

**MINUTES  
TRACY CITY PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 10, 2024, 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; Kimberly Matlock, Associate Planner; Jeffrey Crosswhite, Assistant City Attorney; and Miranda Aguilar, Administrative Assistant.

**MINUTES**

Chair Orcutt introduced the Regular Meeting Minutes from the December 20, 2023 Planning Commission Regular Meeting.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner English to approve the December 20, 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**

Senior Planner, Alan Bell announced that the Item from the 12/20/23 Planning Commission Meeting (Cake House dispensary at 316 and 320 W. 11<sup>th</sup> Street) was withdrawn.

**ITEMS FROM THE AUDIENCE**

Mansoor Fazel, Tracy resident, would like to know what steps he can take to open a hookah business in the City of Tracy. He explained that he submitted an application, and it was denied.

Alan Bell, Senior Planner, offered to speak with Mansoor outside of the meeting regarding his business questions.

**1. NEW BUSINESS**

- A. STAFF RECOMMENDS THAT THE PLANNING COMMISSION ADOPT A RESOLUTION (1) FINDING GOOD CAUSE UNDER TMC SECTION 10.08.4360 FOR APPLICANT'S RENEWAL OF CONDITIONAL USE PERMIT; (2) APPROVING RENEWAL (EXT23-0006) OF CONDITIONAL USE PERMIT CUP22-0007 FOR A CANNABIS STOREFRONT RETAILER (DISPENSARY)**

**AT 22 E. TENTH STREET (ASSESSOR'S PARCEL NUMBER 235-170-20) TO MARCH 3, 2024; AND (3) DETERMINING THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THE APPLICANT IS INSIDE THE CULTURE TRIANGLE, INC. AND THE PROPERTY OWNER IS ALHUSAN LLC, APPLICATION NUMBER EXT23-0006.**

Kimberly Matlock, Associate Planner, presented the staff report and addressed questions from the Commission.

Chair Orcutt opened the Public Hearing at 7:10 p.m.

Devon Julian, representing Culture Triangle, addressed the Commission and stated they are present to answer any questions.

Seeing as no one else came forward Chair Orcutt closed the Public Hearing at 7:11 p.m.

Kimberly Matlock, Associate Planner, addressed questions from the Commission.

Jeffrey Crosswhite, Assistant City Attorney, addressed questions from the commission.

Alan Bell, Senior Planner, addressed questions from the Commission.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner English for City Staff to bring forth before the Planning Commission the policies pertaining to Conditional Use Permits as well as scenarios where the business permit is expiring and to explain the purview of the Planning Commission in these scenarios and how Planning Commission can approach that or similar scenarios that City Staff can find and share in front of Planning Commission.

A roll call vote found Vice Chair Atwal in favor. Chair Orcutt, Commissioner English, and Commissioner Penning against. Commissioner Boakye-Boateng absent. Motion denied; 1-3-1-0.

Chair Orcutt noted that the majority of the Commission voted no because this action was brought up to learn more about the policies but there are other avenues to gain this knowledge.

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

1. Finding good cause under TMC Section 10.08.4360 for Applicant Inside The Culture Triangle, Inc.'s renewal of Conditional Use Permit (CUP22-0007);

2. Approving a renewal (EXT23-0006) of Conditional Use Permit CUP22-0007 for a cannabis storefront retailer (Dispensary) at 22 E. Tenth Street, APN 235-170-20 to March 3, 2024; and
3. Determining that this project is categorically exempt from the California Environmental Quality Act.

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 inquired about a potential stop sign on Valpico Road and Lammers Road now that Ellis is open.

Commissioner English is requesting an update on the Food Truck Ordinance.

Vice Chair Atwal would like bullet points for discussion items so they are not forgotten once brought up.

Alan Bell, Senior Planner, advised confirmed there was an email unrelated to Planning Commission regarding the status of traffic control and signalization at the intersection of Valpico and Lammers Road. He also confirmed that the Food Truck Ordinance has been drafted and is currently under Staff review, earliest it could come to Planning Commission could be February but may be further out.

Chair Orcutt is requesting to note topics discussed so we can revisit them in future meetings if needed, for example the requests to attend the Planning Commissioners Academy and the APA Conference.

Alan Bell, Senior Planner, advised we have four Commissioners requesting to attend the Planning Commissioners Academy and three Commissioners requesting to attend the APA conference in September. We have identified funding that can cover most of the Commissioner's attendance to the Planning Commissioners Academy and are currently looking into assembling funding for the remainder of the funds needed.

Chair Orcutt would like topics noted as a memory jogger.

Jeffrey Crosswhite, Assistant City Attorney, brought Commissioner's attention to

December 20, 2023 Planning Commission Meeting Minutes and advised Commissioners that topics were noted and if this satisfies their request.

Commissioner English would like items from the Commission to be brought up during the Director's report at the following Planning Commission Meeting.

Commissioners agreed that items from the commission listed in the meeting Minutes would be sufficient.

Alan Bell, Senior Planner, thanked Commissioners for suggestions including updating the Commission during the Director's Report.

Commissioner Penning would also like any unanswered questions brought back to future meetings for updates.

**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: 7:40 p.m.

  
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STAFF LIAISON

  
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CHAIR