CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct Public Hearing to consider the Planning Commission's recommendation that the City Council approve a request by Laila Sorour for two actions: 1) Amend the General Plan from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and 2) Rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes

MEETING DATE: May 15, 2002

PREPARED BY: Associate Planner Veerkamp

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to consider the Planning Commission's recommendation that the City Council approve the request of Laila Sorour for two actions: 1) Amend the General Plan from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and 2) Rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

BACKGROUND INFORMATION: On April 10, 2002, the Lodi Planning Commission unanimously approved the aforementioned request of Laila Sorour for a General Plan Amendment and Rezoning. The request for a land use amendment was accompanied by a Lot Line Adjustment application. As stated by the applicant, she wants to construct two duplexes on the parcels located at 1110 and 1116 South Fairmont, a project with a net density of 11.6 units per acre.

Currently, each of the parcels can accommodate one single family dwelling, or multi-family dwellings to the limits of the RCP zone, or an office use. The maximum allowed density for residential uses in the RCP zone is 10.89 units per acre. On the other hand, the allowed density in the RGA zone, a medium density residential zone, is 20.78 units per acre. No office uses area allowed in the RGA zone.

As a point of fact, the current General Plan and Zoning designations on 1116 S. Fairmont lack consistency with each other. The General Plan designation needs to be changed so the two are not conflicting. The Zoning on 1110 South Fairmont is being changed as well so both pieces have consistent designations. Approval of this request will enable Ms. Sorour to build two duplexes on this property (subsequent to approval of the Lot Line Adjustment).

FUNDING: None required

Konradt Bartlam
Community Development Director

Prepared by: Associate Planner Veerkamp

APPROVED: _____
H. Dixon Flynn -- City Manager

0209.doc 04/23/02

MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission

From: Community Development Department

Date: April 10, 2002

Subject: Request of Laila Sorour for approval of a 1) General Plan Amendment from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and a 2) Rezoning for 1110 South Fairmont from RCP, Residential Commercial; Professional to Residential Garden Apartment to permit the construction of two duplexes on one single parcel.

SUMMARY

The proposed project is a General Plan Amendment and Rezoning for two properties. The first property is located at 1110 South Fairmont Avenue, which has a Zoning designation of RCP, Residential Commercial Professional. The request is to change the Zoning to RGA, Residential Garden Apartment. The second property is located at 1116 South Fairmont Avenue. Currently, the parcel has a General Plan Designation of LDR, Low Density Residential. The request is to change the designation to O, Office. The end result of the action, if approved, is that both parcels will have a General Plan designation of O, Office, and a Zoning designation of RGA, Residential Garden Apartment.

As a point of information, an additional component of this project is a requested Lot Line Adjustment to join the two individual parcels into one single parcel. The Community Development Director performs Lot Line Adjustments administratively. If approved, the adjustment will create one piece of property large enough to accommodate the proposed development. If the duplexes are built, the net density of the project will be 11.4 units per acre.

BACKGROUND

The properties in question were annexed to the City of Lodi in 1953 as a part of the 50th Addition. They were later incorporated into the West View subdivision. Neither of these two vacant parcels has ever been developed. Most recently, a Parcel Map was filed creating two (2) parcels from three (3) parcels. The property at 1110 was included in this activity, but the piece of property at 1116 has never had any map filed on it since the original approval in the 50's.

ANALYSIS

Both 1110 and 1116 South Fairmont Avenue have been vacant since they were annexed into the City. As stated above, it has been approximately 50 years since this land became part of the incorporated city. From a planning perspective, staff is reluctant to dissuade a project, particularly an infill project such as this one, when it seems to make sense. Although there are several offices nearby, most notably the dental office directly adjacent on the north, the location also has potential for medium density residential uses. In all likelihood, some individuals may feel the location is better suited for medical or other types of offices, but the fact is the applicant has a desire to develop two duplexes.

As a point of fact, the current General Plan and Zoning for 1116 S. Fairmont lacked consistency with each other. The General Plan designation on one piece needed to be changed, and the Zoning on the

other piece needed to be changed. In this way, both General Plan and Zoning will be consistent. This action is necessary not only to rectify the current discrepancy, but also in order to prepare the parcels for development in accordance with the applicant's request.

Currently, each of the parcels could accommodate one single family dwelling, or multi-family dwellings to the limits of the RCP zone, or an office use. The maximum allowed density for residential uses in the RCP zone is 10.89 units per acre. In other words, in order to build four (4) units of multiple family housing (two duplexes on one parcel is technically multiple family) in the RCP zone, you would need to have 16,000 square feet of land on a single parcel. The two properties in question total 15, 065 square feet, or 935 square feet short of the aforementioned requirement.

On the other hand, the allowed density in the RGA zone, a medium density residential zone, is 20.78 units per acre. This zone allows single and multi-family residential, absent the ability to build offices. The 15,065 square feet is adequate area to build four (4) units in the RGA zone. The maximum number of units permitted on 15,065 square feet is up to seven (7) units, subject to landscaping setbacks, parking, etc. As mentioned above, the net density of the proposed project is 11.6 units per acre.

Staff's opinion is that the proposed duplexes will be compatible with the surrounding land uses. Development of duplexes at this location will not change the character of the neighborhood one way or the other; rather the two should be compatible with each other due to the mixed character. While there are offices on the north and across the street to the west, there are single-family homes to the east and to the south (the corner of Fairmont and Cardinal). To the south beyond Cardinal are triplexes along both frontages of Fairmont, which is consistent with the existing RGA zoning in that location, including the corner with the single-family home.

Because this project is a multi-family project, the applicant will need to submit for Site Plan and Architectural Review Committee (SPARC) approval if the General Plan and Zoning actions are approved. Architectural design issues as well as landscaping, parking layout, screening between adjacent land uses, etc. will be scrutinized to ensure the best possible appearance, and to minimize impacts. Staff is comfortable that the proposed project will be a beneficial infill activity.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council the request of Laila Sorour for approval of a 1) General Plan Amendment from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and a 2) Rezoning for 1110 South Fairmont from RCP, Residential Commercial; Professional to Residential Garden Apartment to permit the construction of two duplexes on one single parcel.

ALTERNATIVE PLANNING COMMISSION ACTIONS

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

Respectfully Submitted,

Eric W. Veerkamp
Associate Planner

Reviewed and Concur,

Konradt Bartlam
Community Development Director

EWV

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE:	April 10, 2002
APPLICATION NO:	Z-02-02; GPA-02-02
REQUEST:	Approval of 1) General Plan Amendment from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and a 2) Rezoning for 1110 South Fairmont from RCP, Residential Commercial; Professional to Residential Garden Apartment to permit the construction of two duplexes on one single parcel.
LOCATION:	1110 and 1116 South Fairmont Avenue
APPLICANT:	Laila Sorour 1343 Rivergate Drive Lodi, CA 95240
PROPERTY OWNER:	Nagui and Laila Sorour same

Site Characteristics:

General Plan Designation:	1110 Fairmont is O, Office; 1116 is LDR, Low Density Residential
Zoning Designation:	1110 Fairmont is R-CP, Residential Commercial Professional and 1116 Fairmont is R-GA, Residential Garden Apartment
Property Size:	1110 Fairmont is 9,235 square feet, and 1116 Fairmont is 5,830 square feet

Adjacent Zoning and Land Use:

North:	RCP; Residential Commercial-Professional: Directly adjacent on the north is a dental office zoned RCP. Further north are developed medical and dental offices.
South:	R-GA, Residential Garden Apartment: Directly adjacent on the south on the corner of Cardinal St. and Mills is a single-family residence. Further south across Cardinal St. are additional single-family and multiple family residences.
East:	R-1 and R-2, Single-Family: Directly adjacent on the east side are residences.

West: RCP, Residential Commercial Professional: To the west of the subject site is a medical office building. There are also some residences further west along Cardinal St.

Neighborhood Characteristics:

The neighborhood is in the south central part of Lodi and is fully urbanized, with the exception of these and a couple of other infill lots. Lodi Memorial Hospital's main operation is nearby on the south-west corner of Fairmont Avenue and Vine Street. The hospital and nearby offices give the neighborhood a professional office type of appearance as well as residential. In addition to medical and dental offices, both single-family and multi-family homes are nearby to the east as well as to the south. There is quite a bit of traffic in the neighborhood as Ham Lane is an arterial street, and Fairmont is a neighborhood collector street.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration, ND-02-01 was prepared for this project. Mitigations identified in the Negative Declaration reduce any potential adverse impacts to less than significant.

PUBLIC HEARING NOTICE:

Legal Notice for the Use Permit was published on March 30, 2002. A total of 46 notices were sent to all property owners of record within a 300-foot-radius of the subject property.

RECOMMENDATION:

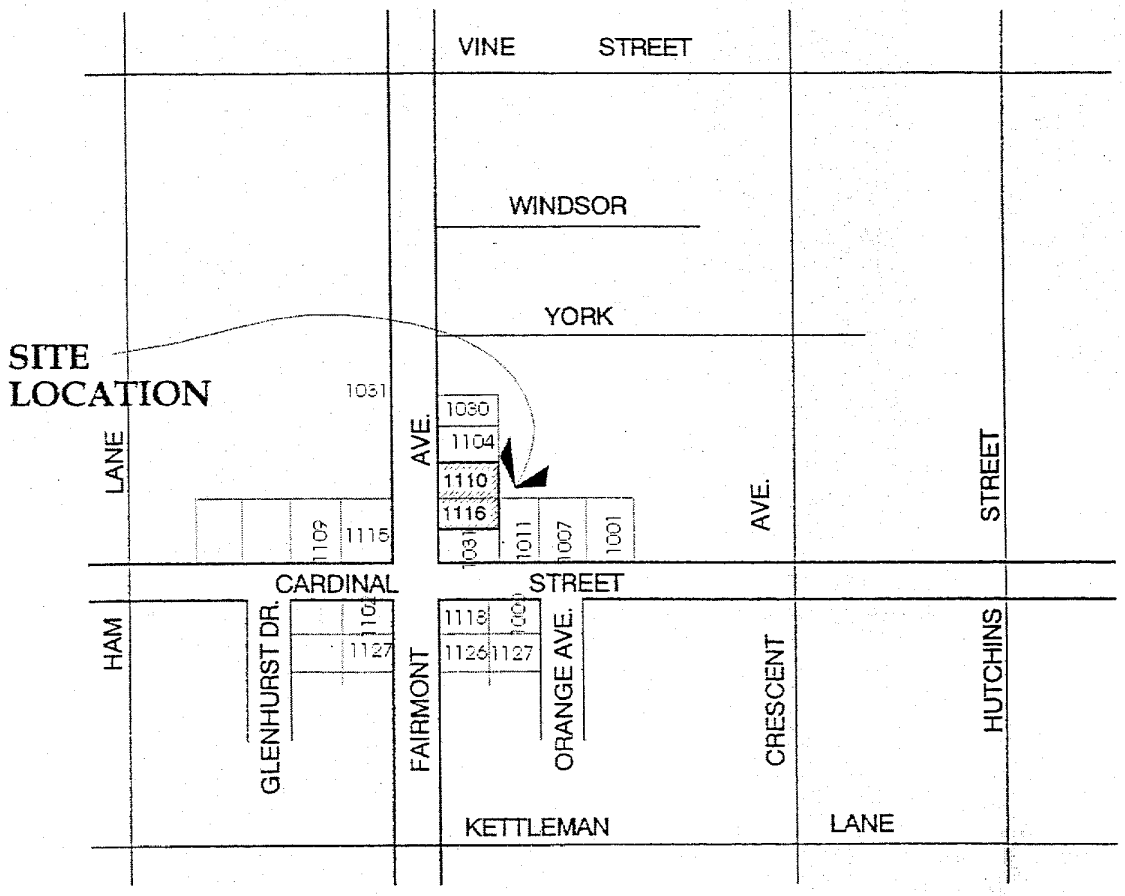
Staff recommends that the Planning Commission recommend approval to the City Council for a 1) General Plan Amendment from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and a 2) Rezoning for 1110 South Fairmont from RCP, Residential Commercial; Professional to Residential Garden Apartment to permit the construction of two duplexes on one single parcel., subject to the conditions as set forth in the attached Resolutions.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the General Plan Amendment and Rezone
- Deny the General Plan Amendment and Rezone
- Continue the Request

ATTACHMENTS:

1. Vicinity Map
2. Draft Resolutions
3. Site Plan



N

VICINITY MAP

NOT TO SCALE

L. Sorour Duplexes

General Plan Amend and Rezone at 1110 and 1116 S. Fairmont

GPA-Lu-02-02 and Z-02-02 3/27/02

RESOLUTION NO. P.C. 02-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING APPROVAL OF THE REQUEST OF LAILA SOROUR, FOR A GENERAL PLAN AMENDMENT, TO CHANGE FROM LDR, LOW DENSITY RESIDENTIAL, TO O, OFFICE FOR THE PARCEL AT 1116 SOUTH FAIRMONT AVENUE.

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

WHEREAS, the property is located at 1116 South Fairmont Avenue, Assessor's Parcel Number and 031-120-28;

WHEREAS, the project proponent is Laila Sorour, 1343 Rivergate Drive, Lodi;

WHEREAS, 1116 South Fairmont Avenue has a General Plan designation of LDR, Low Density 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. Negative Declaration File No. ND-02-01 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.

2. It is found that the parcel to be amended with a new General Plan Designation is the parcel located at 1116 South Fairmont Avenue, APN 031-120-28.

3. It is found that the requested General Plan Amendment for this property is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.

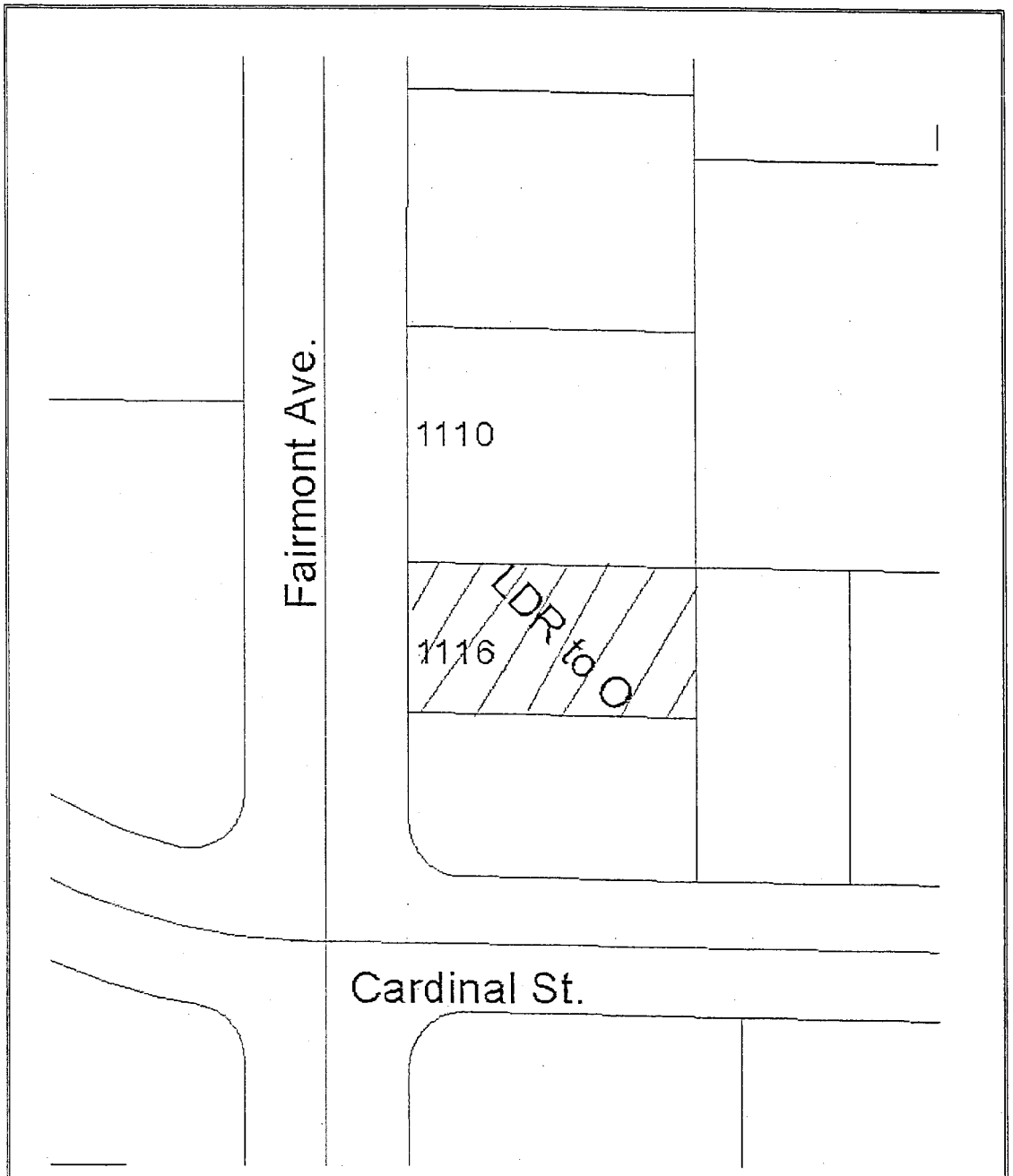
4. Conditions contained in Resolution No. 02-08 for the Zoning portion of this application shall be considered part of this Resolution and shall be in full force and effect.

Dated: April 10, 2002

I hereby certify that Resolution No. 02-07 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on April 20, 2002, by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners:	

ATTEST: _____
Secretary, Planning Commission



General Plan Amendment for 1116 S. Fairmont Ave.
from LDR, Low Density Residential to
O, Office

File GPA-LU-02-02

RESOLUTION NO. P.C. 02-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING APPROVAL OF THE REQUEST OF LAILA SOROUR FOR A REZONING TO CHANGE FROM RCP, RESIDENTIAL COMMERCIAL PROFESSIONAL, TO RGA, RESIDENTIAL GARDEN APRARTMENT FOR THE PARCEL AT 1110 SOUTH FAIRMONT AVENUE.

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

WHEREAS, the property is located at 1110 South Fairmont, Assessor's Parcel Numbers 031-120-53;

WHEREAS, the project proponent is Laila Sorour, 1343 Rivergate Drive, Lodi;

WHEREAS, 1110 South Fairmont Avenue has a Zoning designation of RCP, Residential Commercial Professional;

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. Negative Declaration File No. ND-02-01 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.

2. It is found that the parcel Rezoned is the parcel at 1110 South Fairmont Avenue, APN 031-120-53.

3. It is found that the requested Zoning Amendment for this property is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.

4. Conditions contained in Resolution No. 02-07 for the General Plan Amendment portion of this application shall be considered part of this Resolution and shall be in full force and effect.

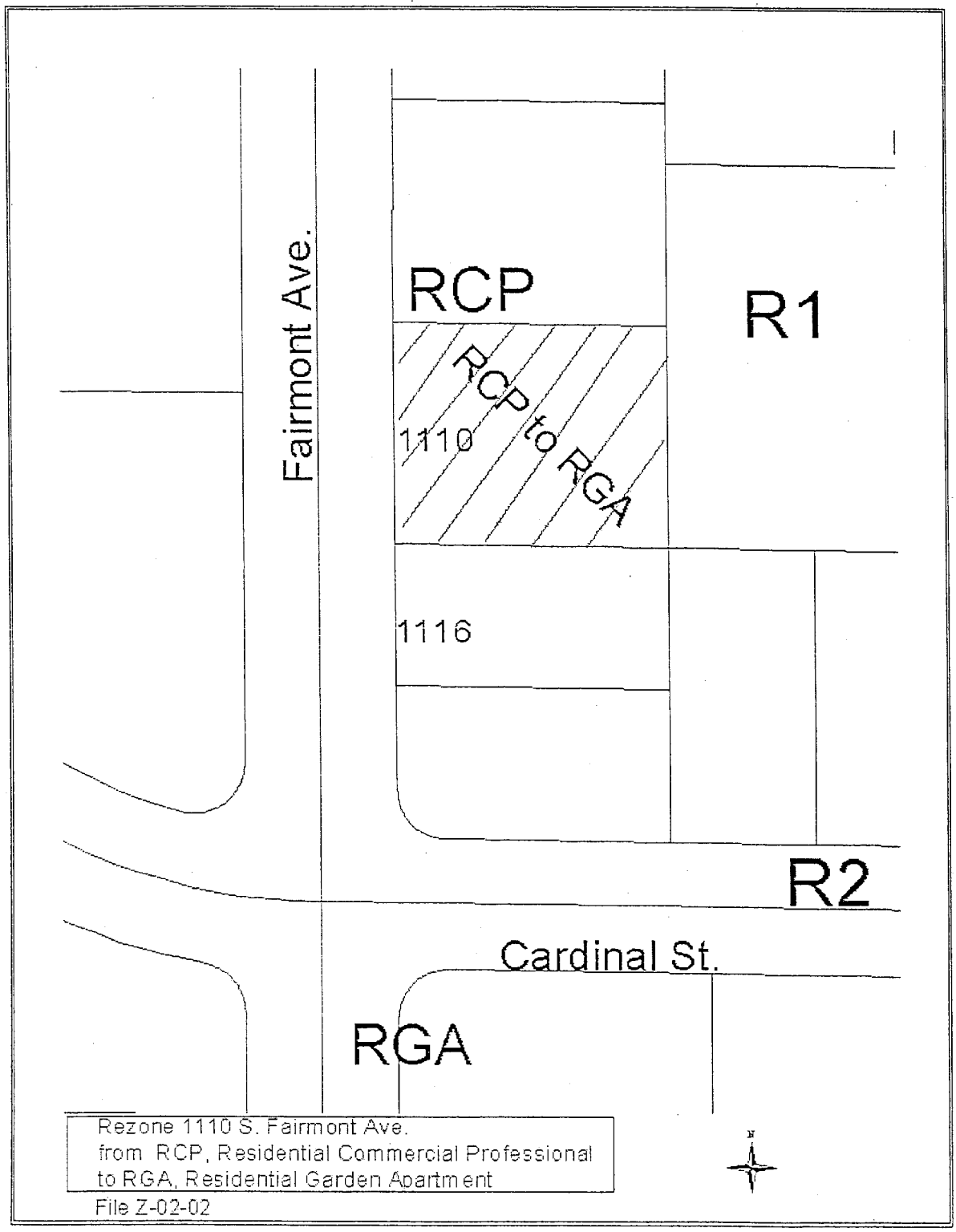
Dated: April 10, 2002

I hereby certify that Resolution No. 02-08 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on April 10, 2002, by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners:	

ATTEST: _____

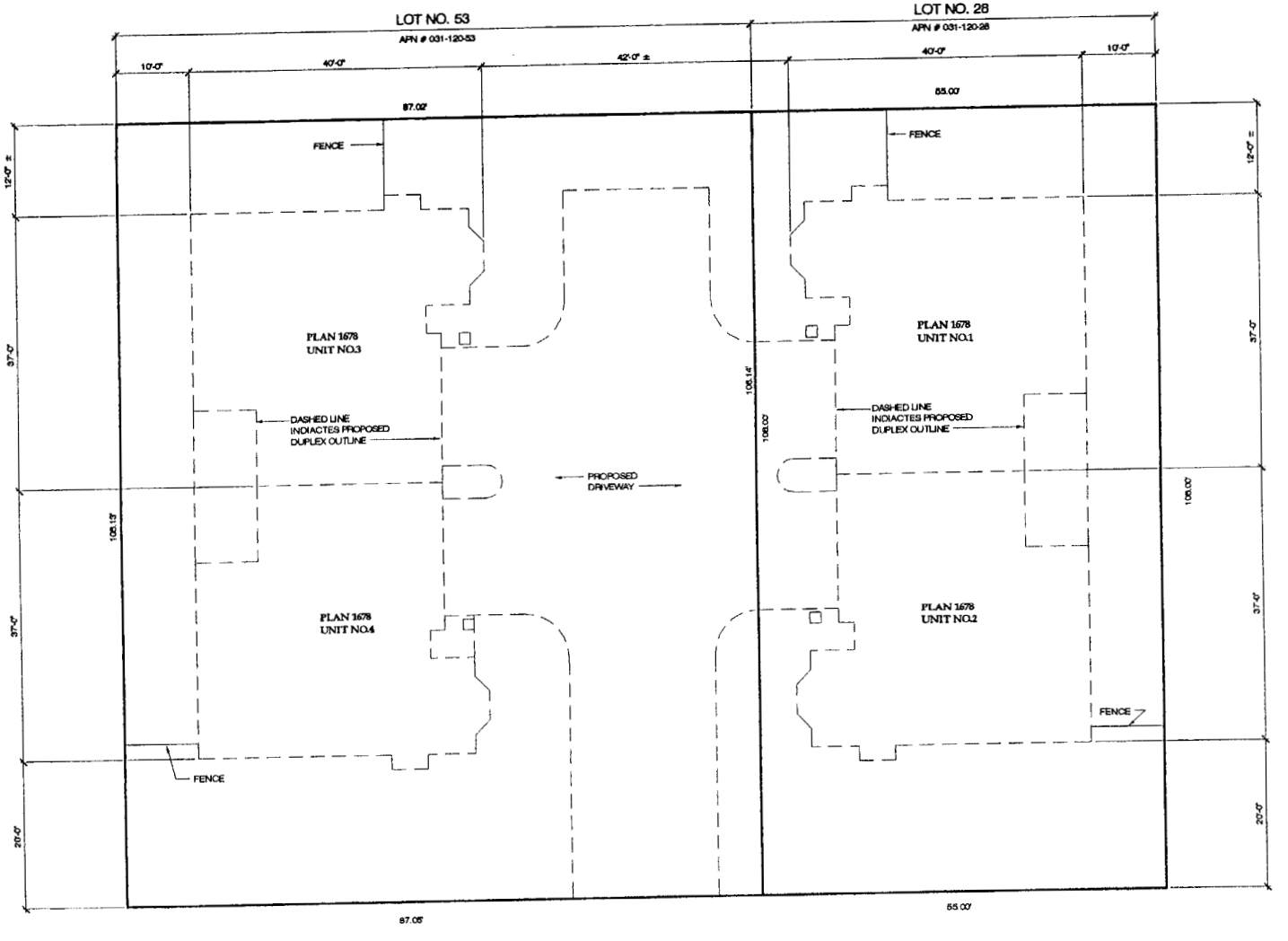
Secretary, Planning Commission



Rezone 1110 S. Fairmont Ave.
from RCP, Residential Commercial Professional
to RGA, Residential Garden Apartment

File Z-02-02

PROPOSAL : BOTH LOTS 28
& 53 TO BECOME ONE



FAIRMONT AVENUE

PROPOSED NEW DEVELOPENT FOR:
BENNETT DEVELOPMENT
LOTS 28 & 53
CITY OF LODI, CALIFORNIA

PLOT PLAN

SCALE: 1/8" = 1'-0"

N

NEGATIVE DECLARATION NO. ND-02-01

FOR

Proposed General Plan Amendment and Rezoning

APPLICANT: Laila Sorour

PREPARED BY:

CITY OF LODI
Community Development Department
P.O. BOX 3006
LODI, CA 95241

March, 2002

TABLE OF CONTENTS

SECTION PAGE

PROJECT DESCRIPTION.....3

ENVIRONMENTAL CHECKLIST FORM.....3

SUMMARY OF POTENTIAL IMPACTS.....9

DETERMINATION:.....10

VICINITY MAP.....10

CITY OF LODI

General Plan Amendment and Rezoning

PROJECT DESCRIPTION

The project under consideration by the City consists of the following actions; a Rezoning of the parcel at 1110 South Fairmont Avenue from R-CP, Residential-Commercial Professional to R-GA, Residential-Garden Apartments, a General Plan Amendment for the parcel at 1116 South Fairmont from LDR, Low Density Residential to O, Office, as well as a Lot Merger to create one buildable lot.

If and when these activities are approved by the City of Lodi, the applicant, Laila Sorour is proposing to construct four units (attached single family) of new residential housing on the resulting 15,065 square foot piece of land. The properties are located at 1110 and 1116 South Fairmont Avenue, Lodi. The precise size of the individual units has not been determined at this point, but the available square footage of land limits this project to four units.

Prior to any building activity, the owner is being required by the City to perform the lot merger and the Zoning and General Plan actions.

ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
   1110 and 1116 S. Fairmont General Plan Amendment and Rezoning
2. **Lead agency name and address:**
   City of Lodi Community Development Department
   221 West Pine Street
   Lodi, CA 95240
3. **Contact person and phone number:**
   Eric W. Veerkamp
   Associate Planner
   (209) 333-6711
4. **Project location:**
   San Joaquin County, CA.;
   1110 and 1116 South Fairmont Ave.
   APN No. 031-120-28 and 53
   Lodi, CA 95240.
5. **Project sponsor's name and address:**
   Laila Sorour
   1343 Rivergate Drive
   Lodi, CA 95240
6. **General plan designation: O, Office**
7. **Zoning: City: RCP, Residential Commercial Professional**

8. Description of project: See "Project Description" section above.

9 Surrounding land uses and setting: The subject property, currently two individual parcels, are vacant and sit near the north east corner of Fairmont Avenue and Cardinal Street. The parcel is bordered on the west side by the existing Lodi Memorial Hospital East Campus, primarily the parking lot serving medical office buildings. Directly adjacent on the east side are developed single family parcels zoned both R-1 and R-2, Single Family (the adjacent zoning for each parcel differs). Adjacent on the north side of the property are office buildings lining Fairmont Avenue. Immediately adjacent on the south is a developed single family residence on the corner of Fairmont Avenue and Cardinal Street. Remaining properties to the south across Cardinal Street are additional single family residences. The parcel on the north west corner of Fairmont and Cardinal is zoned R-CP and has a hospital office building on it. Parcels to the west of the office building are single family residences.

10 Other public agencies whose approval is required: None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a ("Potentially Significant Impact" by the checklist on the following pages.

☑ Land Use and Planning	☐ Transportation/Circulation	☐Public Services
☐ Population and Housing	☐ Biological Resources	☐Utilities and Service Systems
☐Geological Problems	☐ Energy and Mineral Resources	☐ Aesthetics
☐Water	☐Hazards	☐ Cultural Resources
☐ Air Quality	☐ Noise	☐ Recreation
	☐ Mandatory Findings of Significance	

ENVIRONMENTAL IMPACTS:

I. LAND USE AND PLANNING. *Would the proposed*:	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with general plan designation or zoning?	☐	☑	☐	☐
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	☐	☐	☐	☑
c) Be incompatible with existing land use in the vicinity?	☐	☑	☐	☐
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	☐	☐	☐	☑
e) Disrupt or divide the physical arrangement of an established	☐	☐	☐	☑

community (including a low-income or minority community)?

II POPULATION AND HOUSING. *Would the proposal:*				
a) Cumulatively exceed official regional or local population projections?	☐	☐	☑	☐
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☐	☑
c) Displace existing housing, especially affordable housing?	☐	☐	☐	☑

III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*				
a) Fault rupture?	☐	☐	☐	☑
b) Seismic ground shaking?	☐	☐	☐	☑
c) Seismic ground failure, including liquefaction?	☐	☐	☐	☑
d) Seiche, tsunami, or volcanic hazard?	☐	☐	☐	☑
f) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	☐	☐	☐	☑
g) Subsidence of land?	☐	☐	☐	☑
h) Expansive soils?	☐	☐	☐	☑
i) Unique geologic or physical features?	☐	☐	☐	☑

IV. WATER. *Would the proposal result in:* *All "No" - Reference Source: See Project Description*	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	☐	☐	☑	☐
b) Exposure of people or property to water related hazards such as flooding?	☐	☐	☐	☑
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity?	☐	☐	☐	☑
d) Changes in the amount of surface water in any water body?	☐	☐	☐	☑
e) Changes in currents, or the course or direction of water movements?	☐	☐	☐	☑
f) Change in the quantity of ground water, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavation or through substantial loss of ground water recharge capability?	☐	☐	☐	☑
g) Altered direction or rate of flow of groundwater?	☐	☐	☐	☑
h) Impacts to groundwater quality?	☐	☐	☐	☑
I) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	☐	☐	☑	☐

V. AIR QUALITY. *Would the proposal:*

All "No" Reference Source: Appendix H, #25 & Environmental Setting, Sec. 3.3:

a) Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	☐	☐	☑
b) Expose sensitive receptors to pollutants?	☐	☐	☐	☑
c) Alter air movement, moisture, or temperature, or cause any change in climate?	☐	☐	☐	☑
d) Create objectionable odors?	☐	☐	☐	☑

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:*

All "No" Reference Source: See Project Description

a) Increased vehicle trips or traffic congestion?	☐	☐	☑	☐
b) Hazards to safety from design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
c) Inadequate emergency access or access to nearby uses?	☐	☐	☐	☑
d) Insufficient parking capacity onsite or offsite?	☐	☐	☑	☐
e) Hazards or barriers for pedestrians or bicyclists?	☐	☐	☐	☑
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
g) Rail, waterborne or air traffic impacts?	☐	☐	☐	☑

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds?	☐	☐	☐	☑
b) Locally designated species (e.g., heritage trees)?	☐	☐	☐	☑
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	☐	☐	☐	☑
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	☐	☐	☐	☑
e) Wildlife dispersal migration corridors?	☐	☐	☐	☑
VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*				
a) Conflict with adopted energy conservation plan?	☐	☐	☐	☑
b) Use nonrenewable resources in a wasteful and inefficient manner?	☐	☐	☐	☑
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	☐	☑
IX. HAZARDS. *Would the proposal involve:*				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)?	☐	☐	☐	☑
b) Possible interference with an emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
c) The creation of any health hazard or potential health hazard?	☐	☐	☐	☑
d) Exposure of people to existing sources of potential health hazards?	☐	☐	☐	☑
e) Increased fire hazard in areas with flammable brush, grass, or trees?	☐	☐	☐	☑
X. NOISE. *Would the proposal result in:*				
a) Increase in existing noise levels?	☐	☐	☐	☑
b) Exposure of people to severe noise levels?	☐	☐	☐	☑
XI. PUBLIC SERVICES. *Would the proposed have an effect upon, or result in a need for new or altered government services in any of the following areas:*				
a) Fire protection?	☐	☐	☑	☐
b) Police protection?	☐	☐	☑	☐
c) Schools?	☐	☐	☐	☑
d) Maintenance of public facilities, including roads?	☐	☐	☑	☐
e) Other government services?	☐	☐	☑	☐

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilitie:s*	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Power or natural gas?	☐	☐	☑	☐
b) Communications systems?	☐	☐	☑	☐
c) Local or regional water treatment or distribution facilities?	☐	☐	☑	☐
d) Sewer or septic tanks?	☐	☐	☑	☐
e) Storm water drainage?	☐	☐	☑	☐
f) Solid waste disposal?	☐	☐	☑	☐
g) Local or regional water supplies?	☐	☐	☑	☐
XIII. AESTHETICS. W*ould the proposal:*				
a) Affect a scenic vista or scenic highway?	☐	☐	☐	☑
b) Have a demonstrable negative aesthetic effect?	☐	☐	☐	☑
c) Create light or glare?	☐	☐	☐	☑
XIV. CULTURAL RESOURCES. *Would the proposal:*				
a) Disturb paleontological resources?	☐	☐	☐	☑
b) Disturb archaeological resources?	☐	☐	☐	☑
c) Have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	☐	☑
d) Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☑
XV. RECREATION. *Would the proposal*:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?	☐	☐	☐	☑
b) Affect recreation opportunities?	☐	☐	☐	☑

XVI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	☐	☐	☑	☐
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☑	☐
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☐	☑	☐
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.	☐	☐	☑	☐

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in earlier EIR or negative declaration. Section 15063(c)(3)(D).

Earlier analyses used. None.

a) Mitigation measures. See Attached Summary for discussion.

SUMMARY OF POTENTIAL IMPACTS

An explanation of potentially significant impacts follows. Measures included in this summary shall be treated as mitigation where indicated.

LAND USE AND PLANNING

I. a) and c)

The proposed residential project is not compatible with the current zoning and general plan designations at 1110 and 1116 South Fairmont Avenue. For that matter, the current zoning and general plan designation are not consistent with each other on the parcel at 1116 South Fairmont. In order to establish land use designations appropriate for the proposed project, the Lodi Planning Commission and City Council will hear the applicants' request for a Rezoning of the parcel at 1110 South Fairmont Avenue from R-CP, Residential-Commercial Professional to R-GA, Residential-Garden Apartments, and a General Plan Amendment for the parcel at 1116 South Fairmont from LDR, Low Density Residential to O, Office. If the General Plan and Zoning requests are approved

by the City Council, any potential adverse impacts associated with conflicts with the general plan or zoning will be reduced to less than significant.

DETERMINATION:

On the basis of this initial evaluation:

☐ **I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE declaration will be prepared.**

☑ **I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.**

☐ **I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.**

☐ **I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets' if the effect is a "potentially significant impact" or "potentially significant unless mitigated."**

☐ **I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project**

Signature: _____ **Date: 2/28/02**

Printed Name: Eric W. Veerkamp **For: City of Lodi**

VICINITY MAP

MINUTES

LODI CITY PLANNING COMMISSION

CARNEGIE FORUM
305 WEST PINE STREET
LODI, CALIFORNIA

WEDNESDAY **April 10, 2002** **7:00 P.M.**

The Planning Commission met and was called to order by Chairman Crabtree.

Commissioners Present: John Beckman, Tim Mattheis, David Phillips, Jonathan McGladdery, Dennis White, and and Chairman Crabtree. ROLL CALL

Commissioners Absent: Randall Heinitz

Others Present: Konradt Bartlam, Community Development Director, J.D. Hightower, City Planner, Mark Meissner, Associate Planner, Eric Veerkamp, Associate Planner, and Lisa Wagner, Secretary.

The minutes of March 27, 2002 were approved as mailed. MINUTES March 27, 2002

PUBLIC HEARINGS

The continued request of Laila Sorour for approval of a 1) General Plan Amendment from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and a 2) Rezoning for 1110 South Fairmont from RCP, Residential Commercial; Professional to Residential Garden Apartment to permit the construction of two duplexes on one single parcel. Eric Veerkamp presented the matter to the commission. Mr. Veerkamp noted that there was also a lot line adjustment application pending to join the two individual parcels into one single parcel which would make the piece of property large enough to accommodate the proposed development. Both 1110 and 1116 South Fairmont Avenue have been vacant since they were annexed into the City in approximately 1950. The General Plan and Zoning for 1116 S. Fairmont lacked consistency with each other. The General Plan designation needed to be changed to make them consistent along with the zoning change for 1110 S. Fairmont.

The location has potential for medium-density residential uses, but the applicant was desirous of developing two duplexes. Currently each of the parcels could accommodate one single family dwelling, or multi-family dwelling to the limits of the RCP zone, or an office use. The two subject properties combined total 15,065 square feet. In order to build two duplexes on one parcel in the RCP zone, 16,000 square feet of land would be needed on one single parcel; therefore, the two parcels combined would be 935 square feet short. To build the duplexes, the RGA zone was considered since 15,065 square feet is adequate area to build four (4) units. It was staff's opinion that the proposed residences will be compatible with the surrounding land uses and would not change the character of the neighborhood.

Chairman Crabtree asked if under the present zoning could 3 homes be built upon the parcels. Mr. Veerkamp responded "yes" and Mr. Bartlam noted that even to do the three units, at some point staff needs to get their General Plan and Zoning Ordinance into consistency and the subject parcels were not in consistency with each other regardless of the intended land use.

Hearing Opened to the Public

Diane Mercurio, 1019 S. Orange Avenue. Ms. Mercurio was concerned about noise and traffic generated from the duplexes. She preferred having office buildings built on the parcel rather than duplexes.

Jim Jacobsen, Bennett Development. Mr. Jacobsen represented the applicant. He shared that the proposed duplex buildings had already been built within the city and are upper scale duplexes. He felt the project was good for the parcel and the proposed buildings will be aesthetic pleasing with tile roofs, stucco exteriors, landscaping, and provide adequate parking. A typical 6-foot wooden fence will be located along the east property line.

Janet Wilcox, 1007 S. Orange Avenue. Ms. Wilcox was concerned about multi-density units being built on the property. She agreed that the proposed units were aesthetically pleasing and further noted a concern that 8 trash containers would be left on the sidewalk on refuse pick up day from the people occupying the duplexes.

Hearing Closed to the Public

Commissioner Beckman felt the project would fit aesthetically with neighborhood and was in favor of the project.

Commissioner Mattheis noted that even though the neighborhood has professional offices nearby, he felt the project would blend with the neighborhood. He further noted traffic and noise concerns would not be an issue and he did not agree with the letter received from Dr. Neal in opposition of the project.

The Planning Commission on motion of Commissioner Mattheis, Beckman second, approved the request of Laila Sorour for approval of a 1) General Plan Amendment from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and a 2) Rezoning for 1110 South Fairmont from RCP, Residential Commercial; Professional to Residential Garden Apartment to permit the construction of two duplexes on one single parcel by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heintz
ABSTAIN:	Commissioners	

The request of Concord Development for approval of a Vesting Tentative Subdivision Map for Almond Wood Estates, a 14.5-acre, 74-lot, Single Family Residential Subdivision at 1640 South Stockton Street. Associate Planner Meissner presented the item to the commission. The area of the subdivision map included three separate properties encompassing about 14. 5 acres of land zoned R-2. The subdivision will develop at 5.2 dwelling units per acre with an average lot size of 6,000 square feet. Access to the subdivision will be from South Stockton Street and Almond Drive with a connection to the east on Elgin Avenue and a future connection to Ravenwood Way. A 7-foot-high masonry wall will be required along South Stockton and Almond Drive and an 8-foot-tall masonry wall will be required along the northern portion of the property. A condition requiring an emergency vehicle turn-around within the subdivision was reevaluated by the Fire Department and found not to be necessary. Staff was recommending approval of the project.

Hearing Opened to the Public

Troy Reich, David Evans & Associates, 2880 Tracy Blvd., Tracy. Mr. Reich represented Concord Development. They have worked closely with both Planning and Public Works staff and have found the conditions being required to be acceptable. They were very excited about moving forward with project.

Commissioner Beckman asked Mr. Reich's if his firm had done any past work in the Lodi area. Mr. Reich replied that their Roseville office had, and that he had worked previously with the City Engineer when they were both employees of another firm.

Jerry Wisenor, 808 E. Tehama Drive, Lodi. Mr. Wisenor asked what the average lot size would be for the subject project. Mr. Meissner responded approximately 6,000 square feet.

The Planning Commission on motion of Commissioner McGladdery, Mattheis second, approved the request of Concord Development for approval of a Vesting Tentative Subdivision Map for Almond Wood Estates, a 14.5-acre, 74-lot, Single Family Residential Subdivision at 1640 South Stockton Street by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White, and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners	

The request of Baumbach and Piazza, Inc. for approval of the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and a recommendation of approval to the City Council to award 77 building permit allocations. Associate Planner Meissner presented the item to the commission. The area of the Development Plan is located in the southwest portion of Lodi and included two separate properties that encompass approximately 15.8 acres of land zoned R-2. Each year the City allocates building permits to keep in check with their 2% growth cap. Currently there are 938 allocations for the year 2001. The northern 13.6 acres of the project has been dedicated for a school. The project will develop at 4.9 units per acre with an average lot size of 6,300 square feet. The subdivision will contain typical subdivision standards with the parkway street design. Developments to the east of the project are preparing for development in the near future and staff found the proposed project to be appropriate and timely and it will be a welcomed contributor to the necessary infrastructure in the area. Staff was in favor of the project.

Commissioner Mattheis asked if Tehama Drive, located just west of the project, would connect to the subdivision. Mr. Bartlam responded that Tehama Drive did stub at the property line of the project and it will be connected to the project for better traffic circulation.

Commissioner Phillips asked why Sunnyside Estates was not being included in the annexation. Mr. Bartlam responded that the City would annex properties into the City only if the property owners decide to be annexed.

Commissioner Beckman asked where the City was on issuing high-density allocations. Mr. Bartlam replied that there had been no high-density allocations requested or made since the inception of the Growth Management Program. He noted that in the future he would be making a presentation regarding the matter to the Commission.

Hearing Opened to the Public

Jerry Wisenor, 808 E. Tehama Drive, Lodi. Mr. Wisenor has lived on Tehama Drive for the past 30 years. Mr. Wisenor's main concern was that duplexes not be allowed within the subdivision. Mr. Luckey, the developer, has reassured him that there will only be single family dwellings built upon the lots. Mr. Wisenor shared that he will be traveling east to gain access to Harney Lane rather than trying to fight traffic on Lower Sacramento Road.

Robert Hathaway, 890 Tehama Drive, Lodi. Mr. Hathaway would like to tie into the City's sewer system that will be installed with the new project.

Terry Piazza, 323 W. Elm Street, Lodi. Mr. Piazza is the Engineer for the project. He noted that the plan being presented was revised as requested by the City Council.

Commissioner Phillips asked what type of homes would be built within the subdivision. Mr. Piazza responded that as far as he knew, it would be single family dwellings and no duplexes.

Maime Starr, Assistant Superintendent of Facilities for LUSD. Ms. Starr stated that they are anxious for the project to move forward so the school could be built.

Gail Lund, Tehama Drive, Lodi. Ms. Lund shared that Sunnyside Estates is an upscale County area consisting of 20 homes with each lot being 1/3 acre in size. She did not want Tehama Drive connected to the new subdivision. She was concerned that housing values would be decreased with the increased traffic.

Alice Zimmerman, 931 E. Harney Lane, Lodi. Ms. Zimmerman's property is located directly next to the project and she had questions regarding fencing and the future widening of Harney Lane. Mr. Bartlam responded there would be a typical 6 to 7-foot fence between the properties. Mr Bartlam suggested that she speak with the developer to gain more information. He shared that Harney Lane will be widened on the north side. He invited her to come to City Hall and speak with himself and the City Engineer regarding the street plan for Harney Lane.

Hearing Closed to the Public

The Planning Commission on motion of Commissioner McGladdery, Mattheis second, approved the request of Baumbach and Piazza, Inc. for approval of the Luckey/Lackyard Property Growth Management Development Plan for 77 single-family residences at 1041 & 1171 East Harney Lane, and a recommendation of approval to the City Council to award 77 building permit allocations by the following vote:

AYES:	Commissioners:	Beckman, Mattheis, McGladdery, Phillips, White and Chairman Crabtree
NOES:	Commissioners:	
ABSENT:	Commissioners:	Heinitz
ABSTAIN:	Commissioners:	

Announcements and Correspondence

Community Development Director Bartlam introduced J.D. Hightower, our new City Planner, to the Commission.

ADJOURNMENT

As there was no further business to be brought before the Planning Commission, Chairman Crabtree adjourned the session at 7:50 p.m.

Respectfully submitted,

Lisa Wagner

Lisa Wagner
Secretary

RESOLUTION NO. 2002-101

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY REDESIGNATING 1116 SOUTH FAIRMONT AVENUE (APN 031-120-28) FROM LDR, LOW DENSITY 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 April 10, 2002; and

WHEREAS, the Planning Commission, having found no significant impacts due to the General Plan Amendment and Rezone being anticipated, adopted Resolution Nos. P.C. 02-07 and P.C. 02-08 approving the same; and

WHEREAS, the City Council having held a duly noticed public hearing on May 15, 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 parcel located at 1116 South Fairmont Avenue (APN 031-120-28) from LDR, Low Density Residential to O, Office, as shown on Exhibit "A" attached, which is on file in the office of the Lodi City Clerk.

Dated: May 15, 2002

==========

I hereby certify that Resolution No. 2002-101 was passed and adopted by the Lodi City Council in a regular meeting held May 15, 2002 by the following vote:

AYES: COUNCIL MEMBERS – Howard, Land, Nakanishi, and Mayor Pennino

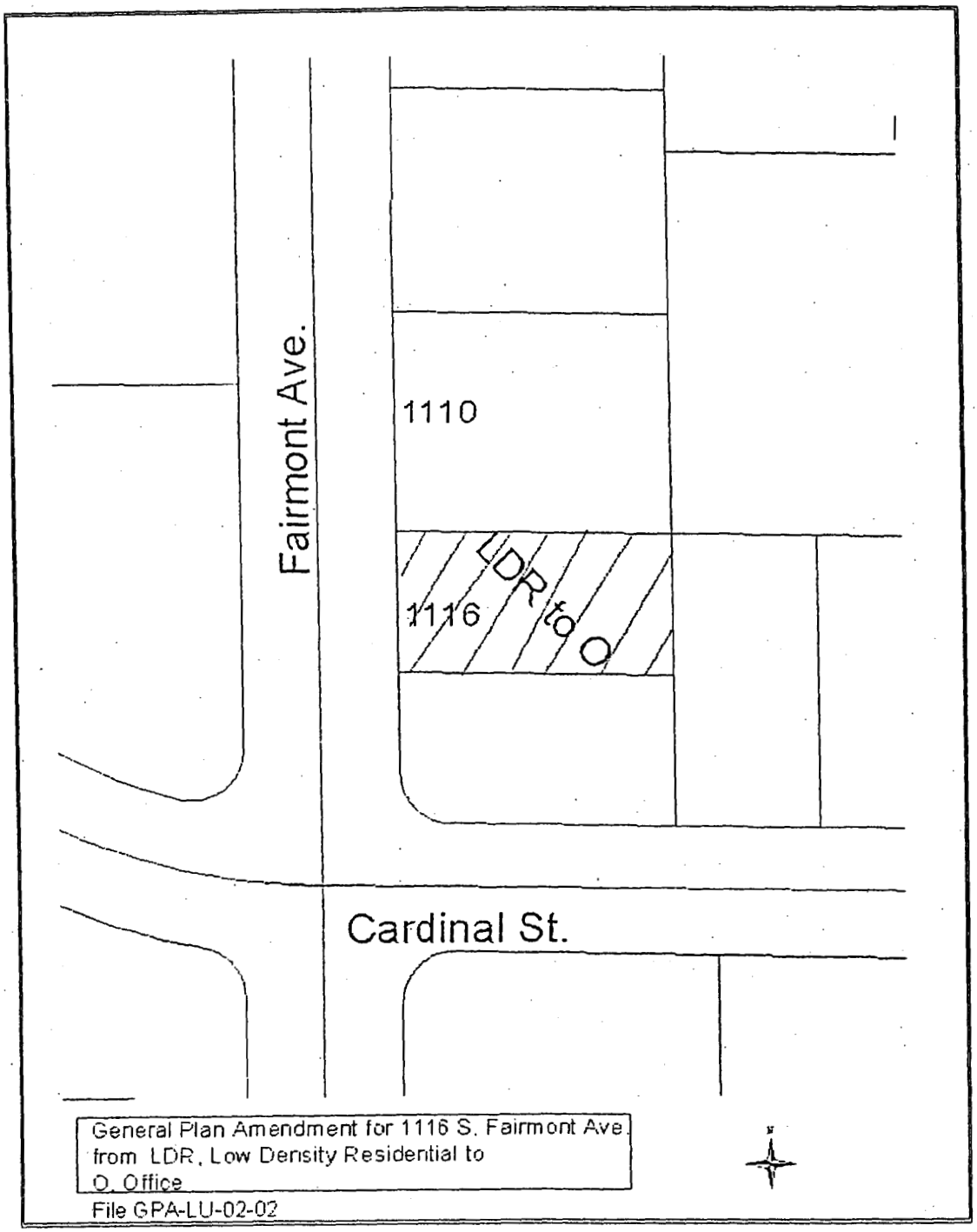
NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock

ABSTAIN: COUNCIL MEMBERS – None

Susan J. Blackston

SUSAN J. BLACKSTON
City Clerk



General Plan Amendment for 1116 S. Fairmont Ave.
from LDR, Low Density Residential to
O, Office

File GPA-LU-02-02

DRAFT

ORDINANCE NO. ____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING 1110 SOUTH FAIRMONT AVENUE (APN 031-120-28) FROM RCP, RESIDENTIAL COMMERCIAL PROFESSIONAL TO RESIDENTIAL GARDEN APARTMENT

==========

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:

> Parcel located at 1110 South Fairmont (APN 031-120-53) is hereby rezoned from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit construction of two duplexes, as shown on Exhibit "A" attached, which is on file in the office of the City Clerk.

Section 2. The Planning Commission adopted Resolution No. P.C. 02-08 recommending approval of this request for a rezone at their meeting of April 10, 2002.

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

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

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

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

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

Approved this ____ day of _____, 2002

_____
PHILLIP A. PENNINO
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held May 15, 2002 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2002 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

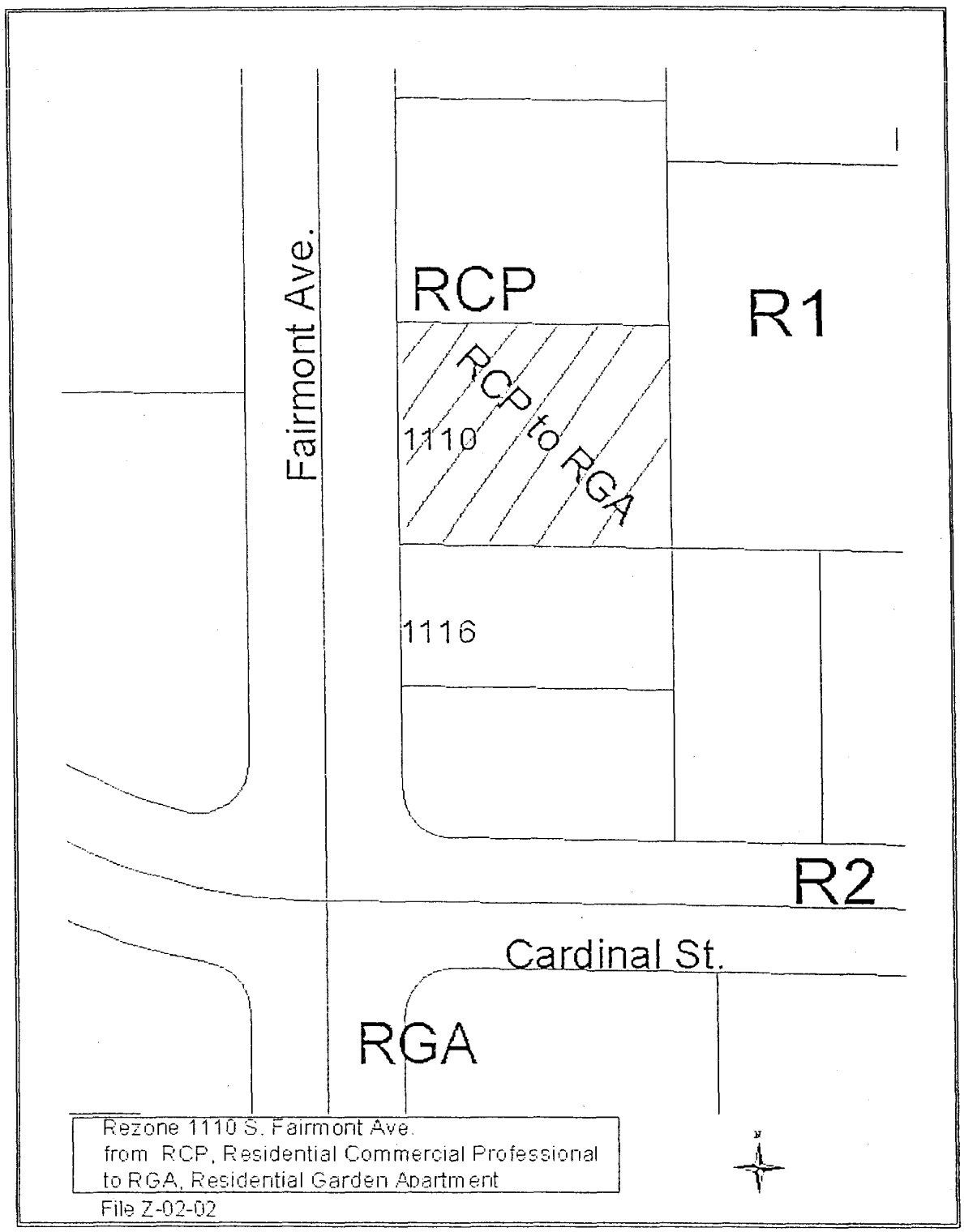
I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

Randall A. Hays

RANDALL A. HAYS
City Attorney



Rezone 1110 S. Fairmont Ave.
from RCP, Residential Commercial Professional
to RGA, Residential Garden Apartment

File Z-02-02

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily, except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to-wit::

May 4

all in the year 2002

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 4 day of May 2002

Kelsey Davis

Signature

This space is for the County Clerk's Filing Stamp

RECEIVED

2002 MAY 17 AM 9:58

CITY CLERK
CITY OF LODI

Proof of Publication of

Notice of Public Hearing -

1116 S. Fairmont &Rezone 1110

S. Fairmont

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, May 15, 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 that the City Council approve a request by Leila Sorour for two actions: 1) amend the General Plan from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and 2) rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

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: May 1, 2002

Approved as to form:
Randall A. Hays
City Attorney
May 4, 2002 — 4346

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **Set Public Hearing for May 15, 2002 to consider Planning Commission recommendation that Council approve requests made by Laila Sorour to amend General Plan for 1116 S. Fairmont and rezone 1110 S. Fairmont**

PUBLISH DATE: **SATURDAY, MAY 4, 2002**

TEAR SHEETS WANTED: **Three (3) please**

SEND AFFIDAVIT AND BILL TO:

SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MAY 2, 2002

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

Faxed to the Sentinel at 369-1084 at _____(time) on _____(date) _____(pages)
Kelsey _____ Phoned to confirm receipt of all pages at _____(time) ____Jac ___Jen (initials)

forms\advins.doc

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: May 15, 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, May 15, 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 that the City Council approve a request by Laila Sorour for two actions: 1) amend the General Plan from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and 2) rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

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: May 1, 2002

Approved as to form:

Randall A. Hays
City Attorney

DECLARATION OF POSTING

Set Public Hearing for May 15, 2002 to consider Planning Commission recommendation that Council approve requests by Laila Sorour: 1) amend General Plan from LDR, Low Density Residential to O, Office for 1116 S. Fairmont; and 2) rezone 1110 S. Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes

On Thursday, May 2, 2002 in the City of Lodi, San Joaquin County, California, a copy of Notice of Public Hearing of the City Council of the City of Lodi to consider requests by Laila Sorour regarding 1116 and 1110 S. Fairmont (attached hereto, marked Exhibit "A") was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on May 2, 2002 at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

_____
Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk

forms\decpost.doc

DECLARATION OF MAILING

Set Public Hearing for May 15, 2002 to consider Planning Commission recommendation that Council approve request by Laila Sorour amend General Plan for 1116 S. Fairmont and rezone 1110 S. Fairmont

On May 2, 2002 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 March 20, 2002 regarding Planning Commission recommendation that Council approve request by Laila Sorour to amend General Plan and rezone for 1116 and 1110 S. Fairmont, 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 May 2, 2002, 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

decmail/forms

Mailing List

1110 South Fairmont & 1116 South Fairmont

1) 03107044;LODI MEMORIAL HOSPITAL ASSN ;999 S FAIRMONT AVE SUITE 25 ;LODI ;CA;95240

2) 03107046;LODI MEMORIAL HOSPITAL ASSN ;PO BOX 3004 ;LODI ;CA;95241

3) 03108008;BOHNET, ROSE B ;1109 CARDINAL ST ;LODI ;CA;95240

4) 03108010;THOMPSON, MELVIN & CAROL TR ;13050 N DEVRIES RD ;LODI ;CA;95240

5) 03108011;KOYAMA, ASA & SHIGEKO ;23090 N KENEFICK RD ;ACAMPO ;CA;95220

6) 03108012;HANNAH, JEAN PAUL C & SHELLI K;1126 GLENHURST DR ;LODI ;CA;95240

7) 03108013;LOY, MILTON H & BETTY L TR ;1127 S FAIRMONT AVE ;LODI ;CA;95240

8) 03108014;PENA, MARIA ETAL ;1132 GLENHURST DR ;LODI ;CA;95240

9) 03108015;RING, BEN G & LILLY M TR ;1133 S FAIRMONT AVE ;LODI ;CA;95240

10) 03108016;JOHNSON, GEORGE S & TAMMY C ;1138 GLENHURST DR ;LODI ;CA;95242

11) 03108017;NELSON, WILLIAM C & N L ;1139 S FAIRMONT AVE ;LODI ;CA;95240

12) 03111001;PRIDMORE, ALOHA R TRUSTEE ;1110 W PINE ST ;LODI ;CA;95240

13) 03111003;SCHWARTZMAN, HILDA O TR ETAL ;1142 S FAIRMONT ;LODI ;CA;95240

14) 03111006;EVANS, THOMAS R & LAURIE ;1139 S ORANGE AVE ;LODI ;CA;95240

15) 03111007;HUTTON, MICHAEL & CAROL ;1133 S ORANGE AVE ;LODI ;CA;95240

16) 03111008;ROUPPET, GARY ;1581 S STOCKTON ST ;LODI ;CA;95240

17) 03111009;GUENTHER, ROLAND & LAVERA ;1000 W CARDINAL ST ;LODI ;CA;95240

18) 03111010;VAUGHAN, BERNIECE M TR ;2044 KENWAY CT ;LODI ;CA;95242

19) 03111011;BAVENDER, DANIEL J & T A ;1126 S ORANGE AV ;LODI ;CA;95240

20) 03111012;BOLIOU, PERRIE C & R I ;1132 S ORANGE ST ;LODI ;CA;95240

21) 03111024;GUENTHER, CLIFFORD W & DONNA J;900 CARDINAL ST ;LODI ;CA;95240

22) 03112001;CANEPA, W W & CAROL J TR ;131 S ORANGE AVE ;LODI ;CA;95240

23) 03112002;WILLE, CARL & B TRS ;1000 W YORK ST ;LODI ;CA;95240

24) 03112003;WILCOX, JANET A ;1007 S ORANGE AVE ;LODI ;CA;95240

25) 03112004;WILLIAMS, JEANNE M ;1013 S ORANGE ST ;LODI ;CA;95240

26) 03112005;MERCURIO, PAT & DIANA TR ;1019 S ORANGE AVE ;LODI ;CA;95240

27) 03112007;FISCHER, GWEN LAURINE ;1025 S ORANGE AVE ;LODI ;CA;95240

28) 03112008;MCMILLEN, CHARLIE TRUSTEE ;930 W PARK ST ;LODI ;CA;95240

29) 03112009;FRITZ, TIMOTHY D & SUZANNE K ;920 PARK ST ;LODI ;CA;95240

30) 03112021;LEE, KWOCK YEEN & FEE LAND TR ;911 CARDINAL ST ;LODI ;CA;95240

31) 03112022;BAHLKE, MARIANNE ;921 CARDINAL ST ;LODI ;CA;95240

32) 03112023;JOSEPH, JOANNE J ;931 CARDINAL ;LODI ;CA;95240

33) 03112024;FERVIA, MARCIA TR ;2891 PRUNERIDGE ;SANTA CLARA ;CA;95051

34) 03112025;KNOEFLER, LUCY C ;1007 W CARDINAL ST ;LODI ;CA;95240

35) 03112027;WEAVER, JOAN C ;1031 W CARDINAL ST ;LODI ;CA;95240

36) 03112035;MAYER, PAUL R & GLADYS ;930 W YORK ST ;LODI ;CA;95240

37) 03112036;NICHOLS, ELMER & M A ;1006 S ORANGE AVE ;LODI ;CA;95240

38) 03112048;CRAWFORD, RAYBURN E TR ;350 N EL CAMINO REAL #45 ;ENCINITAS ;CA;92024

39) 03112050;KUNDERT, ALAINE ;1012 S ORANGE ST ;LODI ;CA;95240

40) 03112052;PERRIN, LORETTA ;931 W PARK ;LODI ;CA;95240

41) 03112054;NEAL, DAVID & BETH ;1104 S FAIRMONT AVE ;LODI ;CA;95240

42) 03112010;GEIGLE, GERALD H & RHONDA TR ;910 PARK ST ;LODI ;CA;95240

43) 03107045;LODI MEMORIAL HOSPITAL ASSN ;999 S FAIRMONT AVE SUITE 25 ;LODI ;CA;95240

44) 03112026;LINN, JOHN S & SHARON G TR ;1011 CARDINAL ST ;LODI ;CA;95240

45) 03112028;SOROUR, NAGUI & LAILA ;1343 RIVERGATE DR ;LODI ;CA;95240

G-2

Petition against the Planning Commission's recommendation that the City Council approve a request by Laila Sorour for the action to rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

The following signatures are in favor of this petition:

	PRINT NAME	SIGNATURE	DATE
1.	JANET WILCOX 1087 S. ORANGE AVE.	Janet Wilcox	5-11-02
2.	WILLIAM J. LANDIS 1000 YORK ST.	William J. Landis	5-11-02
3.	ELAINE MOSCHINO 1000 YORK ST.	Elaine Moschino	5-11-02
4.	Steve & Gwen Borges 1025 S. Orange	[illegible]	5/11/02
5.	Jeanne Miranon 1013 S. Orange Ave	Jeanne M. Miranon (William)	5/12/02
6.	WARREN McMillen 930 PARK	Warren McMillen	5-12-02
7.	~~Ann~~ Rosemary Carlin	Rosemary Carlin	5-13-02
8.	Diane Power 1104 S. Fairmont	Diane Power	5-13-02

RECEIVED

2002 MAY 15

Petition against the Planning Commission's recommendation that the City Council approve a request by Laila Sorour for the action to rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

The following signatures are in favor of this petition:

	PRINT NAME	SIGNATURE	DATE
9.	Bonele Sulbeck 1104 S. Fairmont Ave	Bonele Sulbeck	5/13/02
10.	Levi Regadanz	Levi Regadanz	5-13-02
11.	David Neel	[illegible]	5-13-02
12.	Joan Weaver 1031 Cardinal	Joan Weaver	5-13-02
13.	Sharon Lin 1011 Cardinal	Sharon Lin	5-13-02
14.	Jack Lin 1011 Cardinal 510	Jack Lin	5-13-02
15.	LaVera Guenther	LaVera L. Guenther	5-13-02
16.	Roland E. Guenther	Roland E. Guenther	5-13-02

Petition against the Planning Commission's recommendation that the City Council approve a request by Laila Sorour for the action to rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

The following signatures are in favor of this petition:

17. DIANA MERCURIO **PRINT NAME** 1019 S. Orange Ave	Diana Mercurio **SIGNATURE**	5/13/02 **DATE**
18. PAT P MERCURIO **PRINT NAME** 1019 S. ORANGE AVE	[illegible] **SIGNATURE**	5/13/02 **DATE**
19. ALAINE KUNDERT **PRINT NAME** S. ORANGE	Alaine Kundert **SIGNATURE**	5-13-02 **DATE**
20. Elmer Nichols **PRINT NAME** 1006 S. ORANGE	Elmer Nichols **SIGNATURE**	5-13-02 **DATE**
21. Rhonda Geigle **PRINT NAME** PARK ST	[illegible] **SIGNATURE**	5/13/02 **DATE**
22. GERALD H. Geigle **PRINT NAME**	[illegible] **SIGNATURE**	5-13-02 **DATE**
23. ELIZABETH JORDAN **PRINT NAME** YORK ST.	Elizabeth Jordan **SIGNATURE**	5-13-02 **DATE**
24. Marjorie Nichols **PRINT NAME**	Marjorie Nichols **SIGNATURE**	5-14-02 **DATE**

Petition against the Planning Commission's recommendation that the City Council approve a request by Laila Sorour for the action to rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

The following signatures are in favor of this petition:

	PRINT NAME	SIGNATURE	DATE
25.	ROBIN E. ROSS 1007 S. ORANGE AVE.	Robin E. Ross	5-14-02
26.	PAUL MAYER 930 YORK	Paul Mayer	5-15-02
27.	BERNICE TREDWAY	Bernice Tredway	
28.	TIM FRITZ 920 PARK	Tim Fritz	051502.
29.	C. J. Fromm	C. J. Fromm	051502
30.	Angelo Fanos	Angelo Fanos	5/15/02
31.	LARRY MANETTI	Larry Manetti	5/15/02
32.	Bill Sherrill	Bill Sherrill	5/15/02