

**MINUTES  
TRACY CITY PLANNING COMMISSION  
REGULAR MEETING  
NOVEMBER 15, 2023, 7:00 P.M.  
CITY OF TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

Chair Orcutt called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Orcutt led the pledge of allegiance.

**ROLL CALL**

Roll Call found Commissioner English, Commissioner Penning, Vice Chair Atwal, and Chair Orcutt present. Commissioner Boakye-Boateng absent. Also present: Alan Bell, Senior Planner; Kenny Lipich, Associate Planner; Al Gali, Associate Civil Engineer; Jeffrey Crosswhite, Assistant City Attorney; and Gina Peace, Executive Assistant.

**MINUTES**

Chair Orcutt introduced the Regular Meeting Minutes from the October 25, 2023 Planning Commission Regular Meeting.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner English to approve the October 25, 2023 Planning Commission Regular Meeting Minutes. A voice vote found Chair Orcutt, Vice Chair Atwal, Commissioner English, and Commissioner Penning in favor. Commissioner Boakye-Boateng absent. Passed and so ordered; 4-0-1-0.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

None.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. STAFF RECOMMENDS THAT THE PLANNING COMMISSION ADOPT A RESOLUTION: (1) APPROVING A DEVELOPMENT REVIEW PERMIT OF A NEW 7,562 SQUARE FOOT RESTAURANT WITH SITE IMPROVEMENTS AT 2770 NORTH NAGLEE ROAD; AND (2) DETERMINE THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15332. THE APPLICANT IS BJ'S RESTAURANT, INC. AND PROPERTY OWNER IS SPP OUTPARCEL SPE, LLC, APPLICATION NUMBER D23-0005.**

Kenny Lipich, Associate Planner, presented the staff report and addressed questions from the Commission.

Joan Leguay, representing BJ's Restaurant, Inc. addressed the Commission and said she was available to answer questions.

Chair Orcutt opened the Public Hearing at 7:17 p.m., but seeing as no one wished to speak, Chair Orcutt closed the Public Hearing.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner English that the Planning Commission adopt a resolution:

1. Approving a development review permit for development of a new 7,562 square foot restaurant with site improvements at 2770 North Naglee Road; and
2. Determining that this project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15332.

A roll call vote found Chair Orcutt, Vice Chair Atwal, Commissioner English, and Commissioner Penning in favor. Commissioner Boakye-Boateng absent. Passed and so ordered; 4-0-1-0.

**B. STAFF RECOMMENDS THAT THE PLANNING COMMISSION ADOPT A RESOLUTION: (1) APPROVING A DEVELOPMENT REVIEW PERMIT FOR CONSTRUCTION OF A NEW FREEWAY SIGN AT PARKWAY PLAZA, LOCATED AT THE SOUTHEAST CORNER OF INTERNATIONAL PARKWAY AND I-205; AND (2) DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15183 AND 15311. THE APPLICANT AND OWNER IS DREW MICKEL ON BEHALF OF R&B DELTA II LLC, APPLICATION NUMBER D21-0003.**

Kenny Lipich, Associate Planner, presented the staff report and addressed questions from the Commission.

Chair Orcutt opened the Public Hearing at 7:28 p.m. Commission discussion followed.

Seeing as no one came forward, Chair Orcutt closed the Public Hearing at 7:49 p.m.

Kenny Lipich, Associate Planner, addressed questions from the Commission.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner Penning that the Planning Commission adopt a resolution:

1. Approving a development review permit for construction of a new freeway sign at Parkway Plaza, located at the southeast corner of International Parkway and I-205; and

2. Determining that this project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15183 and 15311.

A roll call vote found Chair Orcutt, Vice Chair Atwal, Commissioner English, and Commissioner Penning in favor. Commissioner Boakye-Boateng absent. Passed and so ordered; 4-0-1-0.

## **2. ITEMS FROM THE AUDIENCE**

None.

## **3. DIRECTOR'S REPORT**

None.

## **4. ITEMS FROM THE COMMISSION**

Chair Orcutt mentioned that the League of California Cities was hosting the Planning Commissioners' Academy in Long Beach, California in March 2024 (Commissioner Penning advised the exact dates were 03.06.2024-03.08.2024), and Chair Orcutt requested possible attendance of the Commission to the Academy, especially the new Commissioners.

Commissioner English asked if the Housing Element (HE) deadline had been met, and the HE Update was submitted. Alan Bell, Senior Planner, advised that the HE would be able to be submitted after November 22, 2023.

Vice Chair Atwal inquired about how to follow up on the "action items" that were agreed upon at the joint City Council / Planning Commission meeting regarding the draft Housing Element. Vice Chair Atwal asked what the correct mechanism would be to bring the draft HE discussion before the Planning Commission. Alan Bell, Senior Planner, advised that Vice Chair Atwal could request that the Planning Commission agendaize a discussion regarding the draft HE at the next meeting, but the Commission could not discuss at this time, during Items from the Commission. No motion was brought forward.

Commissioner English asked when the Food Truck Ordinance would be on the Planning Commission's agenda, as Scott Claar had previously said it would be on tonight's agenda. Jeffrey Crosswhite, Assistant City Attorney, advised that the last update he recalls had the Food Truck Ordinance being presented to Planning Commission next month.


## **5. ADJOURNMENT**

**ACTION:** It was moved by Chair Orcutt and seconded by Vice Chair Atwal to adjourn.

A voice vote found Chair Orcutt, Vice Chair Atwal, Commissioner English, and Commissioner Penning in favor. Commissioner Boakye-Boateng absent. Passed and so ordered; 4-0-1-0.

Time: 8:03 p.m.

  
STAFF LIAISON

  
CHAIR