, Heavy Industrial to LDR, Low Density Residential, as shown on the Vicinity Map, on file in the office of the Lodi City Clerk.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. 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 October, 1994

JACK A. SIEGLOCK
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

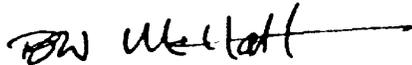
I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1599 was introduced at a regular meeting of the City Council of the City of Lodi held October 5, 1994 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1994 by the following vote:

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

I further certify that Ordinance No. 1599 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



BOBBY W. McNATT
City Attorney

ORDINANCE NO. 1600

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI
AND THEREBY REZONING THE PARCELS LOCATED AT 1 AND 11 WEST TURNER ROAD
(APN'S 041-250-10 AND 26) FROM M-2, HEAVY INDUSTRIAL TO P-D,
PLANNED DEVELOPMENT DISTRICT
(RIVER POINTE PROJECT)

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 1 and 11 West Turner Road (APN's 041-250-10 and 26) are hereby rezoned from M-2, Heavy Industrial to P-D, Planned Development District, as shown shown on vicinity map on file in the office of the City Clerk.

SECTION 2. The above-described rezoning shall be conditioned upon the signing by the developer and/or owner of said parcels prior to the effective date hereof, of an agreement with Lodi Unified School District for the provision of school facilities funding. Failure to execute such agreement shall delete the parcel(s) subject thereto from the effects of this ordinance.

SECTION 3. 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 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. 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 5th day of October 1994

JACK A. SIEGLOCK
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. 1600 was introduced at a regular meeting of the City Council of the City of Lodi held October 5, 1994 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1994 by the following vote:

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

I further certify that Ordinance No. 1600 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

A handwritten signature in black ink, appearing to read "Bobby W. McNatt", with a horizontal line extending to the right from the end of the signature.

BOBBY W. McNATT
City Attorney

ORD1600/TXTA.01V



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: October 5, 1994

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

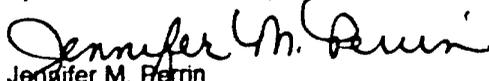
NOTICE IS HEREBY GIVEN that on **Wednesday, October 5, 1994** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) The Planning Commission's recommendation to approve the following requests of Terry Piazza, Baumbach & Piazza, Inc. on behalf of River Pointe Partners:
- 1) for a General Plan amendment to redesignate the parcels at 1 and 11 West Turner Road (APN 041-250-10 and 26) from HI, Heavy Industrial, to LDR, Low Density Residential;
 - 2) to rezone the parcels at 1 and 11 West Turner Road (APN's 041-250-10 and 26) from M-2, Heavy Industrial, to P-D, Planned Development District; and
 - 3) to certify the River Pointe Environmental Impact Report as adequate environmental documentation

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: August 17, 1994

Approved as to form:


Bobby W. McNatt
City Attorney

DECLARATION OF MAILING

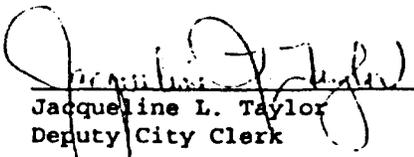
On August 18, 1994 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage, prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "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 August 18, 1994, at Lodi, California.

Jennifer M. Perrin
City Clerk


Jacqueline L. Taylor
Deputy City Clerk

PUBLIC HEARING LIST

MARKS LIST FOR: River Pointe GPA, Rezone, EIR		FILE #		
APP	OWNER'S NAME	MARING ADDRESS	CITY, STATE	ZIP
041-250-10	Jim Theriault Inc et al	639 E Lockeford St.	Lodi	
-26	Southern Pacific Railroad Co			
-25	"			
-27				
-38	City of Lodi			
416-61	"			
320-15	San Joaquin Delta College	5151 Pacific Ave	Stockton CA	95207
-36	Kevin W. & Wendy Perkins	105 Otta Dr.	Lodi CA	95340
-37	Martinez S Gutterrez et al	541 S Ham Lane	"	95340
-38	Byron & L Sanderson et al	1243 Devine Dr.	"	95340
-41	Ray A & Alving Marrs	102 Makelumme River Dr.	"	"
-40	Shigeru & S Kaba Trs	1062 S Awani	"	"
-42	Eugene A Surprenant	1052 Awani	"	
-316-07	Michael C. & Mimi Lait	104 Otta Dr.	"	
-08	Charles T Halcomb	102 Otta Dr.	"	
-09	Louis R Saravinietti	1001 Awani	"	
-10	Michael & Floy Landau	40 Apple Ridge Rd	Danbury CT	06810
-11	Evaene Marsili	3217 E Woodson Rd	Acampo CA	95220
-12	Marcia J Fathust	1013 Awani Dr.	Lodi	
-13	Elsy K Susaki	1021 "	"	
-14	William Marsili	1033 "	"	
-15	Frank & Martha Flores	1031 Awani Dr.	"	
-16	Diane H Heidergraff	1033 "	"	
-17	Eugene P & CB Tipper	1041 Awani	"	
-18	Honorable Helen et al	1043 Awani	"	
-19	Jean E Morrison	1051 Awani	"	
-20	Hank & Mary Tr.	PO Box 2945	Oceanside CA	92051
-21	Patrick & Gail Velasquez	1061 Awani	Lodi CA	95240
-22	Michele Allen	1063 Awani	"	
-23	Carmen C Puckett	1071 Awani	"	
-24	Howard & V H Jaekel	1073 Awani		
-25	Georgia T Sengersen	1105 Awani		
-26	John Seaman	1107 Awani		
-27	Janice N Hansen	1115 Awani		
-28	John F. Schack III et al	1117 Awani		
-33	Michael Lait et al	104 Otta Dr.		
-33	Louis R Saravinietti et al	1001 Awani		

PUBLIC HEARING LIST

MARKET LIST FOR:		FILE #		
AP #	OWNER'S NAME	MARKING ADDRESS	CITY, STATE	ZIP
041-370-34	Eugene Marsili et al	3212 E Woodson Rd		95206
-35	Patsy Sasaki et al	1021 Awani		
-36	Frank & M Flores et al et al	1031 Awani		
-37	Frederic C Tippet	1041 Awani		
-38	John F Morrison et al	1051 S Awani		
-39	P & G Velasquez et al	1061 Awani		
-40	Carmen C Tuckett et al	1071 Awani		
-41	Georgiat Seegerman et al	1105 Awani		
-42	Jamie N Hansen et al	1115 Awani		
-340-42	Southern Pacific RR Co	1 Market St	San Francisco	94105
-43	"	"	"	"
-47	S J & M Herzstein Trs	1170 Sacramento St	"	94114
-340-09	Joseph K Handel et al	1836 W Kettleman Lane	Lodi CA	95242
-10	"		"	"
-11	"		"	"
-12	"		"	"
-13	"		"	"
180-34	Bill D & Emma M Forst	1157 N Ham Lane	"	95242
-35	Southern Pacific RR Co			
H30-08	Robert C & Ruth Cummings	110 Rivergate Dr.	"	95206
-09	Edward V Roberts	114 Rivergate Pl		
-10	Robert & Susan Patrick	118 Rivergate Pl		
-11	Marjorie M Chase	122 Rivergate Dr		
-12	G Scott & Michelle M Gaddy	126 Rivergate Dr.		
-13	Ernest & J Kristy et al	130 Rivergate Dr		
-14	Michael Francis et al	134 Rivergate Dr		
-15	Gary L & Linda Kilpfer	138 Rivergate Pl		
-16	James Ewald	142 Rivergate Dr.		
-17	Gene & Barbara Forrest	146 Rivergate Dr.		
-18	William & Mary Sloan	150 Rivergate Dr		
-19	Ewald R & Dorothy Brodehl	151 Rivergate Pl		
-20	Julie Ann Shulet	155 Rivergate Pl		
-21	Daniel & Minnie Kettler	159 Rivergate Pl		
-22	Simona P Zamora Tr.	163 Rivergate Pl		
-27	Carolyn C Wilson	109 Rivergate Pl		
-28	Michael & Rebecca Hays	116 Kent Ct		
-29	Russell G & K Munson	1530 Edgewood Dr.		

PUBLIC HEARING LIST

Page 3 of 3

MARKS LIST FOR	AP#	OWNER'S NAME	'PARING ADDRESS	CITY, STATE	ZIP
	431-80	Sally D Rubin	760 Woodstock Ln.	Los Altos CA	94023
	431-85	Richard & Betty Creali	1124 Rivergate Dr.	Lodi CA	95240
	431-86	Richard & Barbara Frey	1128 Rivergate Dr.	"	"
	431-87	Patricia McHenry Tr.	3605 Wilmington Way	Stockton CA	95210
	431-88	H.O. Ann Sprague Trs.	1142 Rivergate Dr #3	Lodi CA	95240
	431-89	Robert & Julia Leonard	1142 Rivergate Dr #3	"	"
	431-90	Barbara M. Owens	1142 Rivergate Dr #4	"	"
	431-91	Ingeborg K. Schuoyser	1142 Rivergate Dr #5	"	"
	431-92	Henry Suzanne Tigelman	1142 Rivergate Dr #6	"	"
	431-93	Herbert J. & Marion Buck	2401 W Turner Rd. 36040	"	"
	431-94	Bliss A. Baker Tr.	244. Via Amalino	Lodi CA	95240
	431-95	Gerald & Betty Belleville	1142 Rivergate Dr #32	San Clemente CA	92673
	431-96	Gerald & Betty Davis	1142 Rivergate Dr #21	Lodi CA	95240
	431-97	John F. & L. Fluetzen	1142 Rivergate Dr #20	"	"
	431-98	Anne J. Dubitsky	1142 Rivergate Dr #19	"	"
	431-99	William E. Silvestro	1142 Rivergate Dr #18	"	"
	431-100	Tiffany C. Sweet	1142 Rivergate Dr #17	"	"
	431-101	William J. Moss	1142 Rivergate Dr #16	"	"
	431-102	Lenny Carlson & Erikson	1142 Rivergate Dr #15	"	"
	431-103	Edward A. Bent	1142 Rivergate Dr #14	"	"
	431-104	Delbert & Edna Thomas	1142 Rivergate Dr #13	"	"
	431-105	Albert & Wilhelmina	1142 Rivergate Dr #12	"	"
	431-106	Gerald & SA Hackett	401 W 24th St. 2nd Floor	National City CA	92101
	431-107	Wells Fargo Bank	1142 Rivergate #16	Lodi	"
	431-108	Susan B. Brown	1142 Rivergate Dr #17	"	"
	431-109	Walter A. Miller Trs	4750 Quail Lake Dr	Stockton CA	95210
	431-110	WELLS FARGO BANK	1142 Rivergate Dr	Lodi CA	95240
	431-111	Peter & Seck Yang	111 Rivergate Dr	"	"
	431-112	Edward F. & Ch Yana	119 Rivergate Dr.	"	"
	431-113	Alvin & Sylvia Tr.	1127 Rivergate Dr	"	"
	431-114	Edo Kishimoto Tr.	1135 Rivergate Dr.	"	"
	431-115	James F. & Thelma Muldrea	1143 Rivergate Dr	"	"
	431-116	Mark & Paul Hunt	P.O. Box 771	Lodi CA	95240
	431-117	William & Katherine Cullen	1201 Rivergate Dr	"	"
	431-118	Gerald & L. Whitfield	465 W Pine St	Lodi	"
	431-119	Charles & S. Jane Trs	"	"	"