

PUBLIC HEARING
TO CONSIDER APPEAL
OF MR. RONALD W. BUCK,
233 SOUTH ORANGE
STREET, LODI, RE
REZONING OF PARCEL

Notice thereof having been published in accordance with the law and affidavit of the subject publication being on file in the Office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the appeal of Mr. Ronald W. Buck, 233 S. Orange Street, Lodi, of the Planning Commission's denial of his General Plan Amendment request and rezoning request pertaining to 233 S. Orange Avenue, Lodi, California.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area and responded to questions as were posed by the Council.

The following persons spoke on behalf of the appeal:

- 1) Mr. Ronald Buck, 233 S. Orange Avenue, Lodi
- 2) Mrs. June Buck, 2453 W. Elm Street, Lodi
- 3) Mrs. Colleen Ward, 234 S. Crescent, Lodi
- 4) Mr. Bob Wood, 8 North Orange, Lodi
- 5) Mr. William Stanley, 2453 W. Elm Street, Lodi

The following persons spoke in opposition to the appeal:

- 1) Mr. Homer Siewert, 220 S. Orange Avenue,
Lodi,
- 2) Mrs. Joyce Siewert, 220 S. Orange Avenue,
Lodi

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions being directed to persons who had given testimony and to Staff. The discussion also included the proposed rezoning of an undefined area neighboring 233 S. Orange Street, Lodi.

On motion of Mayor Pro Tempore Reid, Hinchman second, Council denied the appeal of Mr. Ronald W. Buck of the Planning Commission's denial of his General Plan Amendment request and rezoning request pertaining to 233 South Orange Avenue, Lodi. Further, Council directed that the rezoning of this area be a matter of discussion at the joint meeting of the Lodi City Council and Planning Commission to be held September 17, 1985.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

DATE
August 28, 1985

NO.

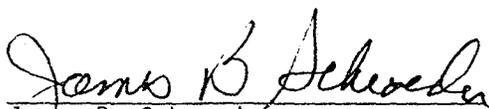
SUBJECT: APPEAL OF RONALD W. BUCK ON GENERAL PLAN AMENDMENT AND REZONING DENIALS

BACKGROUND: At its meeting of Monday, June 24, 1985, the Planning Commission took the following actions:

1. Denied the request of Ronald W. Buck to amend the Land Use Element of the General Plan by redesignating 233 South Orange Avenue (i.e. APN 037-00-42) from Residential-Low Density to office-institutional; and
2. Denied the request of Ronald W. Buck to rezone 233 South Orange Avenue from R-2, Single-Family Residential to R-CP, Residential-Commercial Professional.

In denying this request the Planning Commission reaffirmed a long standing position of the Commission and the City Council in opposition to additional commercial or office development on the north side of Lodi Avenue west of California Street. This position has been taken in order to preserve the residential character of the neighborhood.

It should be noted that Section 17.84.050 of the Municipal Code (i.e. Zoning Ordinance) requires a four-fifths vote of the City Council to reverse a Planning Commission's denial of a rezoning request.


James B. Schroeder
Community Development Director

Attachments

NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL
OF THE CITY OF LODI TO CONSIDER THE APPEAL OF
MR. RONALD W. BUCK, 233 S. ORANGE AVENUE, LODI
OF THE PLANNING COMMISSION'S DENIAL OF HIS GENERAL PLAN
AMENDMENT REQUEST AND REZONING REQUEST
PERTAINING TO 233 S. ORANGE AVENUE, LODI

NOTICE IS HEREBY GIVEN that on Wednesday, September 4, 1985, at the hour of 7:30 pm or as soon 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 appeal of Mr. Ronald W. Buck, 233 S. Orange Avenue, Lodi, California of the Lodi City Planning Commission's denial of his request to:

- 1) amend the Land Use Element of the General Plan by redesignating 233 South Orange Avenue (i. e. APN 037-060-42) from Residential - Low Density to Office - Institutional, and
- 2) to rezone 233 South Orange Avenue from R-2 Single-Family Residential to R-C-P, Residential - Commercial - Professional.

Information regarding this item may be obtained in the office of the City Clerk at 221 West Pine Street, Lodi, California.

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 hearings.

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 W. Pine Street at, or prior to, the Public Hearing.

Dated: August 7, 1985

BY ORDER OF THE LODI CITY COUNCIL:

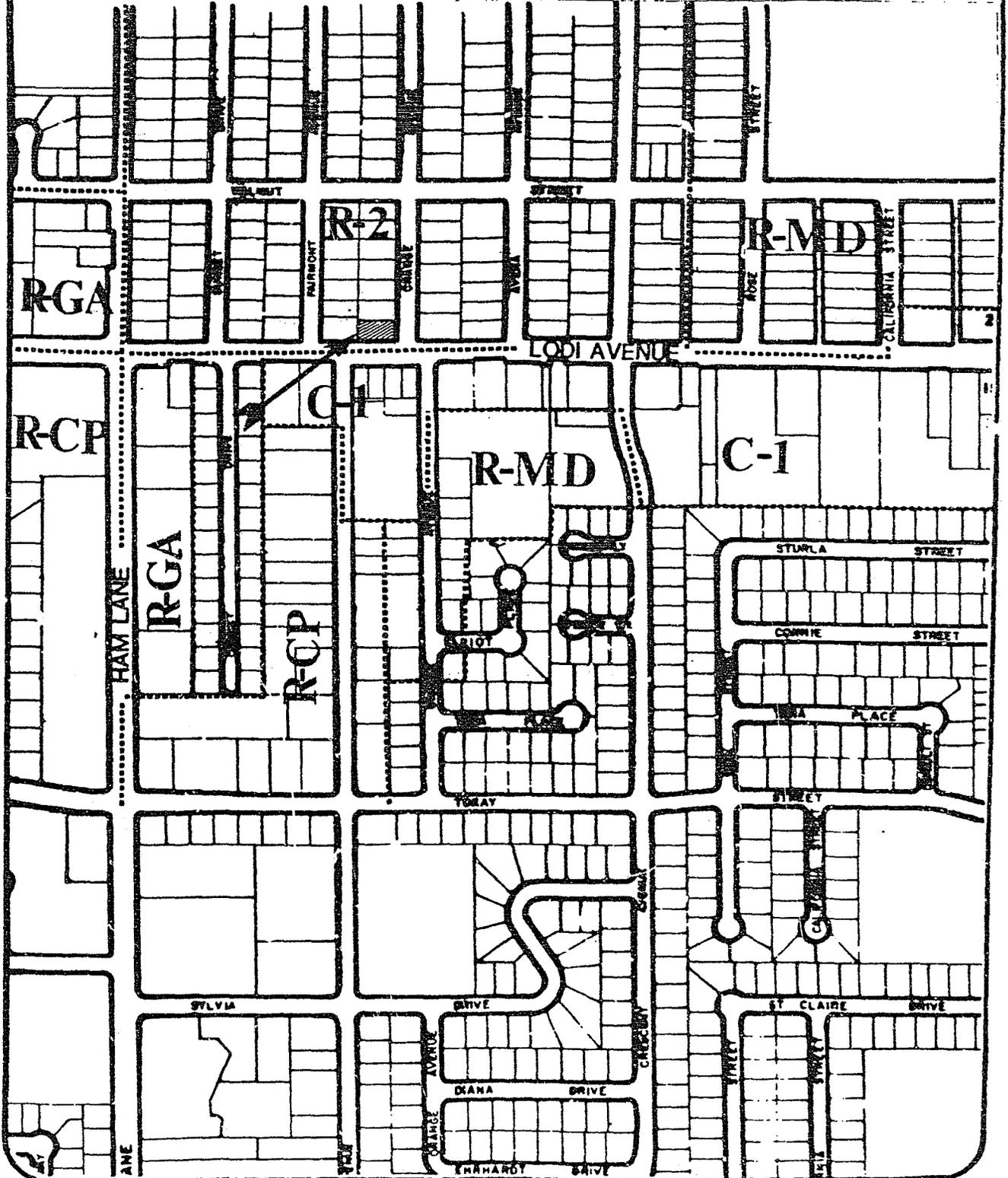
Alice M. Reimche
ALICE M. REIMCHE
City Clerk

BUCK REZONING

233 S. ORANGE

General Plan Amendment &
Rezoning

GPA-LU-85-01/2-85-09/ND-85-13



Dear Members of the City Planning Commission

Due to the increase in commercial businesses being established along my section of Kodi Ave and the increase in traffic along same said section, I feel that my lot is no longer advantageous as

a single family dwelling classification. Due to the high amount of traffic along Kodi Ave raising a family with small children would be difficult and somewhat prohibitive. Both properties to the east and west of me along Kodi Ave are already zoned commercial; therefore, due to these factors, I feel that changing my zoning classification from R-1 to RCP would better serve that section of Kodi Ave. for future purposes.

Sincerely

Karl Buck

333 S Orange Ave
Kodi, California
95340

May 5, 1985

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
FRED M. REID
Mayor Pro Tempore
EVELYN M. OLSON
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

June 25, 1985

Mr. Ronald W. Buck
233 S. Orange Avenue
Lodi, CA 95240

Dear Mr. Buck:

RE: General Plan Amendment and Rezoning - 233 South Orange
File No. Z-85-09

At its meeting of Monday, June 24, 1985, the Lodi City Planning
Commission took the following actions:

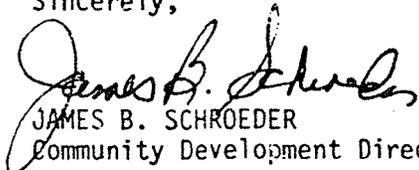
1. Denied your request to amend the Land Use Element of the General
Plan by redesignating 233 South Orange Avenue (i.e. APN
037-060-42) from Residential-Low Density to
Office-Institutional; and
2. Denied your request to rezone 233 South Orange Avenue from R-2,
Single-Family Residential to R-C-P, Residential-Commercial-
Professional.

Section 27-19 (d) of the Lodi Municipal Code (i.e. Zoning Ordinance)
provides as follows:

"Appeal to City Council. If the report of the
Planning Commission recommends disapproval of the
proposed change or amendment or reclassification, the
applicant upon notification of such action may, within
20 days thereafter, appeal to the City Council."

Your appeal, if any, must be in writing and should be directed to
Mrs. Alice M. Reimche, City Clerk, City Hall, 221 West Pine Street,
Lodi.

Sincerely,


JAMES B. SCHROEDER
Community Development Director

cc: City Clerk

914 34

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
FRED M. REID
Mayor Pro Tempore
EVELYN M. OLSON
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LODI, CALIFORNIA 95241-1910
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THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

September 13, 1985

Mr. Ronald W. Buck,
233 South Orange Street
Lodi, California 95240

Dear Mr. Buck:

This letter will confirm the action of the Lodi City Council taken at its Regular Meeting of September 4, 1985, whereby Council, following a Public Hearing on the matter denied your appeal of the Planning Commission's denial of your General Plan Amendment request and rezoning request pertaining to 233 South Orange Street, Lodi.

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

Very truly yours,

ALICE M. REIMCHE
City Clerk