



# CITY OF MANTECA

Community Development Department  
1001 W. Center St.  
Manteca, CA 95337  
(209) 239-8427 Fax (209) 825-2349

750 + 900 + 175 = 1825

File Number SPC-01-10

Assessors Parcel number(s):

219 - 210 - 051

## UNIFORM APPLICATION

- |   |  |  |  |   |
|---|--|--|--|---|
| <input type="checkbox"/> Annexation       | <input type="checkbox"/> Variance                      | <input type="checkbox"/> Minor Zone Modif            | <input type="checkbox"/> Appeal Admin. Decis | <input type="checkbox"/> Reversion To Acre. |
| <input type="checkbox"/> Gen. Plan Amend  | <input type="checkbox"/> Site Plan Res. 2-4            | <input type="checkbox"/> Minor Plan Modif            | <input type="checkbox"/> Appeal P.C. Decis.  | <input type="checkbox"/> Prelim Review      |
| <input type="checkbox"/> Rezone           | <input type="checkbox"/> Site Plan Res. 5+             | <input type="checkbox"/> Minor Use Permit            | <input type="checkbox"/> Easement Abandon.   | <input type="checkbox"/> Development Agree* |
| <input type="checkbox"/> Prezone          | <input checked="" type="checkbox"/> Site Plan Com./Ind | <input checked="" type="checkbox"/> Major Use Permit | <input type="checkbox"/> Minor Subdivision   | <input type="checkbox"/> Sign Permit        |
| <input type="checkbox"/> PUD Overlay Dist | <input type="checkbox"/> Site Plan PUD/Condo           | <input type="checkbox"/> Temp. Use Permit            | <input type="checkbox"/> Major Subdivision   | <input type="checkbox"/> Zoning Ord. Amend. |
| <input type="checkbox"/> PUD Modification | <input type="checkbox"/> Lot line Adjustment           | <input type="checkbox"/> Spec. Use Permit            | <input type="checkbox"/> Tent. Map Extension | <input type="checkbox"/> Lrg. Fam. Day Care |
| <input type="checkbox"/> Condo Conversion | <input type="checkbox"/> Lot line Merger               | <input type="checkbox"/> Project Allocation          | <input type="checkbox"/> Vested Subdivision  | <input type="checkbox"/> Major Sign Permit  |

\*Note: Fee is an initial payment on account to begin processing. Additional incurred legal costs will be billed separately.

1. SITE ADDRESS (Location) 702 W. YOSEMITE AVE

2. PROJECT NAME CORNERSTONE FAX ( ) \_\_\_\_\_

3. PROPERTY OWNER PETE SILVA Phone (209) 239-4449

4. ADDRESS ~~605 SEQUOIA AVE~~ City MANTECA State CA Zip 95337

5. APPLICANT SAME 1433 Andrew Lane Phone ( ) \_\_\_\_\_

6. ADDRESS \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

7. IMPORTANT: Notification of Public Hearing and/or Completion Notice will be forwarded to:

Property Owner  Project Applicant  Both  Other, as noted here:

Name RLC ASSOC - RON CHEEK Phone (209) 239-5030

Address 250 CHERRY LN # 208 City MANTECA State CA Zip 95337

8. PROJECT DESCRIPTION: SITE PLAN TO REMODEL CHURCH INTO DANCE  
STUDIO & PROF. OFFICES. USE PERMIT FOR DANCE STUDIO  
IN C.O. ZONE.

9. PROPERTY ZONE CO 10. GENERAL PLAN DESIGNATION DP NCC

11. PROPERTY OWNER SIGNATURE [Signature] DATE 6/5/01

12. APPLICANT SIGNATURE [Signature] TITLE OWNER DATE 6/5/01

Fees <u>1825 00</u>	OFFICIAL USE ONLY
Receipt No. <u>181240</u>	Date <u>6/7/01</u> Accepted By <u>R. Nelson</u>
Computer Entry: _____	Date _____ By _____



# CITY OF MANTECA

Community Development Department  
1001 W. Center St.  
Manteca, CA 95337  
(209) 239-8427 Fax (209) 825-2349

File Number \_\_\_\_\_

Assessors Parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_

## UNIFORM APPLICATION

- |   |  |   |  |   |
|---|--|---|--|---|
| <input type="checkbox"/> Annexation       | <input type="checkbox"/> Variance            | <input type="checkbox"/> Minor Zone Modif   | <input type="checkbox"/> Appeal Admin. Decis | <input type="checkbox"/> Reversion To Acre. |
| <input type="checkbox"/> Gen. Plan Amend  | <input type="checkbox"/> Site Plan Res. 2-4  | <input type="checkbox"/> Minor Plan Modif   | <input type="checkbox"/> Appeal P.C. Decis.  | <input type="checkbox"/> Prelim Review      |
| <input type="checkbox"/> Rezone           | <input type="checkbox"/> Site Plan Res. 5+   | <input type="checkbox"/> Minor Use Permit   | <input type="checkbox"/> Easement Abandon.   | <input type="checkbox"/> Development Agree* |
| <input type="checkbox"/> Prezone          | <input type="checkbox"/> Site Plan Com./Ind  | <input type="checkbox"/> Major Use Permit   | <input type="checkbox"/> Minor Subdivision   | <input type="checkbox"/> Sign Permit        |
| <input type="checkbox"/> PUD Overlay Dist | <input type="checkbox"/> Site Plan PUD/Condo | <input type="checkbox"/> Temp. Use Permit   | <input type="checkbox"/> Major Subdivision   | <input type="checkbox"/> Zoning Ord. Amend. |
| <input type="checkbox"/> PUD Modification | <input type="checkbox"/> Lot line Adjustment | <input type="checkbox"/> Spec. Use Permit   | <input type="checkbox"/> Tent. Map Extension | <input type="checkbox"/> Lrg. Fam. Day Care |
| <input type="checkbox"/> Condo Conversion | <input type="checkbox"/> Lot line Merger     | <input type="checkbox"/> Project Allocation | <input type="checkbox"/> Vested Subdivision  | <input type="checkbox"/> Major Sign Permit  |

\*Note: Fee is an initial payment on account to begin processing. Additional incurred legal costs will be billed separately.

- SITE ADDRESS (Location) 702<sup>w</sup> Rosemarite Ave Manteca CA 95336
- PROJECT NAME Universal Dance CO FAX 209 239-7097
- PROPERTY OWNER Dr Pete Silva Phone (209) 824-9886
- ADDRESS 6005 Sequoia City Manteca State CA Zip 95337
- APPLICANT Nicole Cedeno Phone (209) 239-4449\*
- ADDRESS 6005 Sequoia City Manteca State CA Zip 95337
- IMPORTANT: Notification of Public Hearing and/or Completion Notice will be forwarded to:  
 Property Owner  Project Applicant  Both  Other, as noted here:  
 Name Pete Silva Phone 209 239-4449  
 Address 6005 Sequoia City Manteca State CA Zip 95337
- PROJECT DESCRIPTION: A Dance Studio that is open to all age's and anyone.
- PROPERTY ZONE com
- GENERAL PLAN DESIGNATION \_\_\_\_\_
- PROPERTY OWNER SIGNATURE Pete Silva DATE 11/23/03
- APPLICANT SIGNATURE Nicole Cedeno TITLE Owner/Teacher DATE 10/23/03

Fees _____	OFFICIAL USE ONLY
_____	Receipt No. _____ Date _____ Accepted By _____
_____	Computer Entry: Date _____ By _____



# CITY OF MANTECA

CITY CLERK

December 4, 2001

Ron Cheek  
RLC Associates  
250 Cherry Lane #208  
Manteca, CA 95337

SUBJECT: GENERAL PLAN AMENDMENT NO. GPA-01-02 AND REZONE NO. REZ-02-02 - 702 W. YOSEMITE AVENUE; PETE SILVA

Dear Mr. Cheek:

The City Council considered the above matters at its regular meeting held December 3, 2001.

After taking public testimony, it was the decision of Council to approve General Plan Amendment No. GPA-01-02 amending the present General Plan designation from PQP (Public/Quasi-Public) to NCC (Neighborhood Community Commercial) and to approve Rezone No. REZ-01-02 to change the present zoning from PQP to C-O (Office Commercial).

If you have any questions regarding these matters, please call the Community Development Department at 239-8427.

Sincerely,

*Chris Macrae*  
Joann Tilton, CMC  
CITY CLERK

JLT:cam

cc: Community Development Department



# ENVIRONMENTAL QUESTIONNAIRE

(To Be Completed by Applicant)

This document will assist the Community Development Department in evaluating the proposed project and its potential environmental impacts. Complete and accurate information will facilitate the environmental assessment, review, and minimize future requests for additional information. Please contact the Community Development Department if there are any questions concerning environmental issues or zoning.

STATEMENT OF INTENT (General project description): SITE PLAN & MAJOR USE PERMIT FOR DANCE STUDIO & PROF. OFFICES

PROJECT NAME: CORNERSTONE

Variance, conditional use or rezoning application required? Explain why: REZONE TO C.O & GENERAL PLAN AMEND. TO OP

### GENERAL INFORMATION:

Property Owner's Name: PETE SILVA E-mail: \_\_\_\_\_

Mailing Address: 605 SEQUOIA AVE, MANTECA, CA 95337

Telephone: Business (209) 239-4449 <sup>CELL</sup> Home (209) 481-1698 Fax ( ) \_\_\_\_\_

Applicant's Name: RLC ASSOC Contact Person: RON CHEEK

Mailing Address: 250 CHERRY LN. # 208 E-mail: RLC5030@AOL.COM

Telephone: Business (209) 239-5030 Home ( ) - Fax (209) 239-8216

### PROJECT SITE INFORMATION:

Site Address or Location: 702 W. YOSEMITE

Property Dimensions: 130' X 103' Assessor's Parcel Number(s): 219-210-05

Property Area: Acreage .31 Project Area: Acreage .31 Square Feet 13000 Property Elevation: \_\_\_\_\_

Site Land Use: Undeveloped/Vacant ~~EXIST. CHURCH~~ EXIST. CHURCH Developed 100%

Existing Zoning of Project Site: PQP Proposed Zoning (if applicable): CO

Existing General Plan of Project Site: PQP Proposed General Plan (if applicable): OP

If property is under Williamson Act Contract, the contract expire on: NA Property Soil is of "Farmland or Statewide Importance" NA

### DESCRIBE ADJACENT ZONING AND EXISTING LAND USE WITHIN 300 FEET OF PROJECT SITE:

Zoning	General Plan	Existing land use type (i.e. residential, commercial, industrial)
North <u>R-3</u>	<u>LDR</u>	<u>RESIDENTIAL</u>
East <u>R-3</u>	<u>LDR</u>	<u>RESIDENTIAL</u>
South <u>R-3</u>	<u>LDR</u>	<u>RESIDENTIAL</u>
West <u>R-3</u>	<u>LDR</u>	<u>RESIDENTIAL</u>

SITE CHARACTERISTICS

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, any cultural, historical or scenic aspects (if applicable) and photographs: THE EXIST SITE IS A CHURCH WITH PARKING OF ALLEY ON SOUTH SIDE, LAWNS & DRIVEWAY OFF YOSEMITE AVE

Mature trees, bushes, or shrubs on the site? NO Are any to be removed? NO Oak trees on site? NO Are any to be removed? —  
If yes, explain and attach a site plan indicating location, size and type of all existing trees, bushes and shrubs and those proposed for removal.  
Will the project change any bodies of water, pools or marsh areas; effect ground water quality or quantity; alter existing drainage patterns; expose people and structures to flooding? NO If yes, explain: \_\_\_\_\_

Project site is located in a in-fill urban area? YES Project site is adjacent to what agriculture uses: NONE

If there are structures on the project site, attach a site plan indicating location of structures and provide the following information:

Present use of existing structure(s): CHURCH Number of floors: 1

Proposed use of existing structure(s): DANCE STUDIO & PROF. OFFICE

Any structures over 50 years old? ? Are any structures to be moved or demolished? NO If yes, indicate on site plan which structures that are over 50 years old and structures that are proposed to be moved or demolished. Describe Age, Condition, Size and Architectural Style of all existing on-site structures (include photos): \_\_\_\_\_

Any existing septic systems and water wells? NONE If yes, indicate on site plan the location of existing septic systems and water wells.

PROPOSED BUILDING CHARACTERISTICS

Size of new structure(s) or building addition(s) in gross square feet: Ø PORCHES ONLY

Height of building(s) in feet (measured from ground to highest point): 25' ±

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e. antennas, mechanical equipment, light poles, etc.):  
POWER POLE 30' ±

Project Site Coverage:	Building Coverage:	<u>3859</u>	Sq. Ft.	<u>29</u>	%
	Landscaped Area:	<u>2500</u>	Sq. Ft.	<u>19</u>	%
	Paved Surface Area:	<u>7000 ±</u>	Sq. Ft.	<u>52</u>	%
	Total:	<u>13390</u>	Sq. Ft.	<u>100</u>	%

Exterior building materials: STUCCO

Exterior building colors: WHITE Roof materials: \_\_\_\_\_

Total number of on-site parking spaces: ~~Employee~~ 14 ~~Customer~~ Number of floors: Above grade 1 Below grade —

Type of exterior lighting proposed for project (height, intensity): Building ON BUILDING Parking ON BUILDING

Estimated construction starting date: ASAP Estimated completion date: + 60 DAYS Project phased? —

If the proposal is a component of an overall larger project, describe phases and show them on the site plan: —

Indicate any federal or state agencies for which approvals and/or permits are required: —

**RESIDENTIAL PROJECTS**

Total number of lots: \_\_\_\_\_ Total acreage: \_\_\_\_\_ Net Density/Acre: \_\_\_\_\_ Gross Density/Acre: \_\_\_\_\_

	Single Family	Two Family Duplex	Multiple Family Apartments	Multiple Family Condominiums
Number of Structures				
Number of Units				
Square Feet/Unit				
For Sale or Rent				
Price Range				
Type of Units:				
Studio				
1 Bedroom				
2 Bedroom				
3 Bedroom				
4+Bedroom				

**COMMERCIAL, INDUSTRIAL, MANUFACTURING, OR OTHER PROJECT**

Type of use(s): DANCE STUDIO & PROF. OFFICE Expected influence: Regional \_\_\_\_\_ Citywide \_\_\_\_\_ Neighborhood X

Describe operation and processes involved, loading and unloading facilities: DANCE STUDIO & PROF. OFFICE ALL LOADING & UNLOADING TO BE IN PARKING LOTS. SOME DANCE STUDIO DROP OFF MAY BE COMPLETED ON VEACH ST. ADJACENT TO STUDIO EAST ENTRANCE

Occupancy/capacity of building(s): \_\_\_\_\_ Number of fixed seats: 0 Number of employees: \_\_\_\_\_ Number of shifts: 1

Number of employees per shift: ? Anticipated number of visitors/customers on site at any one time: 75

Square footage of: Office Area 1200 Warehouse/Storage Area 150 Manufacturing Area 0 Sales Area: 0

Odors and/or noise emitted? NO If yes, explain \_\_\_\_\_

Number of truck trips per day: Incoming \_\_\_\_\_ Outgoing \_\_\_\_\_ Number of rail deliveries per week: \_\_\_\_\_ Fire suppression system? \_\_\_\_\_

Other Occupants (if applicable): DANCE STUDIO STUDENTS & INSTRUCTORS & PROF. OFFICE EMPLOYE

Involve any toxic or hazardous materials or waste? NO If yes, explain types and quantities, their storage and transportation, and any emissions: \_\_\_\_\_

NOTE: IF THE PROJECT SITE IS ON OR NEAR A HISTORICAL SITE, ARCHAEOLOGICAL SITE, LANDFILL SITE, RIVER, FLOODPLAIN, FREEWAY, RAILROAD, OR AIRPORT, THEN SPECIFIC TECHNICAL STUDIES MAY BE REQUIRED. APPLICANTS ARE ENCOURAGED TO CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT THE EARLIEST POSSIBLE OPPORTUNITY TO DETERMINE THE NEED AND SCOPE OF SUCH STUDIES.

AS THE APPLICANT/AGENT FOR THIS PROPOSAL I HEREBY STATE THAT, TO THE BEST OF MY KNOWLEDGE, THE ABOVE ANSWERS AND STATEMENTS ARE TRUE AND COMPLETE.

Ronald L. Cheek  
 Signature of Applicant/Agent  
RONALD L. CHEEK - RLC Assoc - PRES.  
 Print Name and Title of Applicant/Agent

6/7/2001  
 Date  
239-5030  
 Phone Number





June 7, 2001

Mrs. Kathy Wold  
Community Development Department  
City of Manteca  
1001 West Center Street  
Manteca, CA 95337

**Subject: Cornerstone - 702 West Yosemite Avenue, Manteca**

Dear Kathy:

Pete Silva purchased the church located at the southwest corner of Yosemite Avenue and Veach Street. He is requesting a General Plan Amendment, Rezone, Site Plan and Use Permit to allow a dance studio and professional offices. Mr. Silva intends to remodel this facility by adding parking and remodeling the building as well as new landscaping.

Attached you will find the following items necessary to process his request.

- 1) GPA / Rezone Application
- 2) Environmental Questionnaire for GPA/Rezone
- 3) Site Plan / Major Use Permit Application
- 4) Environmental Questionnaire for Use Permit and Site Plan
- 5) Check in the amount of \$4,700 to cover the associated fees (GPA, \$1500; Rezone, \$1,000; Environmental Questionnaire 2 @ \$175/each; Negative Declaration Fee, \$200; Site Plan Application Fee, \$750; and, Major Use Permit, \$900)
- 6) Thirteen (13) copies of the Site Plan
- 7) 8-1/2" x 11" reduction of the Site Plan
- 8) 8-1/2" x 11" reduction of the GPA/Rezone Map

No sewer allocation is required since the sewerage will decrease from its current amount based on the following calculations:

- A) Prior to changes, the building was used for a 200 seat church with dining facilities  $(200 \text{ seats}) \times (5 \text{ gal/seat/day}) = 1,000 \text{ gpd}$

Community Development  
Cornerstone - Yosemite & Veach  
June 7, 2001 - Page 2 of 2

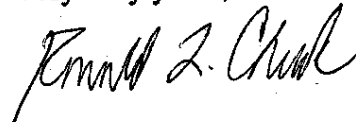
B) After the remodel, the use will change to provide 1,935 square feet for a dance studio; 1,165 square feet of offices with 150 square feet of storage. Sewerage used is based on 0.10 gal/SF/day.

$$(3,859 \text{ SF}) \times (0.10 \text{ gal/SF/day}) = 386 \text{ gpd}$$

The Use Permit Application is to allow for a dance studio (Universal Dance Company, 506 North Union Road), which will have a maximum of 3 classes of 25 students, 5 times per day, 5 days per week. Most students are dropped off at the school for their lessons.

Please call with any questions.

Very truly yours,



RONALD L. CHEEK  
RLC Associates

cc: Pete Silva

RLC:cgc  
01.648MN

Received 7/14/01 RLC

COPY



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

July 6, 2001

Mr. Pete Silva  
605 Sequoia Avenue  
Manteca, CA 95337

Re: General Plan Amendment Application GPA-01-02, Rezone Application REZ-01-02, Site Plan Application SPC-01-10 & Conditional Use Permit Application UPJ-01-01, Permission to change the use of an existing church into a dance studio and professional offices and remodel of the building, 702 West Yosemite Avenue.

On June 7, 2001 you submitted the above development applications to this department. We have reviewed your submittal for completeness and have determined that the application is incomplete. The following concerns or deficiencies have been identified:

1. The site plan contains missing or incomplete information. Submit a revised site plan with following minimum information:
  - Fifteen parking spaces are to be provided. Based on the limited floor area information provided, parking is required based on the following:
 

Dance Studio – 1 Space/100 square feet of floor area = 19.35 spaces  
Professional Office – 1 Space/300 square feet of floor area = 3.88 spaces  
Total = 23.23 parking spaces or 23 spaces.
  - Show location of existing sidewalk and curb on any street frontage.
  - The new parking space adjacent to the new porch in the front parking lot does not meet the required 9-foot space width requirement.
  - Due to the change in use, a floor plan is required.
  - If new property line fencing is proposed indicate the height and material of such fencing.
  
2. The plans indicate major changes to the exterior of the building, including raised porches around three sides of the building and remodeling of the northeast corner of the building. Elevations are required clearly illustrating these changes.

COPY

3. Submit a floor plan illustrating the proposed internal remodeling of the building.
4. Submit a parking lot tree-shading plan.

The following additional comments are provided to assist you in preparing a complete development proposal:

- A minimum 10 foot wide landscaped planter (width exclusive of curb width) enclosed by a six inch wide continuous concrete curb is required adjacent to any public or private street. This requirement would eliminate one of the parking spaces in the new parking area off of Yosemite Avenue.
- A preliminary landscape plan is required for all planters.
- If exterior lighting is proposed, it should be shown, including a detail of all poles and fixtures, location, intensity of light and shielding so that the light does not shine off the property and the light source is not visible from off the property.
- It is noted that the floor area of proposed uses in the plan table do not add up to the total floor area of the building.
- If the new parking lot along Yosemite is built, the primary entrance to the building changes. The accessible parking space must be located on the shortest accessible route of travel from the parking lot to an accessible entrance. You should check with the Building Department on this and other possible accessible standards.
- Submission of a set of photographs of the existing building would assist in the evaluation of the proposal.
- Locating a dance studio may have the potential of substantial noise and traffic impacts on the adjacent residential neighborhood. You may wish to modify your letter of justification to indicate how these impacts would be mitigated.

It is requested that a revised site plan be prepared responding to the deficiencies and concerns identified above, and that the new building elevations, floor plan and other information requested be provided.

Your applications have been placed in a hold status until the above noted item(s) are submitted. This notice of application completeness is required pursuant to California Government Code Section 65493, to determine validity of development projects in accordance with the State Permit Streamlining Act. Upon receipt of all required information, your applications will be deemed complete and processing will continue.

COPY

It is strongly recommended that you meet with a member of the Planning Department staff to review your revised plans for completeness and compliance with minimum development standards prior to the plans being resubmitted.

Please feel free to contact me at (209) 239-8468 for additional information or assistance.

Sincerely,



Donald R. Ross  
Development Planner

Cc: RLC Associates, 250 Cherry Ln., #208, Manteca, CA 95337

E:\Planning\Dross\Development Projects\Yosemite Avenue - 702 West\Notice of incompleteness.doc



July 24, 2001

Donald R. Ross, Development Planner  
Community Development Department  
City of Manteca  
1001 W. Center St.  
Manteca, CA 95337

**Subjects:     GPA-01-02  
                  Rezone REZ -01-02  
                  Site Plan SPL-01-10  
                  Use Permit UPJ-01-01  
                  702 W. Yosemite Avenue**

Dear Mr. Ross,

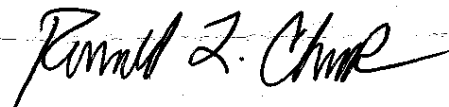
We are in receipt of your attached letter to Pete Silva determining the applications for the above subject items incomplete. Your letter was dated July 6, 2001 and postmarked July 13, 2001 (copy of envelop attached). July 6th was the expiration of the 30 days for the City to respond prior to applications being deemed complete. You did not respond within the time allowed, therefore, please remove these applications from the hold status and proceed. You should also realize that the site plan application is separate from the other applications and we request that all applications proceed.

You strongly suggest that we meet with a member of the Planning Department staff prior to plan resubmitted. We did that prior to the first submittal and received different information than spelled out in your letter. You state that Dance Studio parking requires 1 space per 100 square ft. floor area. This is **triple** what we were told and what the Code seems to require.

We are very upset with the way you've handled this application on behalf of the City. You did not contact us to discuss issues or concerns and apparently backdated the Notice of Incompleteness. All of your comments relate to the Site Plan application,

however, you have "placed on hold" all applications. Again, please note that these applications have been submitted separately. I look forward to receiving correspondence from you that our applications are removed from the "hold" status and are proceeding.

Very truly yours,



RONALD L. CHEEK  
RLC Associates

attach (2)

cc: Robert Adams, w/attach  
Michael Brinton, w/attach  
Pete Silva, w/attach

RLC:clg  
648MN



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

July 31, 2001

Ron Cheek  
RLC Associates  
250 Cherry Lane, Ste. 208  
Manteca, Ca 95337

Re: GPA-01-02, REZ-01-02, SPC-01-10, and UPJ-01-10, 702 W. Yosemite Avenue.

Dear Mr. Cheek:

I have reviewed your letter to Donald Ross regarding the determination of incompleteness for the Pete Silva project at 702 W. Yosemite Avenue. I understand your concern and agree that the letter was not sent within the guidelines required under permit streamlining. Therefore, the department will remove the project off hold and begin processing the application.

I have reviewed the items requested and feel that it may be difficult to assess the project without the items, therefore, I respectfully request that you forward the information requested within the correspondence to the department. While it would appear that the intent of the letter was to place your project on hold, it was not. The items noted in the letter are required to assist us in the processing of your applications.

In response to your question regarding the parking required for dance studios, Title 17 provides that for uses not specifically listed herein shall be determined by the Community Development Director, based upon the requirements for comparable uses and upon the particular characteristics of the use. This will be the process utilized to determine the appropriate parking ratio.

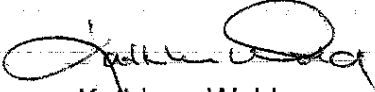
Your project has been reassigned to other planning staff. Deputy Director Cantu will be handling the Rezone and General Plan Amendment applications. I will be handling the Site Plan and Use Permit requests.

I understand that you have requested these projects be processed separately. I have reviewed this request and find it difficult to separate your applications in the manner that you have requested. A dance studio is a permitted use under the current zoning and would not require a Use Permit, but the office use is not permitted. Therefore, without the concurrent processing of GPA-01-02, REZ-01-02, SPC-01-10, and UPJ-01-10 it may be impossible to achieve the desired project. If you feel that there is a better

way to process these two applications, I would be happy to meet with you to further discuss this issue.

Should you have any questions please feel free to contact me at 239-8423.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Wold', written over a horizontal dashed line.

Kathleen Wold  
Senior Planner

c. Mike Brinton, Public Works Director



City Council Agenda  
Community Development Department

December 3, 2001  
Public Hearing

Reviewed by  
City Manager Office: LFDA

To: Manteca City Council

Via: Kyle Kollar, Community Development Director *kk*

From: Benjamin Cantu, Jr., Deputy Community Development Director *BC*

Date: November 26, 2001

Subject: Consider Negative Declaration No. 01-20, General Plan Amendment No. GPA-01-02, and Rezone No. REZ-01-02, 702 W. Yosemite Avenue, Pete Silva.

---

**Recommendation**

Based on the October 23, 2001, action of the Planning Commission, the City Council should consider the following action.

- A. Deny Negative Declaration No. 01-20. And, require in accord with the California Environmental Quality Act (CEQA) that the applicant prepare an Environmental Impact Report
- B. Deny General Plan Amendment No. GPA-01-02.
- C. Deny Rezone No. REZ-01-02.

**Background**

The subject property is located on the southwest corner of Veach Avenue and Yosemite Avenue, and is developed with a church building and with improved parking off the alley. It lies within a neighborhood that is single-family residential in use and character, and there is no commercially zoned property in the immediate vicinity.

The applicant proposes to change the General Plan land use designation and the zoning in order to allow conversion of the building and property to office commercial use.

The Environmental Review Committee (ERC) evaluated the application on September 26, 2001. Staff recommended a significant effect determination and the preparation of an Environmental Impact Report, because the proposed General Plan amendment and rezone could—in conflict with established General Plan policy regarding preservation of existing residential neighborhoods—initiate a parcel-by-parcel commercial transition of an established single-family residential neighborhood. However, the Committee determined that alteration of the subject parcel to commercial use would not adversely affect the character of the surrounding single-



# CITY OF MANTECA

CITY CLERK

December 4, 2001

Ron Cheek  
RLC Associates  
250 Cherry Lane #208  
Manteca, CA 95337

SUBJECT: GENERAL PLAN AMENDMENT NO. GPA-01-02 AND REZONE NO. REZ-02-02 - 702 W. YOSEMITE AVENUE; PETE SILVA

Dear Mr. Cheek:

The City Council considered the above matters at its regular meeting held December 3, 2001.

After taking public testimony, it was the decision of Council to approve General Plan Amendment No. GPA-01-02 amending the present General Plan designation from PQP (Public/Quasi-Public) to NCC (Neighborhood Community Commercial) and to approve Rezone No. REZ-01-02 to change the present zoning from PQP to C-O (Office Commercial).

If you have any questions regarding these matters, please call the Community Development Department at 239-8427.

Sincerely,

*Chris Macone*  
Joann Tilton, CMC  
CITY CLERK

JLT:cam

cc: Community Development Department



CITY OF MANTECA

COMMUNITY DEVELOPMENT DEPARTMENT

# Fax

**To:** Ron Waddle **From:** Kathy  
**Company:**  **Agency:** City of Manteca, Community Development Dept.

---

**Fax:** 825-339 **Pages:**   
**Phone:**  **Date:**  **Time:**

---

**Re:**  **CC:**

---

---

- Urgent     For Review     Please Comment     Please Reply     Please Recycle

• **Comments:**

*Which set of conditions shall I use?*



CITY OF MANTECA

COMMUNITY DEVELOPMENT DEPARTMENT

# Fax

To: Bon Check From: Renee Barcelos  
Company: 239-8216 Agency: City of Manteca, Community Development Dept.  
Fax: \_\_\_\_\_ Pages: \_\_\_\_\_  
Phone: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Re: Pete Silva Site Plan Conditions CC: \_\_\_\_\_

Urgent     For Review     Please Comment     Please Reply     Please Recycle

• Comments:

NOTICE OF PUBLIC HEARING BY THE MANTECA  
PLANNING COMMISSION FOR THE CONSIDERATION  
OF A PROPOSED MAJOR USE PERMIT NO. UPJ-01-01

BEFORE THE PLANNING COMMISSION OF THE CITY OF MANTECA NOTICE IS  
HEREBY GIVEN that on January 15, 2002, at 7:00 p.m., a public hearing will be held in  
the City Council Chambers, 1001 W. Center Street, Manteca, California, for the purpose of  
hearing and receiving evidence, both oral and documentary, in support of or in opposition  
to the following:

PROJECT: The Planning Commission will be conducting a public hearing to  
consider Major Use Permit No. UPJ-01-01 for the remodeling of an  
existing church into a dance studio in a C-O (Office Commercial) zone  
designation.

PROJECT LOCATION: 702 W. Yosemite Avenue  
APN: 219-210-05

APPLICANT: Pete Silva  
605 Sequoia Avenue  
Manteca, CA 95337

Environmental review of the project has resulted in a Negative Declaration being prepared.  
A copy of the initial study is available in the Community Development Department.

ALL persons having any interest in the foregoing subject are invited to be present and  
submit statements orally or in writing. Further information may be obtained by contacting  
the Community Development Department, 1001 W. Center Street, Manteca, CA 95337 or  
209-239-8427.

If you challenge the Use Permit or Negative Declaration 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 Planning Commission at, or prior  
to, the public hearing.

MINUTES OF THE PLANNING COMMISSION  
MEETING HELD TUESDAY, JANUARY 15, 2002

The regular meeting of the Manteca City Planning Commission held on Tuesday, January 15, 2002, was called to order by Chairman Wilson at 7:00 p.m.

The following Commissioners were present: Charleen Carroll, Marion Elliott, Brian Gookins, Eric Hayes and Tom Wilson. Also present: John Brinton, City Attorney; Mike Brinton, Public Works Director; Ron Waddle, Fire Prevention Division Chief; Kyle Kollar, Community Development Director; Ben Cantu, Deputy Community Development Director; Kathy Wold, Senior Planner; Daniel De La O, Assistant Planner; and Rachel Nielsen, Office Coordinator.

**MINUTES**

None.

**ELECTION OF OFFICERS**

Commissioner Hayes nominated Tom Wilson for Chairman and Commissioner Carroll seconded the nomination.  
Nominations were closed.

Nomination passes with a unanimous voice vote, one abstention (Chairman Wilson).

John Brinton, City Attorney clarified that the Planning Commission bylaws call for only one Vice-Chairman.

Commissioner Elliott nominated Eric Hayes for Vice-Chairman and Commissioner Gookins seconded the nomination.  
Nominations were closed.

Nomination passes with a unanimous voice vote, one abstention (Commissioner Hayes).

**AGENDA MODIFICATIONS**

Mr. Kollar requested that Item 6.7 be continued to the next regularly scheduled Planning Commission Meeting of January 29, 2002.

**PUBLIC HEARINGS**

6.1 SITE PLAN NO. SPC-00-04;  
QUINCY CARGILE;  
350 BUTTON AVENUE.

Chairman Wilson tabled Item 6.1 indefinitely without objection from the Planning Commission.

- 6.2 MAJOR USE PERMIT UPJ-01-01  
SITE PLAN NO. SPC-01-10  
702 W. YOSEMITE AVENUE  
CORNERSTONE CHURCH  
PETE SILVA

Chairman Wilson continued Item 6.2 to the Planning Commission meeting of February 26, 2002, without objection from the Planning Commission.

- 6.3 MAJOR SUBDIVISION NO. SDJ-01-04  
1890 W. LOUISE AVENUE  
VILLA TUSCANY  
MIKE MACEDO

Chairman Wilson continued Item 6.3 to the next regularly scheduled Planning Commission Meeting of January 29, 2002, without objection from the Planning Commissioners.

- 6.4 MINOR PLAN MODIFICATION NO. MPM-01-17  
850-940 S. UNION ROAD  
UNION COURT APARTMENTS

Mr. De La O presented the staff report for Item 6.4, dated January 8, 2002. He stated that this was a modification to the condition requiring realignment of a driveway currently located on Wawona Street. He clarified that there will no longer be access to Wawona Street. The applicant is proposing to construct a turnaround where there had previously been a driveway.

#### OPEN PUBLIC HEARING

Kathy Schmidt, Eden Housing, was available for questions. She stated that the Wawona Street driveway will be closed off and made into a hammerhead turnaround for emergency vehicles to utilize when turning around on the property.

She then gave an update as to the progress of the project itself and also stated that they have received very nice feedback from surrounding neighbors.

#### CLOSED PUBLIC HEARING

*A motion was made and seconded (Carroll-Hayes) to make the following findings for Minor Plan Modification No. MPM-01-17:*

- 1. The request is in substantial conformity with the previously approved plan. The modification request is in reference to the consolidated list of conditions and shall not involve any change in the original design as approved by the Planning Commission.*
- 2. The request is in compliance with all the applicable provisions of Title 17 of the City of Manteca's Zoning Ordinance and General Plan.*
- 3. The request will not create impacts substantially different from those of the project as previously approved.*
- 4. The granting of the modification will not be materially detrimental to the public health, safety, welfare, or to the property or residents in the vicinity.*

*Motion passes with a unanimous voice vote.*

*A motion was made and seconded (Carroll-Hayes) to approve Minor Plan Modification No. MPM-01-17 subject to the following:*

1. *All the conditions noted in the Revised Consolidated List of Conditions dated January 8, 2002.*

*Motion passes with a unanimous voice vote.*

6.5 MINOR SUBDIVISION MAP NO. SDN-01-08  
218 SWANSON ROAD  
JOHN & LOIS TRUSTEES

Item 6.5 was withdrawn from the agenda, no action necessary.

6.6 MAJOR SUBDIVISION NO SDJ-01-03  
PLANNED COMBINED DISTRICT NO. PCD-01-01  
1164 S. AIRPORT WAY  
DUTRA FARMS NORTHEAST  
RICHMOND AMERICAN HOMES

Mr. Kollar recommended continuing Item 6.6 to allow Planning Commission and staff time to review an 8-page letter from the applicant that was received late this afternoon itemizing the applicants concerns with the conditions of approval for this project.

Mrs. Wold presented the staff report for Item 6.6, dated January 15, 2002, giving a brief background review of this project.

OPEN PUBLIC HEARING

John Anderson, JB Anderson, 101 College Avenue, Modesto, CA, consultant for this project spoke against continuing this item and conveyed to the Planning Commission the eight concerns addressed in the letter sent.

Jim Jimenson, Richmond American Homes, thanked the Planning Department for their time and stated they agree with Mr. Kollar's recommendation to continue this item as necessary.

Dr. Samuel Anderson, 1853 Daniels Street, spoke in favor of this project stating that it will bring many improvements to the area. He spoke against having low-income housing developed in this neighborhood.

George Gibson, owner, 432 W. March Lane, Stockton. Spoke in support of approving the Planned Combined District stating that it was staff's recommendation to apply for it.

Jim Rachels, MCR Engineering, 322 Sun West Place. Spoke in support of approving the Planned Combined District as Mr. Gibson had stated. He also noted that this project incorporates many aspects of the Residential Design Guidelines that are being discussed and the first step toward the Vision 2020 goals for subdivisions in Manteca.

*A motion was made and seconded (Elliott-Hayes) to continue Major Subdivision No. SDJ-01-03 and Planned Combined District No. PCD-01-01 to the next regularly scheduled Planning Commission Meeting of January 29, 2002.*

*Motion passes with a unanimous voice vote.*

- 6.7 GENERAL PLAN AMENDMENT NO. GPA-01-05  
REZONE NO. REZ-01-05  
MINOR SUBDIVISION MAP NO. SDN-01-05  
SITE PLAN NO. SPC-01-18  
MAJOR USE PERMIT NO. UPJ-01-04  
1505 E. MOFFAT BOULEVARD  
CROSSROAD GRACE COMMUNITY CHURCH

Chairman Wilson continued Item 6.7 to the next regularly scheduled Planning Commission meeting of January 29, 2002 without objection from the Planning Commission.

#### **OTHER SCHEDULED ITEMS**

- 7.1 Receive and file minutes of the City Council dated December 7, 2001, and December 17, 2001.

Chairman Wilson thanked staff for providing the City Council minutes.

#### **COMMISSIONER COMMENTS**

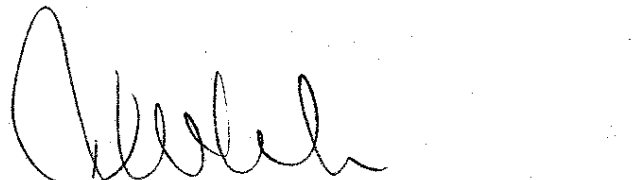
Commission Carroll commented on the Residential Design Guidelines.

Chairman Wilson noted the time of the first Workshop for the Residential Design Guidelines would be held January 24, 2002.

#### **ADJOURNMENT**

This regular meeting of January 15, 2002, was adjourned at 8:15 p.m. to the January 29, 2002, Planning Commission meeting at 7:00 p.m.

  
Secretary

  
Chairman

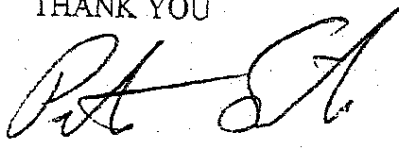
1/8/02

TO THE PLANNING COMMISSION OF THE CITY OF MANTECA.

ATTN CATHY WOLD

PLEASE EXTEND THE MEETING ON JAN 15 CONCERNING THE MAJOR USE PERMIT NO UPJ-01-01 FOR THE REMODELING OF AN EXISTING CHURCH INTO DANCE STUDIO & PROFESSIONAL OFFICES. TO FEB 26<sup>TH</sup> 2002.

THANK YOU

A handwritten signature in cursive script, appearing to read 'P. A. S.', is written below the 'THANK YOU' text.



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

January 16, 2002

Pete Silva  
605 Sequoia Avenue  
Manteca, CA 95337

SUBJECT: MAJOR USE PERMIT NO. UPJ-01-01 & SITE PLAN NO. SPC-01-10, 702 W.  
YOSEMITE AVENUE, CORNERSTONE CHURCH.

At its regular meeting of January 15, 2002, the Manteca Planning Commission voted to continue Major Use Permit No. UPJ-01-01 and Site Plan No. SPC-01-10 to the regularly scheduled Planning Commission meeting of February 26, 2002.

If there should be any questions, please contact this office at 239-8427.

Sincerely,

Benjamin J. Cantu  
Deputy Community Development Director

Cc: Ron Cheek, RLC Associates, 250 Cherry Lane, #208, Manteca, CA 95337

*Any decision by the Planning Commission may be appealed to the City Council within ten days of the decision. This may be accomplished by submitting a letter to the City Council accompanied by a \$100.00 fee.*

1001 W. CENTER ST. • MANTECA, CA 95337 • (209) 239-8427 • FAX (209) 825-2349

Email: [planning@ci.manteca.ca.us](mailto:planning@ci.manteca.ca.us)



City of Manteca

## NOTICE OF ENVIRONMENTAL EXEMPTION

Project File No. #SPC-01-10 & UPJ-01-01

Lead Agency-City of Manteca  
Community Development  
1001 W. Center Street  
Manteca, Ca 95337  
Phone: 209-239-8427

File with County Clerk  
San Joaquin County  
24 S. Hunter Street, Room 343  
Stockton, CA 95201

---

Project: Cornerstone  
Location: 702 W. Yosemite Avenue  
Property Owner: Pete Silva  
Owner Address: 605 Sequoia Avenue, Manteca Ca 95337


---

NOTICE is hereby given that the project listed above is:

- Not subject to CEQA {15061(b)(3)}, {15378(a)(1)}
- Ministerial
- Declared Emergency
- Emergency Project
- Categorically Exempt, class 3

The reason for this determination is:

- The project consists of the conversion of a small structure from one use to another with minor modifications to the exterior of the structure.

  
Project Planner

0-21-02  
Date:

605 SEQUOIA AVENUE  
MANTECA, CA 95337  
Phone: 209-239-4449  
Fax: 209-239-7097

**P & R SILVA  
CONSTRUCTION, INC.**

# Fax

To:

Kathleen Wold

From:

Pete Silva

RENEE/ PETE SILVA

DIANA BEAUDETTE

Fax:

239-7097

Date:

2/26/02

Phone:

239-4449

Pages:

2

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

•Comments:

TO THE PLANNING COMMISSION OF THE CITY OF MANTECA

02/26/02

ATT KATHLEEN WOLD

Please extend the meeting on Feb 26<sup>th</sup> concerning the major use permit  
NO.UPJ-01-01; Site plan NO.SPC-01-10; 702 Yosemite AVE  
Cornerstone Church. To March 12<sup>th</sup> 2002.

THANK YOU

*Pete Silva*

**MINUTES OF THE PLANNING COMMISSION  
MEETING HELD TUESDAY, FEBRUARY 26, 2002**

The regular meeting of the Manteca City Planning Commission held on Tuesday, February 26, 2002, was called to order by Chairman Wilson at 7:00 p.m. and then turned the meeting over to Vice-Chairman Hayes.

The following Commissioners were present: Marion Elliott, Brian Gookins, Eric Hayes and Tom Wilson. Commissioner Charleen Carroll was absent. Also present: John Brinton; City Attorney; Kyle Kollar, Community Development Director; Kathy Wold, Senior Planner; Daniel De La O, Assistant Planner and Rachél Nielsen, Office Coordinator.

**MINUTES**

*A motion was made and seconded (Gookins-Wilson) to approve the minutes of the October 23, 2001 Planning Commission meeting.*

*Motion passes 3-0-1 (Hayes abstain)*

*A motion was made and seconded (Hayes-Elliott) to approve the minutes of the February 12, 2002 Planning Commission meeting.*

*Motion passes 3-0-1 (Gookins abstain).*

**MEMBERS OF THE PUBLIC**

None.

**AGENDA MODIFICATIONS**

None.

**PUBLIC HEARINGS**

6.1 MAJOR USE PERMIT NO. UPJ-01-01  
SITE PLAN NO SPC-01-10  
702 YOSEMITE AVENUE  
CORNERSTONE CHURCH  
PETE SILVA

Mr. Kollar stated that without objection from staff, the applicant requests this item be continued.

Chairman Wilson continued this item to March 12, 2002 without objection from the Commission.



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

February 27, 2002

Pete Silva  
605 Sequoia Avenue  
Manteca, CA 95337

SUBJECT: MAJOR USE PERMIT NO. UPJ-01-01 AND SITE PLAN NO. SPC-01-10,  
CORNERSTONE CHURCH AT 702 W. YOSEMITE AVENUE.

At its regular meeting of February 26, 2002, the Manteca Planning Commission voted to continue the item to the March 12, 2002 meeting.

If there should be any questions, please contact this office at 239-8427.

Sincerely,

Benjamin J. Cantu  
Deputy Community Development Director

Cc: Ron Cheek, RLC Associates, 250 Cherry Lane, #208; Manteca, CA 95337.

*Any decision by the Planning Commission may be appealed to the City Council within ten days of the decision. This may be accomplished by submitting a letter to the City Council accompanied by a \$100.00 fee.*

1001 W. CENTER ST. • MANTECA, CA 95337 • (209) 239-8427 • FAX (209) 825-2349

Email: [planning@ci.manteca.ca.us](mailto:planning@ci.manteca.ca.us)

Printed on Recycled Paper

605 SEQUOIA AVENUE  
MANTECA, CA 95337  
Phone: 209-239-4449  
Fax: 209-239-7097

**P & R SILVA  
CONSTRUCTION, INC.**

# Fax

To: Mathew Wald From: RENE/ PETE SILVA  
DIANA BEAUDETTE

Fax: 825-2349 Date: 3/7/02  
Phone: 239-8423 Pages: 2

- Urgent     For Review     Please Comment     Please Reply     Please Recycle

•Comments:

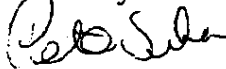
**TO THE PLANING COMMISSION OF THE CITY OF MANTECA**

3/7/02

ATT KATHLEEN WOLD

Please extend the meeting on March 12<sup>th</sup> concerning the major use permit NO.IPJ-01-01; Site plan NO.SPC-01-10; 702 Yosemite Ave, Cornerstone Church to March 26, 2002

Thank you.

A handwritten signature in cursive script, appearing to read "Pat Silva", is written below the typed text "Thank you."

MINUTES OF THE PLANNING COMMISSION  
MEETING HELD TUESDAY, MARCH 12, 2002

The regular meeting of the Manteca City Planning Commission held on Tuesday, March 12, 2002, was called to order by Chairman Wilson at 7:00 p.m. and then turned the meeting over to Vice-Chairman Hayes.

The following Commissioners were present: Charleen Carroll, Marion Elliott, Brian Gookins, Eric Hayes and Tom Wilson. Also present: John Brinton; City Attorney; Kyle Kollar, Community Development Director; Ben Cantu, Deputy Community Development Director; Kathy Wold, Senior Planner; Daniel De La O, Assistant Planner and Rachél Nielsen, Office Coordinator.

**MINUTES**

*A motion was made and seconded (Gookins-Elliott) to approve the minutes of the February 26, 2002, Planning Commission meeting.*

*Motion passes 4-0-1 (Carroll abstains).*

**MEMBERS OF THE PUBLIC**

None.

**AGENDA MODIFICATIONS**

Mr. Kollar noted that two items were on the agenda that were either to be continued or withdrawn and wanted that noted to the public who may be here to speak to those items.

**PUBLIC HEARINGS**

6.1 MAJOR USE PERMIT NO. UPJ-02-02  
SITE PLAN NO. SPC-01-24  
1250 N. MAIN STREET  
NORTH MAIN STREET SELF-STORAGE AND RV

Mr. De La O presented the staff report for Item 6.1, dated March 12, 2002, stating that Site Plan approval was granted on February 26, 2002. However, after further research requested at that time by the Commission, staff has determined that a Use Permit is necessary to allow for mini storage and RV use in the C-G zone.

**OPEN PUBLIC HEARING**

Tony Marshall, MCR Engineering, representing the applicant, stated that they agree with staff's report on this project and are ready to move forward. He also noted that since approval has already been granted for the project, he would not like to see it get tied up on the issue of the Use Permit.

Commissioner Gookins asked if they agreed with the conditions placed on this project.

Mr. Marshall responded that yes they do.

Commission Carroll asked about landscaping and expressed a desire to see more landscaping.

Mr. Marshall explained where the landscaping was going to be, referring to color maps of the landscaping.

#### CLOSED PUBLIC HEARING

Chairman Wilson thanked the Commissioners for remembering the amendment to the Municipal Code and stated had he known it was going to be a Use Permit process, he would have voted differently.

Commissioner Hayes thanked staff for researching this further and the applicant for their patience.

*A motion was made and seconded (Elliott-Carroll) to adopt a de Minimus impact finding that the project will not individually or cumulatively have an adverse effect on wildlife resources.*

*Motion passes with a unanimous voice vote.*

*A motion was made and seconded (Elliott-Carroll) to approve Mitigated Negative Declaration No. 02-01.*

*Motion passes with a unanimous voice vote.*

*A motion was made and seconded (Elliott-Carroll) to make the following findings for Major Use Permit No. UPJ-02-02:*

1. *The proposed use as conditioned is consistent with the goals and policies of the General Plan. The Zoning Ordinance as an implementing tool of the General Plan makes provisions for RV and mini storage facilities in General Commercial districts through the application of a use permit.*
2. *The use as conditioned is consistent with the purpose of the C-G zone district.*
3. *The use is listed as a use subject to a use permit in the applicable zoning district. Section 17.07.020 Table No. 1 of the Zoning Ordinance permits the establishment of RV and Mini storage facility in a C-G district.*
4. *The proposed use meets the minimum requirements of Title 17 applicable to the use and complies with all other applicable laws, ordinances and regulations of the City and State.*

5. *The proposed use will not be materially detrimental to the health, safety and welfare of the public or to property and residents in the vicinity.*

*Motion passes with a unanimous voice vote.*

*A motion was made and seconded (Elliott-Carroll) to approve Major Use Permit No. UPJ-02-02, subject to the following conditions:*

1. *All the conditions noted in the Consolidated List of Conditions dated February 21, 2002.*

*Motion passes with a unanimous voice vote.*

*A motion was made and seconded (Elliott-Carroll) to make the following findings for Site Plan No. SPC-01-24:*

1. *The storage facility is in harmony and in proportion with the surrounding area and makes use of appropriate construction materials. The architectural style is appropriate for the project in questions.*
2. *The location of the structures on the property will be evenly distributed throughout the site providing ample circulation and avoiding the clustering of storage units.*
3. *The project as conditioned, is in conformance with parking, landscaping and screening standards.*
4. *The granting of the site plan will have no adverse effect to the public health, safety, welfare, or to property.*

*Motion passes with a unanimous voice vote.*

*A motion was made and seconded (Elliott-Carroll) to approve Site Plan No. SPC-01-24 subject to the following:*

1. *All the conditions noted in the Consolidated List of Conditions dated February 21, 2002.*

*Motion passes with a unanimous voice vote.*

6.2 MAJOR USE PERMIT NO. UPJ-01-01  
SITE PLAN NO. SPC-01-10  
702 W. YOSEMITE AVENUE  
PETE SILVA

Vice Chairman Hayes continued this item to March 26, 2002 with no objection from the Commission.

6.3 MINOR PLAN MODIFICATION NO. MPM-02-05  
AIRPORT WAY AND NORTHGATE  
RAYMUS DEVELOPMENT

Mr. Kollar stated that this item was improperly noticed and will need to be withdrawn from the agenda and re-noticed for the next meeting of March 26, 2002.

Vice Chairman Hayes asked for clarification on procedural requirements.

Mr. Brinton stated that since it was not properly noticed that the Chair could simply recognize it as being withdrawn.

6.4 TENTATIVE SUBDIVISION MAP NO. SDJ-01-02  
417, 419, 425, 427 N. WALNUT AVENUE  
MIKE ERDMAN

Mrs. Wold presented the staff report for Item .4, dated March 12, 2002. She noted a correction to the Consolidated List of Conditions, Item 5(b), removing reference to dollar amounts and keeping only the first paragraph.

Chairman Wilson asked if the intent was to have 24 units, with the house remaining but to be converted in the future to additional units.

OPEN PUBLIC HEARING

Mike Erdman, 425 N. Walnut, stated that the intent is to convert the existing house to additional units at a later date.

CLOSED PUBLIC HEARING

Chairman Wilson asked if it was in a Redevelopment Project area and if there was any way to complete the improvements further down on the street.

Mr. Kollar stated that it was not in a Redevelopment Project Area. Second, the City could determine to make those public improvements or the applicant could voluntarily accept that as a condition of the project, but the City could not require this applicant to make such improvements on other property.

Chairman Wilson stated he would be in favor of seeing the rest of the street improved.

Mr. Brinton clarified that off site improvements could be done voluntarily by the applicant, but not imposed by the Commission.

Commissioner Gookins expressed his concerns with requiring the applicant to finish improvements on Walnut.

Commissioner Hayes spoke against requiring further improvements offsite.

Mr. Kollar corrected that the project is within a Redevelopment Project Area and that Redevelopment funds could be used for improvements. The Commission could recommend consideration by the Redevelopment Agency to construct such improvements to this street.

*A motion is made and seconded (Wilson-Elliott) to forward a recommendation to the City Council to approve Mitigated Negative Declaration No. 02-03.*

*Motion passes with a unanimous voice vote.*

*A motion is made and seconded (Wilson-Elliott) to make the following findings and considerations for Tentative Subdivision Map No. SDJ-01-02:*

1. *Subject to the provisions of the California Environmental Quality Act of 1970, the State CEQA Guidelines, the City Council shall review and consider any applicable environmental documents. The project's environmental documents have been presented to the City Council for review and action.*
2. *In reaching a decision upon the tentative subdivision map, the City Council shall consider the effect of that decision on the housing needs of the region and balance these needs against the public services needs of its residents and available fiscal and environmental resources. The City Council has considered the effects of the project on the housing needs of the region and balanced these needs against the public service needs, available fiscal resources, and environmental resources and finds that this project as proposed provides much needed housing without a negative impact to public services or fiscal resources as it is proposed for an in-fill parcel with streets and services readily available to the project site.*
3. *In reaching a decision upon the tentative subdivision map, the City Council shall consider the design of the subdivision as it provides for future passive and natural heating or cooling opportunities in the subdivision, as required by Government Code Section 66473.1. In accordance with Government Code Section 66473.1, it has been determined that the project provides for future passive and natural heating or cooling opportunities in its design in that the design of a subdivision includes lot size and configurations which allow for a southern exposure while providing adequate room for the planting of trees.*
4. *The proposed project is consistent with the General Plan, Title 17 (Zoning Ordinance), and Title 16 (Land Division Ordinance). The project has been reviewed and with the incorporation of conditions has been found to be in conformance with the General Plan, Title 17 and Title 16.*

*Motion passes with a unanimous voice vote.*

A motion was made and seconded (Wilson-Elliott) to forward a recommendation to the City Council to approve Tentative Subdivision Map no. SDJ-01-02 by the adoption of Resolution No. 1062 subject to the following:

1. All the Conditions noted in the Consolidated List of Development Conditions for SDJ-01-02 dated March 7, 2002 with the following amendment to condition 5b:

*"A storm drain system, which will accommodate storm drainage from Lots 6, 7, and 8, has been constructed by the developer of the Walnut Place subdivision. Developer shall pay his adjusted pro-rata share of the cost to construct said storm drain system in accordance with the Area of Benefit established by the City Council of the City of Manteca on April 10, 2000 to reimburse the developer of the Walnut Place subdivision. Developer shall pay his pro-rated share in full prior to Council's approval of the first final map for this subdivision."*

*Motion passes with a unanimous voice vote.*

#### **OTHER SCHEDULED ITEMS**

Vice Chairman Hayes thanked staff for the City Council Minutes.

#### **COMMISSIONER COMMENTS**

Commissioner Elliott asked what the City Council's decision was in regard to the Verizon Wireless appeal.

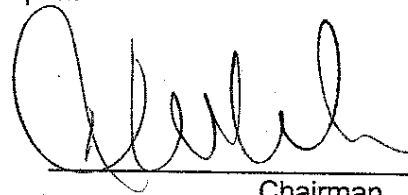
Mr. Brinton stated that the motion to overturn the Planning Commission decision failed; a second motion to uphold Planning Commission decision died for lack of motion. He clarified that until any further action is taken, the Planning Commission's decision is upheld.

Ed Maze addressed Commissioners concerns on the removal of trees on Louise Avenue and the replanting of a different type of tree with new technologies that force the roots to grow down.

#### **ADJOURNMENT**

This regular meeting of March 12, 2002 was adjourned at 8:00 p.m. to the March 26, 2002, Planning Commission meeting at 7:00 p.m.

  
Secretary

  
Chairman



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

March 13, 2002

Pete Silva  
605 Sequoia Avenue  
Manteca, CA 95337

SUBJECT: SITE PLAN NO. SPC-01-10 AND MAJOR USE PERMIT NO. UPJ-01-01,  
CORNERSTONE CHURCH, 702 W. YOSEMITE AVENUE.

At its regular meeting of March 12, 2002, the Manteca Planning Commission voted to continue the public hearing for Site Plan No. SPC-01-10 and Major Use Permit No. UPJ-01-01 to the next regularly scheduled meeting of March 26, 2002.

If there should be any questions, please contact this office at 239-8427.

Sincerely,

Benjamin J. Cantu  
Deputy Community Development Director

Cc: Ron Cheek, RLC Associates, 250 Cherry Lane, #208, Manteca, CA 95337

*Any decision by the Planning Commission may be appealed to the City Council within ten days of the decision. This may be accomplished by submitting a letter to the City Council accompanied by a \$100.00 fee.*

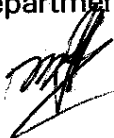
1001 W. CENTER ST. • MANTECA, CA 95337 • (209) 239-8427 • FAX (209) 825-2349

Email: [planning@ci.manteca.ca.us](mailto:planning@ci.manteca.ca.us)

Printed on Recycled Paper

## MEMORANDUM

---

**TO:** Kathy Wold, Community Development Department  
**FROM:** Michael F. Brinton, Public Works Director   
**DATE:** March 21, 2002  
**SUBJECT:** Site Plan No. SPC-01-10, 702 W. Yosemite Avenue

---

The Department of Public Works has reviewed Site Plan No. SPC-01-10, 702 W. Yosemite Avenue for an office and dance studio. The following conditions are recommended for approval of the site plan:

1. On-site parking area pavement surface drainage slope shall be as follows: Minimum cross-slope on asphalt concrete is 2% or concrete is 1 % with a maximum of 5%. Concrete valley or curb gutters shall have a minimum slope of 0.25%.
2. In the rear parking area repair the existing settled pavement around the sanitary sewer clean-out and extending to the alley.
3. Reconstruct the existing pavement in the handicap parking area to meet the maximum two percent (2%) handicap slope requirements.
4. The minimum driveway width off Yosemite Avenue to the parking area shall be twenty-four (24) feet.
5. The first parking stall to the east of the driveway off of Yosemite Avenue is to close to the street making it inaccessible.
6. The concrete steps to the raised porch in the front parking area extend into the minimum twenty-six (26) foot wide parking aisle.
7. Remove any existing driveways not to be used and install new curb, gutter, and sidewalk to City standards.
8. Remove and replace all cracked or broken curb, gutter and sidewalk along all street frontages as determined by the City Engineer.
9. The location of the driveway onto Yosemite Avenue shall require replacing the existing storm drain curb inlet with a City Standard catch basin.

10. Storm drainage from the front parking area shall be piped to the back of the existing catch basin in Yosemite Avenue. No surface drainage of property across the sidewalk will be permitted.
11. A City Refuse/Recycling Enclosure will not be required with this development. The property owner will be provided City Refuse and Recycling Toters which will be stored behind a five (5) foot high screened area. Tenant will be required to place the toters at curb side on the days of City pickup.
12. On-site improvement plans shall be prepared by a Registered Civil Engineer and submitted to the Public Works Department for review and approval.
13. All work within the street right-of-way shall conform to the City of Manteca Standard Plans. An encroachment permit, from the Public Works Department, is required.

It is recommended that all of the six (6) inch concrete curbing be repositioned to the location of the wheel stops allowing parked vehicles to overhang the planter area.

Note that the west thirty-nine (39) feet of the building is not handicap accessible.

605 SEQUOIA AVENUE  
MANTECA, CA 95337  
Phone: 209-239-4449  
Fax: 209-239-7097

**P & R SILVA  
CONSTRUCTION, INC.**

# Fax

To:

*Kathleen Wood*

From: RENEE/ PETE SILVA

DIANA BEAUDETTE

Fax:

*825-2349*

Date:

*3/21/02*

Phone:

*239-8223*

Pages:

*2*

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

•Comments:

**TO THE PLANNING COMMITTEE OF THE CITY OF MANTECA**

3/21/02

Attention: Kathleen Wold

Please extend the meeting on March 26, 2002 concerning the major use permit No.IPJ-01-01; Site plan NO.SPC-01-10; 702 Yosemite Ave, Cornerstone Church to April 9, 2002.

Thank you

A handwritten signature in black ink, appearing to read 'Pete Silva', written over the printed name below.

Pete Silva

MINUTES OF THE PLANNING COMMISSION  
MEETING HELD TUESDAY, MARCH 26, 2002

The regular meeting of the Manteca City Planning Commission held on Tuesday, March 26, 2002, was called to order by Chairman Wilson at 7:01 p.m.

The following Commissioners were present: Charleen Carroll, Marion Elliott, Brian Gookins, Eric Hayes and Tom Wilson. Also present: John Brinton; City Attorney; Kyle Kollar, Community Development Director; Ben Cantu, Deputy Community Development Director; Kathy Wold, Senior Planner; Terrence Grindall, Redevelopment Manager, and Chris Moore, Deputy City Clerk.

**MINUTES**

*A motion was made and seconded (Carroll-Hayes) to approve the minutes of the March 12, 2002, Planning Commission meeting.*

*Motion passes 5-0.*

**MEMBERS OF THE PUBLIC**

None.

**AGENDA MODIFICATIONS**

Continue Item 6.2 to April 23, 2002.

**PUBLIC HEARINGS**

6.1 MINOR PLAN MODIFICATION NO. MPM-02-05  
AIRPORT WAY AND NORTHGATE DRIVE  
RAYMUS DEVELOPMENT

Kathy Wold presented the staff report for Item 6.1, dated March 26, 2002.

Kyle Kollar added that this was an innovative approach.

Commissioner Gookins asked if 3.6-foot setback would be enough room for emergency services.

Mrs. Wold responded that yes it provides adequate space for the occupants and for emergency services. It is a detached garage with the standard 5-foot setback on the other side.

Commissioner Elliott stated that if 3.6-feet is wider than the average door and emergency services could get through a door than 3.6 feet would be enough room.

Mr. Kollar added that public safety had reviewed the project.

## OPEN PUBLIC HEARING

Toni Marie Raymus, 544 E. Yosemite, provided a handout of one design not included in the packet. She spoke to the type of homes that Raymus has developed and described this project. Houses in the area are under a homeowners group and protected by C C & R's. Property manager handles all complaints.

Chairman Wilson asked about homeowners association and why that instead of Light Maintenance District.

Mrs. Raymus responded that her previous project, Chadwick Square, had a Light and Landscape Maintenance District, but she felt that the Council opposed it at that time which brought about another type of maintenance program.

## CLOSED PUBLIC HEARING

Commissioner Hayes is pleased to see the project with smaller affordable homes.

Commissioner Elliott has supported Raymus Development in the past and would do so now.

Commissioner Gookins agreed.

Commissioner Carroll agreed as well.

Chairman Wilson agreed that different styles and sizes of homes could be built in the same neighborhood and not be detrimental. Also, strong believer in homeowner's association as self code enforcement.

*A motion was made and seconded (Hayes-Elliott) to make the following minor plan modification findings:*

- 1. The modification, as conditioned, is in substantial conformity with the previously approved plan. The modifications requested will not create substantial changes to the previously approved PUD.*
- 2. The modification, as conditioned, is in accordance with Title 17 and found to be in compliance.*
- 3. The modification, as conditioned, will not create impacts substantially different from those of the project as previously approved. The modification proposed for the PUD are minor in nature and therefore will not result in any new impacts.*
- 4. The granting of the modification will not be materially detrimental to public health, safety, or welfare, or to the property or residents in the vicinity. The project has been reviewed to ensure that it is minor, that it is in compliance with Title 17 and that there are no impacts substantially different from those*

*previously approved. With this in mind it has been determined that the project will not be detrimental to public health, safety or welfare, or to the property or residents in the vicinity.*

*Motion passes 5-0.*

*A motion was made and seconded (Hayes-Carroll) to approve MPM-02-05 subject to the following:*

1. *Plan 1 is approved as shown on Exhibit "A".*
2. *Front porches shall have a minimum front yard setback of 15 feet.*
3. *Side yard setbacks for lots 96, 111, 152 & 115 shall be as follows:*
  - a. *Lots 96 & 111-side yard setbacks of 5 and 10 feet.*
  - b. *Lots 115-side yard setback of 10 feet on both sides.*
  - c. *Lot 152-side yard setback of 5 feet on the inside/garage.*

*Motion passes 5-0.*

6.2 MAJOR USE PERMIT NO. UPJ-01-01  
SITE PLAN NO. SPC-01-10  
702 W. YOSEMITE AVENUE  
PETE SILVA

Chairman Wilson continued this item to April 23, 2002 with no objection from the Commission.

#### OTHER SCHEDULED ITEMS

7.1 RECEIVE AND FILE CITY COUNCIL MINUTES OF MARCH 4, 2002

Chairman Wilson thanked staff for providing the minutes.

7.2 DISCUSS PLANNERS INSTITUTE

Commissioner Gookins stated the best class attended was the design review program.

Commissioner Hayes felt the Institute was very informative and grateful for the opportunity to go. Newly appointed Commissioners should get packets and audit meetings before actually sitting on the Commission, getting packets earlier and a session on mixed-use zoning would be helpful.

Chairman Wilson agreed on mixed use. An example would be the corner of Yosemite and Powers. Put second story on existing businesses and use for residential. Also spoke to traffic calming tools and spoke to copy of Oakland study that speed bumps are

not objected to by Fire Department and that they don't slow down response time or damage emergency vehicles.

Mr. Kollar regretted the budget only allowing for 3 commissioners to attend and noted they will budget for all 5 in next year's budget.

Chairman Wilson felt that as a Planning Commission member, he needed all the training necessary as public continually questions their qualifications.

Commissioner Carroll stated she had always enjoyed attending institutes because it allowed for networking. She also believes City Council members should attend as well so they could understand planning role. Also believed in more interactions between Planning Commissioners and City Council members, possibly yearly meetings.

Commissioner Gookins stated he met with Dave Macedo at the Planning Commissioner Institute and he agreed that quarterly meetings would be good.

John Brinton spoke to definition of "meeting" and Brown Act requirements.


Commissioner Hayes commented on Chairman Wilson's earlier comments regarding Planning Commission input earlier in the development agreement process.

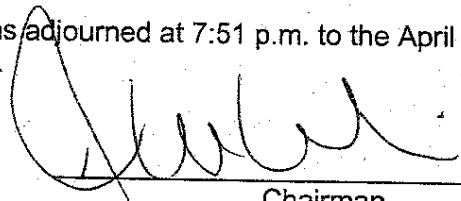
#### COMMISSIONER COMMENTS

None.

#### ADJOURNMENT

This regular meeting of March 26, 2002 was adjourned at 7:51 p.m. to the April 9, 2002, Planning Commission meeting at 7:00 p.m.

  
Secretary

  
Chairman



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

March 27, 2002

Pete Silva  
605 Sequoia Avenue  
Manteca, CA 95337

SUBJECT: SITE PLAN NO. SPC-01-10 AND MAJOR USE PERMIT NO. UPJ-01-01,  
CORNERSTONE CHURCH, 702 W. YOSEMITE AVENUE.

At its regular meeting of March 26, 2002, the Manteca Planning Commission voted to continue the public hearing for Site Plan No. SPC-01-10 and Major Use Permit No. UPJ-01-01 to the next regularly scheduled meeting of April 23, 2002.

If there should be any questions, please contact this office at 239-8427.

Sincerely,

Benjamin J. Cantu  
Deputy Community Development Director

Cc: Ron Cheek, RLC Associates, 250 Cherry Lane, #208, Manteca, CA 95337

*Any decision by the Planning Commission may be appealed to the City Council within ten days of the decision. This may be accomplished by submitting a letter to the City Council accompanied by a \$100.00 fee.*

1001 W. CENTER ST. • MANTECA, CA 95337 • (209) 239-8427 • FAX (209) 825-2349

Email: [planning@ci.manteca.ca.us](mailto:planning@ci.manteca.ca.us)

605 SEQUOIA AVENUE  
MANTECA, CA 95337  
Phone: 209-239-4449  
Fax: 209-239-7097



# Fax

To:

*Kathleen Wald*

From: RENEE/ PETE SILVA

DIANA BEAUDETTE

Fax:

*825-2349*

Date:

*4/18/02*

Phone:

*239-8223*

Pages:

*2*

Urgent     For Review     Please Comment     Please Reply     Please

Recycle

•Comments:

TO THE PLANNING COMMITIONION OF THE CITY OF MANTECA

3/21/02

Attention: Kathleen Wold

Please extend the meeting on April 23, 2002 concerning the major use permit No. HPJ 01-01; Site plan NO.SPC 0110; 702 Yosemite Ave, Cornerstone Church to May 14, 2002.

Thank you

  
Pete Silva

MINUTES OF THE PLANNING COMMISSION  
MEETING HELD TUESDAY, APRIL 23, 2002

The regular meeting of the Manteca City Planning Commission held on Tuesday, April 23, 2002, was called to order by Chairman Wilson at 7:00 p.m.

The following Commissioners were present: Charleen Carroll, Marion Elliott, Eric Hayes and Tom Wilson. Brian Gookins arrived at 7:04 p.m. Also present: John Brinton; City Attorney; Mike Brinton, Public Works Director; Kyle Kollar, Community Development Director; Ben Cantu, Deputy Community Development Director; Mary Gore, Planning Technician and Rachél Nielsen, Office Coordinator.

**MINUTES**

*A motion was made and seconded (Carroll-Hayes) to approve the minutes of the April 9, 2002, Planning Commission meeting.*

*Motion passes 4-0.*

**MEMBERS OF THE PUBLIC**

None.

**AGENDA MODIFICATIONS**

None.

**PUBLIC HEARINGS**

6.1 MAJOR USE PERMIT NO. UPJ-01-01 AND SITE PLAN NO. SPC-01-10, 702 W. YOSEMITE AVENUE, PETE SILVA.

Mr. Kollar stated that this item has been continued several times. Staff expressed dissatisfaction with the applicant's repeated requests for continuance and recommends removing the item from the agenda to be brought back when the applicant is prepared. At such time, it is recommended the applicant be responsible to pay for re-noticing of the public hearing.

Mr. Brinton, City Attorney, recommended either continuing or dropping this item.

Commissioner Hayes questioned what denying the applicant's request for continuance would mean for the project.

Mr. Brinton suggested returning to this item later on the agenda.

6.2 SITE PLAN NO. SPC-02-01, CITY CORPORATION YARD EXPANSION, 130, 205 AND 210 E. WETMORE AVENUE, CITY OF MANTECA.

Ms. Gore presented staff's report for Item 6.2 dated April 17, 2002 stating that this request is for the addition of modular office buildings to the Corporation Yard. She noted that environmental review of the

project found that the site was on the list of hazardous materials because of previously leaking gas tanks that were located on the property and have since been removed. The project has been mitigated to continue soil testing on the property, which they are currently doing.

In regards to landscaping, staff recommends making the following modification to the Conditions, item No. 4, to read "with the conditions attached to this project, landscaping will meet the minimum required by code."

Also noted a change on page 2 of 7 of the Site Plan Design and Review Conditions No. 6 for Landscape and Irrigation plans we want to change that to: "Prior to issuance of a building permit, a landscape and irrigation plan shall be submitted to the Community Development Director for review and approval."

Commissioner Hayes commented on the soil testing.

Mr. Brinton, Public Works Director noted that monitoring wells have been placed on the property to monitor the soil and no further testing would be required.

Commissioner Hayes questioned if the 10% landscape requirement would be met ensuring that we are kept to the same standards of private industry.

Mr. Brinton verified that the minimum landscape requirements would be met.

Chairman Wilson noted he was okay with the contamination. He expressed his concern with double standards for landscaping requirements applied to the private sector that aren't being applied to the City. It didn't appear that 10% of the project was going to be landscaped. He also commented that the current landscaping out there that is substandard.

Mr. Cantu stated that the plans do not show all the landscaping that will be provided and that is why staff has placed a condition of approval to meet the 10% landscaping.

He stated that landscape plans only need to be approved prior to pulling final permits.

#### OPEN PUBLIC HEARING

Mr. Brinton stated that the Public Works Department has every intent to follow the conditions administered down from Community Development. Landscape plans are not available yet. Lack of funding has prevented landscaping from being completed in the

past. However, this will not be deemed complete until all conditions are met.

Mr. Kollar noted that applicants are not required to submit landscape plans prior to approval of their Site Plan. It is our expectation by virtue of conditions placed on the project, that the City complies with the basic landscape improvements required of any other applicant.

Commissioner Elliott asked if the buildings could be occupied prior to landscaping being completed if staff is unable to find the funding for it.

Mr. Brinton responded that yes the buildings could be occupied prior to completion. City staff is under unusual constraints in that their budget is subject to approval by the City Manager and the City Council.

Commissioner Hayes stated that it would not be an acceptable response from the private sector to simply state that they do not have the funding for the landscaping.

Mr. Cantu noted that if occupancy is required prior to completion of landscaping, in the private sector, the applicant can bond in the form of cash or some other form for whatever amount of landscaping that has not been installed. This has happened a number of times.

Commissioner Elliott noted that they did not disapprove of the project overall, but that it is a matter of public relation and creating an appearance of double standard.

Commissioner Gookins recommended continuing this item until landscape plans could be provided.

#### CLOSED PUBLIC HEARING

Commissioner Carroll stated for the record that she would urge City Council to approve the necessary funding for staff to comply with the conditions required for Site Plan approval.

Chairman Wilson stated he would have liked to see some sort of landscape plans on this project. He stated it is a double standard to approve this Site Plan without assurance of landscaping that is required by the private sector. He stated that he didn't expect specific plans but an indication as to where they are planning on landscaping. He also stated that it is the applicant's responsibility to provide the necessary funding to provide for their project. Agreed with continuing this project.

Commissioner Hayes agreed with continuing this item stating that he believed the Site Plan is incomplete without indicating where landscaping would be provided for on this project.

*A motion was made and seconded (Gookins-Hayes) to re-open the public hearing and continue this item to the second meeting of May.*

*Motion passes 5-0.*

Chairman Wilson re-opened the public hearing and continued the item to May 28, 2002.

6.3 GENERAL PLAN AMENDMENT NO. GPA-02-02 AND REZONE NO. REZ-02-01, 211 N. FREMONT AVENUE, CITY OF MANTECA.

Mr. Kollar stated that this item was improperly noticed and will be re-noticed for the next regularly scheduled meeting.

6.1 MAJOR USE PERMIT NO. UPJ-01-01 AND SITE PLAN NO. SPC-01-10, 702 W. YOSEMITE AVENUE, PETE SILVA.

Chairman Wilson returned to Item 6.1 to receive further clarification on how to properly proceed with this item.

Mr. Brinton stated that if the action is to deny continuance a new application could not to be submitted for at least one year. He recommended taking this item off the agenda and require the applicant to pay the fees for re-noticing.

Fees would not be recharged for processing as a whole, just the cost or re-noticing.

Kollar noted that although the applicant is not directly aware of the proposal to charge re-noticing fees, they are aware of the possibility. It may be appropriate for the City to create a procedure limiting repeated requests for considerations.

Chairman Wilson stated he was in favor of removing this item off the agenda instead of denying a request for continuance.

*A motion is made (Hayes-Elliott) to remove Item 6.1, Major Use Permit No. UPJ-01-01 and Site Plan No. SPC-01-10 from the agenda to be re-noticed at the applicant's expense.*

*Motion passes 5-0.*

OTHER SCHEDULED ITEMS

7.1 COUNTY REFERRAL: PA-0200098 (SU), MAJOR SUBDIVISION, OAKWOOD LAKE SUBDIVISION, 874 E. WOODWARD AVENUE, VERNALIS PARTNERS.

Mr. Cantu presented the staff report for item 7.1, dated April 23, 2002, stating that this is a referral for a proposed subdivision project as part of the Oakwood Lake resort. Previous review of this item by staff and Commission noted concerns regarding impacts to local and regional roadways, water supply and sewage treatment capabilities, and mitigation measures to preclude flooding to the extent possible.

Access to the development would be from Woodward Avenue. Staff does not foresee any issues with this project and recommends forwarding a favorable recommendation with the condition that the developer comply with all mitigation measures identified in the EIR for this project.

Commissioner Carroll spoke against this project because of the potential for flooding.

Commissioner Hayes did not foresee any problems with this project noting that it was not in the 100-year flood plan and feels the levee system is sufficient.

Commissioner Elliott does not feel the Planning Commission has any right to be making conditions on projects that are not within the City.

*A motion was made and seconded (Elliott-Hayes) to forward a favorable recommendation supporting the proposed project application referral, subject to the following condition:*

1. *The Oakwood Lake Expansion developer shall be required to comply with all mitigation measures identified in the certified Oakwood Lake Expansion Environmental Impact Report.*


*Motion passes 3-1-1 (Carroll voting no, Gookins abstain)*

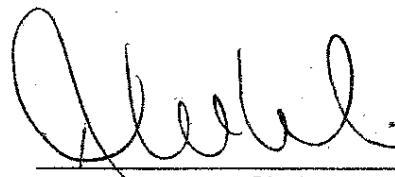
#### COMMISSIONER COMMENTS

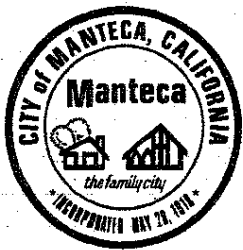
Chairman Wilson noted to those members in the audience there to speak to Item 6.2, that the item would be re-noticed and brought back to the Planning Commission for a public hearing.

#### ADJOURNMENT

This regular meeting of April 23, 2002 was adjourned at 8:00 p.m. to the May 14, 2002, Planning Commission meeting at 7:00 p.m.

  
Secretary

  
Chairman



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

April 24, 2002

Pete Silva  
605 Sequoia Way  
Manteca, CA 95337

SUBJECT: MAJOR USE PERMIT NO. UPJ-01-01 AND SITE PLAN NO. SPC-01-10, 702  
W. YOSEMITE AVENUE, CORNERSTONE CHURCH.

At its regular meeting of April 23, 2002, the Manteca Planning Commission voted to remove Major Use Permit and Site Plan request from the agenda.

When the item is ready to go before the Planning Commission it will be necessary to re-notice this project. The cost for noticing in the newspaper and mailing to surrounding property owners is \$55.00, which you will be required to provide to the City in advance of the noticing process.

If there should be any questions, please contact this office at 239-8427.

Sincerely,

Benjamin J. Cantu  
Deputy Community Development Director

*Any decision by the Planning Commission may be appealed to the City Council within ten days of the decision. This may be accomplished by submitting a letter to the City Council accompanied by a \$100.00 fee.*

1001 W. CENTER ST. • MANTECA, CA 95337 • (209) 239-8427 • FAX (209) 825-2349  
Email: [planning@ci.manteca.ca.us](mailto:planning@ci.manteca.ca.us)

Printed on Recycled Paper

CITY OF MANTECA, CALIFORNIA

198166

# Official Receipt

RECEIVED FROM Pete Silva DATE 5-21-02

THE SUM OF..... \$55.00  
Fifty Five 00/100 DOLLARS

FOR Public Hearing Rendee

REVENUE ACCOUNT

NO. 001-353-03 Com. Develop. DEPARTMENT

REF: \_\_\_\_\_ BY M. Gore



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

April 24, 2002

Pete Silva  
605 Sequoia Way  
Manteca, CA 95337

SUBJECT: MAJOR USE PERMIT NO. UPJ-01-01 AND SITE PLAN NO. SPC-01-10, 702  
W. YOSEMITE AVENUE, CORNERSTONE CHURCH.

At its regular meeting of April 23, 2002, the Manteca Planning Commission voted to remove Major Use Permit and Site Plan request from the agenda.

When the item is ready to go before the Planning Commission it will be necessary to re-notice this project. The cost for noticing in the newspaper and mailing to surrounding property owners is \$55.00, which you will be required to provide to the City in advance of the noticing process.

If there should be any questions, please contact this office at 239-8427.

Sincerely,

Benjamin J. Cantu  
Deputy Community Development Director

*Any decision by the Planning Commission may be appealed to the City Council within ten days of the decision. This may be accomplished by submitting a letter to the City Council accompanied by a \$100.00 fee.*

1001 W. CENTER ST. • MANTECA, CA 95337 • (209) 239-8427 • FAX (209) 825-2349  
Email: [planning@ci.manteca.ca.us](mailto:planning@ci.manteca.ca.us)



# CITY OF MANTECA

COMMUNITY DEVELOPMENT  
DEPARTMENT

June 27, 2002

Pete Silva  
605 Sequoia  
Manteca, Ca 95537

Re: 702 W. Yosemite Avenue (SPC-01-10)

Dear Mr. Silva:

This letter is a follow up to the latest submittal for site plan # SPC-01-10. Staff has reviewed the new submittal with the Public Works Department and has found that the new submittal (#4) still does not reflect accurate measurements. Prior to staff scheduling this matter back before the Planning Commission we must have a plan which is drawn accurately.

Public Work's staff surveyed the site and indicated the correct measures on a previous version of your site plan. A copy of this document was given to your designer (Javier Garcia). Engineering staff indicates that the measurements are still approximately 2 feet off on the East Side of the building.

Please resubmit a revised site plan incorporating the measurements taken by the City's Engineering Department. If additional assistance with these measurements is needed, Joe Hulsey may be contacted at 209-239-8466 or I can be reached at 239-8423.

Sincerely,

Kathleen Wold  
Senior Planner



NOTICE OF PUBLIC HEARING BY THE MANTECA  
PLANNING COMMISSION FOR THE CONSIDERATION  
OF A PROPOSED MAJOR USE PERMIT NO. UPJ-01-01.

BEFORE THE PLANNING COMMISSION OF THE CITY OF MANTECA NOTICE IS  
HEREBY GIVEN that on May 13, 2003, at 7:00 p.m., a public hearing will be held in the  
City Council Chambers, 1001 W. Center Street, Manteca, California, for the purpose of  
hearing and receiving evidence, both oral and documentary, in support of or in opposition  
to the following:

PROJECT NO.: Major Use Permit No. UPJ-01-01

PROJECT: The Planning Commission will be conducting a public hearing to  
consider Major Use Permit No. UPJ-01-01 for the remodeling of an  
existing church into a dance studio and office in a C-O (Office  
Commercial) zone designation.

PROJECT LOCATION: 702 W. Yosemite Avenue  
APN: 219-210-05

APPLICANT: Pete Silva  
1433 Andrew Lane  
Manteca, CA 95337

ALL persons having any interest in the foregoing subject are invited to be present and  
submit statements orally or in writing. Further information may be obtained by contacting  
the Community Development Department, 1001 W. Center Street, Manteca, CA 95337 or  
209-239-8427.

If you challenge the Major Use Permit 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 Planning Commission at, or prior to, the public  
hearing.



City of Manteca  
Community Development Department

**SITE PLAN AND DESIGN REVIEW**

May 7, 2003

Project File No.: SPC-01-10 & UPJ-01-01  
Project Name: Cornerstone  
Project Address: 702 W. Yosemite Avenue

This purpose of Site Plan and Design Review is to promote excellence in site planning and design in order to encourage the harmonious appearance of buildings and sites, and to ensure that new uses and development will be compatible with existing and potential development and to produce an environment of stable, desirable character. Site Plan and Design Review looks at, among other things, appropriate use of construction materials, harmony and proportion of overall design, architectural style, siting of structures, color scheme, parking and loading, signs, landscaping and screening, and lighting.

The subject project has been reviewed in accord with the provisions of the City of Manteca Municipal Code, Title 17, Zoning Ordinance (a copy of which is available from the Community Development Department).

**IMPORTANT**

PRIOR TO ISSUANCE OF ANY BUILDING PERMITS, THE FINAL CONSTRUCTION PLANS FOR THE SUBJECT PROJECT MUST BE MODIFIED TO INCLUDE ANY REQUIRED CHANGES, CORRECTIONS, ADDITIONS, OR CONDITIONS OF APPROVAL RESULTING FROM SITE PLAN AND DESIGN REVIEW. THE COMMUNITY DEVELOPMENT DEPARTMENT MUST APPROVE SUBSEQUENT CHANGES TO THE CONSTRUCTION PLANS.

The following listing of conditions shall be incorporated into the final construction plans and the construction phases of the subject project. This listing of conditions is not intended to be all-inclusive or a comprehensive listing of all City regulations.

**A. Standards As Required by Manteca Municipal Code Title 17:**

1. **Required Off-Street Parking.** An overall minimum of 14 off-street parking spaces shall be provided. Standard parking spaces are 9' x 18' in size. (17.15.020, Table 4)
2. **Bicycle Parking.** A minimum of 1 lockable bicycle parking space(s) shall be provided. (17.15.050)
3. **Handicap Parking Spaces and Title 24 Compliance.** A minimum of 1 accessible handicap parking space(s) shall be provided. At least one of the these parking stalls shall be van-accessible and shall be at least 17' x 18' in size, inclusive of a 8' access area, installed in accord with Title 24 regulations. These spaces shall be provided at the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. (17.15.060)

A handicap access ramp, installed in accord with Title 24 regulations, shall be provided at the most accessible point to the main entrance of the building. A symbol of accessibility at least three (3) foot square, in accord with Title 24 regulations, shall be painted in Blue on the surface of the handicap parking space. A minimum 70 square inch area sign displaying the International Symbol of Accessibility, minimum 80 inches above the adjacent surface grade, and a minimum 70 square inch sign noting that vehicles not displaying the approved handicap motorist tag will be towed away at the owner's expense, shall be placed at the front of the handicap space(s) and at each main vehicular entrance to the parking facility, in accord with Title 24 regulations. This signage shall be maintained at all times. (17.15.060.3)

4. **Landscape and Irrigation Plans.** Landscape and irrigation plans shall be submitted to the Community Development Department for review and approval as part of this site plan. Said landscape plan shall indicate plant species, sizes, quantity, spacing, tree shading, water efficient criteria and irrigation system. Landscape plans for commercial projects, industrial projects, institutional projects, one net acre and larger and multiple residential projects twelve units or more in size shall be prepared by a registered landscape architect or state licensed landscape contractor. The landscape plan shall be approved by the Community Development Department prior to issuance of any building permit for the associated project. A final site inspection will be made by the Community Development Department prior to final occupancy of the project to ensure landscaping compliance. (17.19.020)
5. **Minimum Project Landscaping Required.** A minimum of ten (10) percent of the total developed lot area for commercial and institutional developments shall be landscaped. (17.19.030.C.3)
6. **Water-Efficient Landscaping.** The planted area of the project shall meet water-efficient criteria as outlined in Section 17.19.080 of the Zoning Ordinance.

7. **Landscape Maintenance.** All landscaping shall be maintained in good growing condition. Such maintenance shall include pruning, moving, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. (17.19.050.A)
8. **Landscape Planters Adjacent Public Right-of-Way.** Landscape planters, a minimum ten (10) feet wide, shall be installed adjacent a public or private street. The planter to east of the Yosemite driveway shall be widen to meet this requirement. (17.19.040.B)
9. **Landscape Planter Concrete Curbing.** There shall be six (6) inch wide and six (6) inch raised concrete curbing between all landscaped areas adjacent to any parking facility pavement or property line. (17.15.090.N.2)
10. **Parking Lot Landscape Coverage.** At least twelve (12) percent of a parking lot in a commercial or industrial project shall be landscaped. (17.15.090.B.1)
11. **Parking Lot Tree Shading.** All parking lots shall include tree planting designed so that a minimum of fifty percent of the parking area will be shaded at noon on August 21 within fifteen years of the planting. This can be calculated in one of two ways: 1) drawing an area that will be covered by drip lines in plan view or, 2) by calculating and drawing the shadows cast by the trees and surrounding structures at noon using a solar altitude of sixty degrees. (17.19.080)
12. **Tree Size and Staking.** Trees used in landscaping the development shall be a minimum seven (7) foot high, fifteen (15) gallon container size, 3/4" caliber and each supported by two (2), ten (10) foot lodge pole stakes. There shall be no visible evidence of any disease or harmful insect. The root system shall be free of sucker growth, cracks, abrasions, and any possible constriction that will have an adverse affect on the Plant's growth. The nursery stock shall be first class and representative of the normal species or variety equal to or exceeding the standards of the California Association of Nurserymen. (City Standard, ST-24)
13. **Parking Lot Surfacing.** All parking, loading and access areas shall be surfaced with a minimum thickness of two inches of asphalt concrete (Type A) over ninety-five (95) percent relative-compaction native soil or a minimum thickness of six inches of Class B Concrete. Such surfacing shall be permanently maintained free of structural defects. (17.15.090.E)
14. **Parking Lot Striping.** All parking spaces shall be striped with 4-inch painted white lines in a manner clearly showing the layout of the intended parking stalls. Such striping shall be maintained in a clear and visible manner. (17.15.090.F)
15. **Parking Lot Wheelstops.** When parking stalls abut a landscape planter or a raised sidewalk less than seven feet wide, or abuts a property line, fence or building a four-foot concrete wheel stop shall be installed. (17.15.100)

16. **Parking Lot Lighting.** The parking area shall provide a minimum lighting level of one foot candle of maintained illumination on the parking surface during the hours of use between one-half hour before dusk and one-half hour after dawn. This illumination shall be arranged as to reflect away from adjoining properties and rights-of-way. (17.15.090.G)

**B. Community Development Department Conditions:**

1. Minimum interference with and protection of traffic: All work shall be planned and carried out so there will be the least inconvenience to the traveling public. Placing of lights, barricades, warning signs and other safety devices require for public safety shall be the responsibility of the permittee. All safety measures required by law shall be taken.
2. All conditions of approval shall be completed prior to finalization or occupancy of the structure(s). The structure(s) may be finalized or occupied prior to completion of said conditions, ONLY upon submittal to the Community Development Department of an appropriate performance bond or certificate of deposit.
3. All electrical and/or gas meters which are visible from the street shall be fully screened from view. The method and type of screening shall be included in the plans submitted for building permit.
4. Roof mounted appliances or other mechanical equipment shall be effectively screened from view by passing pedestrians or motorists. The method and type of screening shall be included in the plans submitted for building permit.
5. Final landscaping and irrigation plans shall be submitted and approved by the Community Development Department prior to the issuance of a building permit.
6. A six (6) inch wide by twelve (12) inch high (minimum) concrete curb with two continuous #4 rebar shall be constructed at the outer edge of the parking facility pavement. A six inch portion of the curb shall extend above the pavement grade with a 1-1/2 inch batter. The corners above the surface shall be rounded 1/4-inch radius. Curb is not required where said pavement abuts a concrete surface (matching grade), fence, or wall.
7. Any new sign or sign structure shall require a Sign Permit from the Community Development Department prior to its installation.
8. A valid City of Manteca business license shall be obtained through the Finance Department prior to opening for business.
9. All 90 degree parking stalls shall be provided with a minimum of 26 feet backup space.
10. Eliminate the one parking stall closest to Yosemite Avenue and east of the Yosemite Avenue Driveway.

11. A minimum of 10 minutes between the ending of one dance class and the beginning of the next shall be provided to reduce the peak demand on the parking facility.
12. Those businesses utilizing the office portion of the facility shall observe business hours that terminate at 5:30 p.m. to reduce the peak demand on the parking facility.

**Public Works Department (memo dated, 2001)**

1. On-site parking area pavement surface drainage slope shall be as follows: Minimum cross-slope on asphalt concrete is 2% for concrete is 1% with a maximum of 5%. Concrete valley or curb butters shall have a minimum slope of .25%
2. In the rear parking area repair the existing settled pavement around the sanitary sewer clean-out and extending to the alley.
3. Reconstruct the existing pavement in the handicap parking area to meet the maximum two percent (2%) handicap slope requirements.
4. The minimum driveway width off Yosemite Avenue to the parking area shall be twenty-four (24) feet.
5. The first parking stall to the east of the driveway off of Yosemite Avenue is too close to the street, making it inaccessible. This stall shall be eliminated.
6. The concrete steps to the raised porch in the front parking area extend into the minimum twenty-six (26) foot wide parking aisle. Concrete steps shall be located.
7. Remove any existing driveways not to be used and install new curb, gutter, and sidewalk to City standards.
8. Remove and replace all cracked or broken curb, gutter and sidewalk along all street frontages as determined by the City Engineer.
9. The location of the driveway onto Yosemite Avenue shall require replacing the existing storm drain curb inlet with a City Standard catch basin.
10. Storm drainage from the front parking area shall be piped to the back of the existing catch basin in Yosemite Avenue. No surface drainage of property across the sidewalk will be permitted.
11. A City Refuse/Recycling Enclosure will not be required with this development. The property owner will be provided City Refuse and Recycling Toters which will be stored behind a five (5) foot high screened area. Tenant will be required to place the toters at curb side on the days of City pickup.
12. On-site improvement plans shall be prepared by a Registered Civil Engineer and submitted to the Public Works Department for review and approval. All work within the street right-of-way shall conform to the City of Manteca Standard Plans. An encroachment permit, from the Public Works Department, is required.

13. All work within the street right-of-way shall conform to the City of Manteca Standard Plans. An encroachment permit, from the Public Works Department, is required.

**Fire Department (memo dated October 30, 2001)**

1. Fire extinguishers with a minimum rating of 2A-10BC shall be mounted where readily available with top no more than 5 feet above the floor. Maximum travel distance to a fire extinguisher shall not exceed 75 feet.
2. Building address numbers shall be plainly visible from the street fronting the property. Said number shall contrast with their background.
3. A fire alarm system shall be installed in accordance with N.F.P.A. 72, and Uniform Fire Code, Section 1007. Plans shall be submitted to the fire department for approval. (For buildings over 3000 square feet-new, remodeled or change of use)
4. Above ground gas meters, regulators and piping exposed to vehicular damage due to proximity to alleys, driveways or parking areas shall be protected in an approved manner.
5. Maximum occupant load signs shall be posted above main entrance.
6. Trash enclosures/dumpsters shall not be allowed within 5 feet of any combustible walls, openings, or roof eaves.
7. According to Manteca Municipal Ordinance #15.24.070, if the remodel entails in excess of \$1000,000, the entire facility shall be protected by a heat and smoke detection system. Said system (if required) shall be installed according to National Fire Protection Association Standard #72.
8. A Fire Department approved Key Lock Box shall be properly installed at or near the main entrance to the facility. Said Key Lock Box shall contain necessary keys to assure emergency access to all service areas of the facility.
9. Exiting from the facility shall comply with Uniform Building Code Chapter#10.

**10. ACKNOWLEDGEMENT OF TERMS AND CONDITIONS**

11. The City reserves the right to withhold the finalization of the structure(s) and/or terminate City utility service (shut off water and sewer) until all conditions of the City approved site plan have been completed. Please contact the Community Development Department if you are unable to complete the site plan improvements prior to occupancy of the project.
12. For information on fees associated with the project, contact the Building Department at 239-8416. The fees associated with this project (payable at the time of building permit issuance) include, but are not limited to, the following:
13. Storm drainage fee, sewer connection fee, water connection fee, building permit fee (includes electrical, mechanical, plumbing, strong motion fee, and any other applicable building-related permit), park acquisition and improvement fee (bedroom tax), street tree fee, school district fee, government building facilities fee, traffic signal installation fee, major equipment purchase fee, and highway interchange fee.

The following signatures of the Director of Public Works and the Community Development Director, or designated alternate, signify **CONDITIONAL** approval of the site plan, exterior elevations, and landscape and irrigation plans. Approval is subject to the previously listed conditions and any other conditions not listed herein but placed on the project as a result of review and approval of the project by the Planning Commission and/or City Council.

_____	_____
Date	Fire Chief (If not signed, see Fire Department memo)
_____	_____
Date	Director of Public Works
_____	_____
Date	Community Development Director

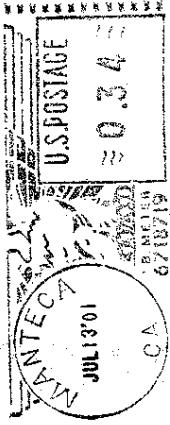
I, as the site plan applicant, or authorized agent for the site plan applicant, have read and understand the conditions of approval and requirements for this development project and the associated development fees. I, further, understand that this site plan runs with the ownership of the land and any transfer of ownership must include all uncompleted site plan requirements. I, hereby acknowledge all conditions and requirements of the site plan approval.

_____	_____
Date	Authorized Signature



# CITY OF MANTECA

COMMUNITY DEVELOPMENT DEPARTMENT  
1001 W. CENTER ST. • MANTECA, CA 95337



COPY

RLC ASSOCIATES  
250 CHERRY LANE #208  
MANTECA CA 95337

95337-4396 20





Planning Commission  
**AGENDA REPORT**

**AGENDA ITEM: 6.1**

Project Title: MAJOR USE PERMIT NO. UPJ-01-01, AND SITE PLAN NO. SPC-01-10, CORNERSTONE, 702 YOSEMITE AVENUE.

Project Planner: Kathleen Wold

Applicant/Owner: Cornerstone  
605 Sequoia Avenue  
Manteca, CA 95337

Requested Action/Purpose: Use permit and site plan to establish a dance studio and offices in an existing building.

Location: 702 W. Yosemite Avenue.

Land Area: .31 acre

Existing Zoning: CO (Office Commercial)

Adjacent Zoning/Land Use: North: R-1 (Single Family Residential), dwellings  
East: R-1 (Single Family Residential), dwellings  
South: R-1 (Single Family Residential), dwellings  
West: R-1 (Single Family Residential), dwellings

General Plan: NCC (Neighborhood Community Commercial)

Surrounding General Plan: North: LDR (Low Density Residential)  
West: LDR (Low Density Residential)  
South: LDR (Low Density Residential)  
East: LDR (Low Density Residential)

Existing Land Use: Vacant

Planning History: The site was previously utilized as a church. Applications for GPA-01-02 and REZ-01-02 were approved by the City Council on December 3, 2001 which changed the General Plan to NCC (Neighborhood Community Commercial) and rezoned the property to CO (Office Commercial).

Environmental Assessment: The project is exempt from CEQA in accord with Class 3.

Staff Analysis: **Background**  
The project was originally submitted for review in June of 2001. There was a separate application for a General Plan

Amendment and Rezone of the property to Neighborhood Community Commercial general plan designation and Commercial Office zone district. These applications were approved by the City Council on December 3, 2001.

As part of the initial review of the development project, staff reviews the project file to ensure that the applicant has submitted all information necessary for review. When submitting for review of a development project an applicant is given a list of the required information which must accompany the project's submittal to the department. The standard application package includes elevations, a floor plan, a plot plan, a landscape and irrigation plan, and a shading plan, the environmental questionnaire. Contrary to the submittal guidelines, the applicant has not submitted elevations, a landscape or shading plan or a floor plan for the project. The lack of this information makes it very difficult to review the project because vital and important information is lacking.

Because of the lack of information many of the review elements can not be conducted. For instance, under Section 17.29.030 we are required to review the project's design for appropriate use of construction materials, harmony and proportion of the overall design, architectural style appropriate for the project in question and the color scheme. Review of these items can not occur without the submittal of elevations. The applicant was notified as the submittal deficiencies in July 2001 and as of this date we have not received the needed information.

The applicant did submit a plot plan and staff has reviewed this plan for conformance to Title 17 and there were various areas of noncompliance. The first area of concern was parking. The applicant has provided 15 parking spaces. However, the location of these parking spaces does not comply with Title 17. The parking spaces located in the front of the facility are located within the required 10 feet of landscape planter adjacent to the street. In addition the amount of parking provided does not meet the minimum required under Title 17.

Table 4 of the Parking requirements does not specifically indicate the number of required parking spaces for a dance school use. The closest use identified is recreational and entertainment use at 1 space per 100 square feet of floor space. It also states that when a use is not specifically listed in the Table that the number of parking spaces shall be determined by the Planning Director based upon the requirements for comparable uses and upon the particular characteristics of the use.

Staff has reviewed the parking requirements of similar uses in the City of Manteca's Title 17 and the requirements for dance school in other cities and found that the requirements fall between 1 per 100 square feet and 1 per 150 square feet. The applicant indicates that there is 1,935 square of dance school area. This would calculate into between 13 and 19 parking spaces for the dance use. The Building Department indicates that the occupancy load for dance portion of this building would be 276 people. While it is highly unlikely that this business would have that type of volume, it does indicate that there is a potential for a great number of people to be at this facility at one time.

The applicant indicates that there is approximately 1164 square feet utilized for office use. Office uses are parked at 1 per 300 for non-medical office use. There would be 4 parking spaces required for the office use. The combined total parking requirement would be between 17-23 spaces.

Ensuring that there is adequate parking is necessary because of the location of this facility. Inadequate parking is likely to result in impacts to the surrounding residential neighborhood. Veach Street is a narrow residential street and stopping in the street to let students out will result in traffic congestion and an increased potential for traffic hazards.

The project also is not in compliance with Title 17 as it pertains to landscaping and tree shading requirements for the parking area. Title 17 requires a 10-foot wide landscape planter adjacent to all street frontages the project proposes a maximum of 5 feet along Yosemite Avenue and 6 feet for a portion of Veach Street. The parking along the alley is not tree shaded which is a violation of section 17.15.090.B.

In conclusion, with the missing information and the lack of compliance with Title 17 standards and regulations staff can not recommend approval.

**Recommendation & Action:**

Staff recommends the following course of action:

**1. Make the following findings for denial of Major Use Permit No. UPJ-01-01**

- A. *The proposed use is consistent with the goals and policies of the General Plan and any applicable specific plan.*** The project is not consistent with the goals and policies of the transportation portion of the General Plan as it does not provide an adequate number of off-street parking spaces to accommodate the demands of the type of development proposed for the site.

**B. The proposed use is consistent with the purpose of the applicable district.** The use of the subject property is consistent with the purpose of the district, as the CO district provides for office uses and other commercial activities

**C. The proposed use is listed as a use subject to a use permit in the applicable zone district.** Section 17.07.020A (Master List of Use) of the Zoning Ordinance lists a dance studio as a conditionally permitted use within the office commercial zone district.

**D. The proposed use does not meet the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances and regulations of the City of Manteca and the State of California.** The use does not meet the minimum requirements of Title 17.

**E. The proposed use will not be materially detrimental to the health, safety and welfare of the public or to property and residents in the vicinity.** The project as designed does not provide adequate parking for the uses proposed and could result in detrimental impacts to the surrounding neighborhood.

2. Deny Use Permit No. UPJ-01-01.

3. Make the following findings for denial of Site Plan No. SPC-01-18:

(a) **Project Design.** The project design utilizes appropriate use of construction materials in harmony and proportion to overall design; architectural style; siting of the structure; and color scheme.

*Insufficient information provided to determine whether or not this finding would be met.*

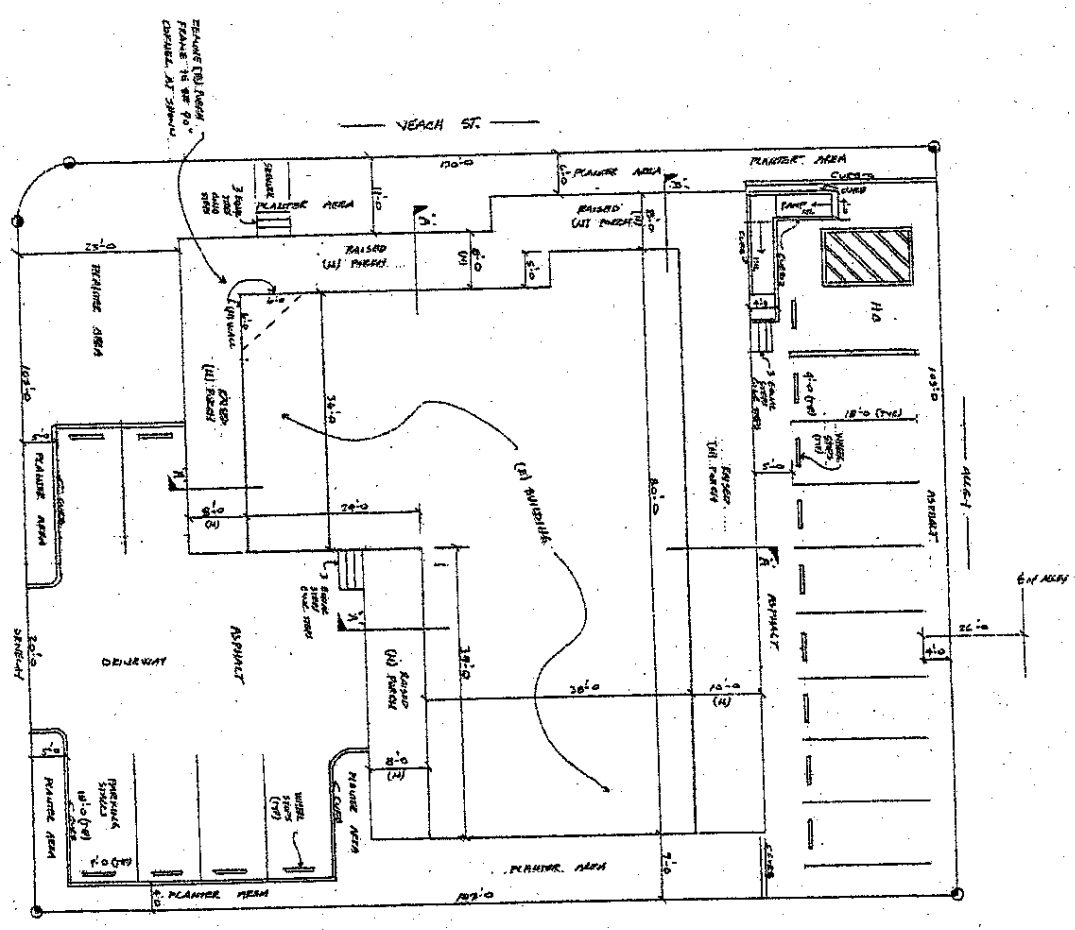
(b) **That the project conforms to Title 17 in respect to Parking and Loading, Signs and Landscaping and Screening.**

The project has been reviewed and found to be not in conformance with Title 17 in respect to parking, loading Landscaping and Screening, in that the project will not provide adequate onsite parking for both uses and the project's landscaping does not meet the minimum required by code.

4. Deny Site Plan No. SPC-01- 10.

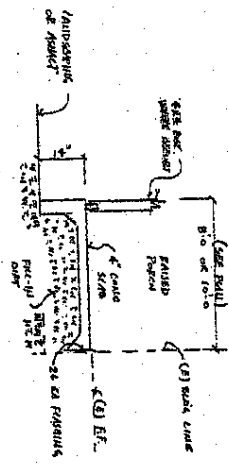
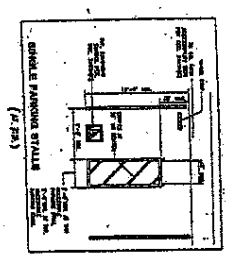
**Attachments:**

Public Hearing Notices  
CEQA exemption  
Environmental Questionnaire  
Site Plan  
Continuation letter  
After action letter  
Submittal guidelines



701 YOSEMITE AVE  
SITE PLAN

SUMMARY  
 PARCEL SIZE = 13,880  
 GARAGING = 2,581 SQ. FT. / 17% = 1,500 (REQUIRED)  
 (1) SIDE GARAGE = 3,857 SQ. FT.  
 (2) DRIVE GARAGE = 1,157 SQ. FT.  
 OFFICE = 1,164 SQ. FT.  
 STORAGE = 1,500 SQ. FT.  
 PARKING PROVIDED = 14 SPACES (STANDARD)  
 HO PARKING = ONE SPACE  
 LANDSCAPING TO INCLUDE TREES THAT WILL SHADE SIDE OF PARKING AREA.



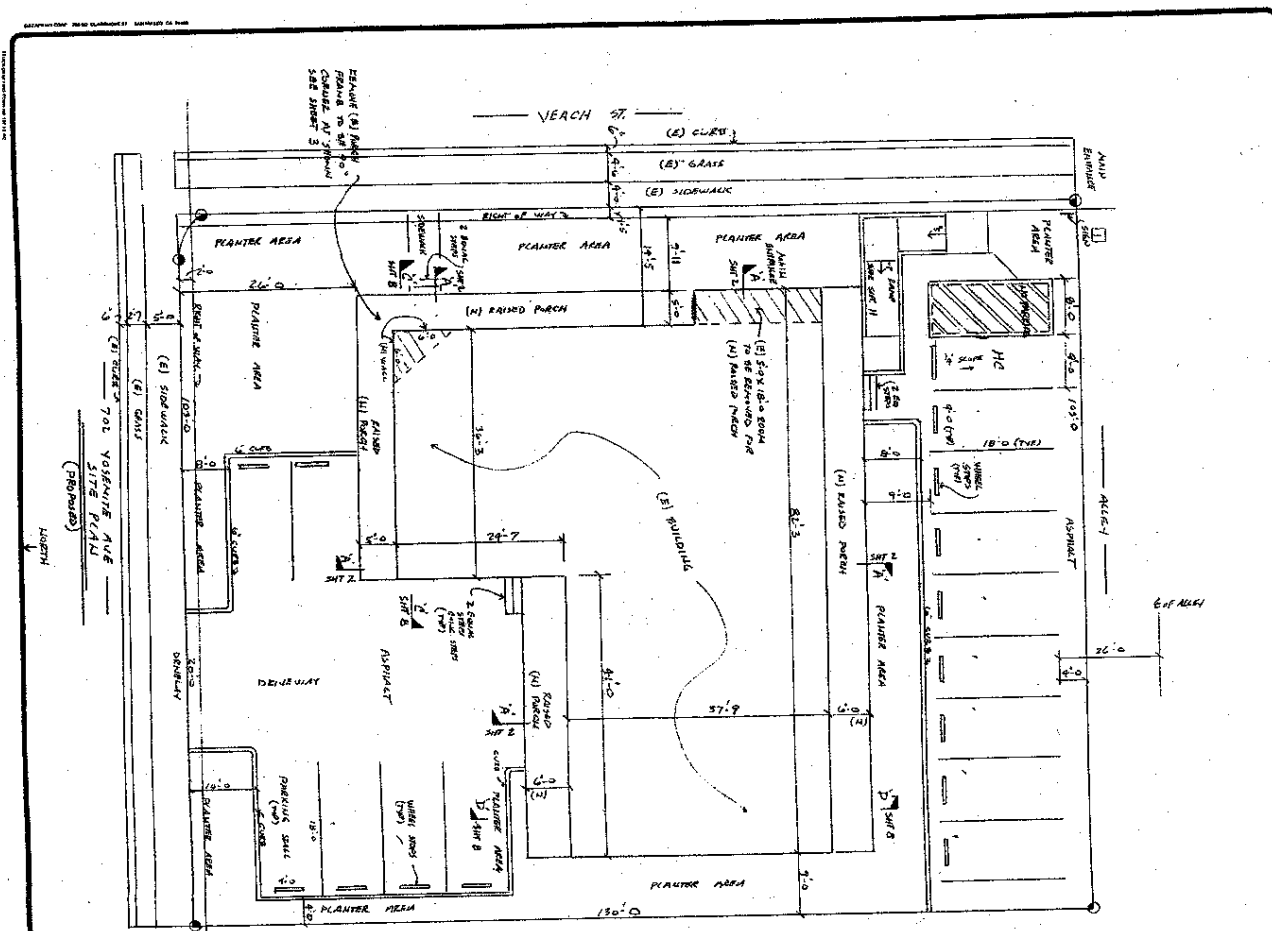
Silva Construction Co.  
 General Contractor  
 JAVIER GARCIA  
 Designer/Architect & Home Office  
 1011 P.O. BOX 201  
 SANTA CLAY, FL 32111  
 (407) 884-8888

NO.	DATE	REVISIONS
2	8-14-05	REVISED PER COMMENTS

OWNER:  
 PER: SILVA  
 701 YOSEMITE AVE  
 SANTA CLAY, FL 32111  
 (407) 884-8888

SITE PLAN  
 701 YOSEMITE AVE  
 APR 27, 2005

NO.	DATE	REVISIONS

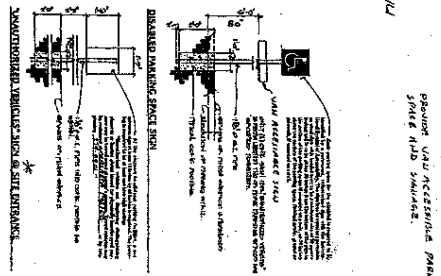
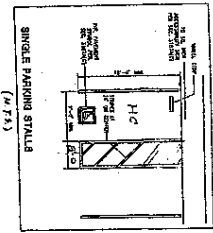


**SUMMARY**

PAVED SITE = 13,390  
 LANDSCAPING = 3,061 SQ. FT. / 17% = 1,812 REQUIRED  
 PLANTER AREA 50 SQ. FT. = 3,714  
 DRIVEWAY 20 SQ. FT. = 1,800  
 OFFICERS 50 SQ. FT. = 1,247 SQ. FT.  
 STORAGE 50 SQ. FT. = 139 SQ. FT.  
 BEST ROWS 50 SQ. FT. = 180 SQ. FT.  
 (N) PORCH 50 SQ. FT. = 1,228 SQ. FT.

PARKING PROVIDED - 14 SPACES  
 (STANDARD)  
 HC PARKING - ONE SPACE  
 LANDSCAPING TO INCLUDE TREES THAT WILL  
 SHADE 50% OF INTERIUM NEED  
 TREES LANDSCAPE PLAN INCLUDING PLANTING  
 SYMBOLIC PLAN TO BE SUBMITTED AS PART  
 OF PLANNING PERMIT  
 SECURITY LIGHT BEAD (N) PORCH AREA

NOTE:  
 THE MINIMUM SIZE OF PLANTING SPECIES OF PLANTING  
 (TREES, SHRUBS, PERENNIALS, ETC.) SHALL BE (2) FEET IN  
 HEIGHT AND (1) FEET IN WIDTH AT THE TIME OF PLANTING.  
 ALL PLANTING SHALL BE DONE BY THE CONTRACTOR AND  
 SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE  
 MAINTENANCE OF ALL PLANTING FOR A PERIOD OF  
 TWO (2) YEARS AFTER THE DATE OF COMPLETION OF  
 THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE  
 FOR THE PROTECTION OF ALL EXISTING PLANTING  
 AND UTILITIES TO REMAIN. THE CONTRACTOR SHALL  
 BE RESPONSIBLE FOR THE PROTECTION OF ALL  
 EXISTING UTILITIES TO REMAIN. THE CONTRACTOR  
 SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL  
 EXISTING UTILITIES TO REMAIN.



**RECEIVED**  
 APR 29 2003  
 Community Development Department

DAN EVANSON  
 Civil Engineer  
 SILVA CONSTRUCTION CO.  
 General Contractor  
 L. ANTON  
 JAVIER GARCIA  
 DESIGN/STRUCTURAL & MECH. STEEL  
 DOMINION

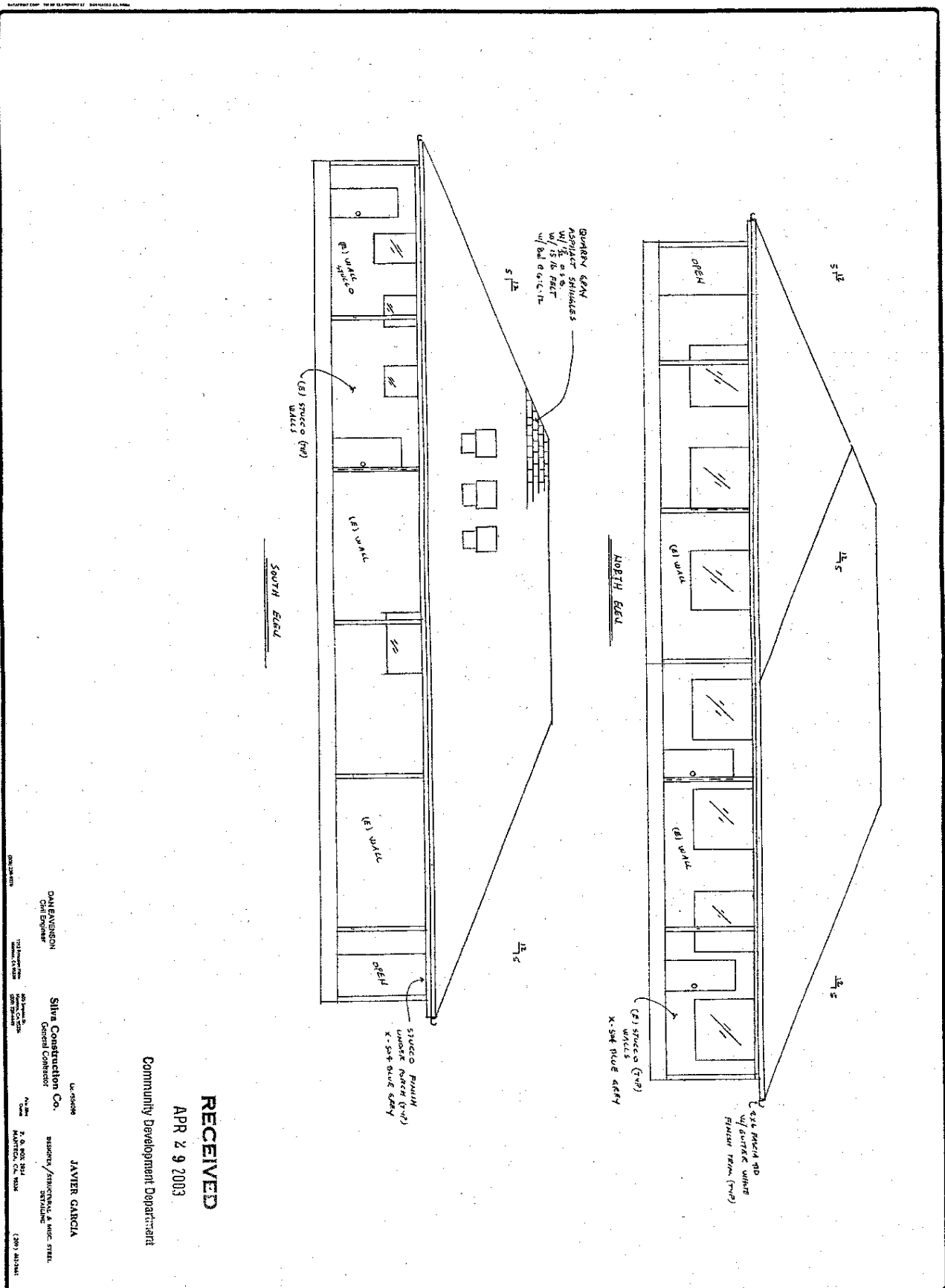
NO.	DATE	REVISION
2	5-23-03	CL
	8-10-03	
	10-10-03	

OWNER:  
 PRIS SILVA  
 702 YOSEMITE AVE  
 MANTENA, CA 95336  
 (925) 447-4447

PROPOSED  
 SIZE PLAN  
 702 YOSEMITE AVE  
 APR 27 2003

NO.	DATE	REVISION





**RECEIVED**  
 APR 29 2003  
 Community Development Department

DAN EVANSON  
 Civil Engineer  
 1000 S. 10th St.  
 Anchorage, AK 99501  
 (907) 562-1111

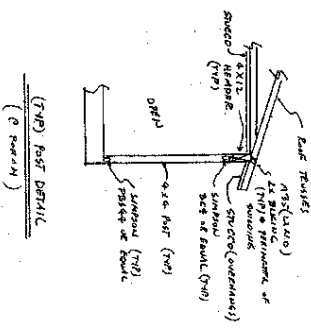
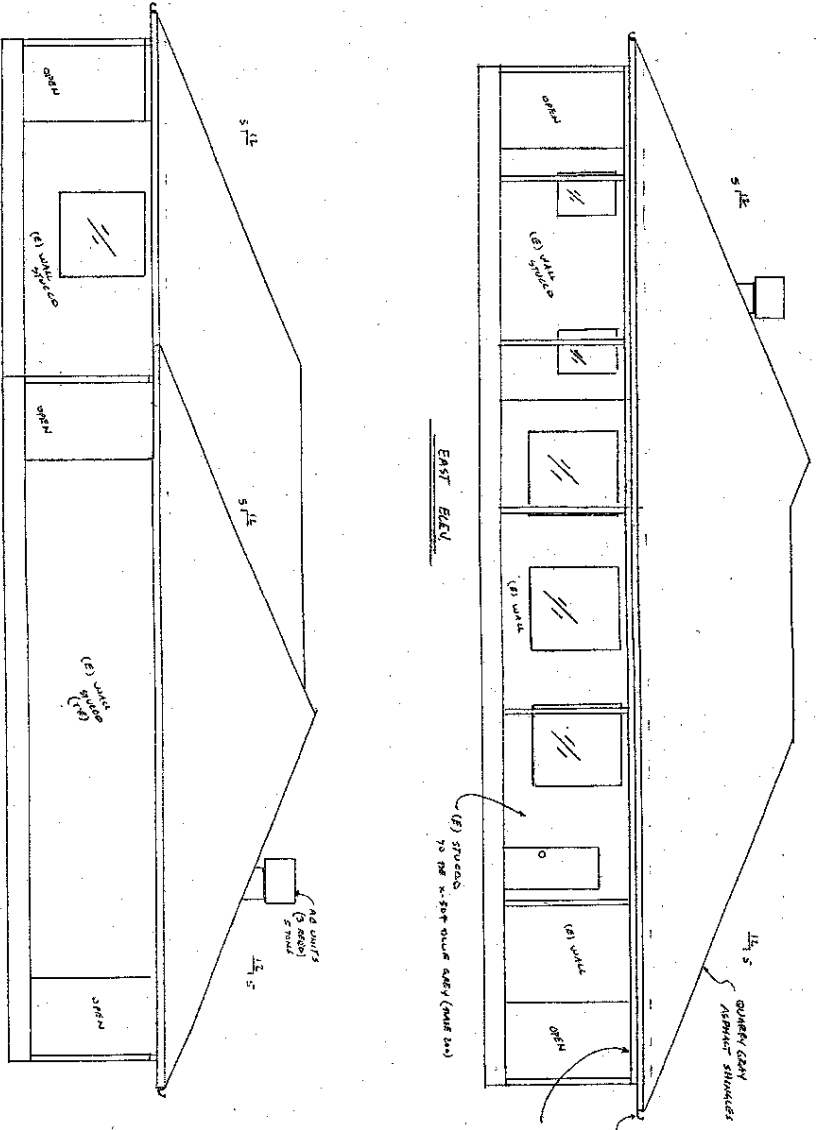
SILVA CONSTRUCTION CO.  
 General Contractor  
 2000 S. 10th St.  
 Anchorage, AK 99501  
 (907) 562-1111

JAVIER GARCIA  
 RESIDENTS / ARCHITECTURAL & MISC. STAFF  
 2000 S. 10th St.  
 Anchorage, AK 99501  
 (907) 562-1111

DATE	APR 29 2003
BY	JAVIER GARCIA
FOR	COMMUNITY DEVELOPMENT DEPARTMENT
PROJECT	5

OWNER: PETE SILVA

NO.	1
DATE	
BY	
FOR	
PROJECT	



**RECEIVED**  
 APR 29 2003  
 Community Development Department

L.A. 05/09/06  
 DAN EVANSON  
 Civil Engineer  
 Silva Construction Co.  
 Structural Engineers  
 12470 W. 15th St.  
 Los Angeles, CA 90044  
 (310) 551-1111  
 JAVIER GARCIA  
 Structural Engineer  
 12470 W. 15th St.  
 Los Angeles, CA 90044  
 (310) 551-1111

NO.	DATE	BY	REVISION
1	5-1-03	J. SILVA	ISSUED FOR PERMITS
2	7-1-03	J. SILVA	REVISED
3	7-1-03	J. SILVA	REVISED

OWNER'S  
 PETE SILVA

NO.	DATE	BY	REVISION