



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: **Appeal** of Off-Site Improvement Requirements for
642 North Cluff Avenue, Lodi, California

MEETING DATE: September 18, 1991

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Discuss appeal and take appropriate action.

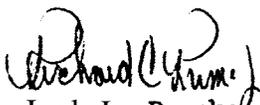
BACKGROUND INFORMATION: On June 18, 1991, Construction Application #3534 was submitted for the construction of a cellular communications tower at 642 North Cluff Avenue, Lodi, California. This parcel is zoned industrial and is currently occupied by a single-family dwelling. The tower was to be erected on a 30 x 45 foot plot in the southeast corner of the parcel. *he* plot was leased by Cellular One from *the* homeowners, Mr. and Mrs. Theron Kettelman. Access to the leased plot would be provided by an existing driveway on the north side of the dwelling.

The Public Works Department issued comments on the construction application on July 11, 1991. A copy of those comments is attached for reference. Since the value of the proposed improvements was greater than \$14,100, off-site improvements were required pursuant to Chapter 15.44 of the Lodi Municipal code.

An appeal to the off-site improvement requirements has been received from Cellular One on behalf of the Kettelmans. A copy of their request is attached.

Discussions between Mr. Fred Wink of Cellular One and City staff indicate they are willing to make the requested sidewalk repairs and pay the storm drain fees, but would like the requirement of connecting to the sanitary sewer system waived. This would also eliminate the related requirements for septic tank abandonment and reimbursement fees.

FUNDING: None required.


s/ Jack L. Ronsko
Public Works Director

Prepared by Sharon A. Welch, Assistant Civil Engineer

JLR/SAW/lm

Attachments

THOMAS A. PETERSON

REC'D PAPER

CITY COUNCIL

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

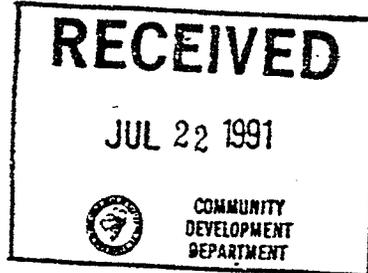
CITY OF LODI

CITY HALL 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795
July 11, 1991

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

Mr. & Mrs. Theron Kettelman
642 N. Cluff Avenue
Loai, California 95240

SUBJECT: Construction Application Nos. 3534 and 3535
642 N. Cluff Avenue, Loai, CA



Off-site improvements are required by the City on all building permits with a value exceeding \$14,100.00 (Lodi Municipal Code, Chapter 15.44).

Because the improvements being made to your parcel are greater than this amount, the Public Works Department is placing the following conditions on the issuance of your building permit:

- Connect property to public sanitary sewer system (Lodi Municipal Code 13.12.060 Septic Tanks). Our records indicate that a sewer lateral was **extended** from the sanitary sewer main to the subject parcel when the main was installed in Cluff Avenue (City of Lodi Plan 81D39).
- Abandon the **existing** septic system in compliance with San Joaquin County guidelines. Submit a copy of the County permit for abandonment.
- Repair damaged sidewalk north of driveway to be used to access the **subject** project. Sidewalk repairs **must** conform to Standard Plan 117.

Completion of the above items needs to be done prior to the final inspection of the Building Division.

In addition, enclosed is Bill #E-982 covering sewer reimbursement fees for the above parcel and storm drain fees for the portion of the parcel currently being developed.

Any electrical fees will be billed to you separately by the Electric Utility Department.

Also enclosed in duplicate is an easement deed with sketch covering the necessary dedications for utility installation. The original of the deed needs to be signed by the legal owners, notarized, and returned to this office. The second copy is for your use.

Payment of all fees and return of the signed deed needs to be made prior to issuance of a building permit.

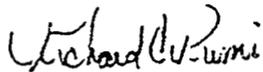
Mr. & Mrs. Theron Kettelman
July 11, 1991
Page 2

A no fee encroachment permit also needs to be taken out at the time the building permit is issued covering your work in the public right-of-way (sidewalk repair).

As a matter of information, our records indicate that public water service is available for the subject property (City of Lodi Plan 81038). The City is **not** requiring connection to the public water system at this time, however, should you desire connection in the future, the following items must **be** accomplished:

- ° Payment of Water Reimbursement **Pees (82W02)** in the amount of \$1,778.00 (175 L.F. @ 10.16/L.F.) and water meter **installation** fees of \$150.00.
- ° Abandon existing well in conformance with San Joaquin County guidelines or install a backflow *device conforming to Standard Plan 413* on the public water service.

Should you have any **questions**, contact Sharon Welch, Assistant Civil Engineer, or me.



Richard C. Prima Jr.
Assistant City **Engineer**

RCP/SAW/n1

Enclosure

cc: Building Division

STATE OF CALIFORNIA
FINANCE DEPARTMENT
CITY OF LODI

City Hall / 221 West Pine Street / Call Box 3006 / Lodi, CA 95241-1910
 Telephone (209) 334-5634

CITY OF LODI
 Please detach and
 return this stub
 with your payment.

Kettleman
 642 N. Cluff Ave

Mr. & Mrs. Theron Kettleman
 642 N. Cluff Avenue
 Lodi, CA 95240

7/11/91
 DATE

7/11/91
 DATE

E-982

INVOICE NO.

E-982

INVOICE NO.

Make your check payable to CITY OF LODI

	AMOUNT	AMOUNT
Fees for development at 642 N. Cluff Ave.		
Sewer Reimbursement (80506) 1.1 AC @ \$2940/AC	\$3,234 00	\$3,234 00
Sewer Reimbursement (82502) 175 LF. @ 10.16/L.F.	1,778 00	1,778 00
Storm Drain Fee 0.1 AC @ \$5400/AC	540 00	540 00
TOTAL	\$5,552 00	\$5,552 00

BILL SUBJECT TO REVISION IF NOT PAID BY 9/11/91.
RATE PAID FOR WORK TO BE DONE BY CITY IS VALID FOR ONE YEAR.

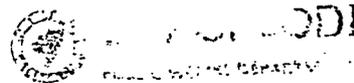
Reminder - Did you include your stub?



1750 Howe Avenue, Third Floor, Sacramento, California 95825 (916) 648-8100
California/Nevada Region

RECEIVED

AUG 30 1991



August 29, 1991

Mr. Jack Ronsko, public Works Director
City of Lodi, City Hall
221 West Pine Street
PO Box 3006
Lodi, CA 95241-1910

RE: Construction Application Nos. 3534 and 3535
642 N. Cluff Ave., Lodi, CA

Dear Mr. Ronsko:

As the tenant and developer involved with the above mentioned construction applications, Stockton Cellular Telephone Company is writing on behalf of our landlords, Mr. & Mrs. Theron Kettleman, 642 N. Cluff Avenue, Lodi, California, 95240.

In a letter to the Kettlemans dated July 11, 1991 and signed by **Richard C. Prima Jr.**, Assistant City Engineer, Mr. Prima states that "Off-site improvements are required by the City on all building permits with a value exceeding **\$14,100.00**" and that "Because the improvements being made to your parcel are **greater** than this amount, the Public Works Department is placing the following conditions on the issuance of your building permit." He goes on to state that the Kettlemans will be required to connect their property to the public sanitary system, abandon their existing septic system and repair a damaged sidewalk north of the **driveway**.

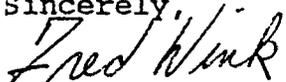
This letter is to request that the off-site improvement requirements be waived for the following reasons:

1. The facility we are constructing on the Kettlemans land is an unmanned cellular telephone facility and will not require any sewer **hook-ups**.
2. The improvements being placed on the Kettlemans parcel are in no way benefitting the parcel as they are all personal property per the terms of our lease agreement with the Kettlemans and will be removed when the lease is terminated.
3. The applications are made by Stockton Cellular, not the Kettlemans. Our facility **would** not change or increase the residential use of the property.

We would appreciate your consideration of this matter.

If you have any questions, I may be reached at (916) 648-7516.

Sincerely,

A handwritten signature in cursive script that reads "Fred Wink".

Fred Wink

Property Manager

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
JAMES W. PINKERTON, Jr.
Mayor Pro Tempore
PHILLIP A. PENNINO
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City Clerk
BOB McNATT
City Attorney

September 20, 1991

Mr. Fred Wink
Property Manager
Cellular One
1750 Howe Avenue
Third Floor
Sacramento, CA 95825

Re: Construction Application Nos. 3534 and 3535
642 North Cluff Avenue, Lodi, California

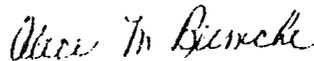
Dear Mr. Wink:

This letter will confirm action taken by the Lodi City Council at its meeting of September 18, 1991 whereby it granted your appeal of the off-site improvement requirement of connecting to the sanitary sewer system at the above address. This would also eliminate the related requirements for septic tank abandonment and reimbursement fees.

You have agreed to make the requested sidewalk repairs and pay the storm drain fees.

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,



Alice M. Reimche
City Clerk

AMR/jmp

cc: Mr. and Mrs. Theron Kettleman

bc: Public Works Department