



STAFF REPORT

Approved and forwarded to City Council

Bryan H. Montgomery, City Manager

Date: February 23, 2016
To: Bryan H. Montgomery, City Manager
From: Kenneth W. Strelow, Senior Planner
SUBJECT: **Boparai Minor Subdivision MS 16-976 (TPM 01-16)**

SUMMARY

This is a public hearing on a request by Surjeet Boparai ("Applicant") for approval of a tentative parcel map subdividing one 1.07 acre lot into two lots of 0.51 acres (Parcel A) and 0.56 acres (Parcel B) ("Project"). The lot is an existing commercial shopping center ("Boparai Plaza") with two buildings that are adjacent to the Chevron Gas Station on Main Street and East Cypress Road. Each of the proposed two lots will exclusively include one of the two buildings. The site is located at 4510-4534 Main Street and zoned "C" (General Commercial) District. APN 033-240-015

Staff recommends the City Council adopt the resolution approving Boparai Minor Subdivision 16-976 (TPM 01-16), as conditioned.

BACKGROUND

General Plan and Zoning

The General Plan Land Use Designation for the project site is *Commercial* as depicted in the [Oakley 2020 General Plan](#) Figure 2-2 (Land Use Diagram). The site is zoned "C" (General Commercial) District. Applicable lot requirements for the C District include a 7,500 square foot minimum lot size, 1.0 maximum base floor area ratio (FAR), and no applicable minimum lot width or lot depth.

Existing Conditions and Surrounding Uses

Project Site: There are two separate buildings on the project site, which are currently and have historically been occupied by retail, food, office and personal services type uses. The building on proposed Parcel B includes a drive thru that is not currently being utilized.

North: Within the same shopping center is a Chevron Gas Station with market and drive-thru car wash (separate lot) and Cypress Road beyond.

South: Additional *Commercial* designated and C District land. Three of the parcels are occupied by existing residential dwelling units. The parcel to the south of those is undeveloped.

East: Marsh Creek and trail with a single family residential subdivision beyond.

West: Main Street and Arco Gas Station, market and drive-thru car wash on the southwest corner of main Street and Cypress Road.

PROJECT DESCRIPTION

Tentative Parcel Map

The proposed tentative parcel map (MS 16-976) does not include plans for development because the project site is already built out. Rather the applicant requests to split the existing parcel into two lots so that the two existing buildings will also be on separate lots. If approved, the subdivision would result in two parcels; Parcel A at 22,392 square feet (0.51 acres), and Parcel B at 24,384 square feet (0.56 acres). An existing 25 foot wide access easements would remain and provide shared access for the two proposed lots with the existing lot to the north (Chevron Gas Station). This easement would also provide Parcel A with access since this subdivision would separate Parcel A from the existing driveway on Main Street. No road dedications or improvements are proposed or required as a result of this subdivision.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 – Minor Land Divisions) of the State CEQA Guidelines. This project can be classified as Class 15 in that:

- The project is a division of land in an urbanized area zoned for residential use into four or fewer parcels;
- The division is in conformance with the General Plan and zoning ordinance, and no variances or exceptions are required; and
- All services and access to the proposed parcels to local standards are available, and the parcel was not involved in a larger subdivision within the last two years.

REQUIRED FINDINGS

The tentative parcel map was analyzed in relation to the required findings found in the City's subdivision ordinance (adopted County ordinance by reference), which generally state, "the

City Council shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law. When approving the tentative map for a minor subdivision, the advisory agency shall make findings as required concerning the fulfillment of construction requirements.” The proposed parcels must also comply with the regulations set forth in the “C” District.

ANALYSIS AND FINDINGS

The main purpose of the subdivision is to separate the two existing buildings in an attempt to make the drive-thru building more marketable and ultimately attract a desirable tenant. The proposed tentative parcel map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that it allows for and attempts to attract additional commercial uses. From a zoning perspective, the lot sizes are consistent with the applicable C District zoning regulations of 7,500 square foot minimum lot sizes and maximum 1.0 base floor area ratio.

FINDINGS

Complete draft findings are included in the attached resolution.

RECOMMENDATION

Staff recommends the City Council adopt the resolution approving Boparai Minor Subdivision MS 16-976 (TPM 01-16), as conditioned.

ATTACHMENTS

1. Vicinity Map
2. Public Hearing Notice
3. Applicant’s Plans
4. Draft Resolution