

# OAKLEY



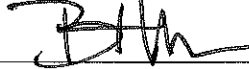
CALIFORNIA

Agenda Date: 09/13/2016  
Agenda Item: 3.4

## STAFF REPORT

**Date:** September 13, 2016  
**To:** Bryan H. Montgomery, City Manager  
**From:** Joshua McMurray, Planning Manager

Approved and forwarded to City Council

  
Bryan H. Montgomery, City Manager

**Subject:** Continued from the August 9<sup>th</sup> 2016 City Council Meeting - Acorn Self-Storage – A Resolution of the City Council of the City of Oakley Denying Applications for a Self-Storage Facility at 4275 Neroly Road APN 041-021-025 (General Plan Amendment GPA 04-16, Rezone RZ 06-16 and Design Review DR 13-16)

### Summary and Background

The project known as “Acorn Self-Storage” was heard at the August 9, 2016 City Council meeting. The City Council directed Staff to bring back a resolution of denial that would be considered at its next regular meeting. The resolution is attached to this Staff Report.

### Environmental Review

The California Environmental Quality Act does not apply to projects that are disapproved.

### Recommendation

Staff recommends the City Council adopt the proposed resolution denying the requested applications for a self-storage facility at 4275 Neroly Road APN 041-021-025 (General Plan Amendment GPA 04-16, Rezone RZ 06-16 and Design Review DR 13-16).

### Attachments

1. Proposed Resolution

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
DENYING APPLICATIONS FOR A SELF-STORAGE FACILITY AT 4275 NEROLY ROAD  
(APN 041-021-025)**

**(General Plan Amendment GPA 04-16, Rezone RZ 06-16 and Design Review DR 13-16)**

**WHEREAS** on March 16, 2016, JMI Properties Corporation ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment (GPA 04-16) to amend the land use designation from Single-Family Low Density Residential (SL) to Commercial (CO); 2) a rezone (RZ 06-16) from unzoned to Planned Development (P-1); and 3) Design Review (13-16) to construct an approximately 107,700 square foot self-storage facility, including a 2,200 square foot office and resident manager's building on an approximately 4.7-acre vacant lot located west of the Neroly Road and Placer Drive intersection, APN 041-021-025 (the "Project"); and

**WHEREAS** a Mitigated Negative Declaration and Initial Study Mitigated Negative Declaration were filed with the County Clerk and Governor's Office of Planning and Research Clearinghouse on June 29, 2016; and

**WHEREAS** on July 27, 2016, the Notice of Public Hearing for the Project was duly published in the Contra Costa Times, a newspaper of general circulation. Notice was also posted at Oakley City Hall, outside the gym at Delta Vista Middle School, outside the library at the Freedom High School, at the project site, and notice was mailed to all owners of property within a 500-foot radius of the subject property's boundaries, as well as to parties requesting such notice, and to outside agencies; and

**WHEREAS** on August 9, 2016, the City Council opened the public hearing, at which it received from city staff a report, received oral and written testimony from the public, deliberated regarding the Project and considered the applications; and

**WHEREAS** at the public hearing, substantial public testimony was received from the public and nearby residents who were opposed to the Project; and

**WHEREAS** at the conclusion of the public hearing, the City Council announced its tentative decision and requested staff to draft this Resolution for consideration at its next regular meeting; and

**WHEREAS** based upon the foregoing, the City Council makes the following determinations:

1. The City Council is not inclined to amend the General Plan at this time for this Project. The current General Plan designation for the property is Single-Family Low Density Residential. Land uses across the street from the proposed Project are single family residential. Current development to the northwest along Neroly Road is also large-lot single family residential.

2. Neroly Road at this location is a two-lane, high speed (45 miles per hour) semi-rural road and there was no compelling evidence presented as to how the Project would properly and safely interface with the roadway.
3. The proposed Project is out of character with the General Plan's concept for development of this immediate area.
4. Because Design Review must be consistent with the zoning designation and General Plan designations for the property, and because the City Council is not inclined to amend the General Plan or assign a commercial zoning designation to accommodate this Project, it is unnecessary to specify findings for the denial of the Design Review portion of this application.

**NOW, THEREFORE, BE IT RESOLVED**, that based upon the foregoing, the applications specified herein are DENIED. A copy of this Resolution shall be delivered to the Applicant.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 13<sup>th</sup> day of September, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

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Kevin Romick, Mayor

ATTEST:

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Libby Vreonis, City Clerk    Date