



# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to consider the Planning Commission's recommendation of approval to the City Council to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, single-family residential eastside to RCP, Residential Commercial Professional for properties located at 314, & 322 West Locust Street.

**MEETING DATE:** January 2, 2002

**PREPARED BY:** Community Development Director

**RECOMMENDED ACTION:** That the City Council approve the Planning Commission's recommendation to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, single-family residential Eastside to RCP, Residential - Commercial Professional for properties located at 314, & 322 West Locust Street.

**BACKGROUND INFORMATION:** The requested General Plan amendment and Rezone is prompted by a desire of the St. John's Episcopal Church to sell its properties on West Locust Street. The Church is moving to their new location under construction on Lower Sacramento Road. Part of their move to Lower Sacramento Road included relocating the Chapel, which has already taken place. The remaining structures on the affected Church properties include a dwelling converted to the St. John's thrift store, a 30-foot by 40-foot modular classroom building behind the thrift store near the alley, and the St. John's Parish building and classrooms near the alley behind what was the Chapel site. Aside from the converted dwelling, the remaining buildings are non-conforming to the single-family zoning and have limited potential for reuse or sale with single-family zoning.

The recommend area of rezone and general plan amendment is a 100-foot square encompassing the Parish Hall and its classrooms, with enough room for an off-street parking lot east of the Parish Hall and accessed from the alley. The properties are 170-feet deep, so there will be 70-feet of single-family zoning remaining at the Locust Street frontage (See Maps).

Permitted uses for the current zoning (RE-1 residential single-family) are limited to single-family residences and farming and gardening with a minimum lot size of 4,000 square-feet. Uses allowed with a use permit are a school, park, playground, community center, church, museum, and recreational uses of a non-commercial nature.

Permitted uses for the recommended zoning (RCP residential commercial professional) are limited to single-family residences on no less than 5,000 square-foot lots, institutions of an educational or philanthropic nature, business and professional offices, barbershops, and convalescent homes. Uses allowed with a use permit are a hospital, lodge or private club, funeral homes and mortuaries, dispensing pharmacy or coffee shop when completely enclosed within a professional office complex or hospital and when serving as an accessory use, and the business of the rental and sale of special respiratory and convalescent equipment.

Under RE-1 zoning the existing dwelling structure could be reused as a home, but the Parish Hall and classroom buildings would be limited to the uses listed above requiring a use permit. We believe that these buildings should be allowed to be reused in a similar nature to those uses across the alley to the south and on the ones on the 300 and

**APPROVED:** \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

400 block of West Pine Street, which are zoned RCP. Staff finds that changing the zoning increases options for these properties and removes the non-conformity of the church's non-residential structures.

As you will read in the attached minutes, the Planning Commission's recommendation was reached after two public hearings involving a substantial amount of discussion with the applicant and the neighbors near the project area. The Planning Commission meeting of October 24<sup>th</sup> was continued due to a deadlocked two to two vote. Generally, the Planning Commission found that the neighbor's were concerned that a change in zoning, as originally proposed to include 306 through 322 West Locust Street, could potentially impact the residential character of their neighborhood. The applicant stated that he had no intention of converting the properties to an office complex; and that in fact his desire is to reuse only the Parish Hall for commercial purposes and relocate single-family homes from the new Police Facility project area on Elm Street onto the Church properties. At the continued meeting of November 14<sup>th</sup> the Planning Commission and Staff were able to formulate a compromise between the applicant and the neighborhood, which is the current recommendation.

Staff finds the Planning Commission's recommendation accomplishes the task of reuse of the Church's existing structures while maintaining the residential character of the existing neighborhood to the west and north.

FUNDING: None required

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Konradt Bartlam  
Community Development Director

Prepared by: Associate Planner, Meissner

MM

Attachments



MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission  
From: Community Development Department  
Date: November 14, 2001  
Subject: The continued request of Gary Buzunis and Dan Clark to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, single-family residential eastside to RCP, Residential Commercial Professional for properties located at 306, 310, 314, & 322 West Locust Street.

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SUMMARY

The Buzunis-Clark General Plan amendment and rezone is a proposal to change the land use designation of three parcels totaling close to one-acre of land at the southeast corner of Locust Street and Lee Avenue from the ER, Eastside Residential to O, Office; and for consistency to rezone these properties from RE-1, single-family residential eastside to RCP, residential commercial professional office. The properties are located at 306, 310, 314, & 322 West Locust Street, Assessor Parcel Numbers: 037-270-11, 12 & 13.

BACKGROUND

The project area and the surrounding parcels were originally zoned R-HD, Residential High Density which explains the number of multi-family dwellings in the immediate area. The 300 block of West Locust Street, including both the north and south frontages is made up of nine parcels of which 302, 306, and 333 are the only remaining single-family residences. In the late 80's, increasing infrastructure problems due to increasing densities required the City to "down zone" a large portion of the older residential areas of the eastside and downtown to RE-1, single family residential eastside. The area was established as the "Eastside Boundary" and the subject properties are within this area.

Permitted uses for RE-1 zoning are limited to a single-family residence and farming and gardening. Properties with existing multi-family residences at the time the ordinance was adopted are deemed conforming with the option to rebuild demolished or damaged dwellings after obtaining a Use Permit. Other uses allowed with a use permit are a school, park, playground, community center, church, museum, and recreational uses of a non-commercial nature.

Permitted uses for RCP zoning within the eastside boundary are also limited to a single-family residences, institutions of an educational or philanthropic nature, business and professional offices, barbershops, and convalescent homes. Uses allowed with a use permit are a hospital, lodge or private club, funeral homes and mortuaries, dispensing pharmacy or coffee shop when completely enclosed within a professional office complex or hospital and when serving as an accessory use, and the business of the rental and sale of special respiratory and convalescent equipment.

Each of the parcels involved in this request are fully developed. 306 Locust Street is developed with a single-family residence and a dilapidated detached garage converted to a small dwelling prior to the 1940's. These original structures still remain. 310 Locust Street is developed with a dwelling structure converted into the St. John's Episcopal Church office. 314 and 322 Locust Street are on the same property. A dwelling structure converted to St. John's thrift store "The Hut", fronts 314

with a 30-foot by 40-foot classroom building near the alley. The St. John's Chapel fronts 322 with the St. John's Parish building and classrooms near the alley.

### ANALYSIS

The request was prompted from a desire of the St. John's Episcopal Church to sell its two properties at 310, (314, & 322) West Locust Street. The Church wants to sell because they will soon be moving to their new location on Lower Sacramento Road. Part of their move includes relocating the Chapel to the new site. The Church understands that without the Chapel, reuse of their property as a church is not likely. The remaining non-residential buildings as outlined in the paragraph above are non-conforming to this zone, and therefore have limited potential for reuse or sale under the existing single-family residential eastside zoning. The residential property at 306 West Locust Street is not owned by the Church and was voluntarily included in this rezone to help close the RCP zone boundary, which runs along the south side of the project area and includes 302 West Locust Street adjacent to the east.

Under RE-1 zoning the existing dwelling structures at 306, 310 & 314 West Locust could continue or be reused as homes, but the remaining buildings behind the house at 314 & behind the Chapel at 322 would be limited to the uses requiring a use permit. Those uses are limited to a school, community center, church, museum, and recreation hall. Staff finds that these buildings should be allowed to be reused in a similar nature to those uses found on the 300 and 400 block of West Pine Street, which is zoned RCP.

The change in zoning to RCP will allow the use of each of the structures in the project area as an office or those uses listed in the third paragraph of the background section above. Given that the home at 306 West Locust Street is the only dwelling structure in the project area actually being used as a home, staff finds that the zone change really only has the potential to change the use of this property. In a similar vein, staff finds that it is likely that the church's office and thrift store at 310 and 314 Locust could revert back to use as homes. Staff finds that the requested change in zoning increases options for these properties and removes the non-conformity of the church's non-residential structures. It is important to note that the properties are still within the Eastside zone boundary, and that a change in zoning does not change their ability to add additional dwelling units. Residential development remains limited to what currently exists on these properties.

As an aside and to provide a better perspective of the future of the project site, it is important to note that the properties across the alley to the south fronting Elm Street are planned for construction of the new two-story Public Safety Building. This area also contains the San Joaquin Superior Court Building, and an office building.

Staff would like to point out that if the properties of the project area have a substantial change in use, the property owners are required to provide the necessary improvements for the new use. For example, if the residence at 306 Locust were converted to an office use, it would be required to provide off-street parking at 4 spaces per 1,000 square-feet of floor area within a parking lot designed in compliance with the City's Parking Design Standards. Conversion of the non-residential Church structures will be required to meet the same parking requirements.

As a final note, given the viability of the existing structures, staff finds that reuse of each of the structures is more likely than the individual or wholesale conversion of the properties to office buildings or a complex. However, in the event that this occurs, the new structure/s would be required to develop under the current commercial development standards including a 20-foot landscaped setback, a parking lot with landscaping and lighting, and Site Plan and Architectural

RESOLUTION NO. P.C. 01-32

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI  
RECOMMENDING APPROVAL OF THE REQUEST OF GARY BUZUNIS AND DAN CLARK  
FOR REZONING Z-01-03 TO THE LODI CITY COUNCIL.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested rezoning in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the property is located at 314, & 322 West Locust Street, 95240 Assessor's Parcel No: 037-270-11;

WHEREAS, the project proponents are Gary Buzunis, 417 River Meadows Drive, Woodbridge, CA 95258, and Dan Clark, 2037 Tyler Street, Lodi, CA 95242;

WHEREAS, the property has a Zoning designation of RE-1, Residential Single Family Eastside;

WHEREAS, all legal prerequisites to the approval of this request have occurred.

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

1. The Planning Commission finds with certainty that no significant impacts due to the General Plan Amendment and Rezone are anticipated and that the request does not constitute a "project" as defined by CEQA Section 15061 (b, 3).
2. It is found that the parcel to be rezoned is the parcel located at 314 & 322 West Locust Street, (south west 100 x 100-foot portion only), Lodi, CA 95240, Assessor's Parcel No: 037-270-11.
3. It is found that the requested zoning of RCP, Residential Commercial Professional is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.
4. It is further found that the land of the proposed rezone is physically suitable for development under RCP zoning.
5. The Planning Commission of the City of Lodi hereby recommends approval of Rezone Z-01-03 to the City Council of the City of Lodi.

Dated: November 14, 2001

I hereby certify that Resolution No. 01-32 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on November 14, 2001, by the following vote:

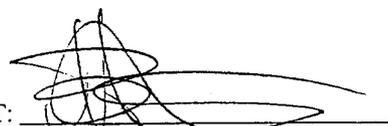
AYES: Commissioners: Beckman, Heinitz, Phillips, McGladdery and White

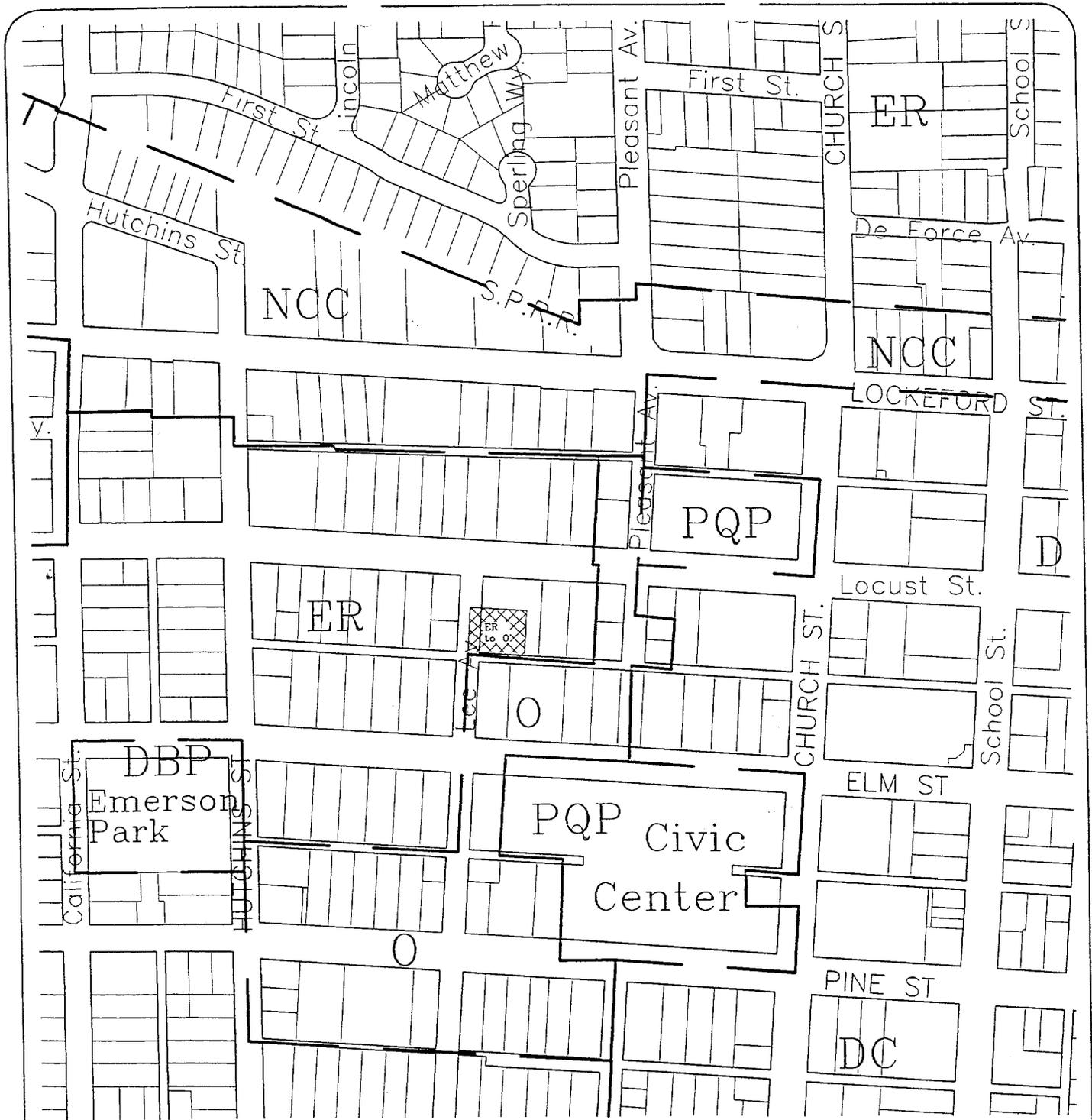
NOES: Commissioners:

ABSENT: Commissioners: Crabtree

ABSTAIN: Commissioners: Mattheis

ATTEST:

  
Secretary, Planning Commission



# PROPOSED GENERAL PLAN LAND USE DIAGRAM

## LEGEND

- RESIDENTIAL:
- LDR - LOW DENSITY RESIDENTIAL
  - MDR - MEDIUM DENSITY RESIDENTIAL
  - HDR - HIGH DENSITY RESIDENTIAL
  - ER - EASTSIDE RESIDENTIAL
  - PR - PLANNED RESIDENTIAL
- COMMERCIAL:
- NCC - NEIGHBORHOOD/COMMUNITY COMMERCIAL
  - GC - GENERAL COMMERCIAL
  - DC - DOWNTOWN COMMERCIAL
  - O - OFFICE
- OTHER:
- PQP - PUBLIC/QUASI PUBLIC
  - DBP - DETENTION BASINS AND PARKS
  - A - AGRICULTURE



Review Committee review and approval. All things considered, the resulting development would be designed appropriately and attractively to maintain the character and personality of the area.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council the request of Gary Buzunis and Dan Clark to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, single-family residential eastside to RCP, Residential Commercial Professional for properties located at 306, 310, 314, & 322 West Locust Street, subject to the conditions listed in the attached resolutions.

ALTERNATIVE PLANNING COMMISSION ACTIONS

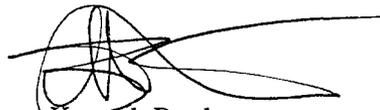
- Approve the Request with Alternate Conditions
- Deny the Request
- Continue the Request

Respectfully Submitted,



Mark Meissner  
Associate Planner

Reviewed and Concur,



Konradt Bartlam  
Community Development Director

MGM

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

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**MEETING DATE:** November 14, 2001

**APPLICATION NO'S:** Rezone, Z-01-03  
General Plan Amendment, GPA-LU-01-02.

**REQUEST:** The continued request of Gary Buzunis and Dan Clark to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from R-1\*, single-family residential eastside to RCP, Residential Commercial Professional for properties located at 306, 310, 314, & 322 West Locust Street.

**LOCATION:** 306, 310, 314, & 322 West Locust Street (037-270-11, 12 & 13)

**APPLICANT:** Gary Buzunis & Matt McCarty  
417 River Meadows Drive  
Woodbridge, CA 95258

**OWNERS:** Parcel (037-270-11 & 12) Parcel (037-270-13)  
St. John's Episcopal Dan Clark  
P.O. Box 297 2037 Tyler St  
Lodi, CA 95241 Lodi, CA 95242

**Site Characteristics:** Parcels 11 & 12 are fully developed and make up the St. John's Episcopal Church complex. These parcels combine to encompass about 0.74 acres or 32,234 square feet. Parcel 13 is a developed single-family residential property encompassing approximately 10,200 square-feet.

**General Plan Designation:** ER, Eastside Residential

**Zoning Designation:** RE-1, Residential Single Family Eastside

**Property Size:** Three parcels totaling 0.97 acres.

**Adjacent Zoning and Land Use:**

**North:** RE-1, Residential Single Family Eastside; ER, Eastside Residential.

**South:** R-C-P, Residential Commercial Professional; O, Office.

**East:** R-C-P, Residential Commercial Professional; O, Office.

**West:** RE-1, Residential Single Family Eastside; ER, Eastside Residential.

**Neighborhood Characteristics:**

The project site at the western fringe of the City's downtown business district. The neighborhood is fully developed with single family residences, a large number of multi-family residences, a small number of residences converted to office space, and close proximity to County and City governmental facilities. These facilities include the County Courthouse directly across the alley to the south, the City's Library a block to the west, and the City's Public Safety

Building across Elm Street to the south. These characteristics are due to the surrounding zoning designations. The project site is adjacent to office and commercial zoning to the east, office zoning to the south, and single-family eastside zoning to the north and west. Single-family eastside zoning encompasses parcels with multi-family structures. The 300 block, including both the north and south frontages of Locust Street is made up of nine parcels of which 302, 306, and 333 are the only single-family residences.

**ENVIRONMENTAL ASSESSMENTS:**

Staff finds with certainty that no significant impacts due to the General Plan Amendment and Rezone are anticipated and that the request does not constitute a "project" as defined by CEQA. CEQA Regulations Section 15061 (b, 3). "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

**PUBLIC HEARING NOTICE:**

Legal Notice for the General Plan Amendment and Rezone was published on October 13, 2001. A total of 43 notices were sent to all property owners of record within a 300-foot radius of the subject property.

**RECOMMENDATION:**

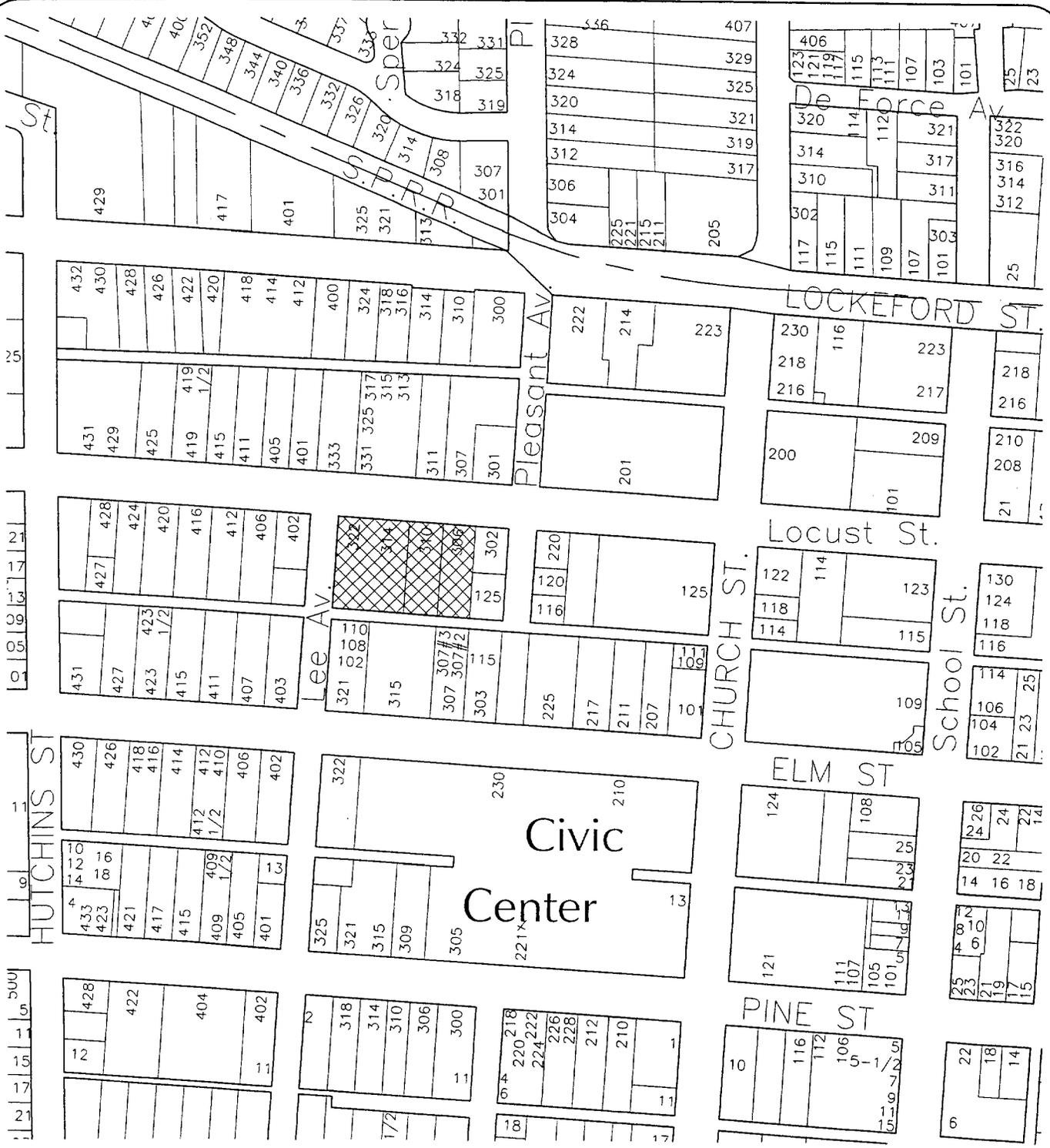
Staff recommends that the Planning Commission recommend approval to the City Council the request of Gary Buzunis and Dan Clark to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from R-1\*, single-family residential eastside to RCP, Residential Commercial Professional for properties located at 306, 310, 314, & 322 West Locust Street, subject to the conditions listed in the attached resolutions.

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

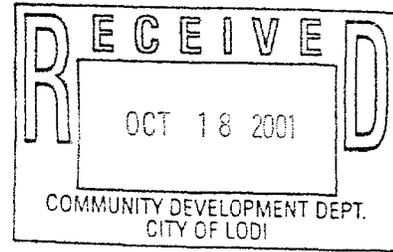
**ATTACHMENTS:**

1. Vicinity Map
2. Land Use and Zoning Maps
3. Draft Resolutions



# VICINITY MAP





October 16, 2001

Konradt Bartlam  
City of Lodi  
Community Development Department  
P. O. Box 3006  
Lodi, CA 95241-1910

Re: REZONING OF 306, 310, 314 & 322 WEST LOCUST STREET

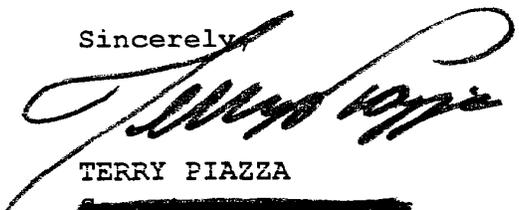
Dear Mr. Bartlam:

As an owner of property on the effected block, I support the rezoning request.

Residential lots of the size of these parcels, when located adjacent to a highly developed, non-residential, urban setting are an archaism.

I feel that a redevelopment of this half block to R.C.P. standards, when properly planned, will be beneficial to the City and neighborhood.

Sincerely,

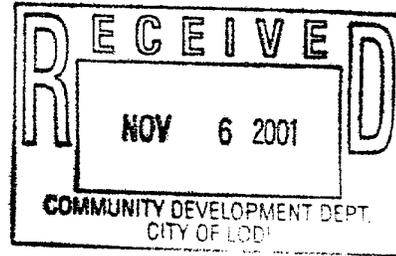
A handwritten signature in black ink, appearing to read "Terry Piazza".

TERRY PIAZZA

TP:jc

November 5, 2001

Planning Commission  
City of Lodi



Dear Sirs:

We the residents of Locust Street, in and around the St. John's property, ask that you keep the zoning of that property residential only. We are concerned with many issues that may arise out of the changing of the zoning on our street.

- 1) SAFETY ISSUE: We are very concerned that individuals driving up and down our street with the intention of doing or visiting businesses will not be looking for children playing in and around the area. People driving in a residential neighborhood do pay closer attention and drive with greater caution.
- 2) PARKING ISSUE: Street parking is already at a premium in our neighborhood due to multiple unit dwellings. We do not want businesses in our neighborhood generating twelve to twenty-four employees, plus patrons which may result in close to 100 additional vehicles on our street on a daily basis.
- 3) Future issues: We understand the intention of the property is use by the city for city businesses operating out of homes moved from Elm Street. We have no guarantee that after the city builds its new facility on Elm that the owner will tear down and rebuild or sell to a new owner who will rebuild a concrete and glass structure not conducive to our neighborhood. A temporary permit with an expiration date would allow the city to complete its transaction and give us a guarantee that when the city moves into their new facility, we would have homes not businesses left in our neighborhood.

In closing, we believe that good planning is not based on the profitability of the sale or use of the property, but on the harmony and conductivity of the neighborhood.

Sincerely,

Locust Street Residents

November 7, 2001

Mayor Alan Nakanishi &  
Lodi City Council

Dear Mayor & Council Members:

We are families, homeowners, parents and concerned citizens residing on Locust Street in and around the St. John's property. We as a collective are vehemently opposed to the changing of the zoning of the St. John's property to RCP.

At the initial meeting of the planning commission to decide the matter, the vote was 2 to 2 and another meeting is planned on November 14th to again decide the matter. It is our understanding that the potential new owner attempting to purchase the property as well as St. Johns will profit if the sale of the property is changed to RCP zoning. We believe that good planning is not based on profitability of the sale or use of the property in question, but on what is conducive to the surrounding area, which is a community of homes.

Another point brought forward from the pro individuals on the planning commission was one of "natural progression". The context of the statement was that with the city officers, police department and fire department being in close proximity, we should have expected this to happen in our neighborhood.

We did not purchase our homes or decide to live in this neighborhood with the knowledge or intention of having businesses move or be forced upon us at any point in time. We feel there are many issues besides the obvious detriment to the property values of our neighborhood or the decreased quality of life for our families.

- 1) SAFETY ISSUES - Increased traffic and parking will be a major concern. Having businesses with employees and patrons will increase the daily number of vehicles on our street dramatically. Three businesses with six employees each and 30 patrons per day will result in over 100 additional cars per day on our street.

The Concerned Residents of Locust Street

Sincerely,

Please encourage the members of the planning commission to keep our street a community of families and homes.

We love and care for our neighborhood. We are raising our families, renovating and maintaining our properties and contributing to the ambience of the wonderful, older areas of Lodi. We continue to expect that we will be allowed to live in a community of homes and families. We do not want a business structure or structures on our street.

3) Upon a change to RCP, we would not nor would the city have any guarantees that the potential owners or any future owners of that property would not eventually build a concrete and glass or similar structure that would not be conducive to a residential neighborhood.

2) CONTINUED EXPANSION OF BUSINESSES - Should you allow the change at St. John's property what will stop Mr. Collins, who owns the property on the corner of Locust and Hutchings, from seeking changes to RCP thus allowing more businesses in our neighborhood. When and where do you stop - at Hutchings, California, Rose, or Avena. Where are you going to draw the line and stop chopping up and destroying the traditional neighborhoods of this community we love and live in.

## **Draft Minutes from November 14, 2001**

### **PUBLIC HEARING**

**The continued request of Gary Buzunis and Dan Clark to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, single-family residential eastside to RCP, Residential Commercial Professional for properties located at 306, 310, 314, & 322 West Locust Street.** Community Development Director Bartlam presented the item to the Commission. He noted that the item had been continued from a previous Planning Commission meeting due to a 2 to 2 vote. Dennis White, a new Planning Commissioner, had listened to a tape of the previous meeting so that he would be informed of the issue. Since the last meeting, staff met several times with the applicant and came to a modification of the original request. The applicant asked that 314 and 322 West Locust Street (south west 100 x 100-foot portion only) go through the General Plan Amendment and Rezone process. The change would create 3 separate residential properties and have the Parish Hall stand on its own for use as Residential-Commercial-Professional.

#### **Hearing opened to the public**

Gary Buzunis, 964 Lucas St., Lodi. Mr. Buzunis stated the seller had contacted him regarding the property. The only value remaining on the property was a 4,000 square-foot Parish Hall and he did not want to tear it down. He wanted to rezone the property to RCP because he wanted to keep the Parish Hall and utilize it for commercial purposes. The remaining residential lots would be generous in size. His intent was to move older homes onto several of the lots.

Commissioner Phillips asked what the plans were for the remaining Parish Hall. Mr. Buzunis responded it would be used for something that would benefit the area. He would be refurbishing the hall and add handicap requirements.

John Ledbetter, Cherry Road, Lodi. Mr. Ledbetter was a representative from St. John's Church. He made it clear that the church was not asking for the rezone, they were just selling the property. The church was moving because they wanted to expand and could not meet the current City Parking Standards. The church had been there for 91 years, and the Parish Hall was built in the 1920's.

Terry Piazza, 323 W. Elm Street, Lodi. Mr. Piazza sent a letter to Commission recommending the rezone. He stated the church property had never been residential, and they weren't asking for anything different.

Tim Walth, 420 W. Locust Street, Lodi. He noted that it was nice that the applicant wanted to preserve the integrity of the Parish Hall. He was concerned about more traffic generated from potential businesses on the property. He wanted to preserve the neighborhood. Community Development Director Bartlam pointed out that if the Parish Hall remains, there would be ample parking located east of the building. He further mentioned that with the zoning of RCP, retail businesses would not be allowed in the zoning.

Commissioner Phillips noted that if the lots were all zoned residential, the Parish Hall would be removed. Mr. Walth responded he would be disappointed if the Parish Hall were to be removed.

Denise Marsh, 333 W. Locust Street, Lodi. Ms. Marsh was very much in favor of keeping the Parish Hall and limiting the RCP use. She loved the church and was sorry that it was now gone.

Denzil Sweat, 411 W. Elm Street, Lodi. Mr. Denzil asked how many businesses the Parish Hall could accommodate. He was also concerned about increased traffic in the area due to businesses occupying the Parish Hall. Community Development Director Bartlam responded since the hall was only 4000 square feet, there would not be too many businesses that needed a building that small. He further noted that on a daily basis there would be more traffic generated from a single-family home rather than a business and he had facts and figures that could defend his statement.

Lisa Hayes, 708 W. Elm Street, Lodi. Ms. Hayes was concerned about the vacant spaces downtown and felt that businesses belong downtown not in the neighborhood. Community Development Director Bartlam responded that the spaces available in the downtown area were mainly second floor spaces. Most people desire a first floor business.

Robin Sefula, 410 W. Oak Street, Lodi. Ms. Sefula stated that the area was a very viable residential neighborhood and she was against the rezone.

#### **Hearing Closed to Public**

The Planning Commission on motion of Commissioner McGladdery, Beckman second approved the request to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, single-family residential eastside to RCP, Residential Commercial Professional for properties located at **314 & 322 West Locust Street** (south west 100 x 100-foot portion only) by the following vote:

AYES: Commissioners: Beckman, Heinitz, McGladdery Phillips,  
and White

·NOES: Commissioners:

ABSENT: Commissioners: Crabtree

ABSTAIN: Commissioners Mattheis

**RESOLUTION NO. P.C. 01-33**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI  
RECOMMENDING APPROVAL OF THE REQUEST OF GARY BUZUNIS AND DAN CLARK  
FOR GENERAL PLAN AMENDMENT 01-02 TO THE LODI CITY COUNCIL.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan Land Use Amendment in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the properties are located at 314, & 322 West Locust Street, 95240 Assessor's Parcel No: 037-270-11;

WHEREAS, the project proponents are Gary Buzunis, 417 River Meadows Drive, Woodbridge, CA 95258, and Dan Clark, 2037 Tyler Street, Lodi, CA 95242;

WHEREAS, the properties have a General Plan designation of ER, Eastside Residential;

WHEREAS, all legal prerequisites to the approval of this request have occurred.

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

1. The Planning Commission finds with certainty that no significant impacts due to the General Plan Amendment and Rezone are anticipated and that the request does not constitute a "project" as defined by CEQA Section 15061 (b, 3).
2. It is found that the parcel to be rezoned is the parcel located at 314 & 322 West Locust Street (south west 100 x 100-foot portion only) Lodi, CA 95240, Assessor's Parcel No: 037-270-11.
3. It is found that the requested General Plan Land Use Amendment from ER, Eastside Residential to O, Office is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.
4. It is hereby found that the project site is physically suitable for the proposed type of development.
5. The Planning Commission of the City of Lodi hereby recommends approval of General Plan Land Use Amendment 01-02 to the City Council of the City of Lodi.

Dated: November 14, 2001

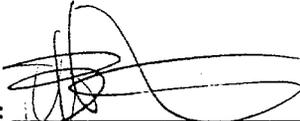
I hereby certify that Resolution No. 01-33 was passed and adopted by the Planning Commission of the City of Lodi at a meeting held on November 14, 2001, by the following vote:

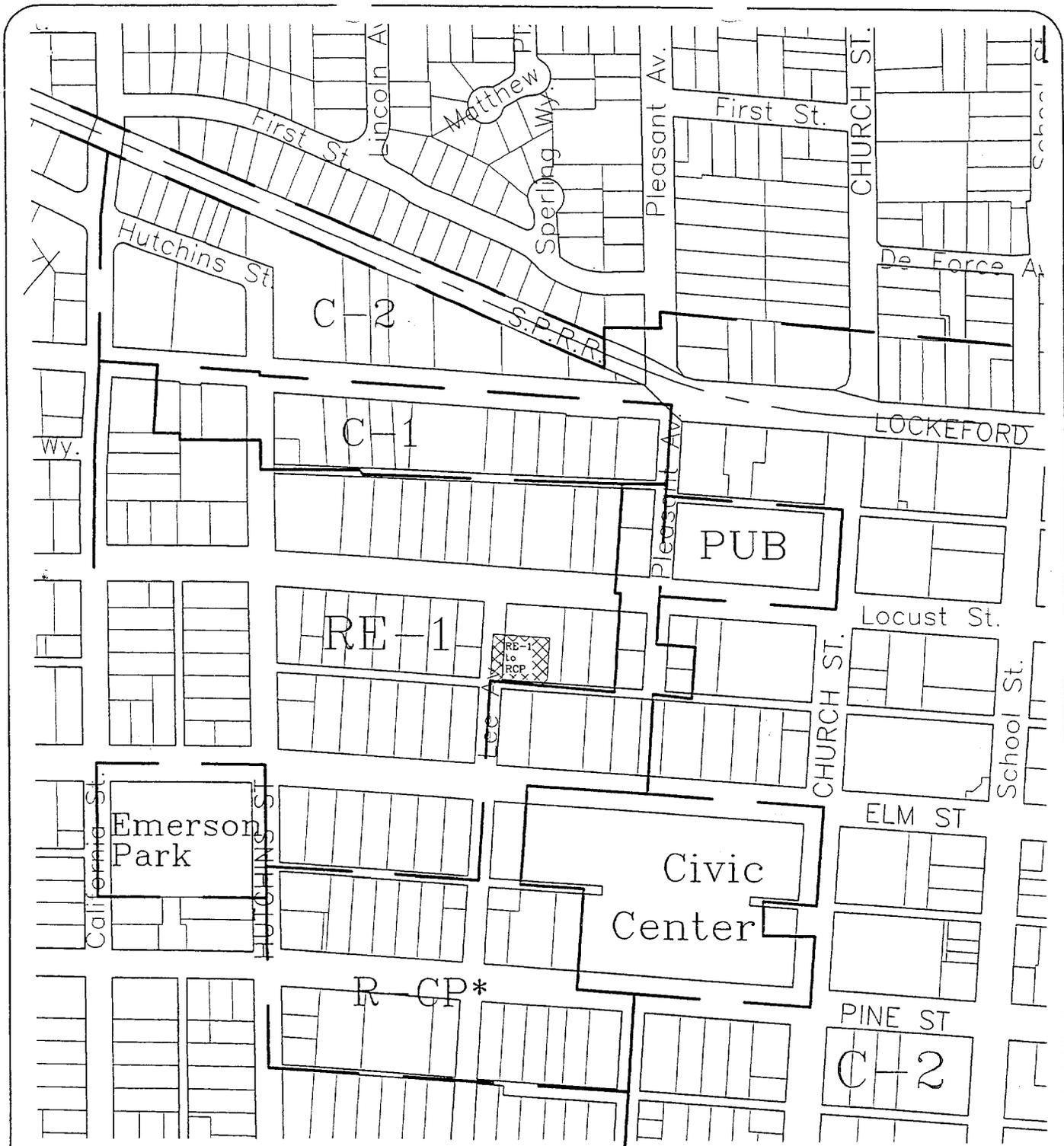
AYES: Commissioners: Beckman, Heinitz, Phillips, McGladdery, and White

NOES: Commissioners:

ABSENT: Commissioners: Crabtree

ABSTAIN: Commissioners: Mattheis

ATTEST:   
Secretary, Planning Commission



LEGEND

RESIDENTIAL ZONES:

- R-1 - SINGLE FAMILY
- R-2 - SINGLE FAMILY
- R-1D - LOW DENSITY
- R-GA - GARDEN APARTMENT
- R-MD - MEDIUM DENSITY (APARTMENT)
- R-HD - HIGH DENSITY (APARTMENT)
- F-D - PLANNED DEVELOPMENT
- R-1\* - SINGLE-FAMILY (EASTSIDE)

COMMERCIAL ZONES:

- R-CP - PROFESSIONAL OFFICES
- R-CP\* - PROFESSIONAL OFFICES (EASTSIDE)
- C-1 - NEIGHBORHOOD
- C-2 - GENERAL
- C-S - SHOPPING CENTER

OTHER ZONES:

- U-H - UNCLASSIFIED HOLDING (AGRICULTURAL)
- F-P - FLOOD PLAIN
- PUB - PUBLIC

PROPOSED ZONING MAP



**CITY OF LODI**  
Carnegie Forum  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

Date: January 2, 2002

Time: 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
City Clerk  
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, January 2, 2002** 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 at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Planning Commission's recommendation of approval to the City Council to amend the General Plan designation from ER, Eastside Residential to O, Office and a change in zoning designation from RE-1, Single-Family Residential Eastside to RCP, Residential Commercial Professional for properties located at 314 and 322 West Locust Street.

Information regarding this item may be obtained in the office of the Community Development Department Director, 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:

Susan J. Blackston  
City Clerk

Dated: December 19, 2001

Approved as to form:

Randall A. Hays  
City Attorney



## DECLARATION OF MAILING

### SET PUBLIC HEARING FOR JANUARY 2, 2002 TO CONSIDER GENERAL PLAN AMENDMENT AND REZONING OF 314 & 322 WEST LOCUST STREET

On December 20, 2001 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 notification of public hearing to be held on January 2, 2002 regarding Growth Management Allocations, 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.

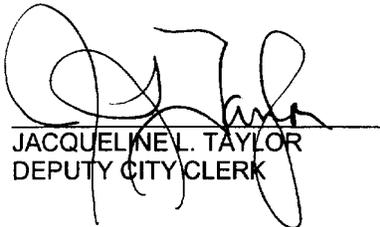
I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 20, 2001, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON  
CITY CLERK, CITY OF LODI**

ORDERED BY:

  
\_\_\_\_\_  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK

- 1) APN;OWNER;ADDRESS;CITY;STATE;ZIP
- 2) 03726008;REILLY, KEVIN & BRENDA TR ;5603 PINTAIL CT ;STOCKTON ;CA;95207
- 3) 03726009;KASHNER, RICHARD & CARRIE ;1732 WINDJAMMER CT ;LODI ;CA;95242
- 4) 03726010;CARROLL, JAMES W ;PO BOX 2398 ;LODI ;CA;95241
- 5) 03726013;BRANDT, GARY & NORMA ;PO BOX 78 ;WALDPORT ;OR;97394
- 6) 03726014;YACOPETTI, RONALD & MARJORIE T;316 W LOCKEFORD ST ;LODI ;CA;95240
- 7) 03726015;NICKEL, STEVE ETAL ;7608 BRENTWOOD DR ;STOCKTON ;CA;95207
- 8) 03726016;JOHNSON, WALTER S & DELORES K ;324 W LOCKEFORD ST ;LODI ;CA;95240
- 9) 03726017;BROWN, LESTER R EST ;13455 VENTURA BLVD SUITE 207 ;SHERMAN OAKS ;CA;91423
- 10) 03726018;KOOYMAN, BERNARD C & DONNA K T;19317 N PERRYMAN RD ;LODI ;CA;95242
- 11) 03726019;MILLER, RUTH H TR ;401 W LOCUST ST ;LODI ;CA;95240
- 12) 03726020;PARISIS, ANGELOS S TR ;9949 FERNWOOD AVE ;STOCKTON ;CA;95212
- 13) 03726021;COFIELD, LONNIE & WILLIE ;PO BOX 215 ;COPPEROPOLIS ;CA;95228
- 14) 03726022;SWEAT, DENZIL E & MAUREEN TR ;411 W LOCUST ST ;LODI ;CA;95240
- 15) 03726023;FERRY, ADRIANA S TR ;PO BOX 2411 ;LODI ;CA;95241
- 16) 03726026;BAIRD, HANNELORE L ;419 W LOCUST ST ;LODI ;CA;95240
- 17) 03726035;GALINDO, PAUL E ETAL ;310 W LOCKEFORD ST ;LODI ;CA;95240
- 18) 03727005;WALTH, TIMOTHY ETAL ;420 W LOCUST ST ;LODI ;CA;95240
- 19) 03727006;DELLA MONICA, JOHN R JR & CIND;416 W LOCUST ST ;LODI ;CA;95240
- 20) 03727007;PORTER, ROBERT J & DARLENE F ;5900 STARBOARD DR ;DISCOVERY BAY ;CA;94514
- 21) 03727009;SIEGFRIED, MARY C ;402 W LOCUST ST ;LODI ;CA;95240
- 22) 03727010;HICKS, NEVA ANN ;1404 CHELSEA WAY ;STOCKTON ;CA;95209
- 23) 03727011;SAINT JOHNS EPISCOPAL CHURCH ;PO BOX 297 ;LODI ;CA;95241
- 24) 03727012;PROTESTANT EPISCOPAL BISHOP ;PO BOX 297 ;LODI ;CA;95241
- 25) 03727013;BURKE, SUSAN ELAINE ETAL ;11260 GOLFVIEW RD ;LODI ;CA;95240
- 26) 03727014;COTTRELL, STEVEN & AMANDA ;125 N PLEASANT AVE ;LODI ;CA;95240
- 27) 03727016;LODI, CITY OF ;CALL BOX 3006 ;LODI ;CA;95241
- 28) 03727017;DEAN, JAMES E & CAROL A TR ;16 N CRESCENT AVE ;LODI ;CA;95240
- 29) 03727018;SAN JOAQUIN, COUNTY OF ;222 E WEBER ST ;STOCKTON ;CA;95202

- 30) 03727021;ALLEN, ALVINA TRUSTEE ;403 W ELM ST ;LODI ;CA;95240
- 31) 03727022;FILES, ROSAMOND M ;407 W ELM ST ;LODI ;CA;95240
- 32) 03727023;KNUST, FREDERICK W & LINDA M ;411 W ELM ST ;LODI ;CA;95240
- 33) 03727024;COY, JOSEPH C JR & FRANCINE JO;415 W ELM ST ;LODI ;CA;95240
- 34) 03727025;MENKE, WILLIAM P & PAMELA TR E;80 LAUREL DR ;FAIRFAX ;CA;94930
- 35) 03727030;1ST CHURCH OF CHRIST SCIENTIST;322 W ELM ST ;LODI ;CA;95240
- 36) 03727031;JOHNSON, FRANK ;3016 PARK OAK DR ;LODI ;CA;95242
- 37) 03727040;BAUMBACH, GLEN I & C A TR ETAL;323 W ELM ST ;LODI ;CA;95240
- 38) 04302201;PINNELL, BETTY ANN TR ;806 BEL AIR CT ;LODI ;CA;95240
- 39) 04302202;AMIN, BOBBY B ;120 N PLEASANT AVE ;LODI ;CA;95240
- 40) 04302203;VEERKAMP, BARBARA A ;6393 EMBARCADERO DR ;STOCKTON ;CA;95219
- 41) 04302212;DELTA PACIFIC ENTERPRISES ;PO BOX 1360 ;LODI ;CA;95241

42) City Manager  
43) Gary Butzulis

RESOLUTION NO. 2002-05

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING  
THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY  
REDESIGNATING 314 AND 322 WEST LOCUST STREET  
(APN 037-270-11) FROM ER, EASTSIDE RESIDENTIAL  
TO O, OFFICE

=====

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing as required by law on November 14, 2001; and

WHEREAS, the Planning Commission, having found no significant impacts due to the General Plan Amendment and Rezone being anticipated, adopted Resolution No. P.C. 01-33 approving the same; and

WHEREAS, the City Council having held a duly noticed public hearing on January 2, 2002, hereby acts as follows:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lodi, that the Land Use Element of the Lodi General Plan is hereby amended by redesignating the south west 100 square foot portion only of parcel located at 314 and 322 West Locust Street (APN 037-270-11) ER, Eastside Residential to O, Office, as shown on Exhibit "A" attached, which is on file in the office of the Lodi City Clerk.

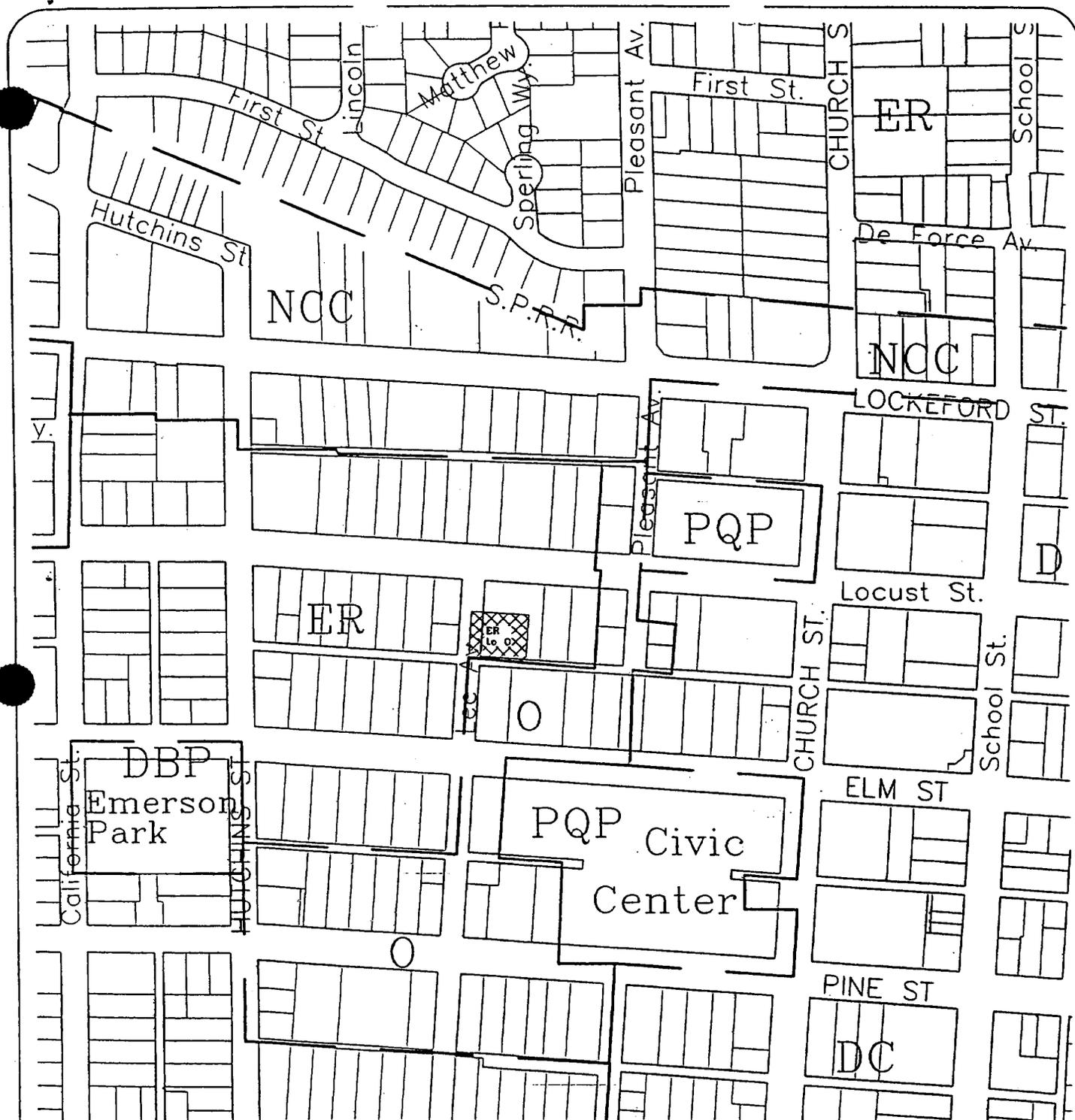
Dated: January 2, 2002

=====

I hereby certify that Resolution No. 2002-05 was passed and adopted by the Lodi City Council in a regular meeting held January 2, 2002 by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, and Mayor Pennino
- NOES: COUNCIL MEMBERS – Howard
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

  
SUSAN J. BLACKSTON  
City Clerk



# PROPOSED GENERAL PLAN LAND USE DIAGRAM

## LEGEND

- RESIDENTIAL:**
- LDR - LOW DENSITY RESIDENTIAL
  - MDR - MEDIUM DENSITY RESIDENTIAL
  - HDR - HIGH DENSITY RESIDENTIAL
  - ER - EASTSIDE RESIDENTIAL
  - PR - PLANNED RESIDENTIAL
- COMMERCIAL:**
- NCC - NEIGHBORHOOD/COMMUNITY COMMERCIAL
  - GC - GENERAL COMMERCIAL
  - DC - DOWNTOWN COMMERCIAL
  - O - OFFICE
- OTHER:**
- POP - PUBLIC/QUASI PUBLIC
  - DBP - DETENTION BASINS AND PARKS
  - A - AGRICULTURE

