



City of Manteca Planning Commission

AGENDA REPORT

MEETING DATE February 17, 2022

PROJECT NAME Aretakis Tentative Parcel Map

APPLICATION NUMBER SDN-21-128

RECOMMENDATION

Conduct a public hearing and adopt Resolution No. 1586 approving a Tentative Parcel Map for the subdivision of 43.73 acres into four parcels and one remainder parcel located at 1437 & 1533 S. Main Street (APN: 224-021-16, 17).

PROJECT INFORMATION	
Applicant:	John & Galatia Aretakis
Property Owner:	John & Galatia Aretakis
Property Address:	1437 & 1533 S. Main Street (APN: 224-021-16, 17)
General Plan Designation:	General Commercial (GC)
Zoning:	Commercial General (CG)
Existing Use:	Vacant
Proposed Use:	No application on file
Parcel Size	45.73± acres
Adjacent Uses:	North: State Route 120 East: Single-Family Residential uses, Chevron South: Vacant West: High-density residential
CEQA Determination:	Exempt, CEQA Section 15315 Minor Land Divisions.

PROJECT DESCRIPTION

The proposed Tentative Parcel Map will divide a 45.73-acre parcel into four smaller parcels and one large remainder lot. (See Figure 1.) Lot 1 will be 1.9 acres and Lots 2, 3, and 4 will be approximately 1.00 acre each. The remainder lot will be 41.95 acres. A 30-foot wide PUE and Access Easement will extend east to west, parallel to the current southern property line. This will allow access through the three front parcels to Parcel 4. A 24-foot wide Right-Of-Way dedication will be placed along the entire frontage of Parcel 4 and the remainder lot.



The project site is 1437 & 1533 South Main Street. The site is currently vacant and has never been developed. (See Figure 2.) The property is designated General Commercial (GC) on the General Plan land use map and has a zoning designation of Commercial General (CG). Immediately north of the site is State Route 120. The properties across South Main Street to the east are zoned Commercial Mixed Use (CMU) and contain a gas station and a single family home. The parcel to the south is currently zoned Commercial General (CG) and is vacant. The property to the west is zoned Commercial Mixed Use (CMU) and the current use is high-density residential.





City of Manteca Planning Commission **AGENDA REPORT**

ANALYSIS

The proposed Tentative Parcel Map was analyzed with respect to conformance with the:

1. Manteca General Plan
2. Manteca Zoning Ordinance
3. Subdivision Map Act
4. Manteca Climate Action Plan
5. California Environmental Quality Act (CEQA)

GENERAL PLAN CONFORMANCE

The site has a General Plan land use designation of General Commercial. (See Figure 3.) The General Commercial land use designation provides for wholesale, warehousing, and heavy commercial uses, highway oriented commercial retail, public and quasi-public uses, and similar and compatible uses. The designation is also intended to accommodate visitor lodging, commercial recreation, and public gathering facilities, such as amphitheaters or public gardens. While there is no application on file for a proposed project, the subdivision of this larger 45.73± acre parcel into four smaller lots with a common drive aisle for through access lends itself to future retail commercial uses.



Figure 1 - General Plan Designation- CG

Any project that is proposed for the four new parcels will have to conform to the allowed uses of the GC land use designation. In addition to conforming to the land use designation, this Tentative Parcel Map is also consistent with the following General Plan goals and policies:



City of Manteca Planning Commission **AGENDA REPORT**

- 1. Land Use Policy LU-P-2: Growth must contribute to a strong diversified economic base and an effective balance between employment and housing opportunities for all income levels.**

Analysis: Currently, the entire 45.73± acre site is vacant. Subdividing this parcel into more development-friendly sizes will provide opportunity for a wide variety of commercial uses to serve as commerce hubs and places of employment for the rapidly growing City of Manteca.

- 2. Land Use Policy LU-P-4: The City shall encourage a development pattern that is contiguous within the boundary of the City.**

Analysis: The entire 45.73 acre property is within the Manteca City Limits, and no portion of the proposed map will alter the City limit boundaries.

- 3. Land Use Goal LU-3: Provide adequate land for the development of commercial uses that provide goods and services to Manteca residents and Manteca's market area.**

Analysis: The General Commercial land use designation provides for wholesale, warehousing, and heavy commercial uses, highway oriented commercial retail, public and quasi-public uses, and similar and compatible uses. The designation is also intended to accommodate visitor lodging, commercial recreation, and public gathering facilities, such as amphitheaters or public gardens. This area of the City is lacking in retail and commercial uses. Commercial uses on this site will provide amenities for existing residents and the future residents in the subdivisions to the south, west, and east of the site. Locating commercial uses on this site will also help with reducing Vehicle Miles Traveled (VMT) for projects on this side of the highway.

ZONING CODE CONFORMANCE

The project site is currently zoned CG Commercial General. (See Figure 4.) This zoning district provides for wholesale, warehousing, and heavy commercial uses, highway-oriented commercial retail, public and quasi-public uses, and similar and compatible uses. This zoning district is also intended to accommodate visitor lodging, commercial recreation, and public gathering facilities, such as amphitheaters or public gardens. It also allows most neighborhood and mixed commercial uses. Any project that is proposed for the four new parcels will have to conform to the allowed uses of the CG zoning district.



City of Manteca Planning Commission **AGENDA REPORT**



Figure 2 – Zoning District- CG

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. Additionally, the Commission must make the two findings found in Manteca Municipal Code Section 16.15.040. 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

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.

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

Analysis: No development project is proposed at this time. The proposed subdivision of land conforms to the City's minimum lot size and access requirements.



City of Manteca Planning Commission **AGENDA REPORT**

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

Analysis: The proposed site is physically suitable for future commercial development in that it is of adequate size to be subdivided into commercially viable parcels and still allow for reciprocal access to all newly created parcels.

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

Analysis: There is no project or density proposed for this site at this time. Any proposed use for the site will need to conform with the use and density requirements of the GC land use designation.

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: No development project is proposed at this time. Any future development will be subject to environmental review and assessment per the California Environmental Quality Act (CEQA). The current map is exempt from CEQA review as it is four or fewer parcels.

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

Analysis: No actual development or projects are proposed at this time. No public health problems will result from the subdivision of the land.

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.

Analysis: As noted on the attached Tentative Parcel Map, there are no easements that will be in conflict with the proposed subdivision of land or future improvements. A 30' wide Public Utilities and Access Easement will be recorded to allow access to all newly created parcels from the Public Right Of Way.

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.



City of Manteca Planning Commission **AGENDA REPORT**

Analysis: This project is determined to be categorically exempt from CEQA review per Section 15315 Minor Land Divisions, as the project involves the subdivision of a single parcel into four parcels, with one designated remainder lot. The parcel map is consistent with the General Plan and Zoning Ordinance, the parcel was not part of a larger subdivision within the past 2 years, and the site's slope is less than 20 percent.

- 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 designation and zoning of the property in this proposed Tentative Parcel Map do not allow residential uses. However, the portion of the City that is south of State Route 120 is greatly underserved in the realm of commercial options. In the interest of the balance between the residents' needs and available fiscal and environmental resources, commercial development at this location will serve the City well. This location will allow the thousands of residents on this side of town to drive shorter distances or use non-motorized methods of transportation. Vehicle Miles Traveled (VMT) will be reduced for current daily trips, as will the associated emissions.

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 32 (AB 32). The intent of this plan is to reduce overall greenhouse gas emissions in both private and public sector development. The proposed Tentative Map conforms to the following Climate Action Plan strategies:

- 1. Compact Development Strategies CD-1: The City shall encourage projects consistent with the development densities allowed by the General Plan and that are contiguous to existing development meet compact development criteria.**

Analysis: The property is zoned Commercial General (CG). It is located at the northwest corner of the signalized intersection of South Main Street and East Atherton Drive. Existing single-family residential subdivisions are located immediately southwest across Atherton and diagonally across the intersection to the southeast. With the current zoning, there is potential on this site for multiple commercial/retail uses. Existing and future residents will have the opportunity to



City of Manteca Planning Commission **AGENDA REPORT**

walk and bike to the future uses on this site, creating the type of compact, urban development supported by the Climate Action Plan.

2. Compact Development Strategies CD-2: The City shall encourage projects that are at or near the maximum densities allowed by the General Plan and zoning designations to achieve more compact development.

Analysis: With the current zoning, there is potential on this site for multiple commercial operations, with easy access to and from SR 120. Neighborhood-serving businesses at this site will be well positioned to facilitate pedestrian and bicycle traffic, which serves to reduce Vehicle Miles Traveled (VMT) and the resulting Greenhouse Gasses (GHG).

ENVIRONMENTAL REVIEW

This project is determined to be categorically exempt from CEQA review per Section 15315 *Minor Land Divisions*. This Tentative Parcel Map involves the subdivision of a single parcel into four parcels with one designated remainder lot. A remainder lot is not a legal parcel under the Map Act and therefore is not subject to CEQA review. The parcel map is consistent with the General Plan GC land use designation and the CG zoning district. Further, the subdivided parcel was not part of a larger subdivision within the past two years. Finally, the site's slope is less than 20 percent. For these reasons, the proposed project is exempt from CEQA review.

Report prepared by: Toben Barnum, Associate Planner

Attachments:

Attachment 1 - Planning Commission Resolution 1586

Attachment 1A - Tentative Parcel Map

Attachment 2B – Conditions of Approval

Reviewed by:

Lea C. Simvoulakis, Senior Planner/Acting Planning Manager

Date

Approved by:

Chris Erias, Development Services Department Director

Date