

Agenda Item 3.B

From: Brandi Marotta <[REDACTED]>
Sent: Tuesday, April 20, 2021 2:09 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Agenda Item 3B

Public Comment Agenda Item #3B

Good Evening Council Members,

I am a longtime Tracy resident and current resident of Ellis. Over the last few years Tracy has seen a significant growth in population and due to the impact of COVID-19 that growth continues to rise at an accelerated rate. There has been an exodus from the Bay Area for families seeking not only affordability but quality of life. Along with growth amenities such as public parks, schools and fire stations are needed to cover the increase in population. By approving the Ellis Avenues neighborhood, it allows these amenities and K-8 school to progress quicker and at little to no cost to the City. As an Ellis resident and voting member of the Tracy community, I ask that you say yes to this final step in allowing the Ellis Avenues neighborhood to advance, and help our new school open.

Thank you for your time and consideration,

Brandi Marotta

From: Chrystena Rockett <[REDACTED]>
Sent: Tuesday, April 20, 2021 6:29 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Agenda Item 3B - CC meeting 4/20/2021

I would like to address the City Council regarding tonight's Agenda Item 3B. At first sight, this seems innocuous however, it is in violation of the City's guidelines that new development shall not be approved unless there is infrastructure in place or planned to support the growth.

The developer should not be given preferential treatment because the City thinks there's an aquatic center at stake, they should be held responsible for the infrastructure upgrades that their development will require.

Allowing the Avenues to be considered part of the Ellis Specific Plan would mean that Surland could circumvent building the required infrastructure and just tie into Ellis' thereby burdening the City of Tracy with that upgrade in the future. This is just a business-as-usual, money saving play that will end up costing the City.

By allowing this to happen the precedent will be set that developers don't have to upgrade or provide the infrastructure for their projects. The City cannot afford to set this type of precedence.

Please consider the implications of making such a decision.

Respectfully,

Chrystena Gonzaga-Rockett
[REDACTED]

MARK V. CONNOLLY

Attorney at Law

Telephone (209) 836 0725

Fax (209) 832 3796

E-mail: mconnolly@connollylaw.net

www.connollylaw.net

PO BOX 1109
TRACY, CALIFORNIA 95378

April 19, 2021

VIA EMAIL ONLY

Honorable Mayor, Members of the City Council
City Hall
333 Civic Center Plaza
Tracy, CA 95376

**Re: My Client: Mary Mitracos
Agenda Item 3B**

Honorable Mayor, Members of the City Council:

I represent Mary Mitracos. I do not represent anyone else in making these comments. Surland and its proxies often make false and unsupported claims to the contrary.

This letter is to ask the Council to follow the recommendation of the Planning Commission and reject this addition of a low-density residential sprawl development which will required RGAs and building permits needed desperately for affordable housing.

I have appeared as recently as last week to warn the Council concerning serious issues including contempt that might be triggered by action on the Ellis project. There are serious policy issues and serious legal issues. Some basic background is necessary first.

First, I want to caution the Council about following the advice of counsel for Surland. Twice counsel for Surland has told the Council that Development Agreements or Amendments to Development Agreements were consistent with State law. Both times the Development Agreements were determined to be void.

Secondly, Counsel and Surland tend to engage in wild conspiracy theories and personal attacks based on those conspiracy theories. They imagine plots behind every corner. Often Surland, its counsel or proxies' resort to vague innuendo with no supporting facts about hidden evil developers trying to defeat the good developer, Surland. These tactics are designed to divert attention from the important policy and legal decisions.

Last, Counsel for Surland usually misrepresents that whatever decision is at hand, no matter how important, is just a minor ministerial decision. It is a legislative act of the highest importance: amending a general plan. The council can just say “no”. The council is being asked to allow the Avenues (“ASP”), just annexed to the City in January 2021, to jump to the front of the line so it can build low density residential development. In his letter to the Planning Department, Counsel for Surland has misrepresented that this has nothing to do with the allocation of RGAs, and that is simply false. As the Staff report correctly states, this is all about RGAs and building permits.

FACTS

The Judgment imposing a Permanent Prohibitory Injunction prohibits implementation of the 2018 Development Agreement (“2018 DA”). The 2018 DA was a restated and amended version of a 2013 DA. A copy of all the documents establishing that is included in the Letter to the Planning Commission attached to the Staff Report.

Legal authority was provided before the Planning Commission that the prohibitory injunction is NOT stayed while the City and Surland’s appeal is pending. Although the City attorney indicates she does not believe this is true, NO authority to the contrary has been provided. Pending appeal, the City cannot be forced to set aside the 2018 DA. It can be and is prohibited from doing ANYTHING to implement the 2018 DA.

The ASP is residential low density and would remain residential low density after being added to the ESP. (Staff Report 4.) The Council is being asked to amend the General Plan to add the ASP to the Secondary Residential Growth Area. (Staff Report pgs. 4-5.) Without being added to the Secondary Growth Area, or to a Development Agreement, the ASP cannot receive RGAs and therefore building permits. (Staff Report pg. 5.) Counsel for Surland statements to the Planning Commission that this was not about RGAs were just false.

Tracy Hills and Ellis are entitled to a majority of the building permits under GMO Guideline Section F.4. (Staff Report pg. 5.) If the Council approves the General Plan Amendment adding the ASP the ESP, then the ASP would become eligible for building permits under GMO Section F.4. Approval would Amend the General Plan adding the ASP to the Secondary Residential Growth Areas, making it eligible to apply for residential building permits. Approval would add the ASP to the ESP making it eligible for F-4 RGAs and permits instead of the lower priority F.5 RGAs. (Staff Report 7.)

Surland or Ellis gets additional permits through GMO Section F.3, which is the Section referencing the Development Agreements. (Staff Report pg. 5.) F.3 would not apply to Surland because the ASP is not part of the DA. (Staff Report 6.) Two courts have determined that the ASP, or no other property, can be added to the 2018 DA or any DA.

The 2018 DA creates the special entitlement to ESP buyers that for payment of an annual assessment of \$110.00 for each lot to be in the ECFD and have a free annual all

access family pass to the aquatic center. (Staff Report pg. 2.) This benefit is created by the void 2018 DA.

The 2018 DA provides that Surland is entitled to receive any RGAS and permits under GMO Section F.4, including unused RGAs (2018 DA pg. 10, 11-12, 13, 14). Again, the entire 2018 DA have been determined to be void ab initio.

The GMO Guideline F-3 (Development Agreement Section) and F-4 (Tracy Hills & Ellis Specific Projects section) were adopted to implement the Tracy Hills and Surland DAs. These are guidelines were enacted to implement the Surland 2013 DA and therefore Surland 2018 DA, the most recent amended and restated version.

The numerical division in GMO Section F.4 is a division of the limited number of RGAs divided between Tracy Hills and Ellis allocating the spoils of their respective Tracy Hills and Ellis DAs. (GMO Guidelines 5-6.) For example, in a year with 750 RGAs available, Tracy Hills gets 406 and Ellis 194, which comes out to exactly 600 RGAs, leaving 150 for all other residential development other than affordable housing, which is exempt (C.5). Of these 150 remaining RGAs, 100 are allocated to, the primary growth areas (F-2). Leaving a mere 50 RGAs. It should be remembered that affordable housing RGAs are exempt from the RGA limits, however RGAs are still needed to leverage affordable housing i.e., to offer a developer some market rate to build affordable. For example, a developer could be 50 market rate RGAS if 50 affordable units are built as well.

In years with a 600 RGA limit, Tracy Hills and Ellis divide up 480 RGAs, leaving 120 for the rest of the City of which 80 are designated for Primary Growth Areas. That leaves 40 RGAs for the rest of Tracy. Tracy Hills and Ellis effectively take all the RGAs necessary for any significant project. What makes this even more obscene is that Ellis has 1,100 more RGAs allocated to it than it can use on Ellis, starving Tracy of needed RGAs. Of course, if the City does not add property to the Surland DA (an act prohibited by the court) these 1,100+ RGAs will flow back to the City.

Adding the ASP to the ESP, and thereby allowing Surland and the ASP to benefit from GMO Guidelines F-4 is merely a backdoor way to implement the 2018 DA. The 2018 DA is codified in Guideline Section F-4. If adding the ASP to the ESP gets it the benefits of F-4, then the 2013 DA and its void 2018 DA amended and restated version, is being implemented in violation of the permanent injunction. Guideline F-4 is the guideline codifying and implementing the Surland 2018 DA. Adding the ASP to the ESP triggering F-4 benefits to flow to the ASP is therefore implementing the 2018 DA.

BASIC POLICY ISSUES

This is a very basic legislative discretionary policy decision. It should not be trivialized by the developer and his counsel as it was some ministerial clerical administrative fore-gone act.

The basic policy decision is whether the City Council wants to add a low-density development of land annexed to the City just two months ago to the ESP moving it to a

high priority for development which would 480 RGAs and permits? No policy reason has been provided why the City would do this.

There are a limited number of RGAs and permits, as the Staff Report makes clear. Does Tracy need to add an additional 100 acres+ of low-density residential development land to its inventory which would require 480 RGAs the City needs for infill and affordable housing? The obvious answer is “no”. (Again, Affordable housing is exempt from the limits but market rate RGAs provide the incentive for inclusionary housing.) The City needs any surplus RGAs and permits to leverage affordable housing and infill. Approving sprawl developments that take RGAs is the opposite of what should happen.

Does the ASP bring some great benefit to the City that should allow it to jump ahead of other properties that have been in the city for 20 years in some cases, and are better suited in some cases for high density transit-oriented development? No. Surland has not even built the swim center promised in the first DA in 2008! Surland is a scheme that requires every new Council be enticed by some greater promise of a benefit or solution created by the last DA and phase of development. A scam can never stop. If it does, it collapses. All scams collapse sooner later. Sooner is better.

Would adding the ASP to Ellis (ESP) bring another project to Tracy pressuring the City to set aside growth limits? Yes.

Does the ASP provide ANY affordable housing? No.

Is the ASP part of Tracy’s long-term vision, or General Plan? No. It was just annexed to the City two months ago. Other primary growth area projects have been waiting for many years.

Is there any policy reason why the City would want to give the gift to future buyers at ASP of lifetime family passes to the Swim Center at just a little over \$100.00 per year? No.

The ONLY person who benefits from this project is Surland. It is another gift of a public benefit to some favored developer to the detriment of the citizens of Tracy for no public purpose.

LEGAL ISSUES

The Letter to the Planning Commission is attached to the Staff Report and it will not be repeated. The court enjoined implementation of the 2018 DA. Authority has been provided that that injunction is NOT stayed on appeal. No contrary authority has been provided. Counsel for Surland has previously tried to confuse the Council with inapplicable legal arguments twice resulting in Council action being reversed. This time the danger is greater. It is contempt of court.

The proposed action demonstrates two obvious ways the action would be contempt. The 2018 DA is an amended and restated version of the 2013 DA. The City

and all Council members have been enjoined from implementing ANY part of it. The Growth Management Ordinance (GMO) is the codification of the Tracy Hills and Surland 2018 DAs. This includes Section F.4 which allocates the RGAs provided Surland and Tracy Hills in their respective DAs. It divides the spoils of victory over prudent planning in Tracy. Adding the ASP to the ESP allows the ASP to benefit from F-4. Therefore, approving the addition of the ASP to the ESP is merely a backdoor way of getting benefits from the 2018 DA to the ASP. It is implementing the 2018 DA.

Allowing the benefit of a \$100 lifetime family pass to flow from the 2018 DA to future residents of the ASP is a clear implementation of the 2018 DA.

CONCLUSION

My client Mary Mitracos has summarized this better than I as an attorney could. "Just say no." This is a discretionary legislative decision. The requested action offers no benefit to the citizens of Tracy. It adds an additional low density residential development pulling needed RGAs from higher priority development. It puts the City and Council in contempt of court for no good reason.

The Planning Commission recommended the City not adopt the 2018 DA. That advisement as ignored. That DA was determined to be void ab initio. The Planning Commission has recommended denial of this application. The Planning Commission is again correct, and it is recommended the City Council heed its wise advice.

Very truly yours,



MARK V. CONNOLLY

From: Ellie Lopez <[REDACTED]>
Sent: Tuesday, April 20, 2021 3:58 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: City Council Item 3.B. Public Comment 4/20/21

Hello:

I am writing today to encourage you to approve the Ellis specific plan amendment tonight. The K - 8 school @ Ellis depends on it. We appreciate our elected officials working on this and keeping things headed in the right direction. We as proud Tracy residents, should work together to allow all things to move forward at Ellis which helps to benefit our children. Thank you for your time serving our residents.

Agenda Item 3.B

From: Michele Zaragoza <[REDACTED]>
Sent: Tuesday, April 20, 2021 2:34 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Agenda Item 3.B. Public Comment April 20th City Council Meeting

Good evening,

My name is Michele Zaragoza and I am writing regarding item 3B on the agenda tonight. I would like to recommend the approval of this update to the Ellis Specific Plan. I feel it is important for all members, and especially new members of the council to hear from residents who have been in Tracy for a long period of time and can attest to the quality of the companies we work with in our city.

We have lived at Surland's Redbridge community since it was built in 2001. We are the original owners of our home and love our community. Our children are grown now; however, it is important for other families to have the opportunity to raise their children in neighborhoods created by the same visionaries as our Redbridge community.

We were blessed to raise our children here and cannot stress to you enough the integrity of dealing with everyone at Surland we have experienced over the years. This is a hometown company which employs hometown people. People who hold their heads up high in this community, contribute to this community, and are proud of the work they do.

With all of that said, again, I recommend approval of the Surlands updates to the Ellis Specific Plan.

Thank you all!

Michele Z.

From: Miguel Esquivel <[REDACTED]>
Sent: Tuesday, April 20, 2021 12:37 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Item's from the Audience Agenda Item #3.B. April 20th City Council Meeting

Members of council,

Who really leads our city? As the duly elected representatives of the residents of Tracy I would think it was you, Tracy's mayor and city council. However, for too long Tracy has been held ransom by a very select group and the lawyers who represent them. Tonight I'm sure we will all hear threatening statements from Mr. Mark and Ms. Mary. "Approve everything we tell you to and say no to everything we tell you to, and if you don't do what we tell you to we will sue you." Is this how a city should be run? Let's do what is best for Tracy, and approve the avenues section of Ellis that with your help gets a new fire station built. We elected you as a Council to make us safe, and to look out for us. We also elected you because we thought at the time you were guided by a sense of duty and service to the residents here, not by threats from lawyers. We did not elect Mary or Mark's wife even though they asked us to. We knew better then, and we know better now.

Respectfully and with great concern,
Miguel Esquivel

Agenda Item 3.B

From: Sharon G <[REDACTED]>
Sent: Tuesday, April 20, 2021 5:07 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Item 3B

Item 3B:

Good evening Mayor & Council,

I am writing to address the merger of the Avenues and Ellis Specific Plans. I believe this merger could provide an opportunity to address development concerns within the city if the plan is updated to include affordability and sustainability measures. I am unsure if these were considerations in the Ellis Plan and without addressing them we will simply contribute to sprawl that adds more cars on the road, increases service costs on the city, and does little to address affordability.

If you approve this action, this new specific plan should reflect what is best for the residents of Tracy. The ideal neighborhood would have plenty of homes while mixing commercial and park amenities on a grid-like layout. A grid enhances walkability, makes it efficient to layout bike paths, and serves to connect residents, neighbors, and commerce. Furthermore, this new project should focus on providing our residents an opportunity in the housing market with an appropriate mix of housing levels.

I hope that you take the time to really consider what's at stake for the future of Tracy. We need to build a connected and sustainable Tracy.

Thank you for your consideration,
Sharon Gardner-Losch

AGENDA ITEM 3.B

From: Susan Hudson <[REDACTED]>
Sent: Tuesday, April 20, 2021 5:12 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Agenda Item 3.B

To Whom It May Concern,

We (Rich & Susan Hudson) oppose the Avenues being incorporated into the Ellis specific plan. No! No, amending to general plan. We have lived in Tracy since 1992 and the traffic is getting worse. The traffic on Valpico Rd. between Corral Hollow and Lammers is already backed up so with the Avenues built the existing residence located on Valpico will have difficulty getting out of their own driveway. The traffic analysis was completed in 2016 and should be re-evaluated since traffic has increased.

Sincerely,
Susan & Rich Hudson

From: William Muetzenberg <[REDACTED]>
Sent: Tuesday, April 20, 2021 3:51 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Public Comment for Regular Meeting

Good afternoon,

I have below my public comments labeled per item -

Item 3B:

Good evening Mayor & Council,

I am writing to express my views in regards to the Avenues and Ellis Specific Plans. I am concerned that, without certain conditions of approval, we will simply contribute to sprawl that adds more cars on the road, increases service costs on the city, and does little to address affordability for both existing residents and newcomers.

If you consider approving this action, then I ask that you hold the developers of this megaproject to account. This new specific plan should reflect what is best for the residents of Tracy. This plan should draw inspiration from an already existing neighborhood, Downtown Tracy. Downtown Tracy has plenty of homes while mixing commercial and park amenities on a grid-like layout. A grid enhances walkability, makes it efficient to layout bike paths, and serves to connect residents, neighbors, and commerce. Furthermore, this new project should focus on providing our residents, whether they be young adults looking for their first home or older residents looking to downsize, an opportunity in the housing market. So many homes are unattainable for modern families and we need housing to reflect these needs.

I hope you consider what's at stake for the future of Tracy. Shall we continue on this path we're on now with more and more suburban development or shall we tap into our roots to build a connected and sustainable Tracy?

Item 3D:

Good evening Mayor & Council,

I am excited that you will finally be reviewing applications for the Transportation Commission. I hope that, whoever makes it on, strongly considers candidates who are focused on improving access to all modes of transport in Tracy. While our city has been built around car use, it is growing ever more clear that this is not the most efficient or healthy way to grow a city. We need a voice on the Commission who will advocate and find new ways to improve the Tracer bus system so it encourages more riders. We need a voice on the Commission who will prioritize bikes, from bike lanes to recreational pathways to bike storage--especially when the ValleyLink station arrives. And we cannot forget about the pedestrian and improving conditions for walking, whether for recreation or transit.

I hope that you will consider candidates who meet these criteria and committed to finding innovative ways of getting us out of our cars

William Muetzenberg



ITEMS FROM THE AUDIENCE

From: Brandon Kanner <[REDACTED]>
Sent: Monday, April 19, 2021 4:50 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: City Counsel Meeting - Regular Meeting (7:00 P.M) Item 2 Comment

Hello,

I am a second-generation Tracy swimmer and implore the counsel to keep the swim center moving forward. Please do not change the previously approved plan or adjusted the previously approved budget. We have made tremendous strides in furtherance of the ultimate goal to build the entire project at one time. Doing so will ensure that this project benefits the largest swath of citizens immediately.

The current public pool situation is untenable, Tracy still only has 1 public pool which was built when Tracy had a population of 14,724. Today our population is 94,740.00, but we still, as a community, share the same 7 lanes of pool space.

This project is long overdue, and the need for this project, and others was the driver behind support for Measure V.

We as a community cannot wait any longer. We should not have to rely on other communities for our swimming needs. I appreciate those that support the swim center project and encourage those that do not to reconsider.

Brandon Kanner

Tracy Earth Project, Inc.

Dotty Nygard, Chair

April 20, 2021

Mayor Young and Council Members,

Tracy Earth Project is a non-profit, 501(c)3, of community volunteers dedicated to advocating for responsible environmental practices that we begin within our own homes. We co-sponsored the 2019 Tracy Earth Day Event with the City of Tracy to help educate and expand practices reflected in Tracy's Sustainability Action Plan (TSAP) of 2011. For Earth Day ideas this year please go to our web page at www.TracyEarthproject.com

We believe the TOD, (currently in progress), aligns itself with California's Sustainable Communities and Climate Protection Act of 2008 as it pertains to SB 375. These changes required the Metropolitan Planning Organization for each region to develop a "Sustainable Communities Strategy" (SCS) that integrates transportation, land-use and housing policies to plan for achievement of the emissions target for their region. Tracy answered that call with their city's Sustainability Action Plan, and we believe the TOD aligns itself with those commitments.

As we celebrate the 51st anniversary of Earth Day, we ask our current Council to continue to support the visionary goals of our past leaders. We ask that our leaders continue to develop policies that promote environmental sustainability action initiatives for the future of our families and generations to come.

Thank you for your time.

*Tracy's Sustainability Action Plan
www.ci.tracy.ca.us/documents/Sustainability_Action_Plan.pdfht

www.ttownmedia.com/tracy_press/archives/planners-approve-sustainability-plan/article_21f0498d-ef19-5a57-b1d4-95bac2426470.html

Items from the Audience

From: Theresa English <[REDACTED]>
Sent: Tuesday, April 20, 2021 5:57 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Planning Commission Meetings

We have not been allowed to attend commission nor council meetings in chambers due to COVID. This council and City Manager refuse to televise Planning Commission meetings, which are important for the public. Veronica Vargas stated in a couple of meetings that it was due to budget constraints, which is incorrect. She even said "they only want it to see and rewind". That is very concerning due to not everyone being on social media or access to a wireless connection. Yet, we can spend millions of dollars on consultants and have total disregard for public input, even though you're spending residents money. The minutes for Planning Commission have not been available to the public since June 2020. That is not transparency. Tonight, you have an item on the agenda that refers to a Feb 24th planning commission meeting, but the public does not have access to this meeting and the minutes from this meeting have yet to be approved. Why has our city manager been allowed to continue to fail and only provide pieces of information to the public? I am asking to please open the Planning Commission meetings to the public and/or televise so the public can see it. Televising is the easiest and safest way for the public. The City has the money to do this, why are they denying the public their rights to this information?

Thank you,
Richard

CITY OF TRACY RESIDENTIAL DEVELOPMENT PIPELINE REPORT

Handout provided by Alice English on 4/20/2021

Status as of February 2021

APPROVED AND UNDER CONSTRUCTION						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Berg Road Project	R14-0002 TSM14-0003	MDC	10	71	2774,2850, 12920 W. Byron Rd.	Fred Musser/DeNova Homes
Elissagaray Infill	TSM12-0002 PUD12-0003	PUD	10	47	Dominique Dr. between Eastlake Circle & Basque Dr.	Ponderosa Homes II, Inc.
Elis Phase 2	TSM16-0003	ESP	105	356	Elis Town Dr.	Surland/Woodside Homes
Primrose/Kagehiro Phase III	TSM12-0001, PUD13-0001	LDR	47	252	SEC Corral Hollow Rd./Kagehiro Dr.	Lennar Homes/Taylor Morrison
Tracy Harvest	D15-0007	PUD	20	304	Henley Pkwy., south of Grant Line Rd.	Lewis Management Corp.
Tracy Hills Phase 1A	TSM13-0005	THSP	353	1071	Tracy Hills Drive west of Corral Hollow	Lennar, Shea, Meritage
Tracy Hills Phase 1A Village 6B/7C	GPA20-0002 SPA20-0003 TSM20-0001	THSP	19	132	Tracy Hills Drive west of Corral Hollow	Integral Communities
Tracy Hills KT Project	GPA19-0003 SPA19-0004 SPA20-0008 TSM20-0002	THSP	45	214	Tracy Hills Drive east of Corral Hollow	Integral Communities
Southgate High Density	D18-0029, TSM18-0004	PUD	3.43	42	2483 W. Schulte Road	Bright Development
Grant Line Apartments	D15-0012 CUP15-0005	GHC	1.9	40	321 E. Grant Line Rd.	Robert Harris
Valpico Glenbriar Apartments	D19-0018	HDR	11.62	264	501 E. Valpico Road	Katerra, Inc.
Total			625.95	2,793		

APPROVED AND NOT YET UNDER CONSTRUCTION						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Rod-Singh Apartments	D18-0028 CUP18-0004	GHC	73.48	24	508 & 522 W. Grant Line Road	Soosan Rod Ramneek Singh
Collin Apartments	D18-0015	HDR	0.4	10	178 Collin Avenue	Abdul Chashmawala
East 8th Street Apartments	ZA17-0003 D16-0036	CBD	0.23	5	21, 25, & 29 E. 8th Street	Frank Aufdermaur, Jr.
Byron Apartments	D19-0010	MDR	5	60	2660 Byron Road	Rashed Elham, Inc.
Elis Phase 3	TSM18-0005	ESP	73	309	4260 Lammers Road	The Surland Companies
Rocking Horse	GPA13-0006	PUD	55	226	Lammers Rd. north of Schulte Rd.	Concentric Development Grp.
Tracy Village	A/P13-0002	-	130	581	SEC Valpico Rd. & Corral Hollow Rd.	Ponderosa Homes
Larkspur Basin Map	TSM19-0003 D20-0005	LDR	1.89	13	DeBord Dr. and Cairo Ct.	Bright Development
Diaz Duplexes	D19-0028	MDR	0.54	4	4th and C St.	Javier Diaz
Hintz Avenue - 4 Plex	D19-0007	HDR	0.16	4	501 Hintz Avenue	Daniel & Carolyn Schaefer
Tracy Hills Phase 1B	TSM18-0006 TSM18-0007 SPA19-0002 GPA19-0001	THSP	161	432	Tracy Hills Drive west of Phase 1A	Integral Communities
Total			500.7	1,668		

UNDER CITY REVIEW (NOT YET APPROVED)						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Clover Estates	TSM19-0008	MDC	1.83	9	W. Clover Rd. (between Bulhman and Holly)	Schack & Company, Inc.
Avenues	TSM21-0001	ASP	95.8	478	South of Valpico, west of Corral Hollow	Surland
Tracy Hills Phase 1C	TSM19-0007	THSP	122	370	Tracy Hills Drive west of Phase 1B	Integral Communities
Tracy Hills Phase 2	TSM20-0003	THSP	497	1,517	Tracy Hills south of I-580	Integral Communities
SANSUB Apartments	D20-0021	MDR	0.76	9	2480 W. Byron Rd.	Panchaksha Patel
Total			2425.69	9,204		

480

ADDITIONAL CITY & SOI (SPHERE OF INFLUENCE) PROPERTIES						
Name	Application #	Zoning/GP Designation	Acres	# of Units	Location	Developer/Builder
Bright		UR 5	170	886	11th Street & Lammers Road	Bright
Bright/Castro		PUD/UR 7	107	606	Josephine Drive & Tennis Lane	Bright
UR1		UR 1	780	2929	MacArthur Drive & Schulte Road	Various Owners
Tracy Hills (other future phases)		THSP	647	2568	Corral Hollow Road & 580	Integral Communities / Others
Gateway		PUD	535	857	Lammers Road & 11th Street	Various Owners
I-205 Expansion		Commercial/Res Low	172	1748	Naglee and Larch Roads	Various Owners
Larch Clover		Commercial	442	1197	Larch/Clover	Various Owners
Rocha		Res Low/Medium	91	727	MacArthur Drive and Eastlake	Rocha
Berg/Byron remainder		MDR/GHC	56	411	Berg/Byron Roads	Various Owners
SWC Valpico and Corral Hollow		Res Low	65	282	SWC Valpico and Corral Hollow	Various Owners
Total			3,065.00	12,211.00		

CITY OF TRACY RESIDENTIAL DEVELOPMENT PIPELINE REPORT

Status as of July 2019

APPROVED AND UNDER CONSTRUCTION						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Aspire II Apartments	D15-0003, GPA15-0002	I-205 SP/HDR	2.3	47	Auto Plaza Dr.	Legacy Homes
Barcelona Infill	TSM14-0002 PUD14-0002	PUD	10.15	51	NWC Barcelona Dr. & Tennis Lane	Taylor Morrison
Brookview	3-04-TSM, 12-04-D	PUD	10.01	80	Brookview / Perennial	Britt Evans
Elissagaray Infill	TSM12-0002 PUD12-0003	PUD	10	47	Dominique Dr. between Eastlake Circle & Basque Dr.	Ponderosa Homes II, Inc.
Ellis Phase 1	TSM11-0002	ESP	150	299	Ellis Town Dr.	The Surland Companies
Gateway Crossing Phase 2	D14-0011	I-205 SP/GC	10	210	Grant Line Rd. west of Lammers Rd.	SR95 Ventures, LLC.
Primrose/Kagehiro Phase III	TSM12-0001, PUD13-0001	LDR	47	252	SEC Corral Hollow Rd./Kagehiro Dr.	Lennar Homes
Tracy Harvest	D15-0007	PUD	20	304	Henley Pkwy., south of Grant Line Rd.	Lewis Management Corp.
Tracy Hills Phase 1A	TSM13-0005	THSP	402	1179	I-205 and Corral Hollow Rd.	John Palmer
Total			661.46	2,469		

APPROVED AND NOT YET UNDER CONSTRUCTION						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Berg Road Project	R14-0002 TSM14-0003	MDC	10	71	2774,2850, 12920 W. Byron Rd.	Fred Musser
Brookview West	D18-0007 TSM18-0001	LDR	5.6	23	4005 S. Tracy Blvd.	Britt Evans
Ellis Phase 2	TSM16-0003	ESP	105	356	Ellis Town Dr.	The Surland Companies
Grant Line Apartments	D15-0012 CUP15-0005 EXT18-0007	GHC	1.9	40	321 E. Grant Line Rd.	Robert Harris
Rocking Horse	GPA13-0006	PUD	55	226	Lammers Rd. north of Schulte Rd.	Concentric Development Grp.
Southgate High Density	D18-0029, TSM18-0004	PUD	3.43	42	2483 W. Schulte Road	Bright Development
Tracy Village	A/P13-0002	-	130	581	SEC Valpico Rd. & Corral Hollow Rd.	Ponderosa Homes
Trigo Duplexes and Triplexes	D13-0002	MDC	2.01	18	258 - 274 W. Clover Rd.	Larry LaComba
Valpico Apartments	D15-0024	HDR	11.27	252	North side of Valpico Rd. at Glenbriar Dr.	Somis Investments
Total			324.21	1,609		

UNDER CITY REVIEW (NOT YET APPROVED)						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Al Sims Fourplex	D17-0001	MDR	0.56	4	901 N. Tracy Boulevard	Shushen Hsiao
Avenues	TSM16-0004	ASP	95.8	453	South of Valpico, west of Corral Hollow	The Surland Companies
Byron Apartments	D19-0010	MDR	5	60	2260 W. Byron Road	Rashed Elham, Inc.
Collin Apartments	D18-0015	HDR	0.4	10	178 Collin Avenue	Abdul Chashmawala
East 8th Street Apartments	ZA17-0003 D16-0036 CUP16-0011	CBD	0.23	5	21, 25, & 29 E. 8th Street	Mark Watrous-Heyuger
Ellis Phase 3	TSM18-0005	ESP	73	309	4260 Lammers Road	The Surland Companies
Hintz Avenue - 4 Plex	D19-0007	HDR	0.16	4	501 Hintz Avenue	Daniel & Carolyn Schaefer
Rod-Singh Apartments	D18-0028 CUP18-0004	GHC	73.48	24	508 & 522 W. Grant Line Road	Soosan Rod Ramneek Singh
Tracy Hills Phase 1B	TSM18-0006	THSP	283	434	Tracy Hills Drive	John Palmer
Valpico Residential	D18-0019 PUD18-0002 TSM18-0003	HDR	11.27	90	501 E. Valpico Road	Somis Investments
Valpico Glenbriar Apartments	D19-0018	HDR	11.5	264	501 E. Valpico Road	Katerra
Total			554.4	1,657		

CITY OF TRACY RESIDENTIAL DEVELOPMENT PIPELINE REPORT

Status as of September 2018

APPROVED AND UNDER CONSTRUCTION						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Ventana/Tiburon	TSM13-0002	PUD	18.6	105	West side of MacArthur, south of Debord Dr.	TriPoint Homes
Southgate	3-99-TSM	PUD	18	71	SEC Schulte & Mabel Josephine	Bright Development
Primrose/Kagehiro Phase III	TSM12-0001	LDR	47	252	SEC Corral Hollow Rd. and Kagehiro Dr.	Corral Hollow Development, LLC
Brookview	3-04-TSM	PUD	10.01	80	Brookview / Perennial	Brookview Properties, LLC
Aspire II Apartments	D15-0003	I-205 SP/HDR	2.3	47	Auto Plaza Dr.	Tracy 300, LP
Barcelona Infill	TSM14-0002 PUD14-0002	PUD	10.15	51	NWC Barcelona Dr. & Tennis Lane	TVC Tracy Holdco LLC
Ellis Phase 1	TSM11-0002	ESP	150	299	Ellis Town Dr. ✓	Lennar Homes
Tracy Harvest	D15-0007	PUD	20	304	Henley Pkwy., south of Grant Line Rd.	Lewis Homes
Tracy Hills Phase 1A	TSM13-0005	THSP	402	1179	I-205 and Corral Hollow Rd.	Tracy Hills Project Owner, LLC
Gateway Crossing Phase 2	D14-0011	I-205 SP/GC	10	210	Grant Line Rd. west of Lammers Rd.	
Total			688.06	2,598		

APPROVED AND NOT YET UNDER CONSTRUCTION						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Elissagaray Infill	TSM12-0002 PUD12-0003	PUD	10	47	Dominique Dr. between Eastlake Circle & Basque Dr.	Ponderosa Homes III
Valpico Apartments	D15-0024	HDR	11.27	252	North side of Valpico Rd. at Glenbriar Dr.	Republic Tracy
Rocking Horse	GPA13-0006	PUD	55	226	Lammers Rd. north of Schulte Rd.	Bates Stringer Development
Berg Road Project	R14-0002 TSM14-0003	MDC	10	71	2774,2850, 12920 W. Byron Rd.	Mana Investments
Grant Line Apartments	D16-0012 CUP15-0005	GHC	1.9	40	321 E. Grant Line Rd.	Tong Investments
Tracy Village	A/P13-0002	-	130	581	SEC Valpico Rd. & Corral Hollow Rd.	Ponderosa Homes
Ellis Phase 2	TSM16-0003	ESP	105	356	Ellis Town Dr. ✓	The Surland Companies
Trigo Duplexes and Triplexes	D13-0002	MDC	2.01	18	258 - 274 W. Clover Rd.	Larry LaComba
Brookview West	D18-0007 TSM18-0001	LDR	5.6	22	4005 S. Tracy Blvd.	Brookview Properties LLC
Total			330.78	1,613		

UNDER CITY REVIEW (NOT YET APPROVED)						
Name	Application #	Zoning	Acres	# of Units	Location	Developer/Builder
Avenues	TSM16-0004	ASP	95.8	453	South of Valpico, west of Corral Hollow	Greystone Land Investment Partners
East 8th Street Apartments	ZA17-0003 D16-0036 CUP16-0011	CBD	0.23	5	21, 25, & 29 E. 8th Street	F. Adm Architect
Valpico Residential	D18-0019 PUD18-0002 TSM 18-0003	HDR	11.27	90	501 E. Valpico Road	Eric Taylor and Peter MacDonald
Rod-Singh Apartments	D18-0028 CUP18-0004	GHC	73.48	24	508 & 522 W. Grant Line Road	
Total			180.78	572		

CITY OF TRACY RESIDENTIAL DEVELOPMENT PIPELINE REPORT

Status as of January 2017

— Victoria Lombardo —

Approved and Under Construction						
Name	Application #	Zoning	Acres	# of Units	Location / Entrance	Developer
Ventana/Tiburon	TSM13-0002	PUD	18.6	105	west side of MacArthur, south of Debord Dr	TriPoint Homes
Muirfield VII, Phase 4	TSM13-0001	LDR	12	61	Starflower Dr. and Hummingbird	Standard Pacific
Trinity Lane/Feteira Subdivision	TSM13-0004	PUD	4.32	60	NEC Lammers Rd & Feteira Way	Valley Oak Partners, LLC
Aspire Apartments	PUD13-0005	I-205 Corridor SP HDR	10.8	301	2725 Pavilion Parkway	Tracy 300, LP
Southgate	3-99-TSM	PUD	18	71	SEC Schulte & Mabel Josephine	Bright Development
Primrose/Kagehiro Phase III	TSM12-0001	LDR	47	252	SEC Corral Hollow Rd and Kagehiro Dr	Corral Hollow Development, LLC
Gateway Crossing	D14-0011	I-205 Corridor Specific Plan/ GC	10	231	Grant Line Rd west of Lammers Rd	LDK Ventures, LLC
Total			102.12	976		

Approved and Not Yet Under Construction						
Name	Application #	Zoning	Acres	# of Units	Location / Entrance	Developer
Brookview	3-04-TSM	PUD	10.01	80	Brookview / Perennial	Brookview Properties, LLC
Seventh Street Commons	3-07-TSM	CBD	0.23	10	31 E. Seventh Street	Dale Cose
Sycamore Village conversion to condominiums	1-07-TSM	MDR	16.75	324	400 W. Central Avenue	Davidon Homes
Elissagaray Infill	TSM12-0002, PUD12-0003	PUD	10	47	Dominique Dr between Eastlake Circle & Basque Dr	TVC Tracy Holdco LLC
Trigo Duplexes and Triplexes	D13-0002	MDC	2.01	18	258 - 274 W. Clover Road	Manuel and Maria Trigo
Aspire II Apartments	D15-0003	I-205 SP/HDR	2.3	47	Auto Plaza Drive	Tracy 300, LP
Valpico Apartments	D15-0024	HDR	11.27	252	North side of Valpico Rd at Glenbriar Dr	Republic Tracy
Rocking Horse	GPA13-0006	PUD	55	200	Lammers Rd north of Schulte Rd	Bates Stringer Development
Tracy Hills	TSM13-0005	THSP	402	1179	I-205 and Corral Hollow Rd	Tracy Hills Project Owner, LLC
Barcelona Infill	TSM14-0002, PUD14-0002	PUD	10.15	51	NWC Barcelona Drive & Tennis Lane	TVC Tracy Holdco LLC
Berg Road Project	R14-0002/ TSM14-0003	MDC	10	71	2774,2850, 12920 W. Byron Road	Mana Investments
Grant Line Apartments	D16-0012 / CUP15-0005	GHC		40	321 E. Grant Line Road	
Gateway Crossing (next phase)	D14-0011	I-205 SP/GC	10	225	Grant Line Rd west of Lammers Rd	
Total			539.72	2544		

Under City Review (Not Yet Approved)						
Name	Application #	Zoning	Acres	# of Units	Location / Entrance	Developer
Tracy Harvest	D15-0007	PUD	20	300	Henley Pkwy, south of Grant Line Road	Lewis Homes
Homewood	A/P13-0002	-	130	581	SEC Valpico Rd & Corral Hollow Rd	Ponderosa Homes
Ellis Specific Plan Phase II	TSM16-0003	ESP	105	356	Ellis Drive and Middlefield Road	The Surland Companies
Avenues	TSM16-0004	ASP	95	453	South of Valpico, west of Corral Hollow	Greystone Land Investment
Total			1121.9	4991		



THE SURLAND COMPANIES

To: Andrew Malik, Leticia Ramirez
From: Les Serpa
Cc: Steve Herum, Chris Long, Sam Serpa
Date: 3/29/21
Re: Surland/Ellis RGA's – Staff Concern

During a recent call we asked if staff had any concerns over the Avenues and upcoming hearings, or any other concerns or issues with Surland or Ellis, and tell us so we can address them. Staff responded and stated that there was a concern.

STAFF:

"in our mind there is a way that over 400 RGA's could be requested in one year by Surland/Ellis, 225 RGA's from F.3 and 194 RGA's from F.4, we would then not know how that would effect Tracy Hills and others"

Surland explained that we had not viewed the GMO process in such a way; that is, that Ellis could acquire RGAs through multiple categories in the GMO. Instead Surland/Ellis had no intention, or plan to implement such a method that would conflict with the functionality of the GMO, and/or effect other categories adversely. Our explanation is consistent with past practices.

Surland also explained that follow up written correspondence would be forthcoming from Surland to assuage this staff concern.

Surland asked if staff had any other concerns or anything we should know about or wanted to discuss and staff said there were none.