23

PUBLIC HEARING TO CONSIDER REQUEST OF LOREN PERRY TO AMEND THE SPECIFIC PLAN OF HOWARD STREET BY RE-ALIGNING THE BULB TURN-AROUND BETWEEN 350 NORTH LOMA DRIVE AND 360 NORTH LOMA DRIVE

CC-45(a)
CC-53(b)

Notice thereof having been published and posted according to law, an affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the Planning Commission's recommendation for the denial of the request of Loren Perry to amend the Specific Plan of Howard Street by re-aligning the bulb turn-around between 350 North Loma Drive and 360 North Loma Drive in an area zoned R-2, Single-Family Residential.

The matter was introduced by City Manager Peterson. Further background information and diagrams of the subject area were provided by Community Development Director Schroeder.

There were no persons in the audience wishing to address the Council regarding the matter.

City Clerk Reimche read into the record a letter that had been received from Duane M. Lindstrom, 360 North Loma Drive, Lodi, regarding the matter.

Mayor Reid closed the public portion of the hearing.

Following discussion, on motion of Council Member Hinchman, Olson second, Council denied the request to amend the Specific Plan of Howard Street, Lodi, as heretofore set forth

CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

DATE: August 12, 1986

SUBJECT: Requested Amendment to Howard Street Specific Plan

RECOMMENDED ACTION: That the City Council hold the scheduled public hearing on the proposed amendment to the Howard Street Specific Plan and take the appropriate action.

BACKGROUND INFORMATION: In 1969, the City of Lodi Planning Commission and City Council approved the presently adopted Specific Plan.

The requested amendment is located at the south end of Howard Street. Attached is a letter from Loren Perry dated June 11, 1986, requesting an amendment to the south end of Howard Street.

The existing Specific Plan and the proposed amendment are shown on the attached Exhibit A. The attached Exhibit B shows the parcel and street layout in the area of Howard Street. On Exhibit B, the shaded two parcels, which the amendment would affect, currently take access off of Loma Drive by means of a 20' access easement.

The proposed amendment would reduce the amount of right-of-way dedication from Parcel A and increase the amount of right-of-way dedication and street improvements to Parcel B. Shown below are the approximate changes in right-of-way square footage and lineal feet of right-of-way, which approximates the amount of curb, gutter, and sidewalk installation required:

	RIGHT-OF-WAY AREA		RIGHT-OF-WAY LINEAL FOOTAGE	
	EXISTING SPECIFIC PLAN	PROPOSED AMENDMENT	EXISTING SPECIFIC PLAN	PROPOSED AMENDMENT
Parcel A	1040 SF	240 SF	88 LF	56 LF
Parcel B	5580 SF	7300 SF	172 LF	223 LF

The Planning Commission action at its public hearing of July 28, 1986 was to recommend to the City Council denial of the request of Loren Perry to amend the

APPROVED: Thomas A. Peterson

THOMAS A. PETERSON, City Manager

FILE NO.

Specific Plan of Howard Street. Attached is a letter from Mr. Jim Schroeder to Loren Perry dated July 29, 1986, outlining the decision of the Lodi City Planning Commission.

Also attached is a letter from Duane M. Linstrom to the Planning Commission dated July 28, 1986. Mr. Linstrom is the owner of Parcel B and the letter outlines his concern as it relates to a change in the alignment of the Howard Street Specific Plan.

Jack L. Ronsko
Public Works Director

Attachments

cc: Community Development Director
Loren Perry
Duane M. Linstrom

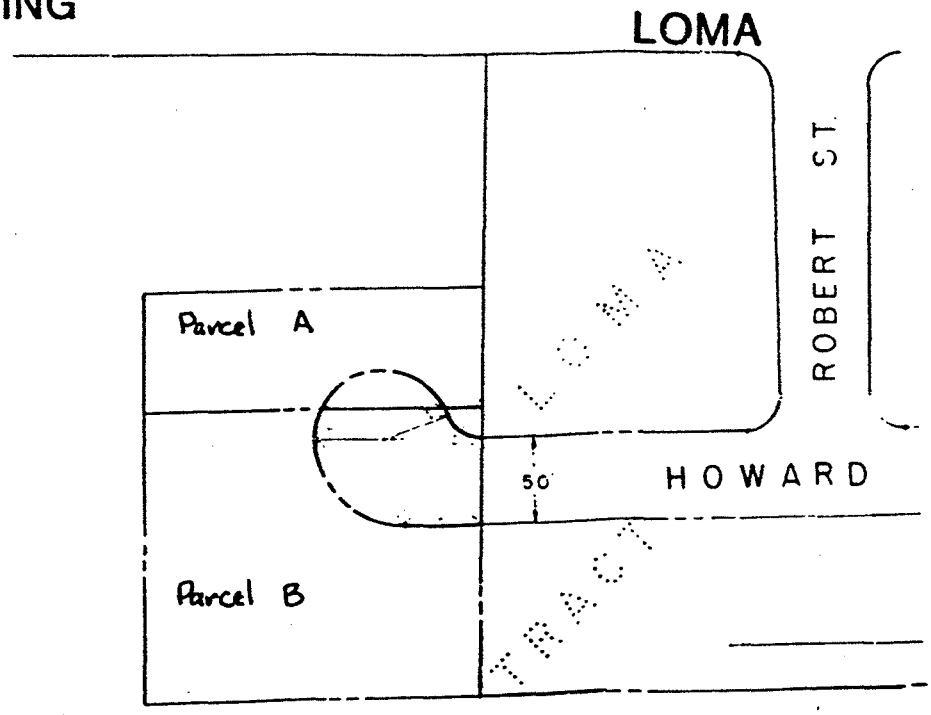
JLR/ma

Exhibit A

AMENDMENT TO HOWARD STREET SPECIFIC PLAN

Z 86 11 7-28-86

EXISTING



PROPOSED

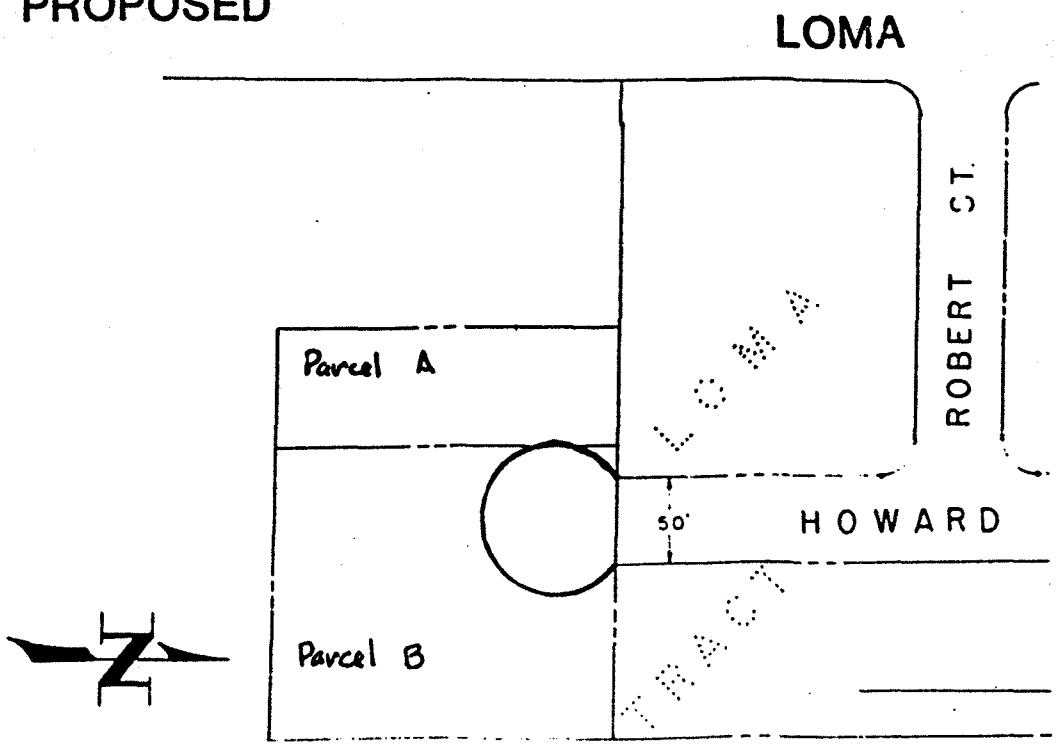
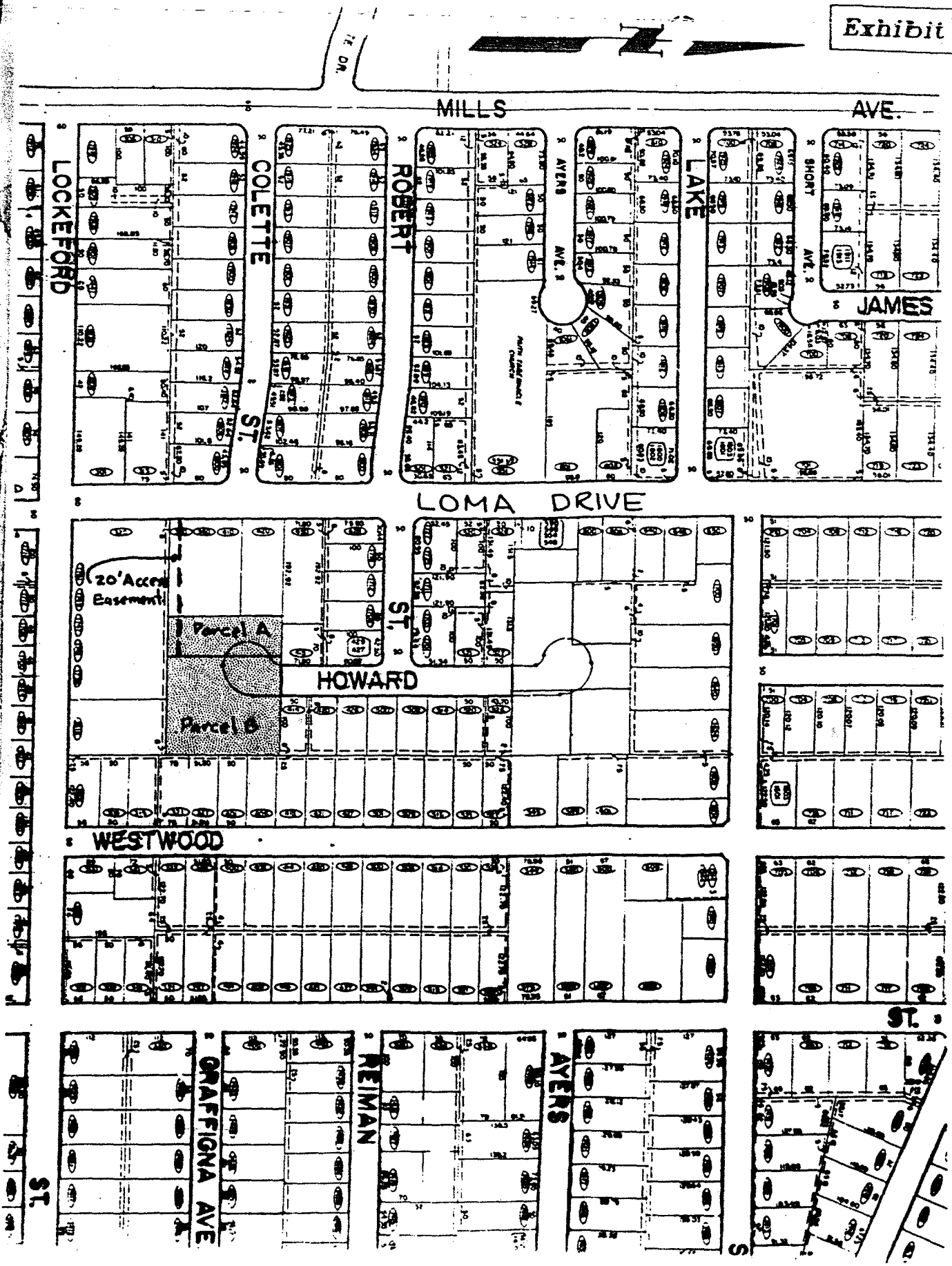


Exhibit B


MILLS
AVE.
LOCKEFORD
COLETTE
ST.
ROBERT
AVERS
AVE.
LAKE
SHORT
AVE.
JAMES
LOMA DRIVE
20' Access Easement
Parcel A
Parcel B
HOWARD
ST.
WESTWOOD
ST.
GRAFFIGNA AVE
REIMAN
AYERS
ST.

June 11, 1986

RECEIVED
1986 JUN 11 PM 3:36
ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

Dear City Council,

We would like to get on your agenda to discuss a proposed culdesac change.

At present, the proposed culdesac on Howard Street is offset to the west largely cutting into our lot. We would like to propose changing the culdesac to center of Howard Street using the same radius. This would make an evenes effect.

Thank you for your time.

Sincerely, Loren Perry

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

July 29, 1986

Mr. Loren Perry
1225 E. Acampo Road
Acampo, CA 95220

Dear Loren:

RE: Amend Howard Street Specific Plan

At its meeting of Monday, July 28, 1986 the Lodi City Planning Commission recommended to the City Council that your request to amend the Specific Plan of Howard Street by realigning the bulb turnaround between 350 and 360 North Loma Drive, in an area zoned R-2, Single-Family Residential be denied.

It was the Planning Commission determination that the existing plan best served both properties and provided a higher degree of equity in paying for the street improvements.

The Planning Commission's recommendation has been forwarded to the City Council for final hearing and determination. The City Clerk will inform you of the time and place of the Council's hearing.

Sincerely,

James B. Schroeder

JAMES B. SCHROEDER
Community Development Director

cc: Duane M. Linstrom
City Clerk

July 28, 1986

To: Members of the Planning Commission for the City of Lodi

From: Duane M. Linstrom, Purchaser/Owner of 360 N. Loma Dr., Lodi

Subject: Proposed Cul de Sac for the North termination of Howard Street

It is my request that the proposed and previously accepted plan to intrude into the properties at 350 and 360 be mainatained, as is, for these reasons:

1. When the original petition was circulated and areas determined in our community for garden apartments, Mr. Ray Welsh and I did not participate, as we regarded our homes for residences and not for investments.

2. When the City commenced issuing permits to build the multiple dwellings, they consulted with me to determine if I wanted to potentially run Howard St. through our lot, or would I afford Mr. Welsh access to 350 by a potential cul-de-sac? We opted to be "good neighbors" and to "live and let live".

3. Accordingly, I employed the services of Mr. Piazza, who came to the residence and made a careful survey and drawing. His design allowed for three lots, each of minimal legal sizes for R-1 Dwellings, for which the zoning on both pieces of property remains.

4. Because of the costs of the items of work necessary to make this improvement, it will be necessary for me to have the proceeds from selling the other two lots to pay for it. In that way, I can continue to live there. At my age, I could not qualify for sufficient improvent loans.

5. I would appreciate your consideration of both the aesthetics involved in the eventual improvement. As proposed, it will have a certain beauty to it, which will enhance the community. (There is a similar arrangement on Pacific Avenue, north of Lockeford Street). A plain "bulb" will cheapen the neighborhood, and be an eye sore.

6. A "bulb" will also enlarge the lot at 350, at the expense of our property, and make it more desirable for multiple units, negating our efforts, Mr. Welsh and myself, to afford a buffer for our friends and neighbors.

7. And finally, there is the real issue of economics. The proposed cul-de-sac was a part of public records, accessible to all potential purchasers of 350 North Loma Drive. There was considerable interest shown once the property was advertised as being available. Clearly that property was shown to be encumbered with at least twenty-percent of the cost of the improvement. That obligation was considered to be a part of the cost of the lot.

Respectfully submitted,

Duane M. Linstrom

Duane M. Linstrom
360 North Loma Drive
Lodi, CA 95240
(209 368 7550)

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:

Aug. 9,

all in the year 19 86

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

Dated at Lodi, California, this 9th day of Aug., 19 86

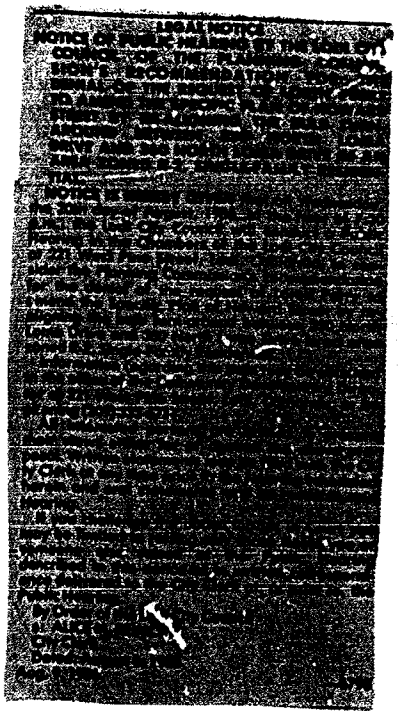
Susan Bailey
Signature

This space is for the County Clerk's Filing Stamp

RECEIVED
1986 AUG 12 AM 10 35
ALICE M. REGALIA
CITY CLERK
CITY OF LODI

Proof of Publication of

PUBLIC HEARING NOTICE
DENIAL OF THE REQUEST OF LOREN PERRY


LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL OF THE [illegible]

[illegible]

NOTICE IS HEREBY [illegible]

PROOF OF PUBLICATION

DECLARATION OF MAILING

On August 7, 1986 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 August 7, 1986, at Lodi, California.

Alice M. Reimche

ALICE M. REIMCHE
City Clerk

Judith Johnson

JUDITH JOHNSON
Deputy City Clerk

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL OF THE PLANNING COMMISSION'S RECOMMENDATION FOR THE DENIAL OF THE REQUEST OF LOREN PERRY TO AMEND THE SPECIFIC PLAN OF HOWARD STREET BY RE-ALIGNING THE BULB TURN-AROUND BETWEEN 350 NORTH LOMA DRIVE AND 360 NORTH LOMA DRIVE IN AN AREA ZONED R-2, SINGLE-FAMILY RESIDENTIAL

NOTICE IS HEREBY GIVEN that on Wednesday, the 20th day of August, 1986, at the hour of 7:30 p.m., 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 Planning Commission's recommendation for the denial of the request of Loren Perry to amend the Specific Plan of Howard Street by re-aligning the bulb turn-around between 350 North Loma Drive and 360 North Loma Drive in an area zoned R-2, Single-Family Residential.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California, or by phoning (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.

By Order of the Lodi City Council

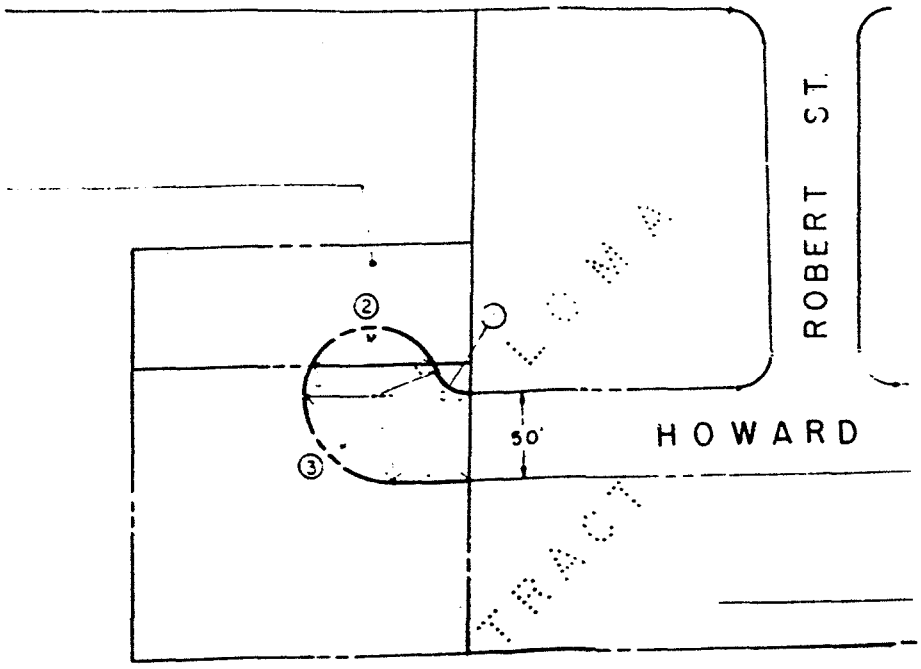
Alice M. Reimche

Alice M. Reimche
City Clerk

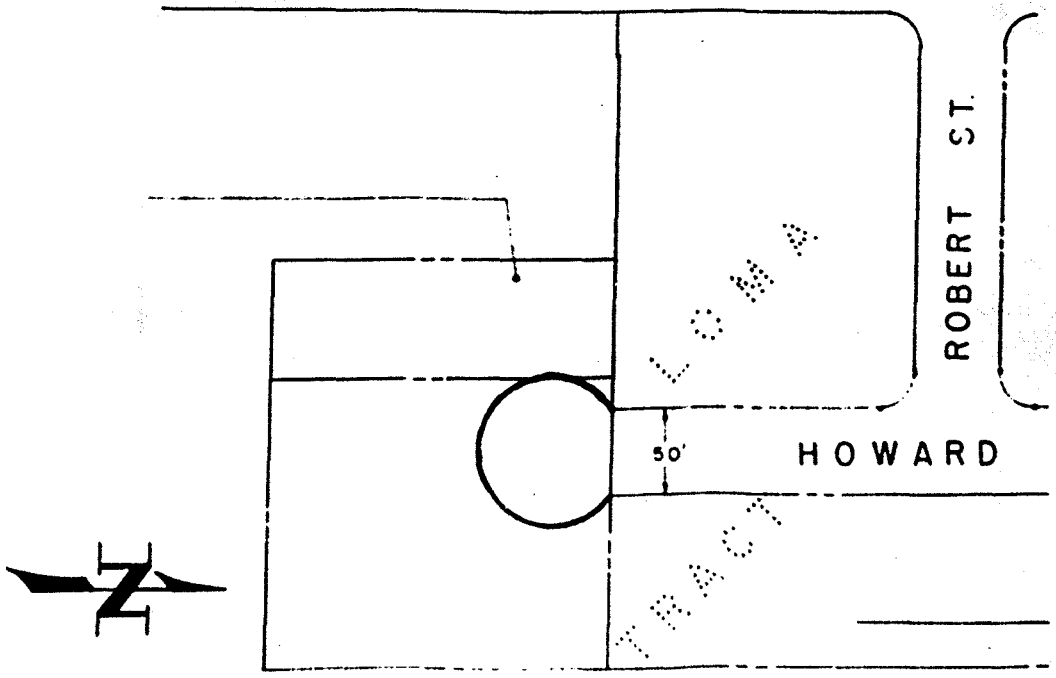
Dated: August 6, 1986

AMENDMENT TO HOWARD STREET SPECIFIC PLAN

EXISTING



PROPOSED



(Page 1 Of 2) #360 Hawkins & Cul de Sac

MAILING LIST FOR: 350 N. Loma FILE # 2-86-11

fiche	grid	AP#	OWNERS NAME	MAILING ADDRESS	CITY, STATE	ZIP
249	D 11	035-172-28	Robert Welsh Est. % Earl Welsh	Exec. Hwy 16 Box 5500	Plymouth CA	95669
014	G14	035-172-25	Duane & G R Linstrom	360 N Loma Dr	Lodi CA	95240
243	P 10	035-172-31	Richard McFarland % Argus & Associates	15495 Los Gatos #7	Los Gatos CA	95030
243	P 10	035-172-30	Thomas & Cathy Tucker	1617 S. Lower Sacramento Rd	Lodi CA	95240
243	O 10	035-172-29	Group Ltd P+O Lockeford % Argus & Associates	15495 Los Gatos #7	Los Gatos CA	95030
014	I 14	035-172-33	Leslie C & L C Fish	1735 W Lockeford St	Lodi CA	95240
014	J14	035-172-34	Robert C & N F Ballard	927 Daisy Ave	Lodi CA	95240
014	G14	035-172-26	Harry L & P K Rentz	9003 Casterbridge	Stockton CA	95209
014	B16	035-177-12	Elizabeth D Emery	301 N Loma Dr	Lodi CA	95240
014	B16	035-177-11	James J & Joy W Lynch	315 N Loma Dr	Lodi CA	95240
015	N1	035-240-1	Frank J & E R Callahan	1718 W Lockeford St	Lodi CA	95240
015	N1	035-240-2	Kenneth C Weisweig	246 N Loma Dr	Lodi CA	95240
015	O1	035-240-5	Daniel C & D Bolanos	1712 W Lockeford St	Lodi CA	95240
015	P1	035-240-7	Santiago Jr & A Sanchez	1706 W Lockeford St	Lodi CA	95240
015	B2	035-240-9	M G Willis & G G Byron	1700 W Lockeford St	Lodi CA	95240
015	B2	035-240-11	Melvin B & E Ave	1624 W Lockeford St	Lodi CA	95240
015	C2	035-240-13	Judith Kosaka	1618 W Lockeford St	Lodi CA	95240
015	D2	035-240-15	Gustav & N Mikun Life Est.	1612 W Lockeford St	Lodi CA	95240
015	D2	035-240-17	Edward N Rebholtz	545 E Walnut	Lodi CA	95240
015	E2	035-240-19	Gus & Penelope Tramontanas	1600 W Lockeford St	Lodi CA	95240
015	F2	035-240-21	James E & Pamela Mason	1528 W Lockeford St	Lodi CA	95240
014	M18	035-173-08	Richard E McLaughlin	107 S Avena	Lodi CA	95240
014	N18	035-230-01	Curtis L & S A Busby	527 Westwood Ave	Lodi CA	95240
014	N18	035-230-02	Robert D Gardner	12 N Cambridge Ave	Lodi CA	95240
014	N18	035-230-03	Walter I & L D Lamb	515 Westwood Ave	Lodi CA	95240
014	N18	035-230-04	Leon & Inez White	509 N Westwood Ave	Lodi CA	95240
014	O18	035-230-05	Ivan M & M J Hayes	PO Box 707	Lodi CA	95241
014	O18	035-230-06	Esther K Aldinger	427 Westwood Ave	Lodi CA	95240
014	O18	035-230-07	Erwin & Alvina Ulrich	421 N. Westwood Ave	Lodi CA	95240
015	B1	035-230-08	Lloyd T & L M Sherman	415 Westwood Ave	Lodi CA	95240
015	B1	035-230-09	Emanuel & Irene Kirschenmann	409 N. Westwood Ave	Lodi CA	95240
015	B1	035-230-10	Jesus & E Garcia	401 Westwood Ave	Lodi CA	95240
015	C1	035-230-11	Manuel & Trinidad Barroza	327 Westwood Ave	Lodi CA	95240
015	C1	035-230-12	Rosellen Maestretti	11619 Clay Station	Herald CA	95638
015	C1	035-230-13	John & Frankie Neeley	315 Westwood Ave	Lodi CA	95240
015	D1	035-230-14	Craig M & J Dillingham	309 Westwood Ave	Lodi CA	95240
015	D1	035-230-15	John W Welch	1149 N Eldorado #F	Stockton CA	95202
015	H1	035-230-25	Elsie C Loebs	514 N Westwood Ave	Lodi CA	[illegible]
015	H1	035-230-26	John & N Taddei	1433 Graffigna St	Lodi CA	95240

(Page 2 of 2) & 360 Lauren H Coldsmith

MAILING LIST FOR: 360 N Loma FILE # Z-86-11

fiche	grid	AP#	OWNERS NAME	MAILING ADDRESS	CITY, STATE	ZIP
015	G1	035-230-25	WM E & Emina M Ferreira	500 Westwood Ave	Lodi CA	95240
015	G1	035-230-24	M & P Preszler	832 Virginia Ave	Lodi CA	95240
015	G1	035-230-23	V Jr & M Ameruso	420 Westwood Ave	Lodi CA	95240
015	F1	035-230-22	Lawrence & SL Beardsley	414 Westwood Ave	Lodi CA	95240
015	F1	035-230-21	Veryl & Laurie Brovald	408 Westwood Ave	Lodi CA	95240
218	G4	035-230-20	Daniel D Bennett	400 Westwood Ave	Lodi CA	95240
015	E1	035-230-19	Eldon S & K Helmandollar	328 N Westwood Ave	Lodi CA	95240
015	E1	035-230-18	William B & JV Fraker	322 N Westwood Ave	Lodi CA	95240
015	E1	035-230-17	Ona D Ashlock	310 Westwood Ave	Lodi CA	95240
015	D1	035-230-16	Sarah Scheideman	300 Westwood Ave	Lodi CA	95240
231	09	035-230-36	Richard R Welsum	421 N Cross St	Lodi CA	95240
218	H4	035-230-37	Janis & W Scott Streeman	2561 Dudley Dr	Rescue CA	95672
015	L1	035-230-38	Isidore & P Scherr	409 N Cross St	Lodi CA	95240
015	L1	035-230-39	Jacquelyn Glasser	401 N Cross St	Lodi CA	95240
015	L1	035-230-40	John W & WA Burnet	327 Cross St	Lodi CA	95240
015	M1	035-230-41	Barbara Fischer	321 Cross St	Lodi CA	95240
014	F16	035-180-10	Shirley F Rubiolo	521 N Howard St	Lodi CA	95240
014	F16	035-180-11	Lowretta Reynolds	500 Howard St	Lodi CA	95240
014	F16	035-180-12	" "	" "	" "	"
267	D13	035-180-13	Charles E & K M Driver	426 Howard St	Lodi CA	95240
014	G16	035-180-14	Gerald & D Reich	420 Howard St	Lodi CA	95240
014	G16	035-180-15	Maulan L Baker	414 Howard St	Lodi CA	95240
014	H16	035-180-16	Emanuel & H Siewert	415 Howard St	Lodi CA	95240
014	H16	035-180-17	Dale C & Doris Prohaska	610 Turner Rd	Lodi CA	95240
014	H16	035-180-18	Ida Harris	1706 Robert St	Lodi CA	95240
249	D11	035-180-19	Stanford & G Jones	1712 Robert ST	Lodi CA	95240
014	I16	035-180-20	Paul T & Mary H Tomita	1718 Roberts St	Lodi CA	95240
014	I16	035-180-21	Michael & Toni Taboada	428 N Loma Dr	Lodi CA	95240
014	J16	035-180-22	Daniel R Haynes	426 N Loma Dr	Lodi CA	95240
014	C16	035-180-03	Joe A Silveira	20042 N Ray Rd	Lodi CA	95240
014	D16	035-180-04	Rossie E Norman	1711 Robert St	Lodi CA	95240
014	D16	035-180-06	Albert & S Rubiolo	521 Howard St	Lodi CA	95240
014	D16	035-180-09	William E & Eva Graffigna	1612 Mariposa Way	Lodi CA	95240
014	N7	035-070-33	Harold L Schuber	1800 Colette	Lodi CA	95240
014	G7	035-070-12	J & D Alberto	15679 N Hwy 88	Lodi CA	95240
014	F7	035-070-11	Ruben & Aldena Ernst	1800 Robert St	Lodi CA	95240
			Loren Perry	1225 E Acampo	Acampo	95220
			Carla LANSFORD	550 N LOMA DR		95240

To: Members of the Ci Council of the City of L i 8/18/86

From: Duane M. Linstrom, Purchaser/Owner of 360 No. Loma Drive, Lodi

Subject: Proposed Cul de Sac for termination of Howard Street

Although Mr. Loren Perry has told me that he will no longer press the issue of re-aligning the Subject potential project to becoming a Bulb Turn-Around, to be situated completely on the property of 360 North Loma Drive, because your mailed Letter to me includes the statement that only those issues raised at the Public Hearing may be considered in Court, should that be necessary, I would like for you to consider these same seven reasons that the City of Lodi Planning Commission deemed reasonable:

1. When the original petition to re-zone part of our community for garden apartments, Mr. Ray Welsh and I did not participate, as we were purchasing our homes for residences, and not as investments.

2. When the City commenced issuing permits to build the multiple dwellings, they consulted with me to determine if I wanted to potentially run Howard St. through our lot, or would I afford Mr. Welsh access to 350 by a potential Cul de sac?

3. Accordingly, I employed the services of Mr. Piazza, who came to our residence and made a careful survey and drawing. His design allowed for three lots, each of minimal legal size for R-1 Dwellings, for which the zoning on both pieces of property were.

4. Because of the costs of the items of work necessary to make this improvement, it will be necessary for me to have the proceeds from selling two lots to pay for it. In that way, I can continue to live there. At my age, I could not qualify for any improvemnt loans.

5. I would also appreciate your consideration of both of the aesthetics involved in the eventual improvement. As proposed, it will have a certain beauty to it, which will enhance those people living around it. (There is a similar arrangement on Pacific Avenue, North of Lockeford Street). A plain "Bulb" will cheapen the neighborhood.

6. A "Bulb" will also enlarge the lot at 350, at the expense of our property and make it more desirable to place multiple units, negating our efforts, Mr. Welsh and myself, to afford a buffer for our friends and neighbors.

7. And finally, there is the real issue of economics. The proposed cul-de-sac was a part of public records, accessible to all potential purchasers of 350 North Loma Drive. There was considerable interest shown, once the propert was advertised as being available. Clearly that property was shown to be encumbered with at least twenty-percent of the cost of the improvement. That obligation was considered to be a part of the cost of that lot.

Respectfully submitted, Duane Linstrom

Duane M. Linstrom, 360 North Loma Drive, Lodi, CA 95240 (209 368 7550)

cc: File (2)

To: Members of the Ci Council of the City of L 8/18/86

From: Duane M. Linstrom, Purchaser/Owner of 360 No. Loma Drive, Lodi

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Duane M. Linstrom, 360 North Loma Drive, Lodi, CA 95240 (209 368 7550)

cc: File (2)

from: Duane M. Linstrom
360 North Loma Drive
Lodi, CA 95240

Members of the Lodi City Council

% Alice M. Reimche
City Clerk

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

August 25, 1986

Mr. Loren Perry
1225 East Acampo Road
Acampo, CA 95220

Dear Mr. Perry:

This letter will confirm the action taken by the Lodi City Council at its Regular Meeting of August 20, 1986 whereby, following a Public Hearing on the matter, Council denied your request to amend the Specific Plan of Howard Street by re-aligning the bulb turn-around between 350 North Loma Drive and 360 North Loma Drive in an area zoned R-2, Single-Family Residential.

Should you have any questions concerning this action, please do not hesitate to call this office.

Very truly yours,

ALICE M. REIMCHE
City Clerk

cc: James B.Schroeder
Community Development Director
City of Lodi