

ATTACHMENT 1

MEETING DATE April 18, 2024
PROJECT NAME 1901 E Yosemite Commercial
APPLICATION NUMBER SPC 21-149, & TPM 21-150

RECOMMENDATION

Staff recommends the Planning Commission conduct a public hearing and:

- 1. Adopt Resolution 1653 approving the Tentative Parcel Map to divide the 2.98 acre property into two parcels, and the Site Plan & Design Review for the construction of a 5,092-square-foot convenience store with a carwash and 12-pump gas station on the 1.42 acre proposed parcel 1, located at 1901 E. Yosemite Avenue (File No. SPC 21-149 and TPM 21-150).

PROJECT INFORMATION	
Applicant:	David Miraflor PO Box 690218 Stockton, CA 95269
Property Owner:	Major Singh 2525 Stern Pl. Stockton, CA 95206
General Plan Designation:	Commercial (C)
Zoning:	General Commercial (CG)
Existing Use:	Vacant
Proposed Use:	Convenience Store with fueling station and carwash
Parcel Size	2.98 acres
Adjacent Uses:	North: Clubhouse and RV storage for Mobile Park East: Automotive Repair South: Hotel and Agricultural Supply West: Fitness Facility

PROJECT DESCRIPTION

The project consists of a tentative parcel map to divide a 2.98 acre parcel into two parcels, 1.42 acre parcel 1, and 1.56 acre parcel 2; and a Site Plan & Design Review to construct a 5,092 square-foot convenience store, with a carwash and 12 fueling stations on Parcel 1. No development is proposed for Parcel 2. See Figure 1 for the Site Plan, and Figure 2 for the Tentative Parcel Map.

ATTACHMENT 1

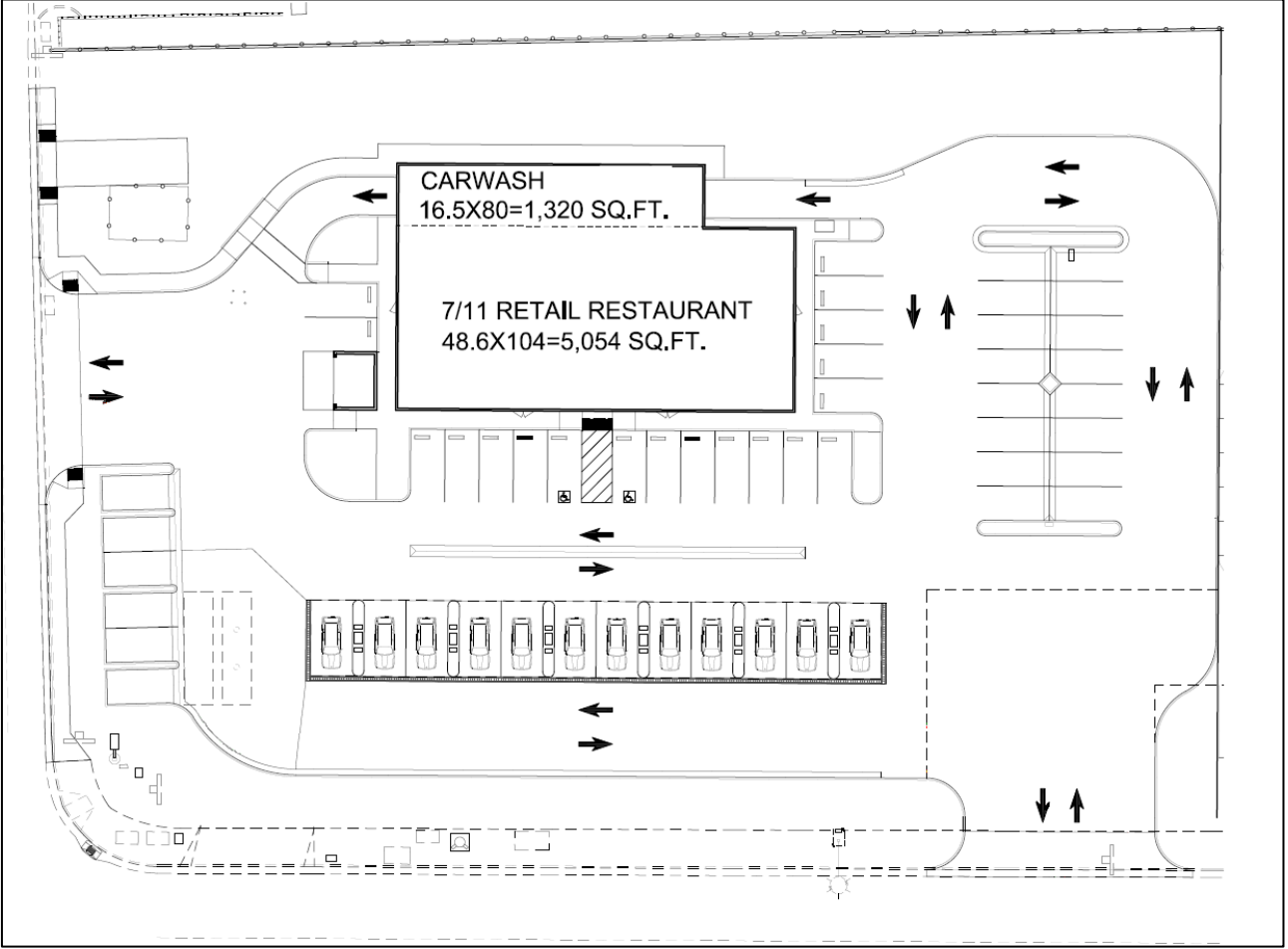


Figure 1: Site Plan

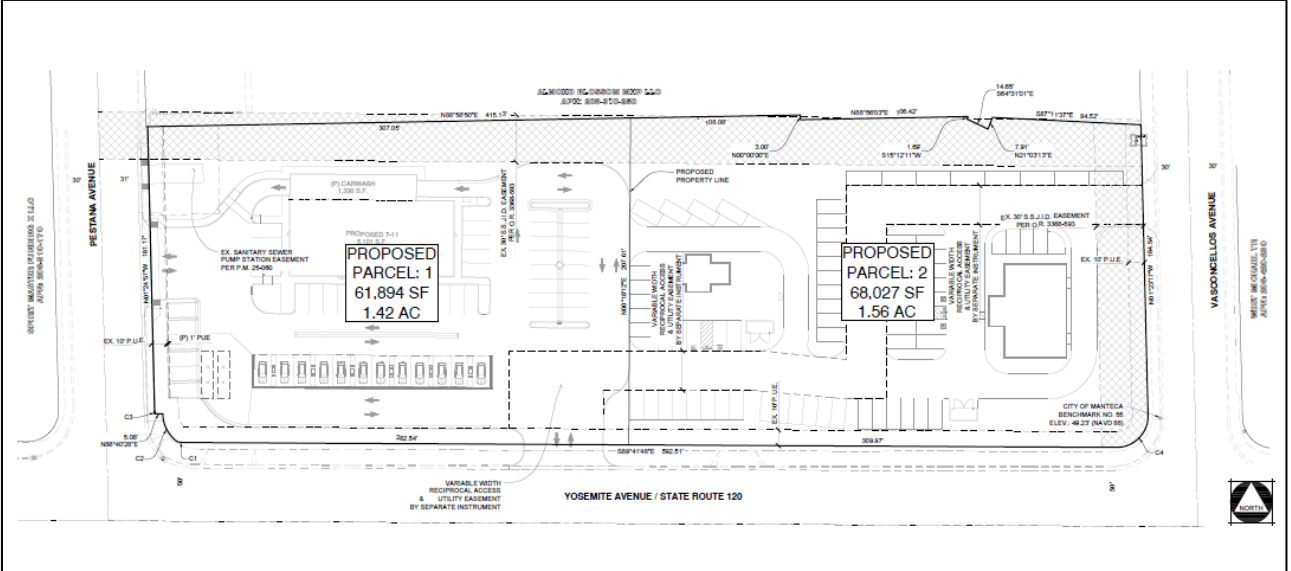


Figure 2: Tentative Parcel Map

ATTACHMENT 1

designation provides for neighborhood, community, and regional-serving retail and service uses; offices; restaurants; service stations; highway-oriented and visitor commercial and lodging; auto-serving and heavy commercial uses; wholesale; warehousing; public and quasi-public uses; commercial recreation and public gathering facilities; and similar and compatible uses. A convenience store, fueling stations, and a carwash are compatible uses in the C designation. The C Designation allows for a maximum site coverage of 50%, and the project has a proposed site coverage of approximately 16%. There is no minimum lot size requirement for the C Designation.

In addition to conforming to the C land use designation requirements, the project supports the following General Plan goals and policies:

1. Community Design Goal CD-8: Upgrade and enhance the visual quality of Manteca's arterial and collector streets.

Analysis: The site development will develop a currently vacant lot – including street landscaping – enhancing the visual quality of a major arterial and an entrance into the City.

2. Land Use Policy LU-P-49: The City shall give priority to in-fill development and new development contiguous to existing developed areas, whenever practical.

Community Design Goal CD-1: Retain the compact and cohesive community form of the City.

Analysis: The project is within City limits, surrounded by existing development on all sides, making this an in-fill site. Infill development is a way to reinforce compact development and maintain a cohesive city form.

3. CD-P-44: Provide minimal levels of street, parking, building, site and public area lighting to meet safety standards and provide direction.

Analysis: This project has been reviewed and conditioned to meet all City lighting standards to ensure visibility and safety for the site and surrounding area. The project is conditioned to show compliance with all lighting standards prior to building permit issuance. Lighting standards ensure adequate site lighting while minimizing spillover and protecting the nighttime sky.

4. CP-24: New development shall provide an adequate number of off-street parking spaces to accommodate the typical parking demands of the type of development on the site.

Analysis: The proposed project meets the parking requirements found in City code. The proposed convenience store and carwash require 26 parking stalls. 33 parking stalls are being provided.

ZONING CODE CONFORMANCE

Zoning Ordinance Conformance

ATTACHMENT 1

The project site is zoned General Commercial (CG), which provides for wholesale, warehousing, and heavy commercial uses, highway-oriented commercial retail, public and quasi-public uses, and similar and compatible uses. The project consists of a gas station, convenience store, and carwash, all of which are appropriate and allowed uses in the CG zone.

The Municipal Code outlines landscaping requirements for new projects in Chapter 17.48. All areas of the site not paved or built will be landscaped in conformance with the Municipal Code. Additionally, gas stations require a minimum of 20% of the site to be landscaped, and this project meets that requirement. The proposed landscaping includes the required shade trees in the parking areas, as well as the required trees in the buffer areas along rights of way and between parcels in as many places as possible. The landscape planting areas include a mix of trees and shrubs, as required by Code.

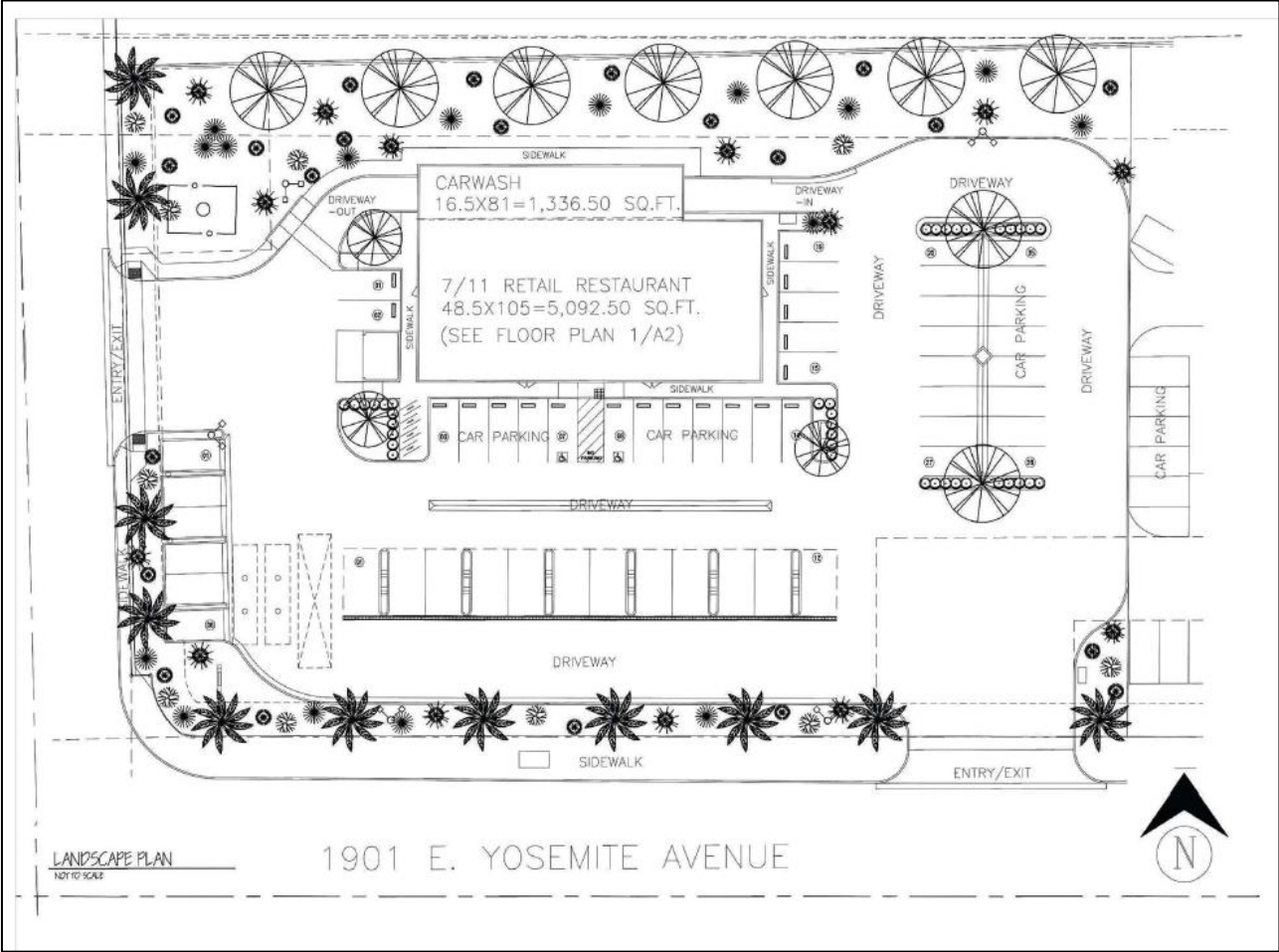


Figure 11: Landscape Plan

The project meets the development standards of the CG zone, including setbacks and height. There are no required setbacks in the CG zone, and a maximum height of 45 feet.

ATTACHMENT 1

The proposed structures have a maximum height of 19'-8", and have a 30' setback from the adjacent property to the north.

As per MMC §17.52.050, the site requires 26 parking stalls, and the proposed development provides 33. This project will also meet all illumination standards set in the Code to ensure adequate illumination without light spillover or glare for the adjacent parcels.

Site Plan and Design Review Findings

The approving authority for a Site Plan & Design Review is the Planning Commission, but when a project requires more than one land use entitlement with more than one Approving Authority, all entitlements shall be processed concurrently and final action shall be taken by the highest-level designated Approving Authority for all requested land use entitlements. In order to approve a Site Plan and Design Review application, Section 17.10.060 of the Zoning Ordinance requires that the Approving Authority make the following findings:

- 1. The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Planned Development, Master Plan or Specific Plan provisions, Improvement Standards, and other applicable standards and regulations adopted by the City.**

Analysis: The project is consistent with the General Plan land use designation of C and the CG zone, as discussed above. The project is not part of a Master Plan or Specific Plan. As approved and conditioned, the project is also consistent with other noise, traffic, and air quality requirements established by the City. The project will comply with all other Improvement Standards and any other applicable standards adopted by the City.

- 2. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.**

Analysis: The project was reviewed for appropriate ingress and egress for vehicular, bicycle, and pedestrian access to ensure that there are no conflicts between movements of these three users.

- 3. The site layout (orientation and placement of buildings and parking areas), as well as the landscaping, lighting, and other development features, is compatible with and complements the existing surrounding environment and ultimate character of the area under the General Plan.**

Analysis: E. Yosemite Avenue is an established commercial corridor, developed with varying levels of commercial use. The addition of a convenience store and fueling station will be in line with existing development. The project was reviewed with sound planning principles in mind and meets the standards and requirements of the General Plan and Municipal Code.

- 4. The proposed architecture, including the character, scale, and quality of the design, relationship with the site and other buildings, building materials,**

ATTACHMENT 1

colors, screening of exterior appurtenances, exterior lighting and signing, and similar elements, establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Analysis: The proposed convenience store incorporates a modern architectural design (See Figure 3). The design includes stucco siding exterior wall surfaces with varying colors to break up the mass of the structure and soften the appearance. Also included are awnings over exterior windows and doors. Signage is incorporated into the design without being distracting. Overall, the design will be an aesthetic benefit to the site and surrounding area.

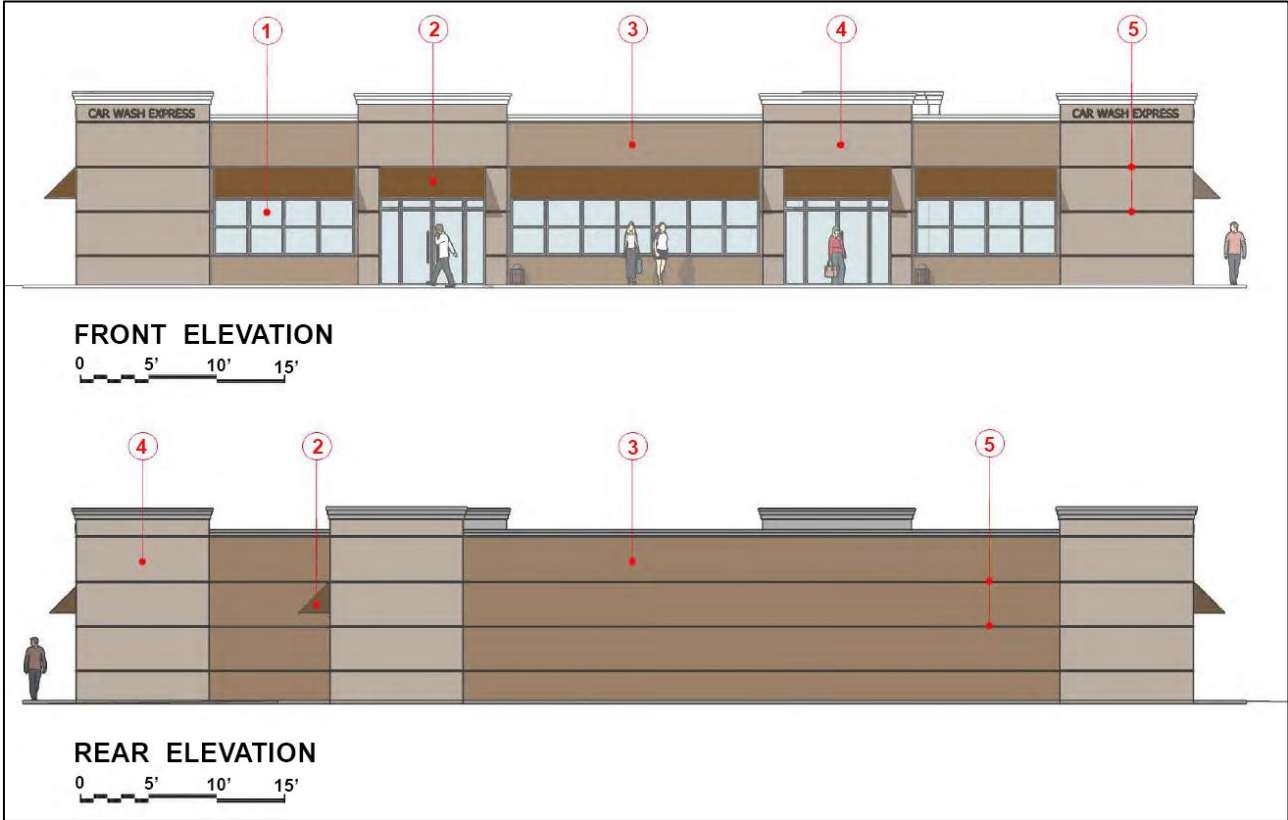


Figure 11: Building Elevations

Tentative Parcel Map Findings

The subdivision of land is governed by the Subdivision Map Act and Title 16 of the Manteca Municipal Code. Chapter 16.15.030.C. identifies the Planning Commission as the approving authority for Tentative Parcel Maps. The Commission may approve a Tentative Parcel Map if the Subdivision Map Act findings from Section 66474 of the Map Act can't be made, in addition to the two findings in Chapter 16.15.040 of the Municipal Code. The Subdivision Map Act findings and the additional findings in Section 16.15.040 of the Municipal Code are discussed below.

Subdivision Map Act Findings

ATTACHMENT 1

Under Section 66474 of the Subdivision Map Act, a legislative body of a city can only deny a tentative parcel map if any of the following findings are made:

1. **That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.**

Analysis: As stated above, the proposed Tentative Map is consistent with the City's General Plan and Zoning Ordinance. The proposed project is not part of any specific plan.

2. **That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plan.**

Analysis: As previously discussed, the proposed development on proposed parcel 1 is consistent with the General Plan. Future development on proposed parcel 2 will be required to be consistent with the General Plan.

3. **That the site is not physically suitable for the type of development.**

Analysis: As previously discussed, the site is appropriate for, and can accommodate the proposed development.

4. **That the site is not physically suitable for the proposed density of development.**

Analysis: As noted above in the General Plan Conformance section, there is no lot size requirement for the Commercial land use designation, and the proposed project is below the allowed maximum site coverage of 50%.

5. **That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

Analysis: As discussed later in this report, the project is exempt from the provisions of CEQA as it is classified as in-fill. Furthermore, the site was previously developed, with remnant foundations covering much of the site, making the proposed improvements not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. **That the design of the subdivision or type of improvements is likely to cause serious public health problems.**

Analysis: The proposed project is an allowed use in the zoning district, and subject to all local, State, and federal health requirements. No concerns have been raised to find that the project is likely to cause serious public health problems.

7. **That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

ATTACHMENT 1

Analysis: The project site has sanitary sewer, SSJID, and a Public Utility Easement. The proposed development does not conflict or interfere with the existing easements, and the agencies with jurisdiction over the easements have reviewed the project for compliance with their respective policies and requirements.

Manteca Municipal Code §16.15.040 Findings

Pursuant to Municipal Code Section 16.15.040, the Planning Commission may approve or conditionally approve a Tentative Parcel Map application if it finds that the additional findings below can be made:

- 1. Subject to the provisions of the California Environmental Quality Act of 1970, the state CEQA guidelines, and the city CEQA guidelines, the decision-making body shall review and consider any applicable environmental documents.**

Analysis: As discussed later in this report, the project is exempt from the provisions of CEQA as it is classified as in-fill.

- 2. In reaching a decision on the tentative parcel map, the decision-making body shall consider the effect of that decision on the housing needs of the region and balance these needs against the public service needs of its residents and available fiscal and environmental resources.**

Analysis: The proposed commercial lots will allow for commercial uses for residents of the City, positively affecting the local area.

CLIMATE ACTION PLAN CONFORMANCE

On October 15, 2013, the Manteca City Council approved and adopted the Air Quality Element Update and Climate Action Plan in response to the passing of Assembly Bill AB32. The intent of this plan is to reduce overall greenhouse gas emissions in both private and public sector development. The proposed project conforms to the following Climate Action Plan strategies:

- 1. CAP Strategies Water Conservation WC-1: The City shall continue to implement water conservation measures to comply with the Model Water Efficiency Landscape requirements that implement the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird).**

Analysis: This project is required to comply with the Model Water Efficient Landscape Ordinance, per Assembly Bill 1881.

- 2. Municipal Strategies - Urban Forestry (UF) UF-2: The City of Manteca will consider the following goals and actions when revising its urban forestry program:**
 - Increase public and private tree plantings citywide**
 - Use canopy trees along new major roadways and in new developments**

ATTACHMENT 1

Analysis: This project will increase the City's tree canopy by installing approximately 23 new trees throughout the site, including along Yosemite Avenue.

ENVIRONMENTAL REVIEW

This project has been determined to not be subject to the requirements of the California Environmental Quality Act (CEQA) per Section 15332, *In-Fill Development Projects*. It meets the *In-Fill Development Projects* exemption because the project will be consistent with the C General Plan land use designation and the CG zone. The project is on less than 5 acres (2.98 acres), and is completely surrounded by urban uses. The site does not have value as a habitat for endangered, rare, or threatened species, but will follow all requirements from SJCOG-Multi-Species Conservation Plan. Lastly, approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality, as this project is developing on a previously developed lot on a major arterial that can accommodate the proposed use, and the project will follow all applicable standards, requirements, and project conditions. The site can be adequately served by all required utilities and public services. Therefore, no further environmental review is required.

Report prepared by: Scott Speer, Associate Planner

Attachments:

1. Planning Commission Resolution No. 1651
 - 2a. Exhibit A – Approved Plan Set
 - 2b. Exhibit B - Conditions Of Approval
2. Traffic Impact Analysis from TJW Engineering, Inc.
3. Noise Impact Study from MD Acoustics
4. Air Quality and Greenhouse Gas Assessment from Salem Engineering Group, Inc.
5. PowerPoint Presentation

Approved by:

Lea C. Simvoulakis, Deputy Director - Planning

Date