

# COUNCIL COMMUNICATION

TO THE CITY COUNCIL  
FROM THE CITY MANAGER'S OFFICE

DATE  
April 1, 1987

NO.

SUBJECT: REZONING - 1340 SOUTH PLEASANT AVENUE - R-MD TO C-2

RECOMMENDED ACTION:

At its meeting of Monday, March 9, 1987 the Lodi City Planning Commission recommended the approval of the request of Jerry D. Kelly to rezone 1340 South Pleasant Avenue from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial.

BACKGROUND:

Mr. Kelly's property is located at the northeast corner of South Pleasant Avenue and Kettleman lane and is the site of a single-family dwelling. The property is located north of the Lucky-Thrifty shopping center and easterly of an automobile service station. The Planning Commission's recommendation to rezone to C-2, General Commercial was based on existing traffic and development in the area.



JAMES B. SCHROEDER  
Community Development Director

DECLARATION OF MAILING

On March 19, 1987 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 March 19, 1987, at Lodi, California.

\_\_\_\_\_  
ALICE M. REIMCHE  
City Clerk

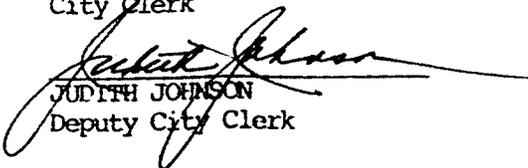
  
\_\_\_\_\_  
JUDITH JOHNSON  
Deputy City Clerk

Exhibit "A"

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL OF THE CITY OF LODI  
TO CONSIDER THE REQUEST OF JERRY D. KELLY TO REZONE 1340 SOUTH PLEASANT  
AVENUE, LODI, FROM R-MD, MEDIUM DENSITY MULTIPLE FAMILY  
RESIDENTIAL TO C-2, GENERAL COMMERCIAL

NOTICE IS HEREBY GIVEN that on Wednesday, the 1st day of April, 1987 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a Public Hearing in the Chambers of the Lodi City Council at 221 West Pine Street, Lodi, California, to consider the request of Jerry D. Kelly to rezone 1340 South Pleasant Avenue, Lodi, from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California, or by telephoning (209) 333-6711. All interested persons are invited to present their views either for or against the above proposal. 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 above 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 at, or prior to, the Public Hearing.

Dated: March 18, 1987

By Order of the Lodi City Council

  
Alice M. Reinche  
City Clerk

Exhibit "B"

Jerry D. Kelly  
1340 South Pleasant Avenue  
Lodi, CA 95240

CITY COUNCIL

FRED M. REID, Mayor  
EVELYN M. OLSON  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

April 7, 1987

Mr. Jerry D. Kelly  
1340 South Pleasant Avenue  
Lodi, CA 95240

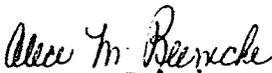
Dear Mr. Kelly:

This letter will confirm action taken by the Lodi City Council at its regular meeting held April 1, 1987. Following a public hearing on the matter Council, by motion action, opposed the Lodi City Planning Commission's recommendation that the General Plan-Land Use Element be amended by redesignating 1340 South Pleasant Avenue, Lodi, from Medium Density Residential to Commercial.

Further, consistent with the foregoing action, Council denied your request to rezone 1340 South Pleasant Avenue, Lodi, from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial.

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:jj

cc: Community Development Director  
James B. Schroeder

Ladon G. Bader  
Attorney at Law

**PROOF OF PUBLICATION**

(2015.5 C.C.P.)

STATE OF CALIFORNIA,  
County of San Joaquin.

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

March 21, .....

87  
all in the year 19.....

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

Dated at Lodi, California, this 21st day of

March 87, 19.....

*[Signature]*  
Signature

This space for the County Clerk's Filing Stamp

RECEIVED  
1987 MAR 25 PM 1:34  
ALICE M. REIMCHE  
CITY CLERK  
CITY OF LODI

**Proof of Publication of**

Notice of Public Hearing By The Lodi

City Council of the City of Lodi To Consider the request of Jerry D. Kelly to rezone 1340 South Pleasant Ave., Lodi, from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial.

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL OF THE CITY OF LODI TO CONSIDER THE REQUEST OF JERRY D. KELLY TO REZONE 1340 SOUTH PLEASANT AVENUE, LODI, FROM R-MD, MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL TO C-2, GENERAL COMMERCIAL.  
NOTICE IS HEREBY GIVEN that on Wednesday, the 1st day of April, 1987 at the hour of 7:30 p.m. or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a Public Hearing in the Chambers of the Lodi City Council at 221 West Pine Street, Lodi, California, to consider the request of Jerry D. Kelly to rezone 1340 South Pleasant Avenue, Lodi, from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial.  
Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California, or by telephoning (209) 333-6711. All interested persons are invited to present their views either for or against the above proposal. 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 above 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 at, or prior to, the Public Hearing.  
Dated: March 18, 1987  
By Order of the Lodi City Council  
ALICE M. REIMCHE  
City Clerk  
Mar. 21, 1987 7384

**PROOF OF PUBLICATION**

(2015.5 C.C.P.)

STATE OF CALIFORNIA,

County of San Joaquin.

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

March 21.....

all in the year 19<sup>87</sup>.....

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

Dated at Lodi, California, this 21st day of

March....., 19<sup>87</sup>

*Jan Battilana*  
Signature

This space for the County Clerk's Filing Stamp

RECEIVED  
1987 MAR 25 PM 1:34  
ALICE M. REIMCHE  
CITY CLERK  
CITY OF LODI

**Proof of Publication of**

Notice of Public Hearing by the City Council of the City of Lodi to consider the Lodi City Planning Commission's Recommendation that the General Plan - Land Use Element be amended by redesignating 1340 South Pleasant Avenue, Lodi, from medium density residential to commercial.

NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF LODI TO CONSIDER THE LODI CITY PLANNING COMMISSION'S RECOMMENDATION THAT THE GENERAL PLAN - LAND USE ELEMENT BE AMENDED BY REDSIGNATING 1340 SOUTH PLEASANT AVENUE, LODI, FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL.  
NOTICE IS HEREBY GIVEN that on Wednesday, April 1, 1987 at the hour of 7:30 p.m., at 221 West Pine Street, Lodi, California, thereafter as the matter may be heard, the Lodi City Council will conduct a Public Hearing in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, to consider the Lodi City Planning Commission's recommendation that the General Plan - Land Use Element be amended by redesignating 1340 South Pleasant Avenue, from Medium Density residential to Commercial.  
Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California, or by telephoning (209) 333-6711. All interested persons are invited to present their views 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 the property owners challenge the subject matter in court, they may be limited to raising only those issues raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk at or prior to the Public Hearing.  
Dated: March 18, 1987  
By Order of the Lodi City Council  
s. ALICE M. REIMCHE  
City Clerk  
Mar. 21, 1987 7386

PROOF OF PUBLICATION