



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Appeals received from Bruce Schweigerdt and Ron Hilder regarding the Planning Commission's conditional approval of the request of Wenell, Mattheis, Bowe, Inc. on behalf of the Twin Arbors Athletic Club for a Use Permit to expand and remodel an existing sports club at 2040 Cochran Road in an area zoned R-1, Single-Family Residential

**MEETING DATE:** May 15, 1991

**PREPARED BY:** Community Development Director

**RECOMMENDED ACTION:** That the City Council consider the appeals of Bruce Schweigerdt and Ron Hilder regarding the Planning Commission's conditional approval of the request of Wenell, Mattheis, Bowe, Inc. on behalf of the Twin Arbors Athletic Club for a Use Permit to expand and remodel an existing sports club at 2040 Cochran Road in an area zoned R-1, Single-Family Residential and take appropriate action.

**BACKGROUND INFORMATION:** At its meeting of Monday, April 8, 1991 the Planning Commission conditionally approved the above described Use Permit. This action was taken after (1) three public hearings covering approximately ten hours of discussion; (2) three meetings between the developers and the neighbors; (3) the preparation of a traffic study and a later addendum to it; and (4) major modifications to both the site plan and the proposed size and locations of the new facilities.

The Planning Commission originally considered this matter on January 28, 1991 and continued the matter (1) so that the developers and the neighbors could reach a compromise; and (2) so that a traffic study could be prepared.

The major concerns expressed at the first hearing were noise to the surrounding neighborhood, additional traffic, the expansion of a non-residential use in a single-family area and concern about children walking to Vinewood School and the park, especially along Peach Street which has no curbs, gutters or sidewalks.

The Planning Commission's second hearing on March 11, 1991 was continued because the traffic study had been conducted on a date when school was not in session because of an "In Service Day." The Planning Commission again asked that the two sides meet to work out mutually agreeable solutions.

APPROVED

THOMAS A. PETERSON  
City Manager

REC-1000 paper

Twin Arbors Athletic Club Use Permit Appeal

May 15, 1991

Page two

The attached information is in reverse order with the most recent material in the front. The data includes:

1. The letter of approval which outlines the conditions with the approved site plan and approved square footage to be added.
2. Correspondence from Tim Mattheis, Wenell, Mattheis, Bowe, Inc. outlining the results of two neighborhood meetings conducted on March 26, and April 2, 1991.
3. The addendum to the traffic study dated April 2, 1991.
4. Correspondence from Tim Mattheis, Wenell, Mattheis, Bowe, Inc. discussing the neighborhood meeting of February 21, 1991 with the first revised site plan and comments.
5. Memorandum from the City Attorney dated March 7, 1991 discussing the Twin Arbors application.
6. The original Traffic and Parking Study for Twin Arbors Athletic Club dated March 1991.
7. A letter from the Community Development Director dated January 22, 1991 outlining the staff's original conditions for approval with the first site plan attached.
8. Background data which outlines the history of Sunwest Tennis and Swim Club (i.e. Twin Arbors Athletic Club).

FUNDING: None required.

  
James B. Schroeder  
Community Development Director

JBS/cg

Attachments

1. The letter of approval which outlines the conditions with the approved site plan and approved square footage to be added.

CITY COUNCIL

DAVID M. HINCHMAN, Mayor

JAMES W. PINKERTON, Jr.

Mayor Pro Tempore

PHILLIP A. PENNINO

JACK A. SIEGLOCK

JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 334-5634

FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

BOB McNATT  
City Attorney

April 9, 1991

Mr. Tim Mattheis  
Wenell Mattheis Bowe Inc.  
222 West Lockeford Street, Suite 9  
Lodi, CA 95240

Dear Tim:

RE: Use Permit - U-90-30  
Facilities Expansion and Remodel  
Twin Arbors Athletic Club  
2040 Cochran Road

At its meeting of Monday, April 8, 1991 the Lodi City Planning Commission conditionally approved your request on behalf of Twin Arbors Athletic Club for a Use Permit to expand an existing facility (i.e. Sunwest Tennis and Swim Club) at 2040 Cochran Road in an area zoned R-1, Single-Family Residential.

The Planning Commission's approval is subject to the following conditions:

1. that the property be connected to the City sanitary sewer system prior to the issuance of building permits and the existing septic tank system be abandoned in conformance with requirements of San Joaquin County Environmental Health Department with copies of the permit issued by that agency submitted to the City of Lodi as proof of compliance;
2. that the use of the existing on-site temporary detention basin for the collection of storm water runoff be discontinued and an on-site drainage system provided to collect all on-site drainage for discharge to the public storm drain system;
3. that the building location and size, room sizes, setbacks and outdoor amenities conform to the site plan submitted at the meeting and labeled, "Final Revised Design Proposal";
4. that no aerobic exercise classes be conducted before 8:30 a.m. or between the hours of 2:00 p.m. and 4:00 p.m.;
5. that the line of sight from the proposed second story deck to backyards of nearby residents be mitigated with trees and landscaping to the approval of the City;
6. that the tennis court lights be out by 11:00 p.m. during the months of May, June, July and August and 10:00 p.m. the remainder of the year;

Tim Mattheis  
April 9, 1991  
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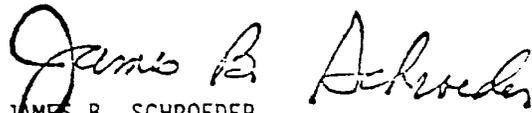
7. that the basketball and volleyball lighting be out by 9:30 p.m. year around;
8. that a 7-foot masonry wall and screen trees to the approval of the City be installed at the west end of the parking lot as shown on the "Final Revised Design Proposal";
9. that if 20 or more of the adjacent property owners so request, a parking review shall be conducted by the Planning Commission;
10. that the hours of the club operation shall be:
  - a. 7:00 a.m. - 11:00 p.m. May through August
  - b. 8:00 a.m. - 11:00 p.m. the remainder of the year
11. that the temporary storm drainage basin be abandoned and filled to the City's approval; and
12. that the developer/owner pay the fees shown below and any other fees in effect at time of issuance of Building Permit:

Storm Drainage Fees	\$31,320.00
Sewer Service (4-inch)	680.00
Sewer Connection	28,652.50

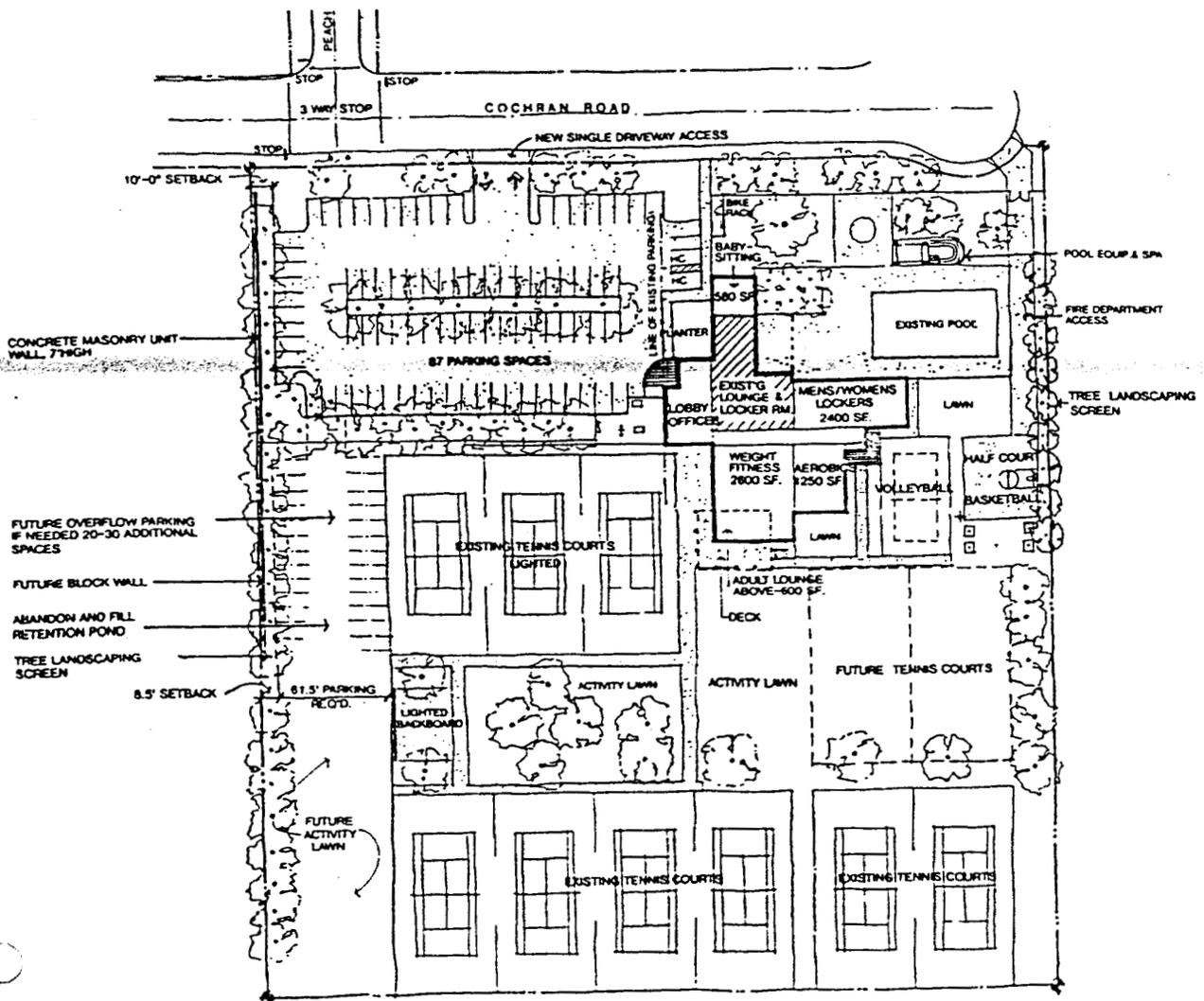
As you are aware, Section 17.81.030 (E) of the Lodi Municipal Code requires that any use requiring a Use Permit must be submitted with the final site plan and building elevations to the City's Site Plan and Architectural Review Committee for approval. You should contact David S. Morimoto, Senior Planner, so that you can accomplish this requirement.

Section 17.72.110 of the Lodi Municipal Code provides for a five day period in which concerned persons can appeal Planning Commission actions to the City Council. If no appeal is filed by 5:00 p.m., Monday, April 15, 1991, Use Permit U-90-30, as described above, will be in force and effect.

Sincerely,

  
JAMES B. SCHROEDER  
Community Development Director

cc: Dennis Kaufman, General Manager  
Lodi Athletic Club



MASTER SITE PLAN

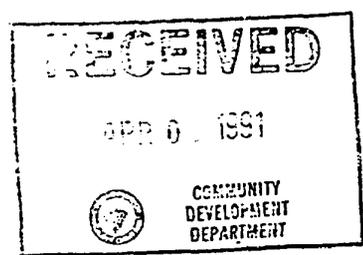
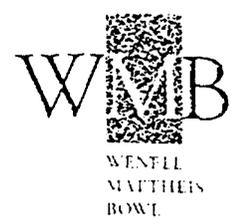
FINAL REVISED DESIGN PROPOSAL

TWIN ARBORS ATHLETIC CLUB  
COCHRAN ROAD FACILITY

APPROXIMATE  
FACILITY AREA SUMMARY

	EXISTING SQ FT	ORIGINAL ADDITIONAL PROPOSED SQ FT	MODIFIED ADDITIONAL PROPOSED SQ FT
LOUNGE	1,154	600	600
AEROBICS		1,400	1,250
WEIGHT ROOM	1,726	1,600	874
LOCKER ROOMS	864	2,880	2,400
BABYSITTING		580	580
LOBBY/DESK		812	480
OFFICE/LAUNDRY/ STORAGE	350	730	437
HALLWAYS/ EQUIPMENT/MISC.	<u>400</u>	<u>1,600</u>	<u>1,552</u>
TOTAL	4,494	10,202	8,173
TOTAL SQUARE FOOTAGE EXISTING AND NEW		<u>14,696</u>	<u>12,667</u>

2. Correspondence from Tim Matthias, Wenell, Mattheis, Bowe, Inc. outlining the results of two neighborhood meetings on March 26 and April 2, 1991.



April 4, 1991

Jim Schroeder,  
COMMUNITY DEVELOPMENT DIRECTOR  
CITY OF LODI  
Call Box 3006  
Lodi, CA 95241-1910

SUBJECT: TWIN ARBORS ATHLETIC CLUB  
COCHRAN ROAD FACILITY  
ADDITION AND REMODEL

Dear Jim:

At the request of the City Planning Commission at their meeting of March 11, 1991, we have again met with interested neighbors on the concerns regarding our Use Permit Application Number U9030.

Two meetings were held with interested neighbors. At the first meeting on March 26, 1991 held at 6:30 pm at Hutchins Street Square, a forum was conducted resulting in a consensus as to what the neighboring residents were concerned with and what they would like to see changed. We studied these concerns and substantially redesigned our project to meet as many of them as possible.

At the second meeting, held April 2, 1991, we presented our revised proposal to the residents. It is our understanding from a majority of those present that we had sufficiently addressed their concerns with the revised design. A list of attendees for each meeting is enclosed.

The additional traffic study that was also requested by the Commission has been completed. The overall findings confirm the findings and conclusions of the first traffic report. A copy of the report summary is enclosed.

Following is an item by item outline of the issues we agreed upon with the neighbors attending the meetings. The revised site plan as well as the original modified site plan is enclosed for your review. At the end of the list, we summarized those issues that we believe may be included as conditions of approval for the use permit.

I would like to emphasize that near unanimity was expressed at the end of our meeting of April 2 in favor of approval of our request for the use permit with

- .....
- ARCHITECTURE
- .....
- PLANNING
- .....
- INTERIORS
- .....
- Larry Wenell
- .....
- Tim Mattheis
- .....
- Thomas Bowe,
- .....
- Architects
- .....
- 222
- .....
- W. Lockeford St.
- .....
- Suite # 9
- .....
- Lodi, California
- .....
- 95240
- .....
- 209 369-8258
- .....
- FAX
- .....
- 209 368-5098
- .....
- San Francisco
- .....
- 209 441-6310

WENTZEL MATTHEIS BOWL

Jim Schroeder  
COMMUNITY DEVELOPMENT DIRECTOR  
April 4, 1991  
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the revised plan. It should also be noted that a few neighbors will continue to express dissatisfaction with the proposal. They feel the proposal is still too large for the neighborhood and under-represents the parking and use demand that we are projecting. On these points we have agreed to disagree.

TWIN ARBORS ATHLETIC CLUB  
COCHRAN ROAD PROJECT  
NEIGHBORHOOD REVIEW 4/2/91

■ Size of Overall Building

Resident Request: Reduce overall size from approximately 15,000 to around 10,000 square feet

Revised Plan: Reduced overall size to approximately 12,600 sf. See attached Square Footage Summary

■ Orientation of Facility on Site

Resident Request: -- Don't encroach into parking lot. Move aerobics to south side of project.

Revised Plan: Pulled project back and relocated aerobics room as requested.

■ Size of Weight Room and Aerobics Room

Resident Request: In an effort to reduce traffic and increase safety, particularly at peak children pedestrian times (between 7:30 and 8:00 am and 2:00 and 3:30 pm), requested that weight room be reduced in size from 3,200 to 2,000 sf and aerobics room be reduced from 1,400 to 700-900 sf. Also concerned that all aerobics of both clubs would be moved to this site.

Revised Plan: Reduced weight room to 2,600 sf and aerobics room to 1,250 sf. Furthermore, no aerobics classes will be scheduled before 8:30 am or between the hours of 2:00 and 4:00 pm. Aerobics will continue to be offered at Hutchins Street facility.

■ Second Story Lounge

**Resident Request:** Eliminate sight into neighborhood yards from second story deck.

**Revised Plan:** A landscaping screen will be used as required to mitigate this problem with immediate neighbors.

■ Massage and Fitness Program:

**Resident Request:** Concerned about traffic generated from non-member use of these types of activities, particularly if marketed to non-members by the club. The image and legality of massage (as well as members gambling at card games) was also a concern.

**Revised Plan:** Only members and guests will participate in club activities. The club will not advertise for non-member use of these types of programs, although they may be included in overall membership marketing activities. Club management will review policy and current practices regarding massage and card playing.

■ Morning Hours of Operation:

**Resident Request:** Existing use permit allows for 7:00 am summer and 8:00 am winter opening hours. Neighbors would like to maintain these hours and add a condition that scheduled classes not start until 8:30 am.

**Revise Plan:** As requested above.

■ Evening Hours of Operation:

**Resident Request:** Overriding concern seems to have been that the club has not controlled the existing hours of operation. Reported that lights are left on at all hours and groups use club well after closing. Most neighbors said they expected several times a year that special events would be held, but not the

continual late usage. Others did comment that it was worse in past years than currently.

**Revised Plan:** Lights to be controlled by management from the front desk inside the clubhouse. Increased management staff will be on duty. Tennis court lights to be off at 11:00 pm May through August, 10:00 pm the rest of the year. Basketball/volleyball lights off by 9:30 pm.

■ After Hours Loitering in/around Parking Lot:

**Resident Request:** Want to reduce drinking by teenage and other groups of young people at night around club. Some suggestions included hiring security guards and/or closing parking lot with chain during off hours.

**Revised Plan:** Will investigate chaining parking lot and will monitor complaints after new facility completed.

■ West Edge of Parking Lot:

**Resident Request:** Leave 10 foot setback, provide masonry sound wall and plant screen trees along length of parking lot.

**Revised Plan:** Provides 10 foot setback up to beginning of future parking lot area where it reduces to 8.5 feet in order to accommodate double row parking if necessary at a future date. Masonry wall and screen trees included.

■ Parking Lot Entrance/Peach Street Traffic Flow:

**Resident Request:** Several different opinions on best solution to slow traffic and provide safe crossing for children. Most wanted to align club parking lot entrance with Peach Street and make a four way stop. Most did not want to improve Peach Street.

**Revised Plan:** Move club lot entrance to east. Recommend that

City provide three-way stop at Cochran and Peach.

■ Basketball Court:

Resident Request: Reduce impact of basketball court noise by relocating, mitigate the echo effect from proximity to building and don't light after 9:00 or 10:00 pm.

Revised Plan: Reduced court to half court, add a sand volleyball area and don't light area after 9:30 pm.

■ Maintenance of Existing Retention Pond at West Edge of Property:

Resident Request: Concern was expressed that weeds, grasses and vines have overgrown the retention areas. Suggestions ranged from maintaining a landscaped lawn area to quarterly discing.

Revised Plan: Agreement to fill pond to City requirements and maintain free of debris.

■ Conditions Under Which Additional Parking will be Considered/Required:

Resident Request: If and when 20 or more adjacent property owners request it, the planning department would review and determine.

Revised Plan: Agree to above.

ACCEPTABLE USE PERMIT CONDITIONS

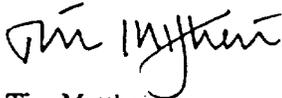
1. Building location/size, room sizes, setbacks and outdoor amenities to be substantially as shown on the attached site plan.
2. No aerobic exercise classes are to be conducted before 8:30 am or between the hours of 2:00 and 4:00 pm.
3. Line of site from second story deck to backyards of nearby residents to be mitigated with trees and landscaping.

Jim Schroeder  
COMMUNITY DEVELOPMENT DIRECTOR  
April 4, 1991  
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4. Tennis court lights to be out by 11:00 pm during the months of May, June, July and August, and 10:00 pm the remainder of the year. Basketball and volleyball lighting will be out by 9:30 pm year around.
5. Masonry wall and screen trees to be provided at west edge of property as shown on site plan.
6. Parking review to be conducted upon request of 20 or more adjacent property owners.
7. Hours of operation: 7:00 am - 11:00 pm May through August  
8:00 am - 11:00 pm the remainder of the year.

Sincerely,

WENELL MATTHEIS BOWE



Tim Mattheis  
Vice-President

TM:mh

f:2/9077.11

MEETING ATTENDEES  
Meeting of March 26, 1991

<u>NAME</u>	<u>ADDRESS</u>
Sharon & Richard Marini	840 Tilden Drive
Joan Aston	2003 Cochran Road
Karen Keagy	731 Peach Street
Ann Carlin	2041 Cochran Road
Mike Steward	803 Tilden Drive
Bruce Schweigert	747 S. Mills
Randy Koeplin	808 Evert Court
Doug Wied	824 Tilden
Dave Holmes	1080 Port Chelsea Cricle
Ron & Joann Butler	832 Tilden
Bruce Thomsen	2017 Cochran
Diane Bruno	2005 Cochran Road
Ron & Kari Hilder	808 Tilden Drive

MEETING ATTENDEES  
Meetings of April 2, 1991

Bruce Thomsen	2017 Cochran
Scott Dasko	712 Peach
Doug Wied	824 Tilden Drive
Charles Barnhardt	1900 S. Hutchins
Wendy Shropshire	1900 S. Hutchins
Barbara Berris	2138 W. Vine
Lynn Holmes	1080 Port Cheslea Drive
Jim Schroeder	City of Lodi
Joan Aston	2003 Cochran Road
Ron & Joann Butler	832 Tilden Drive
Mike and Patty Steward	803 Tilden Drive
Sharon & Richard Marini	840 Tilden Drive
Ron and Kari Hilder	808 Tilden Drive

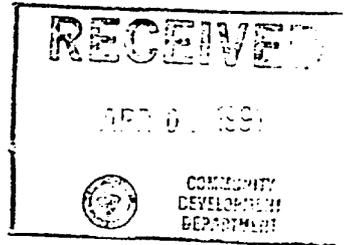
3. Addendum to the traffic study dated April 2, 1991.



Fehr & Peers Associates, Inc.  
Transportation Consultants

775 Sunrise Avenue  
Suite 240  
Roseville, CA 95661  
916 773-1900  
FAX 916 773-2015

April 2, 1991



Mr. Dave Anderson  
President  
Spare Time, Inc.  
7919 Folsom Boulevard  
Sacramento, CA 95825

Re: Twin Arbors Athletic Club Traffic Study

Dear Dave:

At the March 11 Planning Commission meeting in Lodi, the Commission raised two traffic issues which required further study.

The first issue concerned the fact that we mistakenly conducted traffic counts on a non-school day (Wednesday, March 6). These counts showed a lower pedestrian and bicycle count than experienced on a typical school day.

The second issue was that we did not analyze weekend traffic. The Commission felt that we should investigate traffic conditions on a Saturday.

**Purpose**

In response to the Commission's request, Fehr & Peers Associates conducted traffic counts on a weekday (Friday, March 22) and a Saturday (March 30). In addition, Lodi Department of Public Works laid machine counters for a one-week period on four street segments near the project.

**Findings**

Here are the pertinent findings of the study.

Average Daily Traffic Volumes - The following shows the seven-day average daily traffic volumes on the pertinent street segments and compares them to the original estimate by Fehr & Peers Associates.

<u>Street Segment</u>	<u>From City's Machine Counts</u>	<u>Fehr &amp; Peers Estimate Shown In March Traffic Report (Figure 5)</u>	<u>Difference</u>
Tilden Drive	400	340	-60
Cochran Road (west of Peach)	560	620	+60
Peach Street	550	590	+40



Fehr & Peers Associates, Inc.  
Transportation Consultants

Mr. Dave Anderson  
Spare Time, Inc.  
April 2, 1991  
Page 2

The differences between the machine count results and our original estimate is minimal. We slightly underestimated traffic on Tilden Drive and overestimated traffic on Cochran Road and Peach Street. Again, the differences are inconsequential and do not alter the findings of the original report.

Pedestrian and Bicycle Traffic Volumes - As expected, the pedestrian and bicycle activity in the study area was much greater on the weekday when school was in session (Friday, March 22) compared to the weekday when school was not in session (Wednesday, March 6). The number of observed pedestrians and bicyclists was 119 on the school day, compared to 45 on the non-school day.

Figure 2 in the accompanying packet shows that the morning pedestrian and bicycle activity occurred primarily within a 1/2 hour period, from 7:30 to 8:00 a.m. This presumably is the time when children walk or bike to school. The afternoon peak was also distinct, with over 31 pedestrian and bicyclists travelling through the study area within the 15-minute period from 2:30 to 2:45 p.m. Again, this is the time period when most children walk or bike home from school. From 2:45 to 4:45 p.m. the activity stayed constant with 3 to 10 pedestrians and bicyclists per 15 minute period, and then reduced to 2 to 4 pedestrians and bicyclists per 15-minute period from 4:45 to 7 p.m.

Saturday Traffic - Table 6 in the attached packet shows that Saturday traffic volumes on all street segments are slightly lower than an average day. Also, the Saturday pedestrian and bicycle activity is lower than a school weekday (92 versus 119).

The amount of traffic which entered and exited the driveways of the Cochran Road club was about the same on all three days we counted; about 130 vehicles entered and exited the Club driveway on Wednesday March 6, Friday March 22, and Saturday March 30. The weather was clear on all three days. Please note that the Easter egg hunt held at the Club on the Saturday probably inflated the number of vehicles that would have entered/exited the Club on that day.

### Conclusions

The difference between daily traffic volumes shown in our original report and those from the City's machine counter are minimal and inconsequential. The daily traffic volumes on a street segment in the study fall well within the standards for residential streets.

The number of observed pedestrians and bicyclists was much higher on the school weekday than the non-school weekday (119 versus 45). The morning and afternoon peaks were distinct, with the majority of children walking or biking to school between 7:30 and 8:00 a.m., and the majority walking or biking home from school between 2:30 and 2:45 p.m.

Finally, the number of vehicles which entered and exited the club was the same on all three days counted; about 130 on Wednesday March 6, Friday March 22, and Saturday March 30.



Fehr & Peers Associates, Inc.  
Transportation Consultants

Mr. Dave Anderson  
Spare Time, Inc.  
April 2, 1991  
Page 3

I have attached some figures and tables for your review.

Please call if you have questions.

Sincerely,

FEHR & PEERS ASSOCIATES, INC.

Alan D. Telford, P.E.  
Associate-in-Charge

ADT:pd

cc: Tim Matheis

912-101

Table 1  
Pedestrian/Bicycle Observation  
Friday, March 22, 1991

<u>Time</u>	<u>Number In Group</u>	<u>Are They All Children (Yes or No)</u>	<u>Where Did They Come From And Where Are They Going To</u>
7:06 a.m.	2	Yes	East on Cochran - Peach - East on Tokay
7:08	1	No	East on Cochran - Peach - East on Tokay
7:16	1 (Bike)	Yes	Tilden - Peach - East on Tokay
7:35	1	Yes	Peach - South Peach
7:36	1	Yes	Peach - North to East on Tokay
7:37	1 (Bike)	Yes	East on Cochran - Peach - East on Tokay
7:38	2	Yes	Peach - North to East on Tokay
7:40	2	No	Tilden - Peach - East on Tokay
7:43	1 (Bike)	Yes	East on Cochran - Peach - East on Tokay
7:43	1	Yes	West on Cochran - Peach - East on Tokay
7:48	1	No	Tokay - Peach - Tilden
7:48	2 (Bike)	Yes	West on Cochran - Peach - East on Tokay
7:50	2 (Bike)	Yes	Peach - West on Cochran
7:52	1 (Bike)	Yes	East on Cochran - Peach - East on Tokay
7:54	1 (Bike)	Yes	West on Cochran - Peach - East on Tokay
7:54	1 (Bike)	Yes	East on Cochran - Peach - East on Tokay
7:56	1 (Bike)	Yes	West on Cochran - Peach - East on Tokay
8:05	1 (Bike)	Yes	West on Cochran - Tilden
8:33	1	No	East on Cochran - Peach - East on Tokay
9:01	1	No	Tilden - Peach - East on Tokay
9:15	1	No	Tilden - Peach - East on Tokay
9:19	1 (Bike)	Yes	West on Cochran - Peach - East on Tokay
10:52	2	No	East on Cochran - Peach - East on Tokay
12:12 p.m.	2 (1 Bike)	Yes	Peach - Tilden
12:21	1	No	Athletic Club - West on Cochran
12:30	1 (Bike)	No	Peach - West on Cochran
12:41	1	No	East on Cochran - Athletic Club
1:20	1 (Bike)	Yes	Peach - East on Cochran
1:33	1 (Bike)	Yes	Peach - Tilden
2:24	1 (Bike)	Yes	East on Cochran - Peach - East on Tokay
2:24	2	Yes	Tilden - Peach - East on Tokay
2:26	1	No	Peach - West on Cochran
2:33	1	Yes	Peach - West on Cochran
2:34	1 (Bike)	Yes	Peach - West on Cochran
2:35	1	Yes	Peach - Tilden
2:36	4	Yes	Peach - 1 stopped 2nd house from Tokay - 3 Tilden
2:37	1 (Bike)	Yes	Peach - Tilden
2:38	2 (1 Bike)	Yes	Peach - East on Cochran
2:38	2 (1 Bike)	Yes	Peach - East on Cochran
2:39	1	Yes	Peach - 2nd house from Tokay
2:41	5 (3 Bikes)	Yes	Peach - 2 Tilden; 3 west on Cochran
2:43	2 (Bike)	Yes	Peach - East on Cochran
2:45	2	No	Peach - East on Tokay
2:58	1 (Bike)	Yes	Peach - East on Cochran

**Table 1 (Continued)**  
**Pedestrian/Bicycle Observation**  
**Friday, March 22, 1991**

<u>Time</u>	<u>Number In Group</u>	<u>Are They All Children (Yes or No)</u>	<u>Where Did They Come From And Where Are They Going To</u>
3:02	1	Yes	Peach - Tilden
3:08	1 (Bike)	Yes	Peach - Tilden
3:13	1	Yes	Peach - West on Cochran
3:15	3 (Bikes)	Yes	East on Cochran - Peach - East on Tokay
3:20	1 (Bike)	Yes	Tilden - Athletic Club
3:22	1	Yes	Peach - West on Cochran
3:23	2	No	Tokay - Peach 2nd house
3:28	1 (Bike)	Yes	Athletic Club - Tilden
3:33	3 (Bikes)	Yes	Peach - West on Cochran
3:34	1	Yes	Tilden - East on Cochran
3:39	1	Yes	West on Cochran - Peach - West on Tokay
3:46	3	No	Peach - Tilden
3:48	1	No	East on Cochran - To end of Cochran - West on Cochran - Tilden
3:53	3	Yes	Tilden - East end of Cochran
4:03	2	Yes	Peach - Cochran - Peach (selling Girl Scout Cookies)
4:10	1	Yes	East on Cochran - Athletic Club
4:13	1	No	Peach - Tilden
4:16	3 (1 Bike)	Yes	East end Cochran - Tilden
4:28	1	Yes	Athletic Club - West on Cochran
4:29	1 (Bike)	Yes	Tilden - East Cochran
4:31	3 (1 Bike)	Yes	Peach - East Cochran
4:31	1 (Bike)	Yes	Tilden - Athletic Club
4:33	1 (Bike)	Yes	Athletic Club - Tilden
4:38	1 (Bike)	No	Peach - West on Cochran
4:48	1	No	Tilden - Athletic Club
4:52	1	Yes	Peach - West on Cochran
5:12	2 (1 Bike)	No	Peach - Tilden
5:16	1 (Bike)	Yes	East on Cochran - Peach - East on Tokay
5:22	1	No	Athletic Club - Tilden
5:23	1	Yes	Tilden - East end Cochran
5:32	1 (Bike)	Yes	East end Cochran - Tilden
5:34	1	No	Tokay - Peach - West on Cochran
5:55	1 (Bike)	Yes	Peach - West on Cochran
6:11	3 (Bikes)	No	East Cochran - Peach - Tokay
6:24	1 (Bike)	Yes	Peach - West on Cochran
6:33	1	No	Peach - Tilden
6:58	1 (Bike)	Yes	Peach - West on Cochran

**Table 2**  
**Pedestrian/Bicycle Observation**  
**Saturday, March 30, 1991**

<u>Time</u>	<u>Number In Group</u>	<u>Are They All Children (Yes or No)</u>	<u>Where Did They Come From And Where Are They Going To</u>
8:17 a.m.	2	No	Peach - Tilden
8:59	1 (Bike)	No	Tilden - Peach - Tokay
9:15	1 (Bike)	No	Tilden - Peach - Tokay
9:25	1	No	Tilden - Peach - Tokay
9:31	2	No	Tokay - Peach - West on Cochran
9:34	1 (Bike)	No	Tokay - Peach - Athletic Club
9:57	1	No	Tilden - Athletic Club
10:08	1	Yes	East on Cochran - Peach - East on Tokay
10:14	1	No	Tokay - Peach - West on Cochran
10:14	2	Yes	East Cochran - Peach - Tokay
10:14	1 (Bike)	Yes	Tilden - Peach - Tokay
10:25	1 (Bike)	Yes	West on Cochran - Peach - Tokay
10:38	1	Yes	Tokay - Peach - West on Cochran
10:39	1 (Bike)	Yes	Tokay - Peach - East on Cochran
11:07	2 (Bike)	Yes	Tilden - Athletic Club
11:14	2 (Bike)	Yes	Tilden - Peach - Tokay
11:31	1	No	Athletic Club - Tilden
11:44	1 (Bike)	Yes	Tokay - Peach - Tilden
11:48	1	No	Cochran
11:50	1 (Bike)	Yes	Tokay - Peach - Tilden
12:15 p.m.	4 (2 baby stroller, 2 Mothers)	No	Tokay - Peach - Tilden
12:19	1 (Bike)	Yes	Tilden - Peach - Tokay
12:27	1 (Bike)	Yes	Tokay - Peach - West on Cochran
12:43	1	No	East to end of Cochran - West on Cochran
1:10	1	Yes	Tilden - Athletic Club
1:11	1	Yes	Tilden - Athletic Club
1:12	1	No	Tokay - Peach - West on Cochran
1:34	2 (Bikes)	Yes	East on Cochran - Peach - Tokay
1:52	2 (Bikes)	Yes	Tokay - Peach - West on Cochran
2:10	1 (Bike)	No	Athletic Club - Peach
2:10	2 (Bikes)	Yes	Tokay - Peach - Tilden
2:12	2	Yes	Tokay - Peach - Athletic Club
2:13	1 (Bike)	Yes	Peach - West on Cochran
2:30	2 (Bikes)	Yes	East on Cochran - Peach - East on Tokay
2:34	1	No	Athletic Club - Tilden
2:38	1	No	Athletic Club - West on Cochran
2:46	1	No	East on Cochran - Athletic Club
2:58	2	Yes	Athletic Club - West on Cochran
3:18	2	Yes	Athletic Club - Peach - East on Tokay
3:19	1 (Bike)	Yes	Tokay - Peach - West on Cochran
3:34	1 (Bike)	No	East on Cochran - Peach - East on Tokay
3:47	1	No	Tilden - Athletic Club
3:49	2	No	Tilden - Athletic Club
3:49	2 (Bikes)	Yes	Tokay - Peach - West on Cochran
3:58	2	No	Tokay - Peach - Tilden
4:01	1 (Bike)	Yes	Tilden - Peach - East on Tokay

Table 2 Continued  
 Pedestrian/Bicycle Observation  
 Saturday, March 30, 1991

<u>Time</u>	<u>Number In Group</u>	<u>Are They All Children (Yes or No)</u>	<u>Where Did They Come From And Where Are They Going To</u>
4:04	2 (Bikes)	Yes	East on Cochran - Peach - East on Tokay
4:15	2 (Bikes)	Yes	Tokay - Peach - Tilden
4:21	1	Yes	Tokay - Peach - Tilden
4:32	1 (Bike)	Yes	Tokay - Peach - Tilden
4:32	2 (Bikes)	Yes	Tilden - Peach - East on Tokay
4:37	1	No	Athletic Club - Peach - Tokay
4:37	2	No	Athletic Club - Tilden
4:50	1	Yes	Peach - West on Cochran
5:04	2 (Bikes)	Yes	East on Cochran - Peach - Tokay
5:06	2 (Bikes)	Yes	Tokay - Peach - Athletic Club
5:12	2 (Bikes)	Yes	Athletic Club - 1 West on Cochran; 1 - Tilden
5:19	2 (Bikes)	No	Tokay - Peach - West on Cochran
5:24	1 (Bike)	Yes	Tilden - Peach - Tokay
5:33	1 (Bike)	Yes	Tokay - Peach - Tilden
5:34	2 (Bikes)	Yes	Tokay - Peach - West on Cochran
5:48	1 (Bike)	No	Peach - Tilden
5:51	1	Yes	Tokay - Peach - West on Cochran
5:52	1 (Bike)	Yes	East on Tokay - Peach - Tokay

**Table 3**  
**Hourly Variation In Traffic From Twin Arbors Athletic Club**  
**Cochran Road Facility**

<u>Time</u>	<u>Friday, March 22, 1991</u>		<u>Saturday, March 30, 1991</u>	
	<u>Vehicles (In and Out)</u>	<u>Percent of Day</u>	<u>Vehicles (In and Out)</u>	<u>Percent of Day</u>
7-8 a.m.	4	1.5%	0	0%
8-9	6	2.2	9	3.5
9-10	10	3.7	20	7.8
10-11	16	6.0	32	12.5
11-12	17	6.4	39	15.3
12-1 p.m.	12	4.5	30	11.7
1-2	20	7.5	25	9.8
2-3	25	9.4	33	12.9
3-4	29	10.9	21	8.2
4-5	41	15.3	20	7.8
5-6	33	12.4	18	7.0
6-7	28	10.5	8	3.1
7-8	14	5.2	1	0.4
8-9	<u>12</u>	<u>4.5</u>	<u>0</u>	<u>0.0</u>
Total	267	100.0	256	100.0

**Table 4**  
**Hourly Variation in Pedestrian and Bicycle Traffic on Peach Street**

Time	Friday, March 22, 1991				Saturday, March 30, 1991			
	<u>Pedestrians</u>	<u>Bicycles</u>	<u>Total</u>	<u>% of Day</u>	<u>Pedestrians</u>	<u>Bicycles</u>	<u>Total</u>	<u>% of Day</u>
7-8 a.m.	11	11	22	23.2%	0	0	0	0
8-9	1	0	1	1.0	2	1	3	4.2%
9-10	2	1	3	3.2	2	2	4	5.6
10-11	2	0	2	2.1	5	3	8	11.1
11-12	0	0	0	0	2	4	6	8.3
12-1 p.m.	1	1	2	2.1	2	2	4	5.6
1-2	0	2	2	2.1	3	4	7	9.7
2-3	17	11	28	29.5	2	6	8	11.1
3-4	9	7	16	16.8	4	4	8	11.1
4-5	6	2	8	8.4	3	8	11	15.3
5-6	2	3	5	5.3	1	12	13	18.0
6-7	1	5	6	6.3	0	0	0	0
7-8	0	0	0	0	0	0	0	0
8-9	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	52	43	95	100.0%	26	46	72	100.0%

Table 5  
Hourly Variation in Peach Street Traffic By Weekday

<u>Time</u>	<u>3/18/91 Monday</u>	<u>3/19/91 Tuesday</u>	<u>3/20/91 Wednesday</u>	<u>3/21/91 Thursday</u>	<u>Total</u>	<u>% of Day</u>
12 MN-1 a.m.	1	4	1	2	8	0.3
1-2	0	0	0	0	0	0.0
2-3	0	1	1	0	2	0.1
3-4	1	2	1	1	5	0.2
4-5	2	4	2	3	11	0.5
5-6	5	5	2	3	15	0.7
6-7	7	12	14	13	46	2.0
7-8	46	36	43	39	164	7.1
8-9	42	30	31	40	143	6.2
9-10	34	17	19	23	93	4.0
10-11	31	17	15	17	80	3.5
11-12 N	22	20	32	30	104	4.5
12 N-1 p.m.	22	47	33	44	146	6.4
1-2	40	48	15	36	139	6.0
2-3	49	45	44	50	188	8.2
3-4	40	56	34	43	173	7.5
4-5	79	43	47	68	237	10.3
5-6	65	57	56	60	238	10.4
6-7	49	36	41	73	199	8.7
7-8	27	23	20	49	119	5.2
8-9	17	27	27	40	111	4.8
9-10	6	6	16	9	37	1.6
10-11	8	5	6	8	27	1.2
11-12	1	3	2	7	13	0.6
Total	594	544	502	658	2,298	100.0

Source: Lodi Department of Public Works

Note: Machine counter malfunctioned on Friday afternoon, so Friday's count was not accurate.

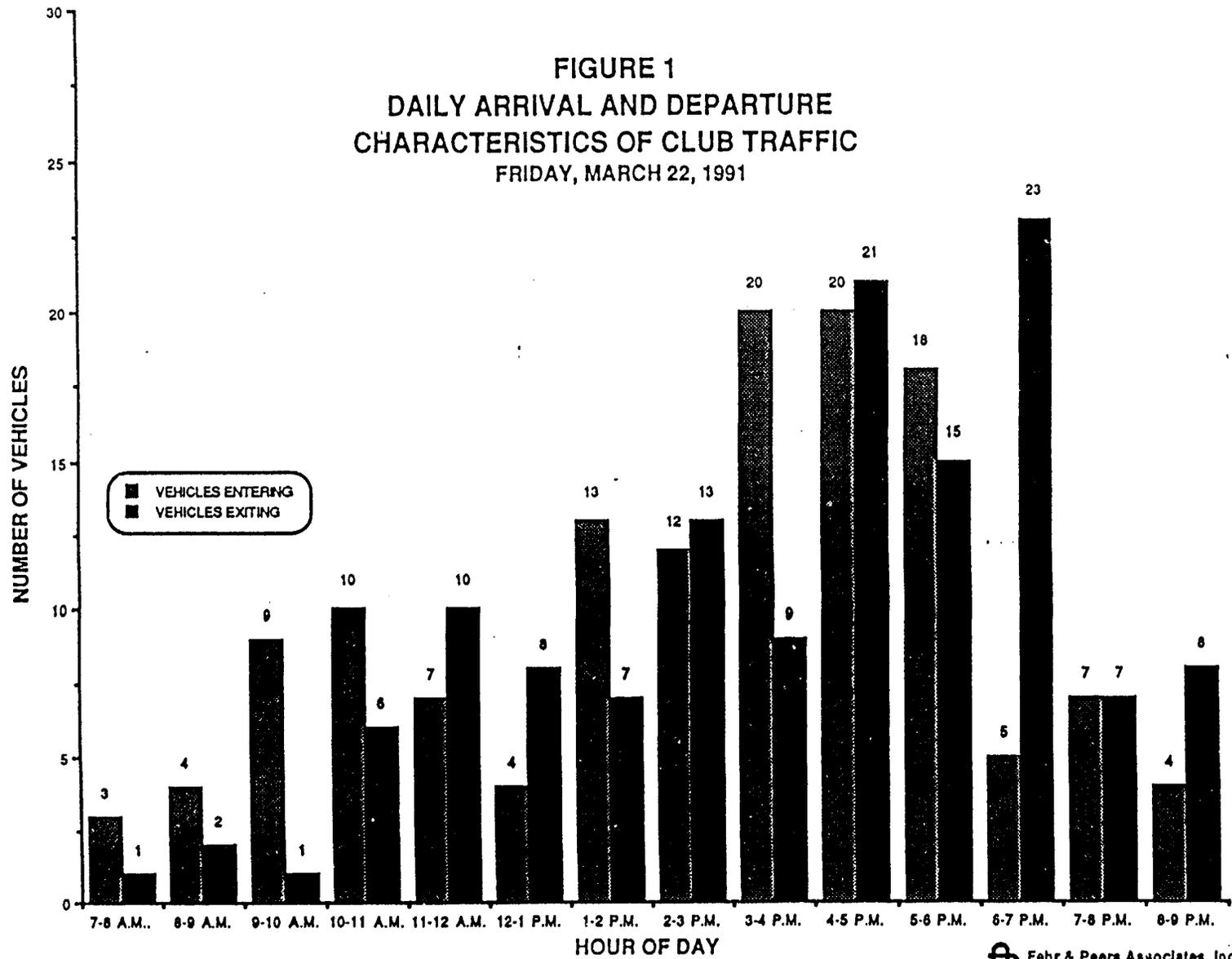
Table 6  
Summary of Street Counts  
24-Hour Volumes

	<u>Saturday</u> <u>3/16/91</u>	<u>Sunday</u> <u>3/17/91</u>	<u>Monday</u> <u>3/18/91</u>	<u>Tuesday</u> <u>3/19/91</u>	<u>Wednesday</u> <u>3/20/91</u>	<u>Thursday</u> <u>3/21/91</u>	<u>Friday</u> <u>3/22/91</u>	<u>7-Day</u> <u>Average</u>
Tilden Drive	400	234	410	420	405	464	493	404
Cochran Road (west of Peach)	530	330	529	533	546	632	801	557
Cochran Road (east of Peach)	97	66	96	86	113	111	151	103
Peach Street	497	305	594	544	502	658	771 <sup>1</sup>	553

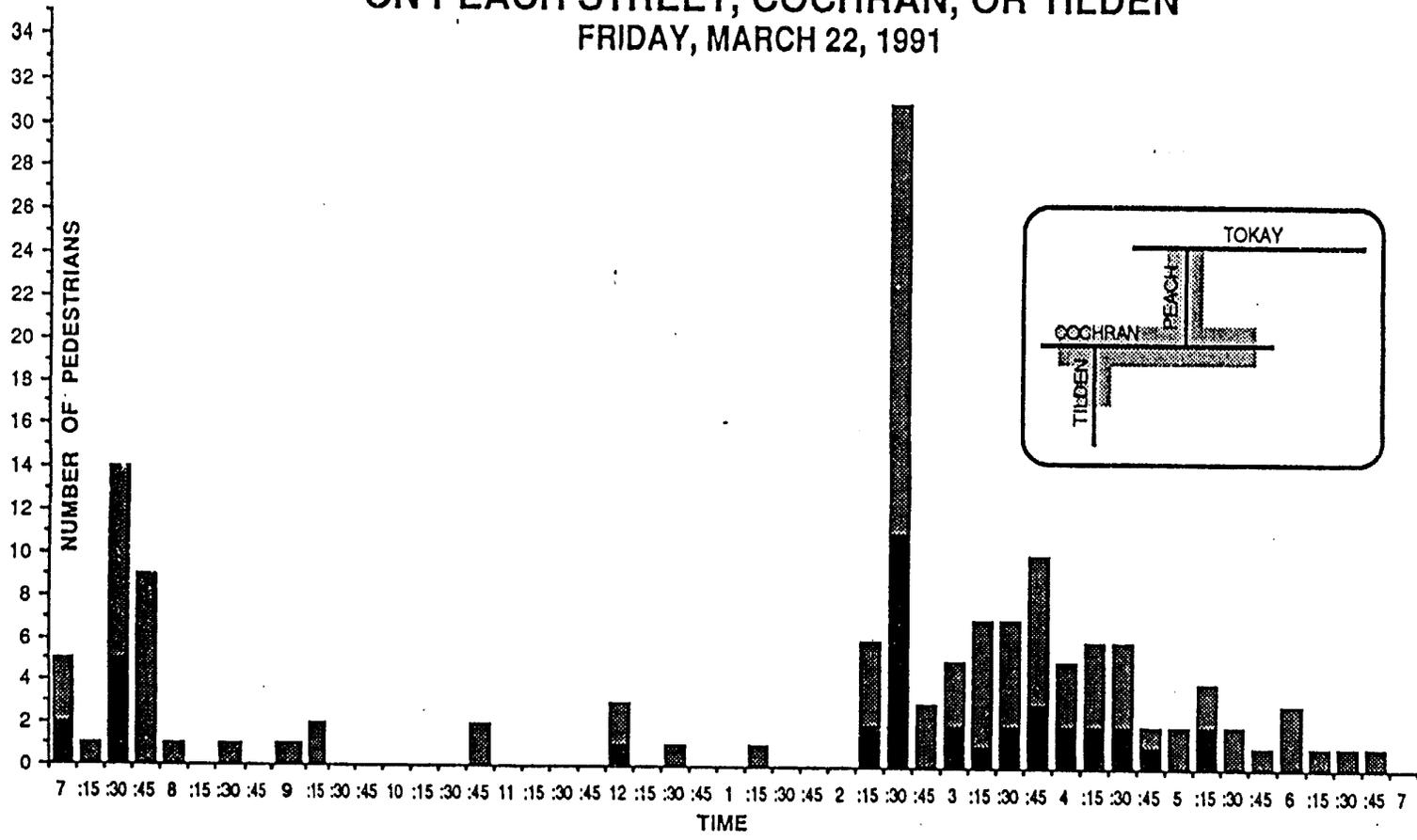
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<sup>1</sup> Counter malfunctioned. Estimate based on the three other street counts.

FIGURE 1  
DAILY ARRIVAL AND DEPARTURE  
CHARACTERISTICS OF CLUB TRAFFIC  
FRIDAY, MARCH 22, 1991

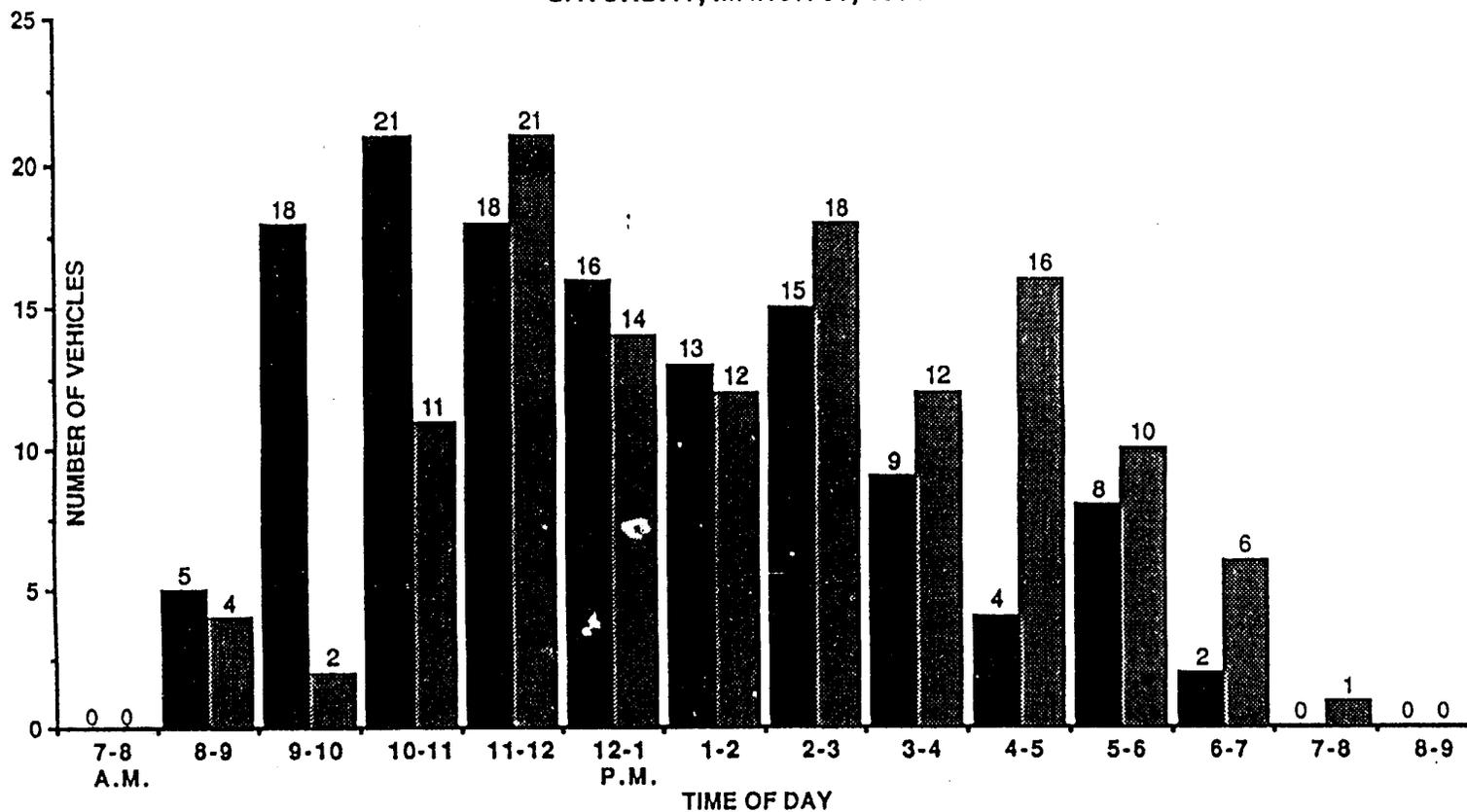


**FIGURE 2  
PEDESTRIAN AND BICYCLE TRAFFIC  
ON PEACH STREET, COCHRAN, OR TILDEN  
FRIDAY, MARCH 22, 1991**



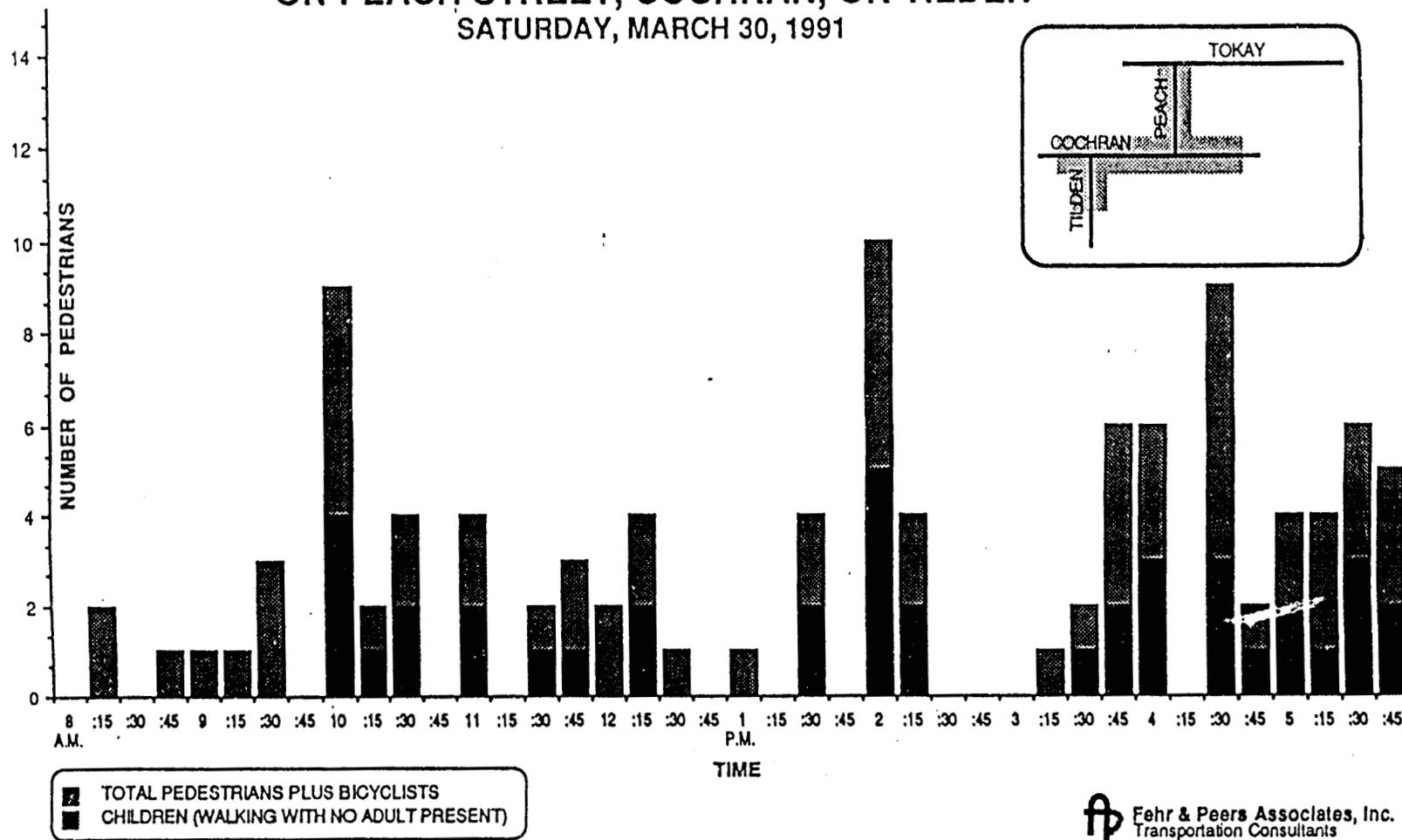
TOTAL PEDESTRIANS PLUS BICYCLISTS  
 CHILDREN (WALKING WITH NO ADULT PRESENT)

**FIGURE 3**  
**SATURDAY DAILY ARRIVAL AND DEPARTURE**  
**CHARACTERISTICS OF CLUB TRAFFIC**  
**SATURDAY, MARCH 30, 1991**



VEHICLES ENTERING  
 VEHICLES EXITING

**FIGURE 4**  
**SATURDAY PEDESTRIAN AND BICYCLE TRAFFIC**  
**ON PEACH STREET, COCHRAN, OR TILDEN**  
**SATURDAY, MARCH 30, 1991**



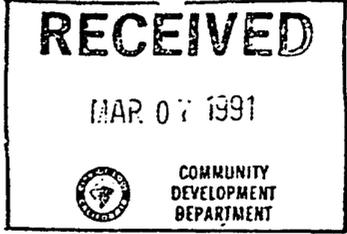
NOTE: DOES NOT INCLUDE PEDESTRIANS AND BICYCLISTS TO AND FROM ATHLETIC CLUB

**fp** Fehr & Peers Associates, Inc.  
 Transportation Consultants

4. Correspondence from Tim Mattheis, Wenell, Mattheis, Bowe, Inc. discussing the neighborhood meeting of February 21, 1991 with the first revised site plan and comments.

2165

WMB



March 7, 1991

Mr. Jim Schroeder  
Community Development  
CITY OF LODI  
Call Box 3006  
Lodi, California 95241

SUBJECT: TWIN ARBORS REMODEL AND ADDITION  
COCHRAN ROAD FACILITY

Dear Jim:

As requested by the Lodi City Planning Commission at its meeting of Monday, January 28, 1991, we have held a joint meeting with representatives of Twin Arbors Athletic Club and neighbors of the club to receive concerns raised at the public hearing. The results of the meeting are outlined below.

As also requested, we have contracted with a traffic engineer to conduct a parking and traffic study outlining the effects of the project on the neighborhood. Due to weather delays, the study is still in progress as of this date. We expect that findings and recommendations will be presented to the City for your review before the Planning Commission meeting on March 11th.

Notices for the neighborhood meeting were sent February 14, 1991 to all residences on the City's public hearing notification list. The meeting was held February 21, 1991 at the North Hall of Hutchins Street Square. Sixteen neighborhood residents attended the meeting. An agenda is enclosed for your reference.

Listed below are the on-site modifications to our proposal we have made as a result of discussions with the neighborhood. An itemized list of neighborhood concerns noted at the meeting and our response to each concern are discussed on the attached pages.

PROPOSAL MODIFICATIONS:

1. A seven foot (7') high masonry wall will be built at the east property line at the parking area to provide a sound and vision barrier to the adjacent residences.
2. The plans for future tennis courts on the west edge of the property at the retention pond area will be deleted. In lieu of the north tennis court, the area will be reserved for future overflow parking lot area should the 82 planned spaces not provide sufficient parking. At the time of a parking

ARCHITECTURE

PLANNING

INTERIORS

Larry Wenell

Tim Matheis

Thomas Bower

Architects

22

W. L. ...

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Mr. Jim Schroeder  
CITY OF LODI  
March 7, 1991  
Page 2 of 2

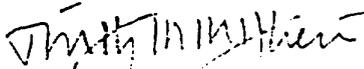
lot extension, the masonry wall at the west property line will be extended the length of the new parking area.

Parking lot lighting will be designed to remain within club property lines. It will be turned on only when overflow parking is needed. The remaining area to the south will be reserved for a future activity area. Lighting in this area will not be placed higher than four feet above grade. The current retention pond will still be abandoned and drainage connected to the City storm system as required by the City.

3. The abandoned retention pond area will be more consistently maintained by the management until the area is improved in the future. During construction of the club, the area will be cleared of heavy brush and scrub trees. It is the management's intent to keep the area free of high weeds and migrant shrubs.
4. To help minimize reflected noise from the basketball court across the canal to the neighboring houses, the existing exercise room building will be removed; the replacement building will be designed with a single story wall surface against the basketball court to mitigate reflected sound.
5. The club hours will not permit outdoor recreational activity - swimming, tennis or basketball - before 8:00 am all year.

Sincerely,

WENELL MATTHEIS BOWE



Timothy Mattheis  
Vice-President

TM:cb

cc: Neighborhood Residents

## SUMMARY OF NEIGHBORHOOD MEETING DISCUSSIONS

Listed below are the concerns of the neighborhood raised at the neighborhood meeting and our response to each concern:

1. *Noise at early morning hours and hours of operation.*

The club will prohibit outdoor recreational activity before 8:00 a.m. all months of the year. This includes tennis, swimming, basketball and any yard activities. The exercise activities will be totally contained inside the building. Windows in the aerobics room are not operable and will provide a sound barrier. At peak usage, the club expects 15-25 cars at the facility before 7:00 a.m.

2. *Guarantee for us that property values will rise and not fall as a result of the club expansion.*

The club is in no position to measure value in the neighborhood. We believe the improvements and available recreational facilities will be an attractive amenity to the Sunwest neighborhood and community.

3. *The future tennis courts at the west edge of the property are not part of the original use permit as so stated.*

City records of the use permit and conditional letter make

no mention of these tennis courts. The future tennis courts were shown and designated on the approved set of building permit plans at the initial site development.

4. *Are you increasing insurance coverage for damage done to adjacent property because of the new club?*

The club is more than adequately covered for insurance needs.

5. *Concern about noise in the pool area, specifically early morning swim meet activities.*

As stated earlier in #1, the club will prohibit swimming before 8:00 a.m. all months of the year. After the sun sets pool use is generally only lap-swimmer creating no appreciable noise.

6. *After hours noise and lights; maintenance of tennis courts and employees using facilities.*

Neither activity is club policy and both will be curtailed. Maintenance of courts will be during club hours. Tennis court lights will be securely controlled from the new front desk area. Employees are prohibited from using club facilities after hours.

7. *How much noise will be generated from the babysitting room? Isn't*

*this really a day care center?*

This function is not a day care; this is only a babysitting area. Children will be watched by staff as a convenience to the members who are on the premises at that time. The children will not be allowed in babysitting area any longer than two hours. The fire department occupancy will allow 18 people in the room at one time.

8. *How will the abandoned drainage ditch be maintained? Stated that it has been inadequate in the past.*

The ditch will be cleared of weeds, shrubs and trees during construction. The water from rainfall will be diverted to the City's storm system. The area will be plowed under once a year and kept free of fall weeds and migrant shrubs.

9. *When club first opened, many loud parties and noise problems.*

These are past issues.

10. *How is the club complying with the noise ordinance?*

The club has been an integral part of the neighborhood since it was constructed; it existed before many of the houses surrounding it. The improvements will not appreciably alter the level of noise in the neighborhood. Again, the outdoor recreational activities will be prohibited

before 8:00 a.m.

11. *How is the club going to address after-hours trespassing use of parking lot and retention area?*

The club improvements will increase security with the rebuilding of fences between the parking lot and the retention area. Additional lighting at the west parking area will discourage loitering.

12. *The design of the building is inappropriate for the neighborhood; it should look like a house in the residential area.*

The design is appropriate for the neighborhood. It compliments the neighborhood characteristics in scale, height, proportion, massing, texture and color. The building is not a house, and it is our professional opinion that it not try to falsely imitate a house; rather it should compliment the neighborhood in the above characteristics.

13. *The high wall of the existing exercise room will act as a sound board and reflect basketball court noise across the irrigation canal to the residences.*

The existing building, and its two story walls, will be removed. The design of the new exercise room will lower the wall from 24 feet to 14 feet. Landscaping trees planted against the building will also assist in defusing reflected

sound.

14. *Has an alternative site been studied for the club?*

The club has been and will continue to be an important part of the Sunwest community. A site move is not economically feasible.

15. *The future planned tennis courts on the west edge of the property are going to be a noise, lighting and property damage nuisance.*

The club will abandon its plans for these future tennis courts. In lieu of the tennis courts, the club will use the area for future overflow parking if needed and as a future activity area.

### TRAFFIC

The following concerns were raised by the neighborhood regarding traffic and parking issues. These will be addressed in the traffic study.

1. What is the expected intensity of use generated by the club improvements? How many people and cars? How does this compare with the intensity of use at the Hutchins Street Club?
2. Is there adequate parking? Will parking take place on the street?
3. Concerned about the safety of children walking to school, especially

on Peach Street where there are no sidewalks.

4. Concerned about the speed of traffic in the neighborhood, specifically generated by the club.
5. Concerned about increased traffic on Tilden and Peach Streets - how much will be generated by the club?
6. Concerned that because Peach Street is unimproved in lighting and sidewalks; increased traffic will make it too dangerous.
7. Concerned about crossing traffic on Peach Street and Cochran Road. Currently there are no traffic controls at this intersection.

NEIGHBORHOOD MEETING  
FOR DISCUSSION OF  
TWIN ARBORS ATHLETIC CLUB  
ADDITION AND REMODEL

February 21, 1991

AGENDA

7:00 p.m.

- Introduction of T.A.A.C. Representatives  
Format of Meeting
- Overview presentation of proposed addition/remodel  
to Cochran Road Facility
- DISCUSSION FORUM  
Presentations by neighborhood residents

8:45 p.m.

- Summary for forum discussion

9:00 p.m.

- Adjourn



WENDELL MATTHEWS ROY

ARCHITECTURE

PLANNING

INTERIORS

222 W. Euclid St.  
Suite 210  
San Jose, CA  
95128  
408 / 285-8220

A/E/C  
300 / 300 3000

San Jose  
300 / 300 3000  
San Jose  
314 / 251-5248

TWIN ARBORS ATHLETIC CLUB

COCHRAN ROAD SOCIETY

REMODEL & ADDITION

LOOOL CALIFORNIA

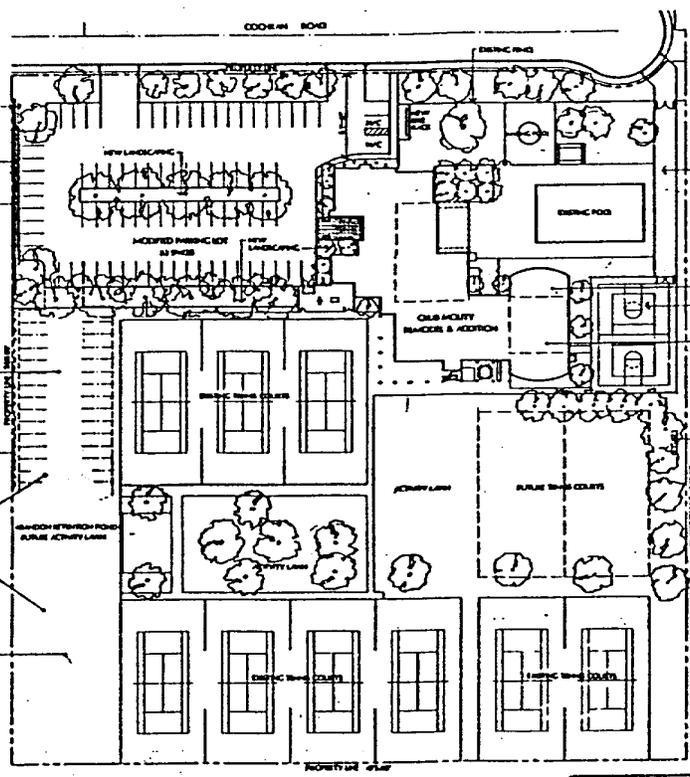
MASTER SITE PLAN

REVISED 3-5-91

12-3-90

5077

5077



INSTALL 7' HIGH MASONRY WALL AT PARKING LOT

FUTURE OVERFLOW PARKING IF NEEDED 20 - 30 ADDITIONAL SPACES

FUTURE BLOCK WALL WITH PARKING ADDITION

DELETE PLANS FOR FUTURE TENNIS COURTS

FUTURE ACTIVITY AREA

RECREATIONAL ACTIVITY CONTAINED INDOORS UNTIL 8:00 AM

REMOVE EXISTING 2 STORY BUILDING DESIGN NEW BUILDING WITH LOWER EAST WALL

LEGEND

- ORIGINAL PROPOSAL NOTES
- MODIFIED PROPOSAL NOTES

MASTER SITE PLAN  
SCALE: 1/8" = 1'-0"

Twin Arbors Athletic Club  
Facilities Expansion  
2040 Cochran Road  
U-90-30  
REVISED PLAN

5. Memorandum from the City Attorney dated March 7, 1991 discussing the Twin Arbors application.

CITY OF LODI  
MEMORANDUM  
=====

To: James B. Schroeder, Community Development Director  
From: Bob McNatt, City Attorney  
Date: March 7, 1991  
Subject: APPLICATION OF TWIN ARBORS TENNIS CLUB

=====

As I understand it, a question has been raised regarding the land use classification of the Twin Arbors athletic club on Cochran Road. Specifically, as I understand it, the issue is whether exercise machines constitute an accessory use to the general classification of "recreational facility".

The history of the site indicates that the land is zoned Low Density-Residential, and the facility has been operating under a use permit issued several years ago by the City. The club now seeks to expand its exercise or workout facilities, and objections have been raised.

The starting point is Lodi Municipal Code Section 17.09.030 (G) which allows in R-1 Districts "golf courses ... and similar recreational uses". The question then becomes what is a "similar recreational use"? Words in a statute are to be given their usual and ordinary meanings wherever possible (Younger v. Alameda Superior Court 127 Cal.Rptr. 122). It would appear reasonable to me to conclude that a "similar recreational use" could easily include a tennis and health club, subject to securing a use permit. I don't think I've seen a tennis club that didn't include exercise machines.

The Planning Commission has authority under LMC Chapter 17.72 to classify those uses deemed conforming to any particular zone. The Planning Commission apparently has already done so in the matter of Twin Arbors where it approved the original use permit which included exercise equipment.

This conclusion is further supported by a discussion contained in California Land Use (Longtin) Section 3.10(2) which states "A zoning administrator (or the planning director) is ... given authority to determine what uses are similar ..." While one case questions such interpretive authority (People v. Binzley 146 Cal. App. 2nd Supp. 889), courts generally give great weight to the zoning administrator's interpretation.

Without the benefit of more extensive research, my initial feelings are that the question of whether exercise machines are an accessory use to a tennis club has been answered by the Planning Director and Planning

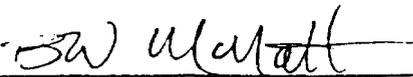
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Community Development Director  
March 7, 1991  
Page Two

Commission a long time ago. A challenge to that determination is probably not timely. The athletic club, by virtue of its long period of operating exercise equipment in conjunction with the tennis club functions has probably established its right. Under the Hagen case, which we have discussed on numerous previous occasions, the holder of a use permit may have certain vested rights which cannot be taken away by the city absent a showing that the use constitutes a nuisance. Although some neighbors of the club are understandably concerned with the uses, and have complained about past problems, the information I have does not sound like a court could justify revocation of the use permit on a nuisance basis.

Please let me know if there are further questions.

  
\_\_\_\_\_  
BOB McNATT  
City Attorney

BM:vc

cc: Planning Commission Members

=====  
CDTWINAR/TXTA.01V

6. The original Traffic and Parking Study for Twin Arbors Athletic Club dated March, 1991.

**Traffic And Parking Study For  
Twin Arbors Athletic Club  
(Cochran Road Facility)**

**Lodi, CA**

**March, 1991**

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## I. Introduction

Twin Arbors Athletic Club consists of two facilities; one located on Hutchins Street and the other located on Cochran Road. A member of the athletic club can use either facility. The Hutchins club is known more as an indoor club with activities such as racquetball, weightlifting and aerobics. The Cochran club, located in a residential neighborhood, is primarily an outdoor tennis/swimming facility with high summer usage.

Spare Time, Inc. is proposing to expand and remodel the facility on Cochran Road. The proposed expansion includes an upgrade of facilities, a new aerobics room, an expanded weight room, additional tennis courts, as well as other less significant improvements. The proposal also includes the expansion of the facility's parking lot from 78 to 82 parking spaces.

Due to concerns of neighborhood residents living near the Cochran club, the City planning staff asked Spare Time, Inc. to hire a traffic consultant to study the traffic and parking impacts of the proposed expansion and to meet with the neighbors to hear their concerns. Spare Time, Inc. commissioned Fehr & Peers Associates to perform the traffic/parking study.

Spare Time, Inc. management and a representative of Fehr & Peers Associates met with the local neighbors on February 21, 1991 to discuss their concerns about the proposed remodeling and expansion. About 16 residents attended the meeting. They raised several issues, including some related to traffic and parking.

The purpose of the study is to determine the impact of the Cochran Road club expansion (referred to herein as "proposed project") on traffic and parking.

## II. Traffic

This chapter discusses the current traffic conditions in the immediate vicinity of the project, estimates the amount of traffic that will be generated by the project, indicates the resulting increase in traffic on the local streets, remarks on the acceptability of those traffic increases, and finally recommends measures to minimize the impacts of the increased traffic.

### A. Existing Conditions

The traffic study focused on potential traffic impacts of the project onto Cochran Road, Tilden Drive and Peach Street. All three of the roads are residential streets and almost exclusively serve only traffic generated by uses (homes and the existing club) within the neighborhood.

Fehr & Peers Associates conducted traffic counts at the club driveways and at the intersections of Cochran/Peach and Cochran/Tilden on Wednesday, March 6, 1991 from 8 a.m. to 9 p.m. (the hours that the club is open). The weather was clear and sunny on the day of the count, so the club experienced typical usage for that time of the year. Figure 1 shows the total traffic that entered/exited the club over the 13 hour period that the club was open. As shown, 151 vehicles entered the club during the 13 hours that the club was open. The club traffic activity was highest from 5 to 6 p.m. (13 entered and 19 exited) and from 7 to 8 p.m. (18 entered, 14 exited). Figure 2 shows the intersection turn volumes from 7-8 p.m. Figure 3 shows club traffic during the adjacent street peak hour (6-7 p.m.).

We also identified which roads traffic used after exiting the club. As Figure 4 shows, 45% used Peach Street, 25% used Tilden Drive, and 30% continued on Cochran Road. This information was utilized to assign the increased traffic generated by the proposed project.

The traffic counts were factored to represent Average Daily Traffic (ADT) volumes. Figure 5 shows the existing ADT volumes on the study streets. The ADT's range from 340 vehicles per day on Tilden Drive to 620 vehicles per day on Cochran Road between Tilden Drive and Peach Street. Figure 6 shows daily turn volumes at the study intersection.

We also noted the pedestrian and bicycle activity during the hours counted. Table 1 summarizes the pedestrian observations. On average, 3 pedestrians per hour were observed walking in the immediate area of Tilden/Cochran/Peach. The data shown in the table is considered typical of a residential street; however, it represents information taken on a non-school day.

The technicians who performed the traffic counts reported that motorists on Cochran Road, Peach Street, and Tilden Drive travelled at a higher rate of speed than typically expected in a residential neighborhood. They also noted that the vehicles accessing the club did not seem to drive any faster or slower than non-club vehicles.

The technicians also reported that they observed a couple of "close-calls" or near accidents during the day at the intersection of Cochran Road and Peach Street. At the meeting with the local neighborhood, several residents also mentioned that vehicles travelled at a high rate of speed through the area, and that they had seen several "close-calls" at the Cochran/Peach intersection.

We reviewed City records to determine the recent accident history in the study area. In the past five years, only one traffic accident was reported at the Cochran/Peach intersection. That accident involved a vehicle travelling westbound on Cochran Road getting hit broadside by a vehicle turning right from Peach Street. These movements were the same as described as "close-calls" by the counting technicians.

#### B. Impact of the Proposed Project

The most difficult task in the study was to estimate the amount of traffic that the proposed project will generate. At first, one may think that the amount of square footage or number of courts would be the most reliable variable to estimate traffic from a club, but available statistics indicate that membership is the most accurate variable.

Fehr & Peers Associates obtained information at the Johnson Ranch Racquet Club in Roseville which indicated that the club generated 0.88 vehicle trips per membership. To verify the reliability of this rate for the proposed project, we performed a traffic count at both the Hutchins club and the Cochran club. According to Spare Time, Inc. management, there are currently about 1,650 memberships in the Twin Arbors Athletic Club. During this time of year, about 1,350 memberships utilize the Hutchins club, while 300 memberships use the Cochran club.

On Wednesday, February 27, 1991, a total of 578 vehicles entered and exited the Hutchins club during the entire day. This represents about 0.86 daily trip ends per club membership (a vehicle entering and exiting the club is considered two trip ends). As previously discussed, 131 vehicles entered/exited the Cochran club on Wednesday, March 6, 1991. This represents about 0.87 daily trips per club membership. Thus, the daily trip rates at three different clubs were 0.86, 0.87 and 0.88 daily trips per membership. The consistency of the rate indicates a high degree of reliability.

We used the rate of 0.88 daily vehicle trips per membership to estimate the amount of traffic that the proposed project will generate. The existing club membership during early March is 300. Spare Time, Inc. management has indicated that the ultimate membership capacity of the remodeled/expanded club is estimated to be 1,000 memberships, which is an increase of 700 memberships. At 0.88 trips per membership, 700 new memberships will generate 616 daily trips (308 in and 308 out).

Information published by the Institute of Transportation Engineers<sup>1</sup> indicates that a racquet club generates about 10% of its daily traffic during the p.m. peak hour. Therefore, of the 616 trip ends that the proposed project will generate in an entire day, about 62 additional trip ends will occur during the p.m. peak hour.

Using the distribution pattern shown earlier in Figure 4, daily traffic volumes will increase by 280 vehicles on Peach Street, 150 vehicles on Tilden Drive, and 190 vehicles on Cochran Road west of Tilden. Figure 7 shows that traffic on these road segments will increase by 44% to 47%. Traffic volumes on Cochran between Tilden Drive and Peach Street will increase by 55%, while Cochran Road adjacent to the project will increase by 155%. It is important to note that the increases shown in Figure 7 represents increases in winter traffic volumes. Spare

---

<sup>1</sup> Trip Generation, 4th Edition, Institute of Transportation Engineers, September 1987.

Time, Inc. management has indicated that summer membership at the Cochran club is about 500, which is double the winter membership. Thus the increase in traffic on the local streets will be less in the summer than in the winter.

Figure 8 shows the amount of daily traffic increase at the Cochran/Peach and Cochran/Tilden intersections.

The resulting ADT's on Cochran Road range from 610 on the segment west of Tilden Drive to 1,020 on the segment adjacent to the club. The resulting ADT is 870 on Peach Street and 490 on Tilden Drive.

### C. Impact of Additional Traffic Volumes

The intersections at Cochran/Peach and Cochran/Tilden will continue to operate at LOS A with the project.

Cochran Road, Peach Street, and Tilden Drive are residential streets. According to the City of Lodi's design classifications, Tilden Drive and Cochran Road (except for a short segment) are standard residential streets. Peach Street is a minor residential street because it lacks curb, gutter, sidewalk and has only a 50-foot right-of-way.

Standard residential streets are designed to carry 500 to 4,000 vehicles per day. With the additional traffic generated by the proposed project, Cochran Road will have an ADT of 1,020 vehicles (highest segment), and Tilden Drive will have an ADT of 490 vehicles. Thus, the project traffic volumes are well within the design capacity of the streets.

As discussed, Peach Street is classified as a minor residential street. The traffic volume range for minor residential streets is 0 to 500 vehicles per day. The existing ADT on Peach Street is 590, which means its current volume exceeds its design capacity by 90 vehicles. The proposed project will increase the ADT on Peach Street from 590 to 870.

An article in a recent transportation publication entitled "Maximum Traffic Volumes For Livable Streets"<sup>2</sup> suggests traffic volume thresholds for Level of Service A on residential streets. Level of Service (LOS) is a term used to describe the quality of traffic operation on a road facility. It is denoted by letters ranging from A to F, with A being the best level of service and F being the worst. The author's description of LOS A for residential streets is "that traffic condition where any given vehicles on the roadway is unaffected by any other vehicle." The level of service of a residential street depends on the width of the street and whether streetside parking is allowed. For a road having Peach Street's characteristics, 24-foot width without parking, the maximum traffic volume threshold for LOS A is 840 vehicles per day. The traffic volume projection on Peach Street is 870 vehicles per day, which is slightly above the LOS A limit.

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<sup>2</sup> Published in Westermite, November-December, 1990.

Recommendations: Based on reports of "close-call" accidents by the local residents and the field technicians, we recommend the City investigate implementing a stop-sign at the Cochran/Peach intersection. Based on our analysis and observations, it appears that a stop sign is needed at the Peach Street approach to the intersection. This will clearly give right-of-way to Cochran Road traffic and should reduce the accident potential at the intersection.

As far as the upgrading of Peach Street is concerned, if the City chooses to use its design standards as the basis for determining if a street needs to be upgraded, then Peach Street needs to be upgraded to a standard residential street regardless of the proposed project. If instead the LOS A volumes are the basis for determining if the road needs to be upgraded, then Peach Street probably does not need to be widened since the projected volumes (370) exceed LOS A capacity (840) by only 30 vehicles.

### III. Parking

The proposed project will also increase the present parking demand at the existing club. Parking utilization surveys completed in February, 1991 indicate that the maximum number of vehicles parked in the lot was 27.

According to Spare Time, Inc. management and local residents, parking demand is substantially higher during the summer months. Management and local residents agreed that the maximum parking demand during the summer is about 50 vehicles, except during the City tennis tournament.

Spare Time, inc. provided Fehr & Peers Associates with statistics on membership and parking at three other clubs. The following shows the parking demand and total memberships at each club:

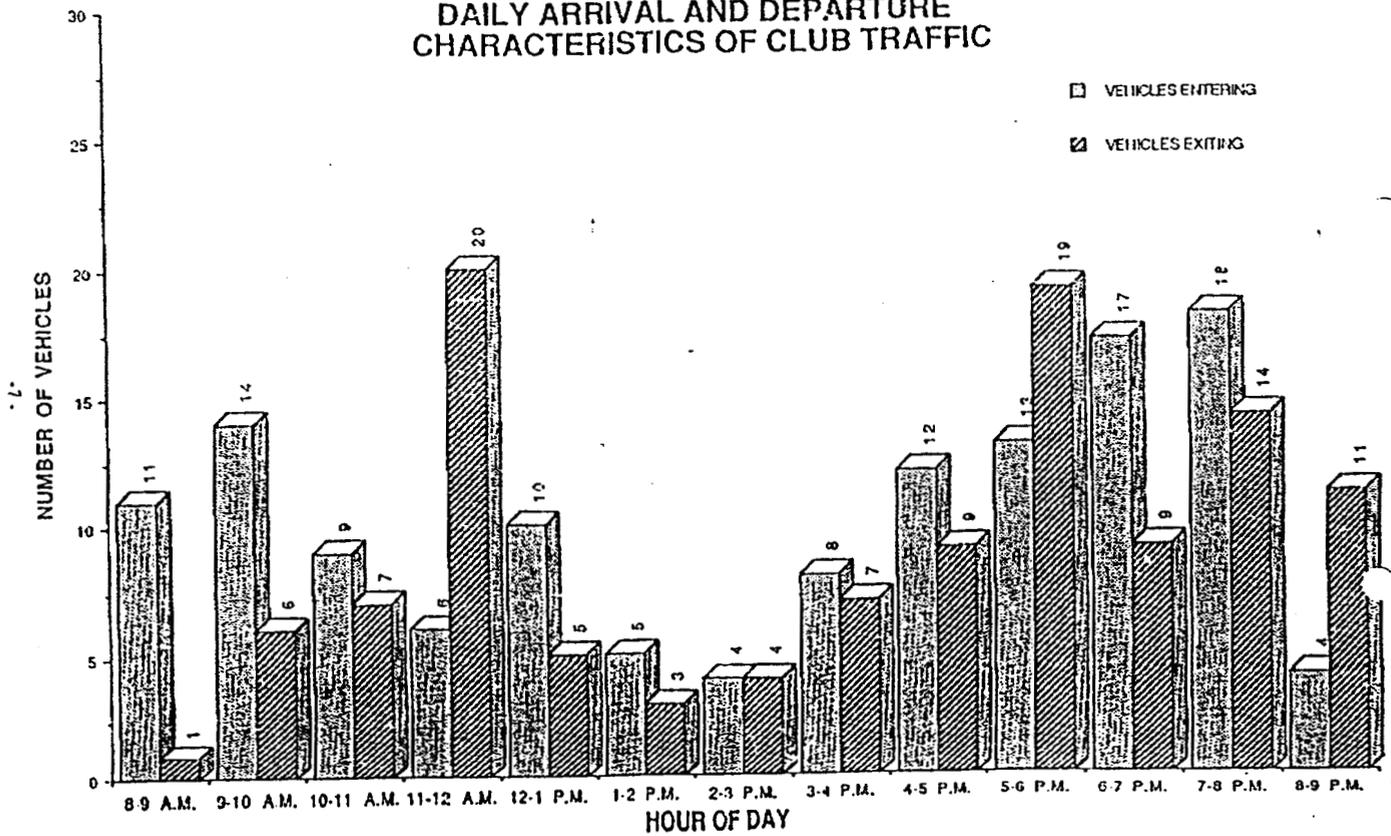
	<u>Parking Provided</u>	<u>Membership Capacity</u>	<u>Ratio</u>
Gold River	128	1,600	1 space per 12.5 memberships
Natomas	162	2,500	1 space per 15.4 memberships
Johnson Ranch	156	1,750	1 space per 11.2 memberships
Laguna Creek	188	2,500	1 space per 13.3 memberships
Total	634	8,350	1 space per 12.1 memberships

As shown above, one parking space is required for a range between 11.2 and 15.4 memberships. The average is one space per 13.2 memberships. Using these ratios, the proposed project will require between 55 and 89 parking spaces.

The proposed project will increase the number of parking spaces from its present 78 spaces to 82 spaces, which equates to 1 space per 12.2 memberships. Only the Johnson Ranch Club provides more parking than this on a membership basis. Based on this information, the proposed parking supply should be adequate to handle the expected demand. However, in case the demand someday exceeds the supply, Spare Time will expand the parking lot in the vacant land in the northwest corner of the site.

FIGURE 1

DAILY ARRIVAL AND DEPARTURE CHARACTERISTICS OF CLUB TRAFFIC



Note: Traffic counts taken on Wednesday, March 6, 1991.

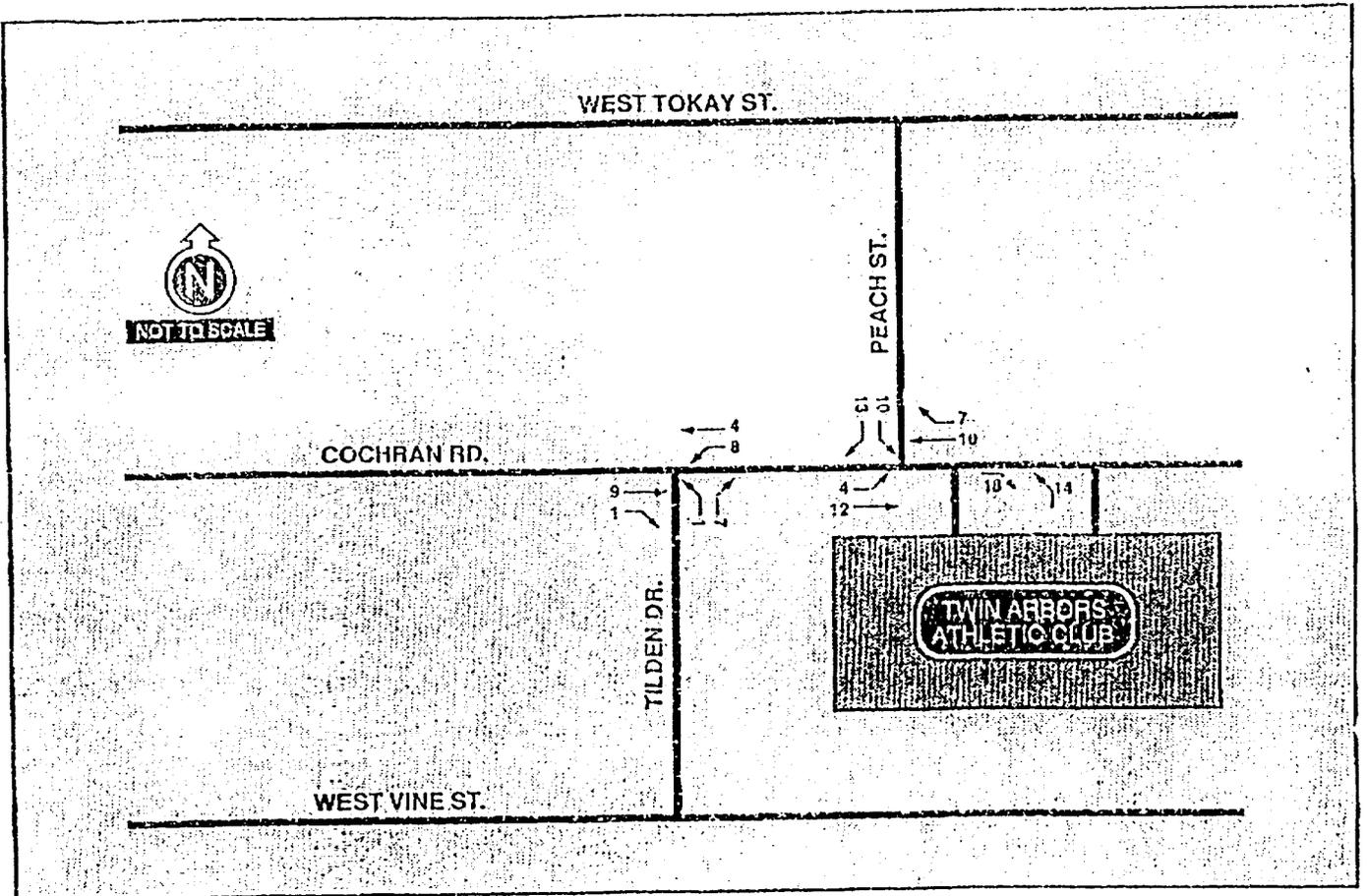


FIGURE 2

EXISTING TURNING VOLUMES  
DURING PEAK HOUR OF CLUB  
(7-8 PM)

F Fehr & Peers Associates, Inc.  
Transportation Consultants

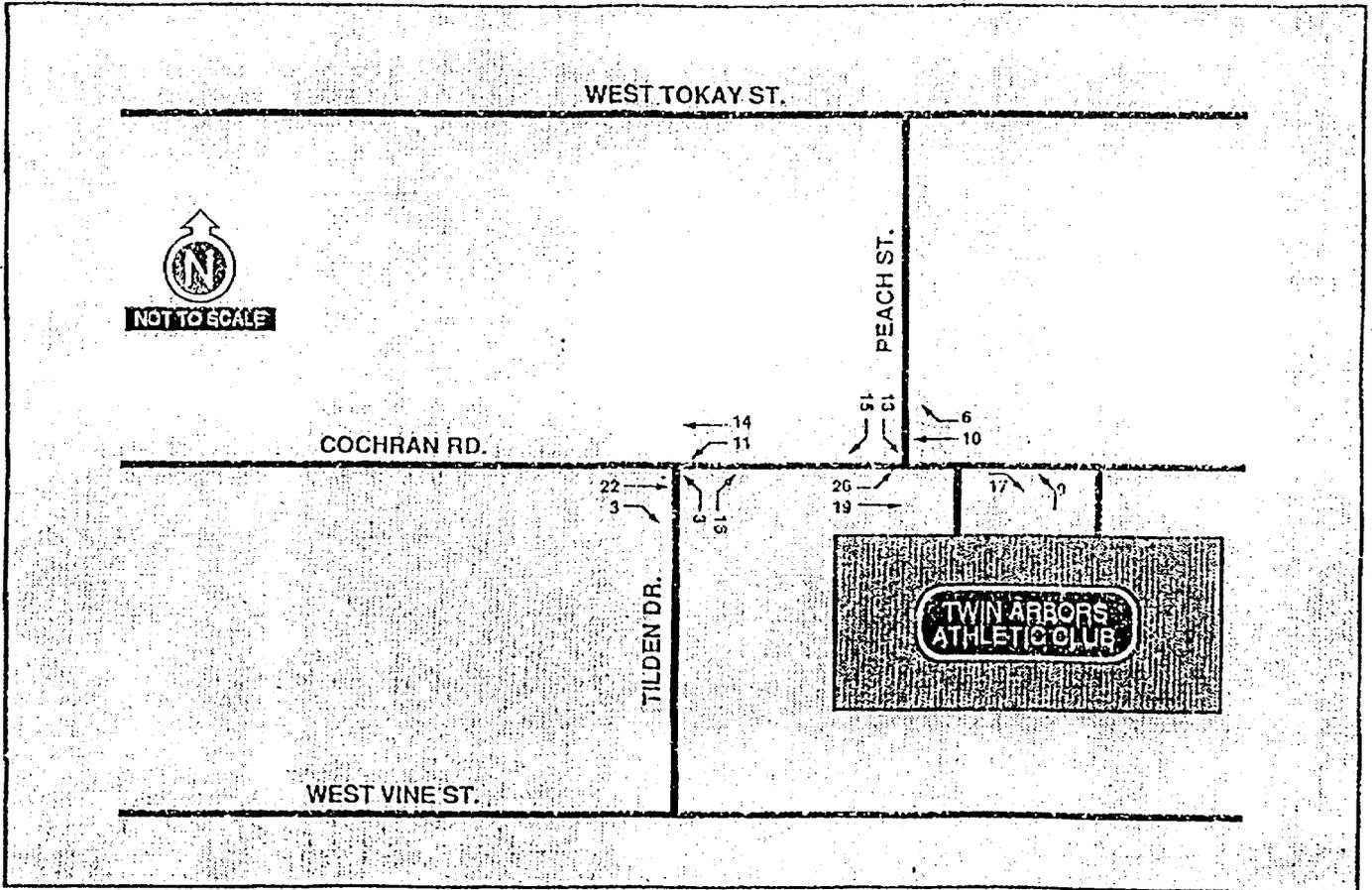


FIGURE 3

EXISTING TURNING VOLUMES DURING  
PEAK HOUR OF ADJACENT STREET  
(6-7 P.M.)

fp Fehr & Peers Associates, Inc.  
Transportation Consultants

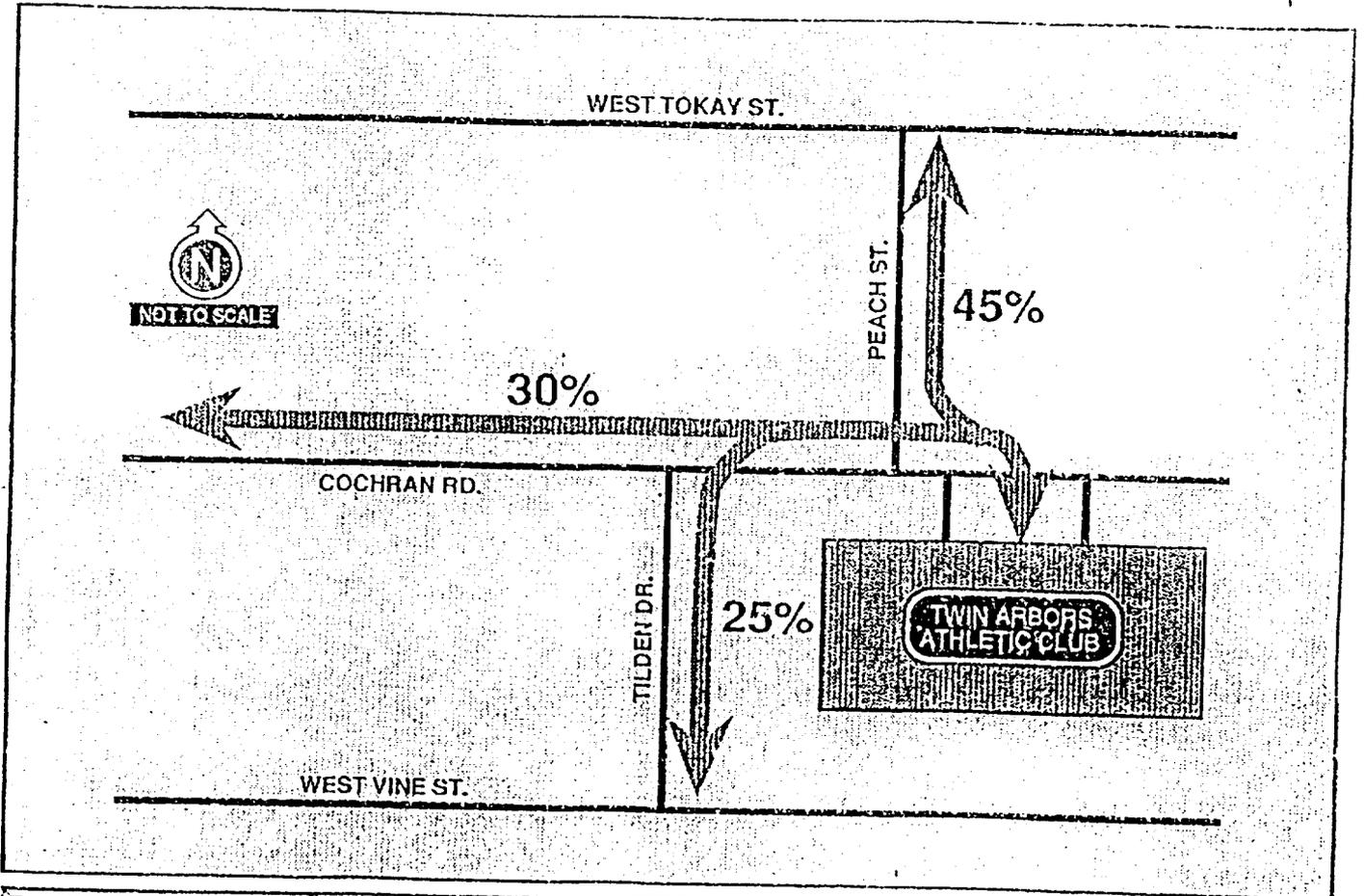


FIGURE 4

DISTRIBUTION OF CLUB TRAFFIC

fp Fahr & Peora Associates, Inc.  
Transportation Consultants

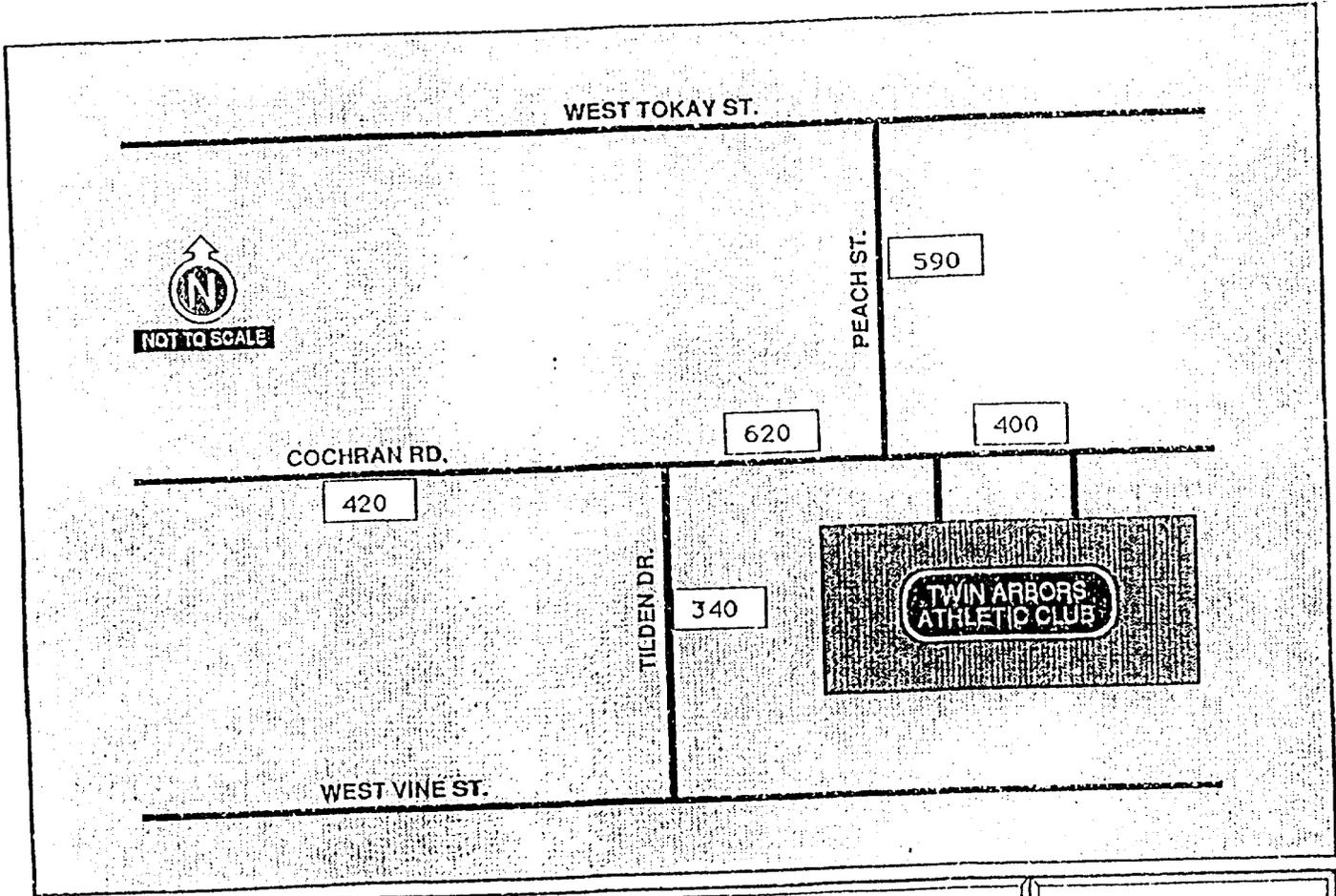


FIGURE 5

EXISTING DAILY TRAFFIC VOLUMES ON STREET SEGMENTS

fp Fehr & Peers Associates, Inc.  
 TRANSPORTATION CONSULTANTS

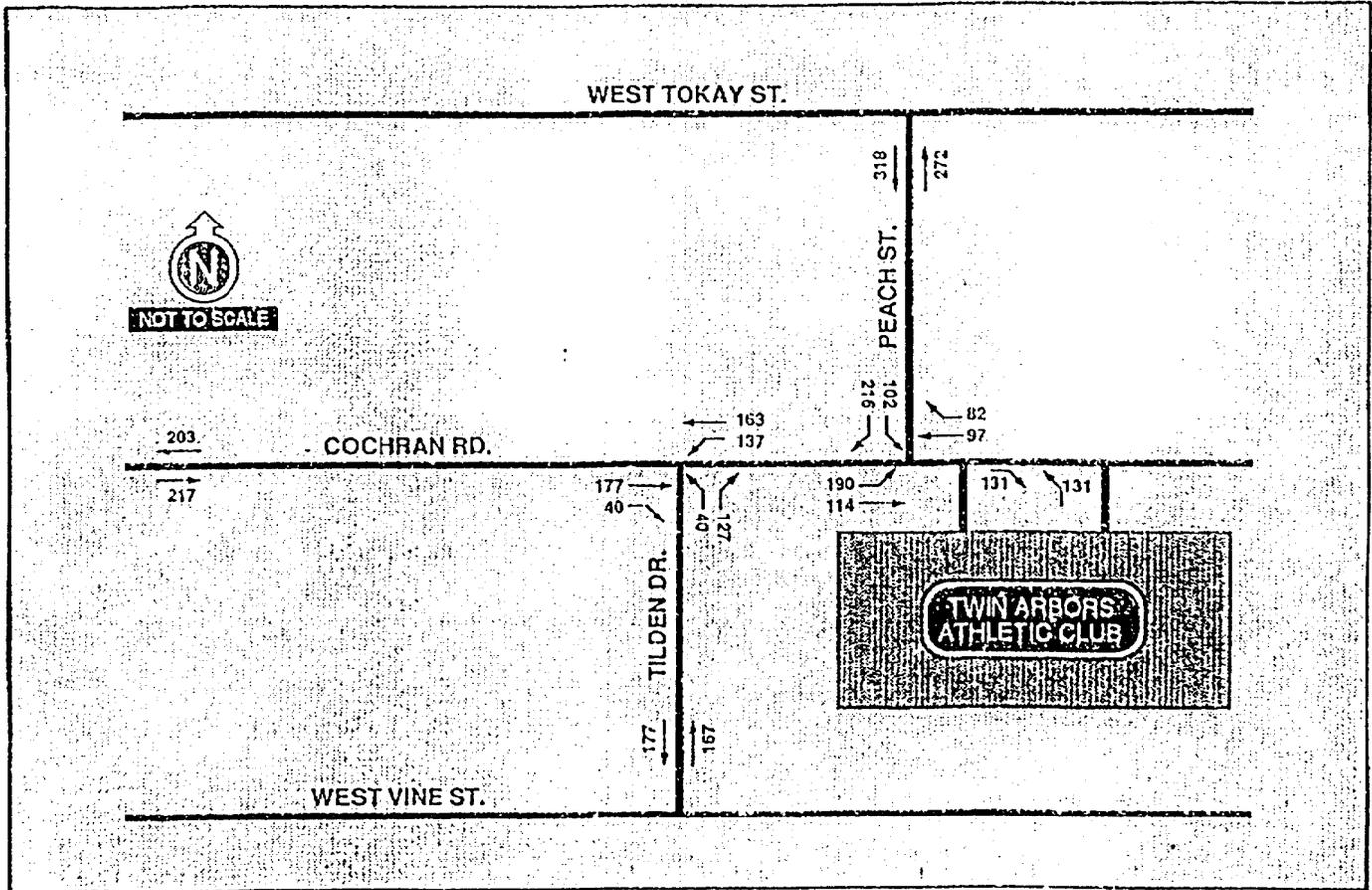


FIGURE 6

DAILY TRAFFIC VOLUMES  
AT INTERSECTION APPROACHES

fp Fehr & Peera Associates, Inc.  
Transportation Consultants



NOT TO SCALE

EXISTING TRAFFIC -	XXX		
PROJECT TRAFFIC -	+XXX	+YY%	- % CHANGE IN WINTER TRAFFIC
TOTAL TRAFFIC -	XXX	+YY%	- % CHANGE IN SUMMER TRAFFIC

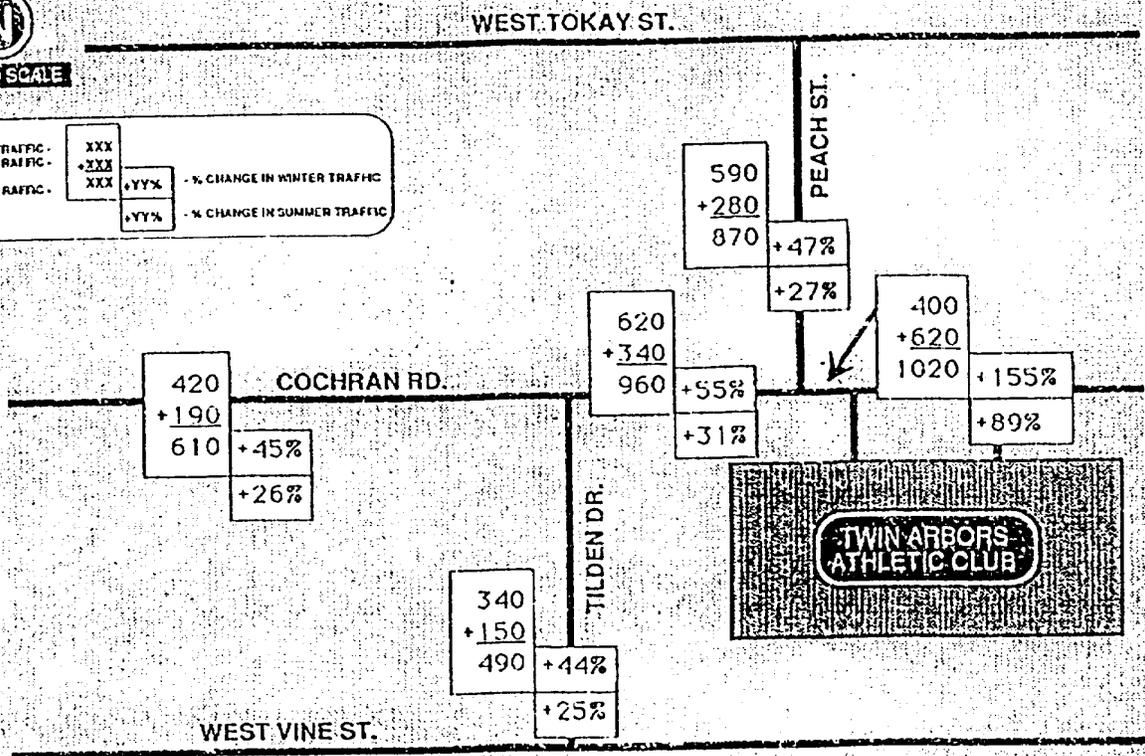


FIGURE 7

CHANGE IN EXISTING AVERAGE DAILY TRAFFIC DUE TO PROJECT

F. J. Fehr & Peers Associates, Inc. Transportation Consultants

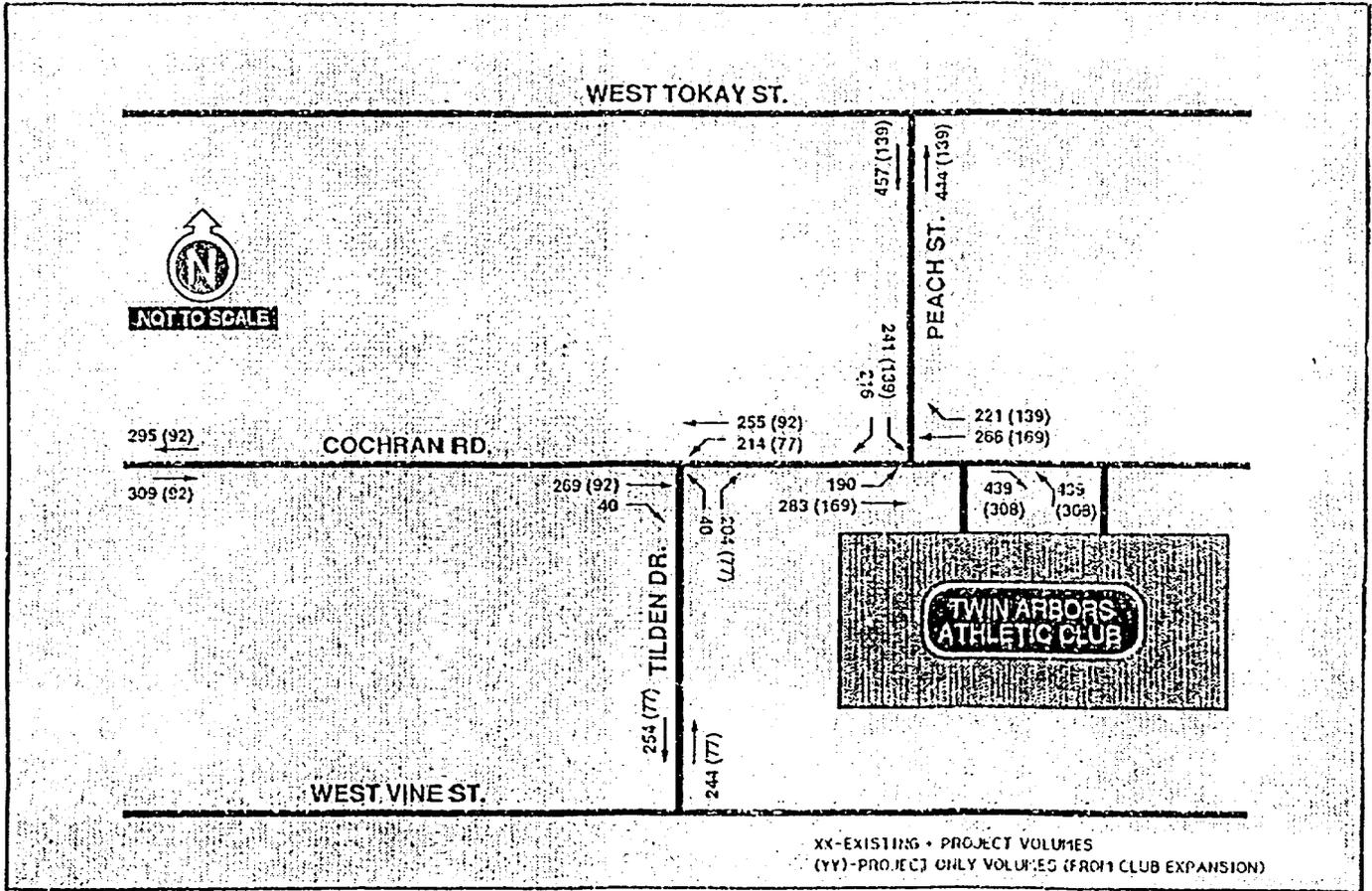


FIGURE 8

CHANGE IN DAILY TRAFFIC VOLUMES  
DUE TO PROJECT

fp Fuhr & Peers Associates, Inc.  
Traffic, Location, Construction

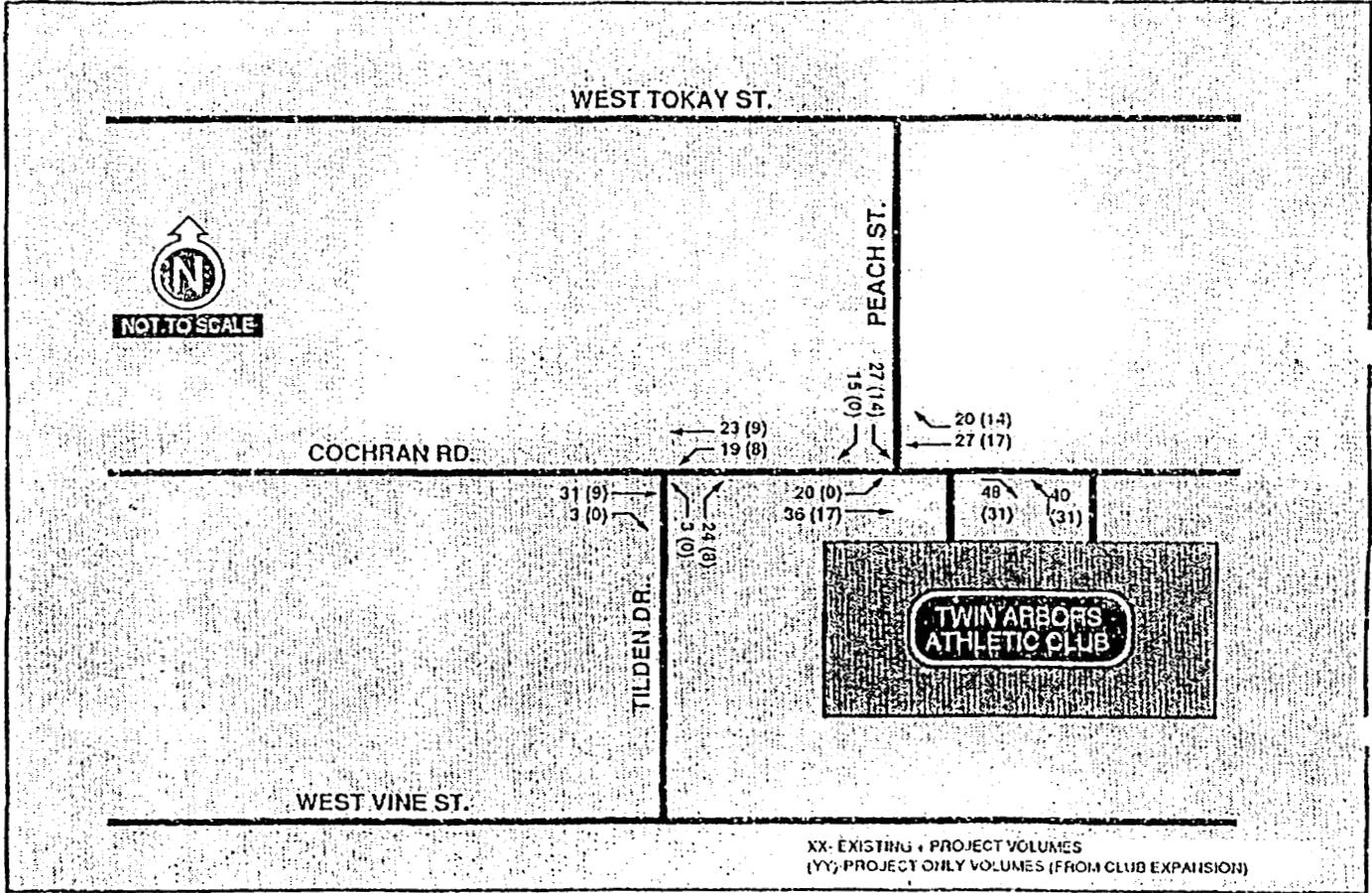


FIGURE 9

CHANGE IN PM PEAK HOUR VOLUMES  
DUE TO PROJECT

fp Fehr & Peera Associates, Inc.  
Transportation Consultants

Table 1  
Pedestrian Observation

<u>Time</u>	<u>Number In Group</u>	<u>Are They All Children (Yes or No)</u>	<u>Where Did They Come From And Where Are They Going To</u>
8:44 a.m.	1	No	Peach St. - East on Cochran
9:04	2	No	Tilden - Athletic Club
10:27	1	Yes	Cochran - 3 houses East on Cochran
10:38	2	No	Peach - West on Cochran
11:02	2 (Bike)	No	Tilden - Athletic Club
11:44	1 (Bike)	Yes	Tilden - Athletic Club
11:53	1 (Bike)	Yes	Peach - East on Cochran
11:57	3 (Bike)	No	Athletic Club - Tilden
12:18 p.m.	1	Yes	Peach - West on Cochran
12:31	2	Yes	Cochran - 3 houses West on Cochran
1:07	2	No	Peach - Tokay
1:08	1	No	West end of Cochran - Peach - W. Tokay
1:52	2	No	W. Tokay - 3rd house on Peach
2:05	1	No	East on Cochran - Peach - East on Tokay
2:07	1	No	East on Cochran - Peach - East on Tokay
2:41	2	No	Tilden - Peach - East on Tokay
3:00	1	No	West on Tokay - Peach - Athletic Club
3:11	1	Yes	Tokay - Peach - West on Cochran
3:27	2 (Bike)	Yes	Tilden - Athletic Club
3:36	2	Yes	East on Cochran - Athletic Club
4:20	4 (2 Bike) (2 Walker)	Yes	Athletic Club - Tilden
4:28	2	No	Peach - Tilden
4:54	1	Yes	Tilden - Athletic Club
5:05	1	No	Peach - Tilden
5:42	1	Yes	Athletic Club - Tilden
5:42	1	No	Peach - West on Cochran
6:00	2	No	East on Cochran - Athletic Club
6:33	2	No	Athletic Club - West on Cochran

7. A letter from the Community Development Director dated January 22, 1991 outlining the staff's original conditions for approval with the first site plan attached.

CITY COUNCIL

DAVID M. HINCHMAN, Mayor  
JAMES W. PINKERTON, Jr.  
Mayor Pro Tempore  
PHILLIP A. PENNINO  
JACK A. SIEGLOCK  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

January 22, 1991

Mr. Tim Mattheis  
c/o Wenell, Mattheis, Bowe, Inc.  
222 West Lockeford Street, Suite 9  
Lodi, CA 95240

Dear Tim:

RE: Use Permit - U-90-30  
Facilities Expansion and Remodel  
Twin Arbors Athletic Club  
2040 Cochran Road

The Lodi Planning Commission has scheduled a Public Hearing for 7:30 p.m., Monday, January 28, 1991 to consider your request on behalf of Twin Arbors Athletic Club for a Use Permit to expand and remodel facilities at 2040 Cochran Road in an area zoned R-1, Single-Family Residential.

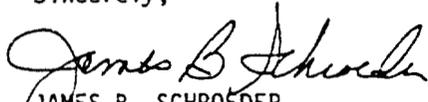
At that meeting the Community Development Department will recommend the following conditions for approval:

1. that the subject project be connected to the City sanitary sewer system;
2. that the existing septic tank system be abandoned in conformance with the requirements of the San Joaquin County Environmental Health Department with copies of the permit issued by that office submitted to the City as proof of compliance;
3. that the subject parcel be connected to the City's storm drainage system with the necessary on-site improvements being completed;
4. that the developer/owner pay the fees shown below and any additional fees at time of issuance of Building Permit:

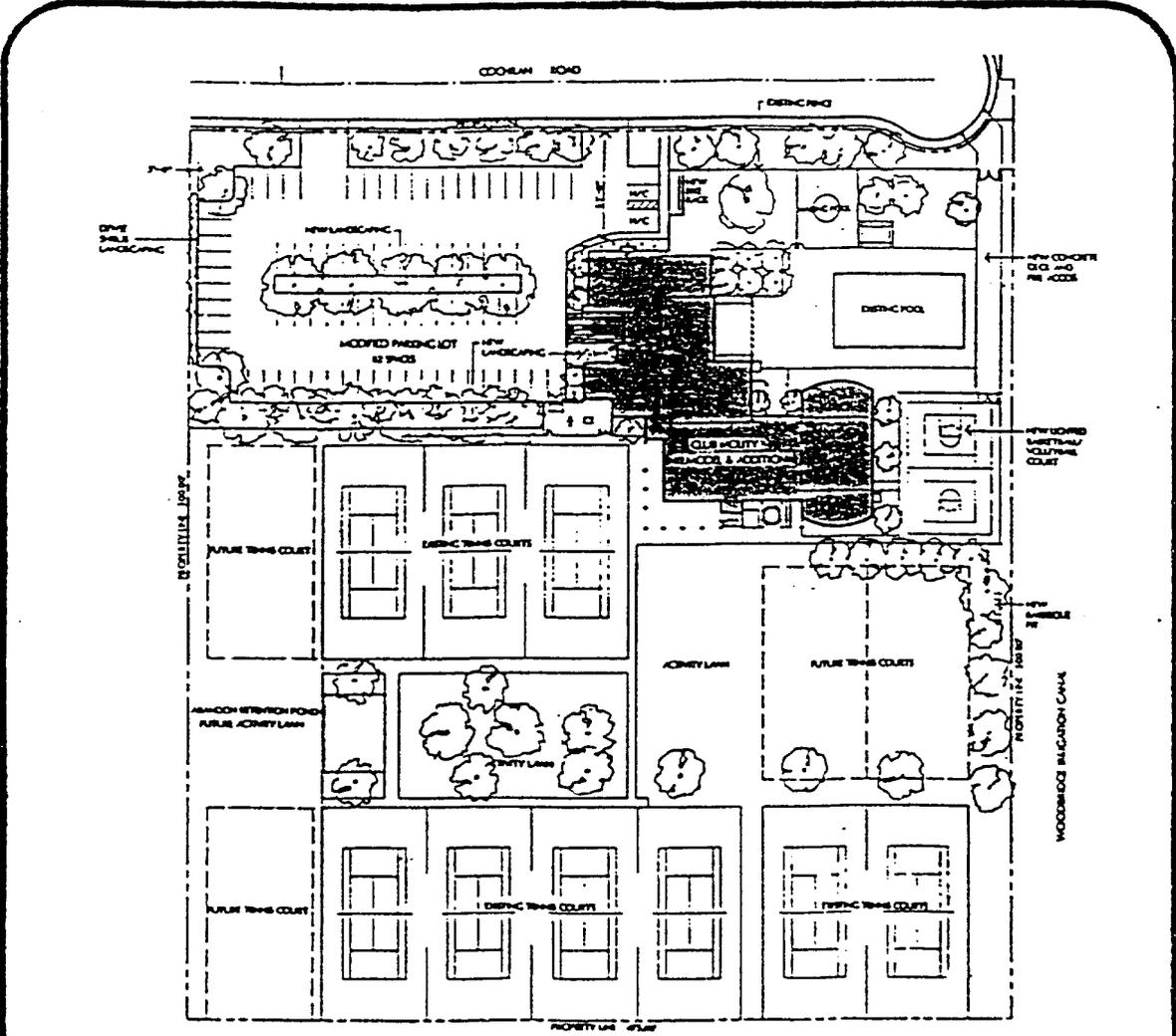
Storm Drainage Fees	\$31,320.00
Sewer Service (4-inch)	680.00
Sewer Connection	28,652.50

5. that all conditions established by the Site Plan and Architectural Review Committee (SPARC) become a part of the Use Permit.

Sincerely,

  
JAMES B. SCHROEDER  
Community Development Director

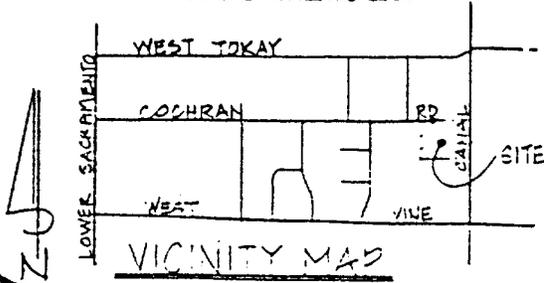
cc: Lodi Athletic Club



MASTER SITE PLAN  
SCALE 1/8" = 1'-0"

TWIN ARBORS ATHLETIC CLUB

12-11-90



**Twin Arbors Athletic Club**  
Facilities Expansion  
2040 Cochran Road  
U-90-30 page 1 of 2 1-14-91

8. Background data which outlines the history of Sunwest Tennis and Swim Club (i.e. Twin Arbors Athletic Club).

BACKGROUND DATA

SUNWEST TENNIS AND SWIM CLUB

1. Information from San Joaquin County Files
2. Excerpts from Minutes of Planning Commission September 13, 1971
3. San Joaquin County Referral
4. Zoning Variance - A-22-35 - Reduce Fence Setback
5. Use Permit - U-72-29 and Amendments in 1978 and 1979

JOHN P. CASSELL

APPLICANT: John P. Cassell  
Mailing Address: 125 31st Street  
Lodi, California PHONE: 369-5247

LOCATION: on the south side of Cochran Road, from  
1775' to 2500' east of Lower Sacramento  
Road, south of Lodi

Legal Owner of property Applicant

Mailing Address \_\_\_\_\_

Book L-6 Page 13  
 zoning T-PA Accepted under section 10A, 19(6) of Ordinance 850

REQUEST: ESTABLISH TENNIS AND SWIM CLUB

I (we) certify for the above information of perjury that the foregoing is true and correct.

Signature of Applicant [Signature]  
Authorized Representative

San Joaquin County Planning Department  
1000 East Parkway, Lodi, California 95205

By [Signature] Planning Administrator Date 9-23-71  
Professional Fee 100.00 Receipt No. 2637

ACTION: Approved by the Board of Adjustment on 9-15-71

Reason for Action \_\_\_\_\_

Subject to the operational standards listed on the reverse side.

[Signature]  
Date 9-23-71 Director-Secretary

Board of Supervisors action upon appeal from the decision of the Planning Commission/Board of Adjustment:  
Board \_\_\_\_\_ Decision by Planning Commission dated \_\_\_\_\_

**USE PERMIT CONDITIONS:**

1. The permitted use shall not at any time develop into a nuisance, as herein defined, if, in the opinion of the Board of Adjustment, Planning Commission or Board of Supervisors, any County Ordinance or State Law or regulations or conditions attached hereto are being violated in connection with the execution of this use, that they retain the power to revoke or modify this permit. For the purposes of this use permit, a nuisance is defined as follows:  
  
"Nuisance is defined as anything resulting from unreasonable or unlawful practices or from neglect which is, or tends to be injurious to health, safety or public welfare, or is unsightly or offensive to the senses so as to interfere with the comfortable enjoyment of life or property in the neighborhood area, as such neighborhood area is defined by the Planning Commission or Board of Adjustment."
2. The attached Plot Plan is hereby made a permanent part of this approved use permit and shall be identified as "EXHIBIT A." Any reconstruction, reconstruction, moving, remodeling or other structural alteration shall be made in accordance herewith. Any variation from said Plot Plan shall be first approved by the Planning Department, Commission or Board of Adjustment.
3. This use permit is granted under the condition that said permit not be transferred within a 90-day period after the date of approval.
4. Approval of drainage plan and payment of fees to the Department of Public Works.
5. Encroachment permits are to be obtained from the Department of Public Works.
6. Approval of the Division of Land.
7. Dedication and improvement to the standards of the City of Lodi, 5' of frontage for the widening of Cochran Road.
8. Approval of the Local Health District.

PERMIT APPLICATION NO. 1-72-50 BY JOHN F. CAPPELL (c/o Dennis Shepherd), to establish tennis and swim club, on the south side of Cochran Road, from 1775' to 2500' east of Lower Sacramento Road, south of Lodi, in an I-PA Zone.

**PLANNING CONSIDERATIONS:** The Planning Department introduced a written report into the record.

**COMMUNICATIONS:** Lodi, recommended approval subject to the improvement of Cochran Road to County standards. Woodbridge Irrigation District, recommending construction of a cyclone fence of a minimum height of 10' to be located between the District's right-of-way for canal and the proposed development.

**STAFF:** Department of Public Works, recommending dedication of 5' of frontage for the widening to 45' of Cochran Road and the improvement of that road to the standards of the City of Lodi. Planning Department, recommending conditional approval.

#### PUBLIC HEARING OPENED

**PROponents:** The following persons spoke in favor of the application: Messrs. Dennis Shepherd, representing S & H Recreation Developers, John Capell, owner of the property, and Neal Portersfield, resident in the area. They made the following points: The entire grounds will be fenced with a standard 6' fence. (This will be a private club; the ponding will be on Mr. Capell's property, adjacent to subject property; this type of development is compatible with a residential area. Mr. Portersfield said that he was in favor of having a tennis club in that area.

**opponents:** None

#### PUBLIC HEARING CLOSED

**DISCUSSION AND FINDINGS:** Commissioners McComb and Waidhofer spoke on the issue and in their comments the following findings were made: There is a definite need for this type of development. The access was a cause of some concern. (The applicant stated that he would not object to a 5' dedication of frontage for the widening of the access). Further finding was that a 6' fence is all that is necessary rather than the 10' fence suggested by the Woodbridge Irrigation District.

**MOTION:** Moved, seconded (Gunderson-Donald) and carried by a unanimous roll call vote to approve the permit subject to the following:

1. Approval of drainage plan and payment of fees to the Department of Public Works.
2. Encroachment Permits are to be obtained from the Department of Public Works.
3. Approval of the Division of land.
4. Dedication and improvement to the standards of the City of Lodi, 5' of frontage for the widening of Cochran Road.
5. Approval of the Local Health District.

Public Works Department  
(For Planning Department Referrals)

Application No. 11-72-50

Date Received 5/23/71; returned \_\_\_\_\_

Comments made hereon have been made without complete information as to intent of applicant and therefore should be taken with some degree of caution in interpretation thereof. Preliminary evaluations of site features are as follows:

*KEDDIE*

I. ROAD FRONTAGE REQUIREMENTS per Ord. 672 (by \_\_\_\_\_):

- A. Improvement to be constructed by permittee at time of property development: Yes \_\_\_\_\_ No \_\_\_\_\_
- B. Estimated fee for future improvement by County = approximate length of frontage ( \_\_\_\_\_ ) x required widening ( \_\_\_\_\_ ) x \$ \_\_\_\_\_ /sq.ft. = \$ \_\_\_\_\_
- C. Engineered plan for road improvements and storm facilities within R/W to be submitted for P.W.D. approval: Yes \_\_\_\_\_ No \_\_\_\_\_
- D. Encroachment permit: Yes \_\_\_\_\_ No \_\_\_\_\_
- E. Comments: \_\_\_\_\_

*SCHRAMM*

II. ROAD RIGHT-OF-WAY REQUIREMENTS per Ord. 302 (by *E.S.J. 3/23/71*):

- A. Dedication of right of way: Yes  No \_\_\_\_\_
- B. Additional width required:  

<u>SCHRAMM</u>	<u>ROAD</u>	(road) =	<u>5.0</u>	feet
_____	_____	(road) =	_____	feet
- C. Frontage length:  

<u>SCHRAMM</u>	<u>ROAD</u>	(road) =	<u>435±</u>	feet
_____	_____	(road) =	_____	feet
- D. Division of land: Yes  No \_\_\_\_\_
- E. Comments: In parcel demo created for proposed develop- ment Div. of Road also req'd. with review by Urban Comm. with conditional (if sat) approval. If parcel meet use permit can be conditional approval. Improvements storm drainage to city. City of road req'd. R 233 8/27/71

III. VEHICULAR ACCESS REQUIREMENTS (by E.S.J. City of road req'd.):

- A. Encroachment permit: Yes  No \_\_\_\_\_
- B. Number of approaches per frontage: 2
- C. Maximum width of access (measured at R/W line): 25 ft.
- D. Fence, curb or other physical barrier to vehicular traffic across frontage: Yes  No \_\_\_\_\_

E. Culvert pipe size: NONE # in.

F. Comments: Encroachment permit will establish  
access details including valley gutter etc.

IV. TRAFFIC REQUIREMENTS (by [Signature]):

A. Asphalt concrete curb for traffic delineation: Yes   
No

B. Off site traffic detail and parking plan: "   
No

C. Comments: \_\_\_\_\_

V. FLOOD CONTROL REQUIREMENTS (by [Signature]):

A. Terminal drainage facility available: Yes  No

B. Type of available facility: \_\_\_\_\_

C. Improvement of terminal drainage channel: Yes  No

D. Dedication of right of way: Yes  No

E. Land leveling permit per Ord. 662: Yes  No

F. Property subject to inundation: Yes  No

G. Local Rec. Dist. No. \_\_\_\_\_ approval: Yes  No

H. State Rec. Board approval: Yes  No

I. Comments: None available in County

VI. DRAINAGE REQUIREMENTS (by J. L. [Signature]):

A. Approximate trust fund fee per Ord. 692  
Ord. 1559  = \$ 5000.00 ±

B. Additional facilities: Yes  No

C. Engineered drainage plot plan to be submitted for P.W.D.  
approval: Yes  No

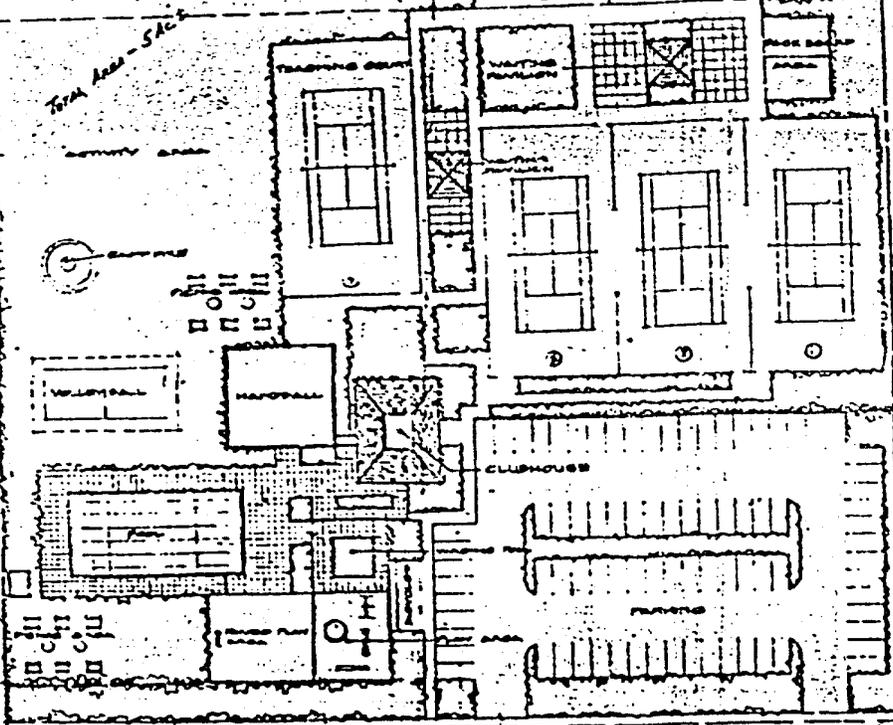
D. Ponding and percolation system: Yes  No

E. Comments: City of Lodi may have terminal drainage  
system available; but if so, Lodi may demand  
incorporation of lots.

U-12-50

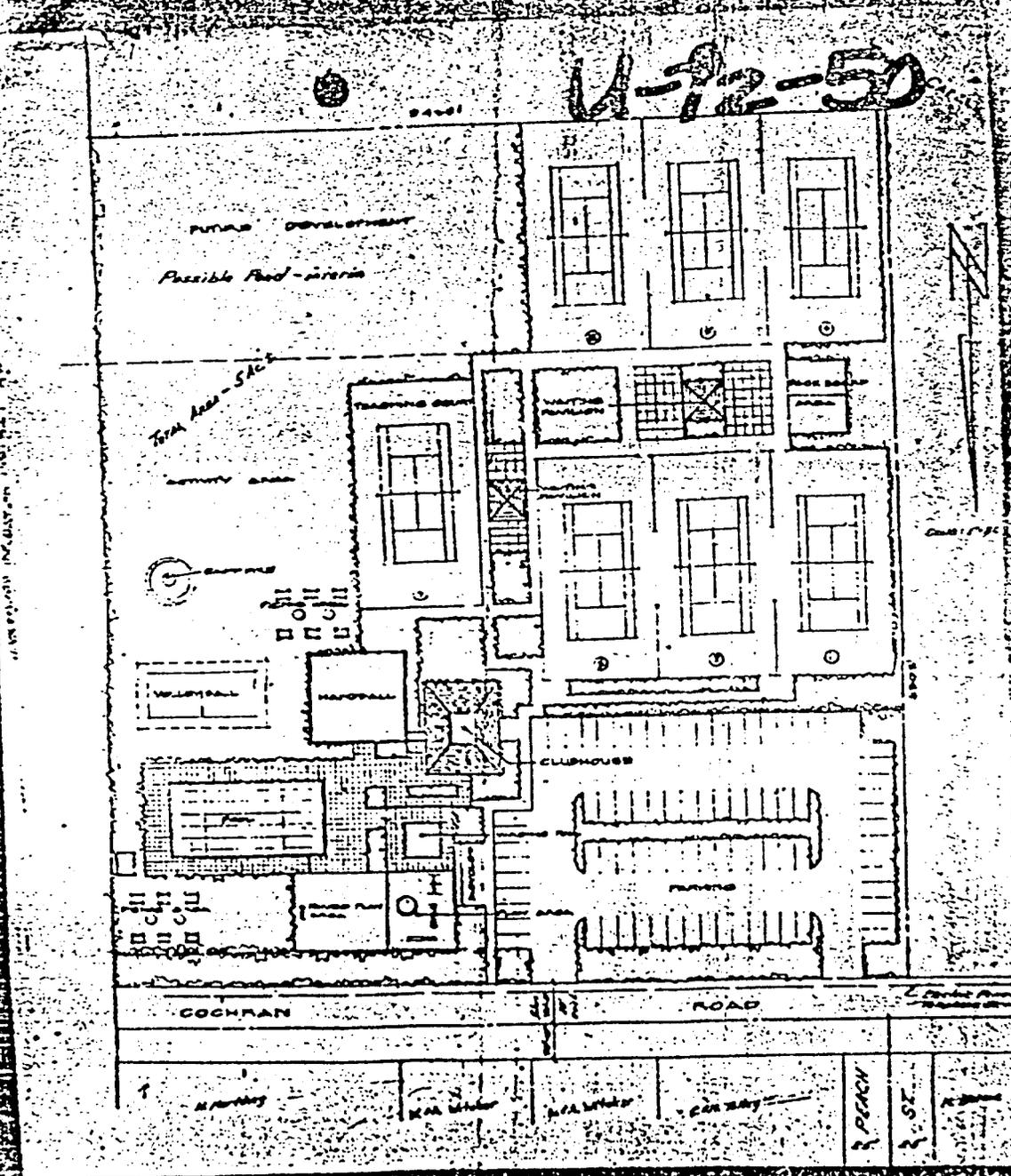
PHASE DEVELOPMENT  
Possible Road-arteria

Total Area - 5.62



COCHRAN ROAD

1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10



4-7-20

D E S C R I P T I O N

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TEN (10), TOWNSHIP THREE (3) NORTH, RANGE SIX (6) EAST, MOUNT Diablo BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:  
COMMENCING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION, 340 FEET WEST OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH  $0^{\circ} 02' 30''$  WEST 325.00 FEET TO THE CENTER LINE OF COCHRAN ROAD; THENCE NORTH  $89^{\circ} 12' 30''$  WEST, 434.40 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT; THENCE SOUTH  $0^{\circ} 02' 30''$  EAST, 213.00 FEET; THENCE NORTH  $89^{\circ} 12' 30''$  WEST, 200 FEET; THENCE SOUTH  $0^{\circ} 02' 30''$  EAST, A DISTANCE OF 607 FEET TO THE QUARTER SECTION LINE; THENCE EAST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 475 FEET; THENCE NORTH  $0^{\circ} 02' 30''$  WEST, A DISTANCE OF 925 FEET TO THE CENTER LINE OF SAID COCHRAN ROAD; THENCE NORTH  $89^{\circ} 12' 30''$  WEST, ALONG THE CENTER LINE OF SAID COCHRAN ROAD, TO THE POINT OF BEGINNING.

U-72-50

DESCRIPTION

THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION TEN (10), TOWNSHIP THREE (3) NORTH, RANGE SIX (6) EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEGINNING FOR THE SAME AT A POINT IN THE SOUTH LINE OF SAID QUARTER SECTION 100 FEET WEST OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION AND RUNNING WEST ALONG SAID QUARTER SECTION LINE 740 FEET; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID QUARTER SECTION 825 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION 740 FEET; THENCE SOUTH 825 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

A PORTION OF THE NORTHEAST QUARTER OF SECTION TEN (10), TOWNSHIP THREE (3) NORTH, RANGE SIX (6) EAST, MOUNT DIABLO BASE AND MERIDIAN, AND COMMENCING FOR THE SAME AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION 340 FEET WEST OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE WEST ALONG SAID QUARTER SECTION LINE 740 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION, 825 FEET; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, 740 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID QUARTER SECTION 825 FEET TO THE POINT OF BEGINNING.

EXCEPT THE WEST 2 ACRES THEREOF.

ALSO EXCEPT THEREFROM A PORTION OF THE NORTHEAST 1/4 OF SECTION TEN (10), TOWNSHIP THREE (3) NORTH, RANGE SIX (6) EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID 1/4 SECTION 340 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION, THENCE NORTH 0° 02' 30" WEST 325.00 FEET TO THE CENTER LINE OF COCHRAN ROAD; THENCE NORTH 89° 12' 30" WEST 634.40 FEET TO THE TRUE POINT OF BEGINNING OF THE HERINAFTER DESCRIBED TRACT; THENCE SOUTH 0° 02' 30" EAST 218.00 FEET; THENCE SOUTH 89° 12' 30" EAST 200.00 FEET; THENCE NORTH 0° 02' 30" WEST 218.00 FEET TO THE CENTER LINE OF SAID COCHRAN ROAD; THENCE ALONG SAID CENTER LINE OF COCHRAN ROAD, NORTH 89° 12' 30" WEST 200.00 FEET TO THE TRUE POINT OF BEGINNING.

"EXHIBIT A"

Mr. Howard Wallace requested a Use Permit to establish a rest home for the care of six non-ambulatory crib children at 829 South Garfield Street in an area zoned R-MD, Medium Density Multiple-Family Residential.

USE PERMIT  
REST HOME  
H. WALLACE  
829 SOUTH  
GARFIELD

The following person was present and spoke in favor of granting the Use Permit:

1. Mr. Howard Wallace, 25185 North Watkins Road, Acampo, California. He stated that he and his wife presently care for three such children at their county address and that they were moving to the City. He said the application to care for six children was to cover any possible future expansion.

It was moved by Commissioner Katzakian, seconded by Commissioner Altnow and unanimously passed that the above Use Permit of Mr. Howard Wallace be approved with the provision that the operation of the home and any necessary improvements to the structure conform to all of the requirements of the various state and local agencies concerned with the welfare of the children.

SAN JOAQUIN COUNTY REFERRALS

The Planning Commission was in receipt of the referral by the San Joaquin County Board of Zoning Adjustment of the request of Mr. John Capell for a Use Permit to establish a tennis and swim club on the south side of Cochran Road from 1775 to 2500 feet east of Lower Sacramento Road in an area zoned I-FA, Interim-Protected Agriculture.

USE PERMIT  
TENNIS CLUB  
J. CAPELL  
COCHRAN ROAD

The Planning Director introduced the request and stated that the City had recommended denial of a Use Permit on the adjacent property because the area lacked terminal storm drainage. However, the County had approved the previous request. The Director stated that Mr. Capell had offered some possible solutions to the storm drainage problem which were being investigated by the Public Works Department.

The following persons were present and spoke on this matter:

1. Mr. John Capell, 324 La Vida Drive, Lodi. He reviewed his suggestions for resolving the storm drainage problem and stated that all of the parcels between Cochran Road and the extension of West Vine Street from the W. I. D. Canal to Lower Sacramento Road would probably seek annexation to the City.
2. Mr. Dennis Shepherd, 126 South Crescent Avenue, Lodi. He stated that he represented S. & H. Recreation Developers (i.e., Sun-West Swim and Racquet Club) and described the proposed facility which would be oriented toward family recreation.
3. Mr. Neil Porterfield, 800 South Mills Avenue, Lodi. He stated that he lived across the canal from the proposed club and favored the approval of the Use Permit.

CCJ591

- 4. Mr. Albert Stirm, 1001 York Street, Lodi. Although he favored the Use Permit, he expressed concern about lighting and noise adversely affecting adjacent properties.

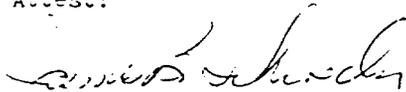
After further discussion it was moved by Commissioner Robinson, seconded by Commissioner Reid and unanimously passed that the City Planning Commission recommend to the San Joaquin County Board of Zoning Adjustment that the above Use Permit request of Mr. John Capell be approved with the following conditions:

- 1. installation of curb, gutter, sidewalk and street lights along the entire Cochran Road frontage; and
- 2. provision of a cul-de-sac turn-around where Cochran Road dead-ends into the Woodbridge Irrigation District Canal.

ADJOURNMENT

As there was no further business to be brought before the Planning Commission, Chairman Gassin declared the session adjourned at 9:15 p.m. The next Regular Session will be at 7:30 p.m., Monday, September 20, 1971 in the Lodi City Council Chambers.

Attest:



JAMES B. SCHROEDER  
Director - Secretary

WATER BIRTH DISTRICT  
UNPAID IRRIGATION DISTRICT  
PUBLIC WORKS

GENTLEMEN:

Enclosed is application U-72-50 for your review, comments, and recommendations. A brief summary of the application is as follows:

Proposal: ESTABLISH TENNIS AND SWIM CLUB

Land Area:

Sanitation:

Water Source:

Drainage:

Parking Area:

Observations:

Please return your comments and recommendations to the San Joaquin County Planning Department, 1850 East Hazelton Avenue, Stockton, California 95205.

The public hearing on this application will be held on 9-16-71.  
If your comments or recommendations are returned by 9-9-71, they can be included in the Planning Staff's report.

Thank you.

San Joaquin County Planning Department

RECEIVED  
RECEIVED

USE PERMIT APPLICATION

No U-72-50

Date Aug. 16, 1971

Public Hearing Sept. 16, 1971  
BOARD OF ADJUSTMENT

JOHN F. CAPELL

APPLICANT: c/o Dennis Shepherd  
126 S. Crescent  
Mailing Address Lodi, California PHONE: 369-5247

LOCATION: on the south side of Cochran Road, from  
1775' to 2500' east of Lower Sacramento  
Road, south of Lodi

Legal Owner of property Applicant

Mailing Address

Book L-6 Page 18  
Zoning I-PA Accepted under section 108.121 of Ordinance 850

REQUEST: ESTABLISH TENNIS AND SWIM CLUB

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

Signature of Applicant

By *James R. Shepherd*  
Authorized Representative

San Joaquin County Planning Department  
1850 East Hazelton Avenue, Stockton, California 95205

By M. West, Planning Aide II Date 8-16-71  
Public Hearing Fee \$25.00 Receipt No. 3657

ACTION: by the on

Reason for Action

Subject to the operational standards listed on the reverse side

Director-Secretary

Date

Board of Supervisors action upon appeal from the decision of the Planning Commission/Board of Adjustment:

Board decision by Resolution dated

AGENDA - BOARD OF ZONING ADJUSTMENT, S. J. COUNTY

Sept. 16, 1971, Thursday, 7:30 p.m.

PUBLIC HEARING FOR USE PERMIT NO. U-72-50 of JOHN CAPELL, c/o Dennis Shepherd,  
to establish tennis and swim club, on the south side of Cochran Road, from 1775'  
to 2500' east of Lower Sacramento Road, south of Lodi, in an I-PA Zone.

MINUTES IN BRIEF \* S. J. CO. BOARD OF ZONING ADJUSTMENT - Sept. 16, 1971....

8. John F. Capell (c/o Dennis Shepherd), U-72-50: Permit conditionally approved to establish tennis and swim club, on the south side of Cochran Rd., from 1775' to 2500' east of Lower Sacramento Rd., south of Lodi, in an I-PA Zone. Unan.

September 14, 1971

Mr. Donald Foster  
Acting Planning Director  
San Joaquin County  
1350 East Hazelton Avenue  
Stockton, California

Dear Don:

Re: Use Permit Application No. U-72-50 - Mr. John F. Capell  
c/o Mr. Dennis R. Shepherd.

At its meeting of Monday, September 13, 1971 the Lodi City Planning Commission recommended the approval of the request of Mr. John F. Capell, c/o Mr. Dennis R. Shepherd for a Use Permit to establish a tennis and swim club on the south side of Cochran Road from 1775 feet to 2500 feet east of Lower Sacramento Road in an area zoned I-PA, Interim-Protected Agriculture with the condition that Cochran Road be improved to City standards.

City of Lodi street standards would require curb, gutter, sidewalks and street lights as well as a cul-de-sac turn-around where Cochran Road dead-ends into the Woodbridge Irrigation District Canal.

It should be noted that the City has no terminal storm drainage facilities available to the subject property. However, our Public Works Department is presently investigating alternate means of providing this utility service.

Sincerely,

JAMES B. SCHROEDER  
Planning Director

JBS:kr

cc: Mr. John F. Capell  
Mr. Dennis R. Shepherd  
Public Works Director

August 15, 1971

Lodi City Manager  
221 W. Pine Street  
Lodi, Calif. 95240

Attn: Mr. Hank Graves

Dear Hank;

I recently purchased 25 AC. in the county, south of Cochran Road, between Community Hospital and the W.I.D.C. Canal. We are interested in developing two, 5 AC. parcels immediately. One would be a retirement home complex and the other a swim & racquet club.

The growth of Lodi in the southwest direction clearly shows our land is in the middle of the logical growth pattern that Lodi is taking. All city utilities are available to us except storm drainage.

We request that the city staff initiate a study regarding the following three proposals which would fulfill city drainage requirements.

1. We build a pond to city specifications which will serve our drainage needs until the city provides a storm basin to serve us.

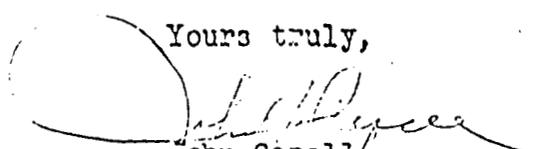
2. We build a pond to City of Lodi specifications. We drain or pump the drainage water into the City's pond west of the canal, south of Tokay. The water would hence be pumped into the W.I.D.C. per present agreement.

3. We build a pond to city specifications. The pump on the Woods property would be reduced in capacity to divide its present capacity between it and a second pump, which we would install adjacent to our property at the eventual Vine Street bridge. Both pumps together equal present Woods pump.

Upon City approval of one of these proposals, we wish to have our entire area annexed into the City. Naturally all expense of the above proposals would be born by us.

We would hope you can give immediate attention to this matter.

Yours truly,

  
John Capell  
324 La Vida Drive  
Lodi, Calif.

JC:jms

April 10, 1972

MEMO

TO: Planning Commission  
FROM: Planning Director

SUBJECT: Revised Conditions - Sun West Swim and Tennis Club.

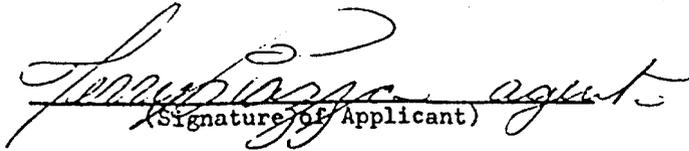
After a further review of the plans for the proposed Sun West Swim and Tennis Club, the Staff recommends approval with the following conditions:

1. That the development be subject to standard City of Lodi requirements for off-site improvements (excluding storm drainage and sanitary sewer which by City Council action may be temporary);
2. That Cochran Road be established as a 55-foot right-of-way centered on the present centerline;
3. That a cul-de-sac turn-around be dedicated and improved where Cochran Road deadends at the Woodbridge Irrigation District Canal to the approval of the Public Works Department;
4. That a twenty-foot front yard be maintained the entire length of the frontage on Cochran Road;
5. That the design of all off-street parking facilities be in conformance to adopted City Parking Standards;
6. That the landscaping be installed to the approval of the Public Works Department; and
7. That an automated sprinkler system be installed to the approval of the Public Works Department.



In order that the Planning Commission may make the determinations described above it is necessary that the following statements be completed:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved because
  
2. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question because
  
3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because

  
(Signature of Applicant)

**IMPORTANT**

Note: Planning Commission policy requires the applicant be present for the hearing on this application before any action will be taken. The applicant will be notified of the time and place of the hearing.

---

for department use only

Action of Planning Commission \_\_\_\_\_ on 1/10/72

Applicant notified of Commission action: Date \_\_\_\_\_  
By: \_\_\_\_\_

April 25, 1972

Sun West Tennis and Swim Club  
c/o Mr. Perry Piazza  
4 South Pleasant Avenue  
Lodi, California

Gentlemen:

Re: Variance - Reduce Front Yard from 20 feet to 7 1/2 feet.

At its meeting of Monday, April 24, 1972 the Lodi City Planning Commission approved the request of the Sun West Tennis and Swim Club by Mr. Perry Piazza for a Variance to reduce the required front yard from 20 feet to a minimum of 7 1/2 feet to permit the erection of a 6-foot-high fence adjacent to a required cul-de-sac at the east end of Cochran Road in an area zoned R-1, Single Family Residential.

In approving your request the Planning Commission determined that a "Zoning Hardship" existed because the City of Lodi had required the cul-de-sac which encroached into the Cochran Road front yard setback area. If the cul-de-sac had not been required, a Variance would not be necessary.

Sincerely,

JAMES B. SCHROEDER  
Planning Director

JBS:kr

cc: Mr. Dennis Shepherd  
Dr. Anthony Ahn



APPLICATION NO. U-72-29

THIS SPACE FOR OFFICE USE ONLY

Filing Fee \$        )  
Received By                      )  
Receipt No.                      )  
Date                      )

PLANNING COMMISSION  
CITY OF LODI

Application No.                      )  
Received By                      )  
Date                      )  
----- )

APPLICATION  
for  
USE PERMIT

Name of Applicant                     

Address:                      Telephone No. 368 2091

Between                      Street and                      Street

Legal Description - Acreage (attach separate sheet if necessary):                     

Present Use                      Zone R-1 (FR)

Describe the use proposed:                       
                    

Attach a plot plan of the premises showing location of existing and proposed improvements.

In order that the Planning Commission may make the determinations prescribed by law, it is necessary that the following statements be completed. (If additional space is needed, please use additional sheets and attach.)

1. Please describe the relationship of the proposed use to the other uses in the general area, giving special consideration to degree of compatibility of uses.

2. Please describe methods (i.e., location, design, orientation, etc. of improvement such as buildings, drives, walks, fences and walls and landscaping) which will be used to enhance the compatibility of the present neighborhood uses with the proposed use.

3. Please describe what devices and techniques will be employed to minimize noise, smoke, dust, fumes, vibration, odors and hazards.

If applicant does not own the property in question, please have the following "Consent of Owner" signed by owner:

I, \_\_\_\_\_, owner of the above-described property, have familiarized myself with the above application and do hereby give my consent to the applicant as requested in this application for a Use Permit.

\_\_\_\_\_  
Signature of Owner

Date \_\_\_\_\_

\_\_\_\_\_  
(Mailing Address of Owner)

Phone \_\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant)

IMPORTANT

Note: Planning Commission policy requires the applicant be present for the hearing on this application before any action will be taken. The applicant will be notified of the time and place of the hearing.

\_\_\_\_\_  
for department use only

Action of Planning Commission \_\_\_\_\_ on \_\_\_\_\_

Applicant notified of Commission action: Date: \_\_\_\_\_

By: \_\_\_\_\_

April 10, 1979

Mr. Randy Snider  
Managing Partner  
Sun West Swim & Racquet Club  
2040 Cochran Road  
Lodi, CA 95240

Dear Mr. Snider:

RE: AMENDMENT TO USE PERMIT

At its meeting of Monday, April 10, 1979 the Lodi City Planning Commission amended the Use Permit for the Sun West Swim and Racquet Club to include the condition that the club not operate before 7:00 a.m. for the months of June, July and August and 8:00 a.m. the remainder of the year.

This condition is in addition to those established by the Planning Commission on April 10, 1972 and November 13, 1973.

The new requirement as well as the one added last November grew out of complaints raised by Mr. Bruce Sweigerdt, 747 South Mills Avenue, concerning the operation of the club.

It is the Planning Commission's position that if the club operates within the conditions, Mr. Sweigerdt's concerns have been rectified and no further review will be necessary

If we can be of any assistance to you, please feel free to call upon us.

Sincerely,

JAMES B. SCHROEDER  
Community Development Director

JBS:bjb

cc: Mr. Bruce Schweigerdt  
City Manager  
City Attorney

November 16, 1978

Mr. Randy Snider  
Managing Partner  
Sun West Swim & Racquet Club  
2040 Cochran Road  
Lodi, CA 95240

Dear Mr. Snider:

RE: AMENDMENT TO USE PERMIT

At its meeting of Monday, November 13, 1978 the Lodi City Planning Commission amended the Use Permit for the Sun West Swim and Racquet Club to include the condition that the loudspeaker system not be used after 9:00 p.m.

This additional condition grew out of complaints raised by Mr. Bruce Schweigerdt, 747 South Mills Avenue, concerning the operation of the club. Since the Commission took no action on Mr. Schweigerdt's other questions concerning the doors on the handball court and the club's operating hours, you may assume that your past practices can continue.

The Planning Commission will again review this matter at its first meeting in April, 1979.

Sincerely,

JAMES B. SCHROEDER  
Community Development Director

JBS:bjb

cc: Mr. Bruce Schweigerdt  
City Manager

May 15, 1991

Lodi City Council  
305 West Pine Street  
Lodi, CA 95240

RECEIVED  
1991 MAY -9 PM 1:14  
ALICE H. FERRELL  
CITY CLERK  
CITY OF LODI

RE: Use Permit - U-90-30  
Facilities Expansion and Remodel  
Twin Arbors Athletic Club  
2040 Cochran Road

Appeal

Mayor Hinchman: members of the Council:

Let the record of this meeting note the fact that on May 1, 1991, in public session, I requested that the matter of this appeal be delayed until July in order that I might be present to share my concerns in person. My request was denied and as a result I am submitting this document in my absence, to be read in the hearing.

I also take careful note of the statement included in the *Notice of Public Hearing*, namely:

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.

Any member of the Council who has a business or other vested interest in this matter should consider removing themselves from this proceeding to prevent a conflict of interest. Any member of the Council who is a member of the Twin Arbors Athletic Club should also consider whether their part in these proceedings is proper.

\* \* \* \* \*

I have filed this appeal on five grounds, as follows:

1. The legality of the proposal
2. The absence of an environmental impact statement
3. The hours and manner of operations of the Club
4. Traffic safety
5. History of poor planning

A detailed discussion of each of these points follows, and I would suggest that the Council consider each concern separately in order to facilitate comment, discussion, and an orderly process.

#### THE LEGALITY OF THE PROPOSAL

On March 7, 1991, City Attorney Bob McNatt issued a memo on the subject of the application of Twin Arbors Tennis Club, the result of a request by city staff. I believe that this request was initiated

due to neighbor concerns as to the legality of the new and expanded club to exist within a R-1 zoned area.

Mr. McNatt's memo unfortunately is limited in scope and only addresses ". . . whether exercise machines constitute an accessory use to the general classification of 'recreational facility.'"

It is true that the neighbors were concerned about this facet of club operation; however, the overriding issue was the legality of permitting a commercial enterprise of this nature to operate within a R-1 zoned area. This is clearly evident in the petition submitted by neighbors which was presented to the Planning Commission prior to the March memo:

We the undersigned are concerned that Twin Arbors Athletic Club's remodel and expansion be in accordance within residential use and zoning of our neighborhood. That this unprecedented expansion of a commercial entity in a purely single-family residential area be weighed heavily toward the preservation of our neighborhood, the protection of our property values and the safety of our children. We cannot express strongly enough that this is a residential neighborhood zoned R-1 single-family. The property owners in those single-family homes should be the singularly most important consideration of your action. (29 signatures representing 17 neighboring households)

In his memo Mr. McNatt cites the relevant section of the Zoning Ordinance (17.09.030-G), but ends his reference by failing to include the most germane point of the section, to wit:

The following uses *are permitted* in the R-1 district subject to securing a use permit: . . . (G.) Golf course (excluding miniature golf course) and similar recreational uses of a *noncommercial nature* (emphasis added).

There is simply no disputing the fact that the proponents of this development, a Sacramento-based corporation, are seeking to expand a presently non-conforming facility into a full-blown commercial enterprise. The tremendous capital investment that they are making is predicated on a cost-benefit ratio of 3 times current membership. Spare-Time Inc. seeks to "serve" its present customers by increasing demand and usage by 3-fold. There has been no responsible accounting on the part of the developer as to the impact such an increase will have on the surrounding neighborhood; and their assertion that any negative impact will be "mitigated" through the use of shrubbery and a block wall on the north-west corner of the property, and some trees on the north-east corner is plainly ludicrous.

The original Sun West facility was established as a private tennis and swim club. The 8/16/71 application for a county use permit, and the subsequent hearing clearly document this intent of the original developers.

When the facility was annexed by the city in April, 1972, it existed as a private tennis and swim club. Over the years the club as

evolved (illegally) into a "tennis, swim, and fitness club (emphasis added. Use Permit Application, 12/11/91). There is nothing in the records to show that a use permit was sought by the owners prior to expanding the club's operation to a "fitness center." In fact, the conversion of the then existing and approved handball court into a weight room was declared by city inspection to be an "illegal conversion" (4/8/91 letter).

It has been argued that the facility represents a nonconforming use as defined in section 17.03.390 of the Zoning Ordinance. This may very well be true; however it is my position that in its original use as a tennis and swim club the facility was a nonconforming use when annexed to the city. But in its present form, as a tennis, swim, and fitness center it is an illegal usage; one that was never reviewed and approved by city officials.

It has been argued that the fitness services offered by the facility are an accessory use as defined in section 17.03.030 of the Zoning Ordinance, a use which is only *incidental* to those of the general use of the facility. However, after listening to the proponents of the new and expanded club it is clear that the fitness services that the club plans to offer represent a substantial component of the club's program. It is highly questionable that fitness services are currently an accessory use in light of the fact that the applicants themselves have included the designation as a "Tennis, swim and fitness club" on their 12/90 application for the use permit in answer to the question, "Present Land Use."

Furthermore, when architect Tim Mattheis submitted figures for calculating the parking spaces required for the project he foresaw this usage: Pool, 20 spaces; Tennis Courts, 26 spaces; Exercise services, 31 spaces. Clearly the proponents are seeking to develop more than a tennis and swim club. The City of Lodi is being asked to legitimate a commercial enterprise which has illegally evolved over the years.

There are other pertinent definitions found within the Zoning Ordinance which need to be considered by the Council. The first deals with the term *club* found in section 17.03.190. "'Club' means an association of persons for some common nonprofit purpose, but not including groups, organized primarily to render a service which is customarily carried on as a business." Technically it is questionable if this facility was ever a "club." Presently to refer to Twin Arbors as a "club" is euphemistic at best, and fictitious at worst.

The other definition appearing within the Zoning Ordinance which the Council needs to consider is that of *business or commerce* (17.03.170): "'Business' or 'commerce' means the purchase, sale or other transaction involving the . . . disposition of any . . . service for profit or livelihood, including office buildings, offices, recreational or amusement enterprises."

Clearly, this proposed commercial facility, which will employ 10 - 12 persons during peak usage hours, if allowed to exist within a R-1 zoned area, renders meaningless the Zoning Ordinance of the city.

If I understand the Zoning Ordinance correctly, realizing the nature

of this proposal, the appropriate zoned district for the project is that of P-D (Planned Development) which is ". . . designed to accommodate various types of development. . . which can be made appropriately a part of a planned development (17.33.020). . . . In a P-D zone any and all uses are permitted: provided that such use or uses are shown in the development plan for the particular P-D zone as approved by the city council (17.33.030)."

#### NO ENVIRONMENTAL IMPACT STATEMENT

As part of their application for a use permit, the proponents are required to file for an *Environmental Assessment*. This was done, however city staff determined that the project was categorically exempt from a formal assessment. It is my view that this exemption was granted erroneously.

The California Environmental Quality Act does provide for categorical exemptions, however this project does not meet the criteria for exemption. When it addresses existing facilities (article 19, section 15301-e) the allowance for exemption only applies if the addition to the existing facility is no more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less; or 10,000 square feet or less if the area in which the project is located is not environmentally sensitive.

The Use Permit Application which accompanied the request for environmental assessment is clear in stating that the plan calls for a continued present use, ". . . with remodel of 4,500 sf of clubhouse with 10,300 sf of additional . . . facilities." These numbers simply do not allow for an exemption, and one should not have been declared.

The developers have repeatedly been asked to provide their assessment as to the impact their club, slated to increase 3-fold, will have on the neighborhood. They have either been unwilling or unable to respond to this reasonable request. Their assertion that an expanded facility would enhance the values of neighboring properties has consistently been met with scorn by the neighbors themselves. Because the city has exempted the developers from an EIS there is no one who can provide an objective report as to the project's environmental impact.

#### HOURS OF OPERATION

The statement of use which the proponents filed with their application stated that ". . . Hours of operation will be from 5:30 a.m. to 11:00 p.m. (section entitled "Proposed Land Use)." A legitimate concern on the part of the developers for the R-1 zoned area would have revealed that the current use permit was amended in 1979, ". . . to include the condition that the club not operate before 7:00 a.m. for the months of June, July and August and 8:00 a.m. the remainder of the year. . . ." the result of neighbor concerns.

At the February 21, 1991 meeting between the proponents and neighbors Mr. Mattheis clearly stated that "The club hours will not permit outdoor recreational activity - swimming, tennis or basketball -

before 8:00 am all year." This statement was also issued in writing and submitted to the Planning Commission as such (letter of 3/7/91, addressed to Jim Schroeder).

The matter of closing hours has also generated much confusion. Because of neighbor concerns the proponents stated at the March 11 meeting that the club would close by 10 P.M.; however it is obvious now that this promise never materialized in written form. In granting the use permit the Planning Commission granted the hours that the proponents wished: 7 A.M. - 11 P.M., May through August; 8 A.M. - 11 P.M., the remainder of the year.

How could these closing hours possibly fit into a R-1 zoned district? The Noise Regulation Ordinance (No. 1449) of the City of Lodi, enacted in 1989, states that, "The standards which shall be considered in determining whether a violation of this section (public nuisance noise) exists shall include. . . whether the nature of the noise is usual or unusual *for the area and hour*. (emphasis added). Also considered in this section is the ". . . proximity of the noise to residential sleeping facilities; the nature and the zoning of the area within which the noise emanates, etc., (section 9.20.020).

In a later section (9.20.030) the noise ordinance establishes 10 P.M. as the hour when noise can no longer be generated. What is the purpose of a city-wide noise ordinance calling for a 10 P.M. standard for noise elimination when the Planning Commission grants a use permit to a facility, located in the heart of a residential area, which allows for operation until 11 P.M.?

#### TRAFFIC SAFETY

Although my residence is not located on one of the streets which will be adversely affected by this development, I have a great deal of sympathy for the concerns of those neighbors.

The Council may, or may not be aware, that the final proposal by the developers called for a 3-way stop corner at Peach and Cochran streets. The Planning Commission discussed this, however deferred to the Council for action sometime this summer, and proceeded to approve the permit anyway.

#### HISTORY OF POOR PLANNING

In March of 1981 the Council was confronted with another situation related to the sister facility of Twin Arbors. The problem centered around the lack of proper parking spaces for the Lodi Sports Center, located on South Hutchins. One man who testified before the Council called the parking problem the biggest snafu ever committed by the city's Planning Commission.

Mayor Walter Katnich was especially disturbed by the developments stating that "Word does get around that the said proprietors of the club are having a good laugh. . . that it's the city's problem. . . . I don't really appreciate the fact that they think they pulled a fast one on us."

The reporter covering the meeting noted that when Mr. Schroeder was asked to explain the snafu in planning he said that his department and the Planning Commission had little previous experience on parking requirements of such clubs when the proposal came before them.

"We had never dealt with a racquetball club before," he said. "The assumption was that the people building the racquetball club knew more than we did. Obviously, none of us knew anything." ("Council stymied by club parking woes", Lodi News-Sentinel, March 19, 1981).

There has been a long history of problems with these clubs. Over the past 6 years since Spare-Time has owned the Cochran Rd. facility it has steadily deteriorated in appearance, function and use. They now hope to renovate the facility and turn it into a profit-making venture. There is no doubt in my mind that if successful in this regard, that profit will come at the expense of the residential neighborhood. We do not want the south Hutchins Street problems transferred to Cochran Road.

We have a Zoning Ordinance, designed to establish districts within the community where appropriate development can occur. There is simply no way that a permit should be granted for a facility of this nature to be built in the middle of a R-1 zoned area. To allow the granting of this use permit would establish a very troubling precedent.

Sincerely,



Bruce Schweigerdt, MA  
747 South Mills  
Lodi, CA 95242

APPENDIX E

NOTICE OF EXEMPTION

TO: Office of Planning and Research FROM: City of Lodi  
1400 Tenth Street P.O. Box 3006  
Sacramento, CA 95814 Lodi, CA 95241-1910

County Clerk  
County of San Joaquin

Project Title TWIN ARBORS ATHLETIC CLUB COCHRAN ROAD FACILITY (formerly Sunwest)

Project Location - Specific  
2040 Cochran Road  
APN 027-310-08

Project Location - City Lodi Project Location - County San Joaquin

Description of Nature, Purpose, and Beneficiaries of Project  
Lodi Athletic Club is proposing an expansion and remodel of an existing tennis, swim and fitness club. The proposal will include 8173 square feet of additional exercise, office, locker and lounge facilities. The project will also relocate some existing facilities and expand the parking lot. New landscaping will be installed.

Name of Public Agency Approving Project  
City of Lodi

Name of Person or Agency Carrying Out Project  
Lodi Athletic Club - 1900 South Hutchins Street, Lodi, CA 95240

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c)).
- Categorically exempt (Sec. 21084; 15300)

Reasons why project is exempt:  
Section 15301 Class 1 (2)(A) & (B) Existing Facilities  
Project will not result in an increase of more than 10,000 square feet and is located in an area that is served by public facilities and is not environmentally sensitive.

Contact Person James B. Schroeder, Community Development Director Area Code/Telephone/Extension (209) 333-6711

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes  No

Date Received for Filing: \_\_\_\_\_

Signature *James B. Schroeder* Title Community Development Director

Revised March 1986

May 15, 1991

Lodi City Council  
305 West Pine Street  
Lodi, CA 95240

RE: Use Permit - U-90-30  
Facilities Expansion and Remodel  
Twin Arbors Athletic Club  
2040 Cochran Road

Appeal

RECEIVED  
1991 MAY -9 PM 1:14  
ALICE M. REPKO  
CITY CLERK  
CITY OF LODI

Mayor Hinchman; members of the Council:

Let the record of this meeting note the fact that on May 1, 1991, in public session, I requested that the matter of this appeal be delayed until July in order that I might be present to share my concerns in person. My request was denied and as a result I am submitting this document in my absence, to be read in the hearing.

I also take careful note of the statement included in the *Notice of Public Hearing*, namely:

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.

Any member of the Council who has a business or other vested interest in this matter should consider removing themselves from this proceeding to prevent a conflict of interest. Any member of the Council who is a member of the Twin Arbors Athletic Club should also consider whether their part in these proceedings is proper.

\* \* \* \* \*

I have filed this appeal on five grounds, as follows:

1. The legality of the proposal
2. The absence of an environmental impact statement
3. The hours and manner of operations of the Club
4. Traffic safety
5. History of poor planning

A detailed discussion of each of these points follows, and I would suggest that the Council consider each concern separately in order to facilitate comment, discussion, and an orderly process.

THE LEGALITY OF THE PROPOSAL

On March 7, 1991, City Attorney Bob McNatt issued a memo on the subject of the application of Twin Arbors Tennis Club, the result of a request by city staff. I believe that this request was initiated

due to neighbor concerns as to the legality of the new and expanded club to exist within a R-1 zoned area.

Mr. McNatt's memo unfortunately is limited in scope and only addresses ". . . whether exercise machines constitute an accessory use to the general classification of 'recreational facility.'"

It is true that the neighbors were concerned about this facet of club operation; however, the overriding issue was the legality of permitting a commercial enterprise of this nature to operate within a R-1 zoned area. This is clearly evident in the petition submitted by neighbors which was presented to the Planning Commission prior to the March memo:

We the undersigned are concerned that Twin Arbors Athletic Club's remodel and expansion be in accordance within residential use and zoning of our neighborhood. That this unprecedented expansion of a commercial entity in a purely single-family residential area be weighed heavily toward the preservation of our neighborhood, the protection of our property values and the safety of our children. We cannot express strongly enough that this is a residential neighborhood zoned R-1 single-family. The property owners in those single-family homes should be the singularly most important consideration of your action. (29 signatures representing 17 neighboring households)

In his memo Mr. McNatt cites the relevant section of the Zoning Ordinance (17.09.030-G), but ends his reference by failing to include the most germane point of the section, to wit:

The following uses *are permitted* in the R-1 district subject to securing a use permit: . . . (G.) Golf course (excluding miniature golf course) and similar recreational uses of a *noncommercial nature* (emphasis added).

There is simply no disputing the fact that the proponents of this development, a Sacramento-based corporation, are seeking to expand a presently non-conforming facility into a full-blown commercial enterprise. The tremendous capital investment that they are making is predicated on a cost-benefit ratio of 3 times current membership. Spare-Time Inc. seeks to "serve" its present customers by increasing demand and usage by 3-fold. There has been no responsible accounting on the part of the developer as to the impact such an increase will have on the surrounding neighborhood; and their assertion that any negative impact will be "mitigated" through the use of shrubbery and a block wall on the north-west corner of the property, and some trees on the north-east corner is plainly ludicrous.

The original Sun West facility was established as a private tennis and swim club. The 8/16/71 application for a county use permit, and the subsequent hearing clearly document this intent of the original developers.

When the facility was annexed by the city in April, 1972, it existed as a private tennis and swim club. Over the years the club as

evolved (illegally) into a "tennis, swim, and fitness club (emphasis added, Use Permit Application, 12/11/91). There is nothing in the records to show that a use permit was sought by the owners prior to expanding the club's operation to a "fitness center." In fact, the conversion of the then existing and approved handball court into a weight room was declared by city inspection to be an "illegal conversion" (4/8/91 letter).

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It has been argued that the fitness services offered by the facility are an accessory use as defined in section 17.03.030 of the Zoning Ordinance, a use which is only *incidental* to those of the general use of the facility. However, after listening to the proponents of the new and expanded club it is clear that the fitness services that the club plans to offer represent a substantial component of the clubs program. It is highly questionable that fitness services are currently an accessory use in light of the fact that the applicants themselves have included the designation as a "Tennis, swim and fitness club" on their 12/90 application for the use permit in answer to the question, "Present Land Use."

Furthermore, when architect Tim Mattheis submitted figures for calculating the parking spaces required for the project he foresaw this usage: Pool, 20 spaces; Tennis Courts, 26 spaces; Exercise services, 31 spaces. Clearly the proponents are seeking to develop more than a tennis and swim club. The City of Lodi is being asked to legitimate a commercial enterprise which has illegally evolved over the years.

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of this proposal, the appropriate zoned district for the project is that of P-D (Planned Development) which is ". . . designed to accommodate various types of development. . . which can be made appropriately a part of a planned development (17.33.020). . . . In a P-D zone any and all uses are permitted: provided that such use or uses are shown in the development plan for the particular P-D zone as approved by the city council (17.33.030)."

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"We had never dealt with a racquetball club before," he said. "The assumption was that the people building the racquetball club knew more than we did. Obviously, none of us knew anything." ("Council stymied by club parking woes", Lodi News-Sentinel, March 19, 1981).

There has been a long history of problems with these clubs. Over the past 6 years since Spare-Time has owned the Cochran Rd. facility it has steadily deteriorated in appearance, function and use. They now hope to renovate the facility and turn it into a profit-making venture. There is no doubt in my mind that if successful in this regard, that profit will come at the expense of the residential neighborhood. We do not want the south Hutchins Street problems transferred to Cochran Road.

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Sincerely,



Bruce Schweigerdt, MA  
747 South Mills  
Lodi, CA 95242

CITY COUNCIL

DAVID M. HINCHMAN, Mayor  
JAMES W. PINKERTON, Jr.  
Mayor Pro Tempore  
PHILLIP A. PENNINO  
JACK A. SIEGLOCK  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

BOB McNATT  
City Attorney

May 20, 1991

Mr. Bruce Schweigerdt  
747 South Mills Avenue  
Lodi, CA 95242

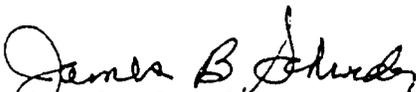
Dear Mr. Schweigerdt:

RE: Appeal  
Use Permit - U-90-30  
Facilities Expansion and Remodel  
Twin Arbors Athletic Club  
2040 Cochran Road

At its meeting of Wednesday, May 15, 1991 the Lodi City Council denied your appeal of the Lodi City Planning Commission's conditional approval of the request of Tim Mattheis, Wenell, Mattheis, Bowe, Inc. on behalf of Twin Arbors Athletic Club for a Use Permit to expand and remodel an existing facility (i.e. Sunwest Tennis and Swim Club) at 2040 Cochran Road in an area zoned R-1, Single-Family Residential.

In a related matter the City Council, made the following finding (1) that the existing facilities at 2040 Cochran Road are a conforming use in an R-1, Single-Family Residential zone and (2) that the exercise equipment and related facilities constitute an accessory use.

Sincerely,

  
JAMES B. SCHROEDER  
Deputy City Clerk

cc: Tim Mattheis  
Twin Arbors Athletic Club  
City Clerk

CITY COUNCIL

DAVID M. HINCHMAN, Mayor  
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THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

May 20, 1991

Dr. Ronald R. Hilder  
808 Tilden Drive  
Lodi, CA 95242

Dear Dr. Hilder:

RE: Appeal  
Use Permit - U-90-30  
Facilities Expansion and Remodel  
Twin Arbors Athletic Club  
2040 Cochran Road

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Sincerely,

  
JAMES B. SCHROEDER  
Deputy City Clerk

cc: Tim Mattheis  
Twin Arbors Athletic Club  
City Clerk

DECLARATION OF MAILING

On May 2, 1991 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

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

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

Executed on May 2, 1991, at Lodi, California.

Alice M. Reimche  
City Clerk

Jennifer M. Perrin  
Jennifer M. Perrin  
Deputy City Clerk

DEC/01  
TXTA.FRM



# CITY OF LODI

CARNEGIE FORUM  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: May 15, 1991

Time: 7:30 p.m.

For information regarding this Public Hearing  
Please Contact:

Alice M. Reimche  
City Clerk  
Telephone: 333-6702

## NOTICE OF PUBLIC HEARING

May 15, 1991

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) To consider the appeals received from Bruce Schweigerdt, 747 South Mills Avenue, Lodi and Ron Hilder 808 Tilden Drive, Lodi regarding the Planning Commission's conditional approval of the request of Wennell, Mattheis, Bowe, Inc., on behalf of Twin Arbors Athletics Club for a Use Permit to expand and remodel an existing sports club at 2040 Cochran Road

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

*Jennifer M. Perrin*

*for*  
Alice M. Reimche  
City Clerk

Dated: May 15, 1991

Approved as to form:

*B W McNatt*  
Bobby W. McNatt  
City Attorney

Mailing List: Twin Meadows Expansion/Remodel

E 110111

MAILING LIST FOR:

FILE #

chr	grd	Ap#	OWNERS NAME	MAILING ADDRESS	CITY, STATE	ZIP
		027-230-01	Annette Hoag	900 Evert Ct	Lodi CA	95242
		-02	Frv + Dora Green	2034 W. Vine St	" "	"
		-03	Keith + Barbara Lebetter	903 Laver Ct	" "	"
		-04	Terry Dr DR Antrim	903 Laver Ct	" "	"
		-05	Dita + D Sandmeier	2108 W. Vine St	" "	"
		-06	Frank Vendel	2114 W. Vine St	" "	"
		-07	Thomas + Diane putra	2120 W. Vine St	" "	"
		-08	Douglas A + SM Schnaidt	2186 W. Vine St	" "	"
		027-200-34	Larry + Joanne Long	864 Tilden Dr.	" "	"
		-35	Richard + CM Gorbott	872 Tilden Dr.	" "	"
		-36	Ida Ellison	2103 W. Vine St	" "	"
		-37	Thutman + BM Coy	817 Laver Ct	" "	"
		-38	Ronald E + ME Zakoot	809 Laver Ct	" "	"
		-39	Blen R. Hipsz	801 Laver Ct	" "	"
		-40	Richard H Ort	810 Laver Ct	" "	"
		-41	James L. + NJ Becker	818 Laver Ct	" "	"
		-42	Herbert + Emma Braun	2033 W. Vine St	" "	"
		-43	David E + June Brown	807 Evert Ct	" "	"
		46	Kenneth + HH Earl	800 Evert Ct	" "	"
		47	Randy + Susan Koepplin	808 Evert Ct	" "	"
		48	Stewart + R Adams	816 Evert Ct	" "	"
		53	Jeffery N + LB Latsen	815 Evert Ct	" "	95242
		54	Faustino + MC Utiz	1708 E. Armstrong Rd	" "	95242
		027-190-01	Marlin J + L Bond	800 Tilden Dr.	" "	
		02	Ronald + KF Hilder	808 Tilden Dr.	" "	
		03	Wallace G + WF Schuh	816 Tilden Dr.	" "	
		04	Douglas B + CM Wied	824 Tilden Dr.	" "	
		05	Ronald + Joann Butler	832 Tilden Dr.	" "	
		06	Richard A + SL Marini	840 Tilden Dr.	" "	
		07	Delbert J + RM Thomas	848 Tilden Dr.	" "	
		08	Virgil + Carol Heidinger	856 Tilden Dr.	" "	
		09	Jody S + KM O'Connell	859 Tilden Dr.	" "	
		10	Thomas E + CR Crumley	855 Tilden Dr.	" "	
		11	Thomas P + MG McKenzie	851 Tilden Dr.	" "	
		12	Cecil B + C Brewer Trs	847 Tilden Dr.	" "	
		13	J + Joan Goin	843 Tilden Dr.	" "	
		14	Gladys H Peterson	831 Tilden	" "	
		15	Claude I + Maty Peore	827 Tilden	" "	
		16	Wilma Gress	823 Tilden Dr.	" "	

EXHIBIT B

MAILING LIST FOR:				FILE #		
file #	grk #	AP #	OWNERS NAME	MAILING ADDRESS	CITY, STATE	ZIP
		037-190-17	Robert & Debra Whitaker	819 Tilden Dr.	Lodi CA	95242
		-18	John & K M Tetz	815 Tilden Dr.	" "	"
		-19	Charles A & GW Robinson	811 Tilden Dr.	" "	"
		-20	Charles D & Teri Springer	803 Tilden Dr.	" "	"
		-21	Roger & Brenda Nicholas	517 Tara Place	" "	95240
		-22	Nicholas & MP Dellan	2142 Cochran Rd	" "	95242
	027-310-01		Philip & Ewing	2113 Cochran Rd	" "	"
		-02	John M & Allen J Keagy	731 Peach St	" "	"
		03	Leslie B Anderson	726 Peach St	" "	"
		04	Norman Gr AB Carlton	2041 Cochran Rd	" "	"
		05	Claude Lewis Jr.	2033 Cochran Rd	" "	"
		06	Donald H & LA Schack	2025 Cochran Rd	" "	"
		07	Channing & Eayts	2017 Cochran Rd	" "	"
	027-110-10		William S. Kagawa	1114 S Pleasant Ave	" "	95240
		-11	Edward & Elsie Burns	724 Willow Ave	" "	95242
		-12	Thomas L & M Gooding	718 Willow Ave	" "	"
	027-160-01		Michael & P. G. Dravin	701 Peach St	" "	"
		-02	Jerry Manzel	711 Peach St	" "	"
		-03	LeJeune L & RD Gier	717 Peach St	" "	"
		-04	Earl W & DO Hoob	700 Peach St	" "	"
		-06	Scott & Lisa Dasko	712 Peach St	" "	"
		-11	Rudy F & EM Sausen	718 Peach St	" "	"
		-12	Irvin & L Bender et al	P.O. Box 1014	Lodi CA	95241
		-13	Chadwick & PE Meyer	2009 Cochran Rd	" "	95242
		-14	Larry A & Beth Martin	2007 Cochran Rd	" "	"
		-15	Richard & Diane Bruno	2005 Cochran Rd	" "	"
		-16	James & Joan Aston	2003 Cochran Rd	" "	"
	033-050-01		Gordon R & LJ Schulz	555 California St #4790	Stockton CA	95202
	033-050-02		Hubert & M Hook	706 1/2 Mills Ave	Lodi CA	95242
		03	Joe A & CL Oddo	712 S Mills Ave	" "	"
		04	John I & Anna M Hummel	718 S Mills Ave	" "	"
		05	Patrick & Debra Lowenstein	724 S Mills Ave	" "	"
		06	Palmer & BB Tinsley	730 S Mills Ave	" "	"
		07	Richard W. & M. Otto	736 S Mills Ave	" "	"
		08	Henry C & S Hank Wong	742 S Mills Ave	" "	"
		09	Henry D & PA Johnson	748 S Mills Ave	" "	"
		-10	Neil B Haberfield	800 S Mills Ave	" "	"
		-11	Alan A & Leanne Goldhaber	806 S Mills Ave	" "	"
		-12	B.H. Jr & D.E. Pendleton	812 S Mills Ave	" "	"

MAILING LIST FOR:

FILE #

id	grk	AP #	OWNERS NAME	MAILING ADDRESS	CITY, STATE	ZIP
		033-050-13	Giuseppe + PR Cusamano	816 S. Mills Ave	Lodi CA	95342
		-14	WC & Ivy Kulong	822 S. Mills Ave	" "	"
		15	Robert C + MT Bretz	955 W. Virginia Ave	" "	"
		16	Arthur Mr Dana Smith	838 S. Mills Ave	" "	"
		- 27	Gerald W + LM Stoddard	846 S. Mills Ave	" "	"
		-28	Ernest + DV Hoffman	2001 W. Vine St	" "	"
		-29	Raymond L + 30 Fulgham	859 S. Mills Ave	" "	"
		-30	Joyce Macpherson	855 S Mills Ave	" "	"
		31	Fredrick + MH Hopps	829 S. Mills Ave	" "	"
		32	Letoy A + BJ Meidinger	823 " "	" "	"
		33	Dean L + Emil L. Bozch	817 S. Mills Ave.	" "	"
		34	Bobby + J Jones	811 S Mills Ave	" "	"
		35	Harland + J Langdon	805 S. Mills Ave	" "	"
		36	Roger + Velma Stafford	801 S. Mills	" "	"
		37	Bobby + Connie Schweigert	747 S. Mills	" "	"
		38	David J Bluestein	741 S Mills	" "	"
		39	Melvin + R Hoque	735 S Mills	" "	"
		40	Clinton E + M.J Kelly	729 S. Mills	" "	"
		41	Carly + Claudia Dhillgo	725 S. Mills	" "	"
		42	Paul + Ann Kelehet	717 S. Mills	" "	"
		43	Douglas L + M.A Manser	711 S. Mills	" "	"
		44	Barry D Mullet	705 S. Mills	" "	"
		45	Frank + Jane Sunset	2000 W. Tokay St	" "	"
		46	Bruce Schweigert	747 Mills Ave Lodi	" "	"
		47	Bon Niles	802 Jeldin Cir, Lodi	" "	"