

Wednesday, August 28, 2024, 7:00 P.M.

A quorum of Planning Commission will be in attendance at
Tracy City Hall Chambers, 333 Civic Center Plaza, Tracy
Web Site: www.cityoftracy.org

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION PURSUANT TO GOVERNMENT CODE SECTION 54953(e).

MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHOD:

As always, the public may view the Planning Commission meetings live on the City of Tracy's website at CityofTracy.org or on Comcast Channel 26/AT&T U-verse Channel 99. To view from the City's website, open the "Government" menu at the top of the City's homepage and select "Planning Commission", then select "[Planning Commission Meeting Videos](#)" under the "Boards and Commissions" section.

If you only wish to watch the meeting and do not wish to address the Planning Commission, the City requests that you stream the meeting through the City's website or watch on Channel 26.

Remote Public Comment:

During the upcoming Planning Commission meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
 - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following
 - **Event Number: 2558 614 6934** and **Event Password:** Planning
 - ***If you would like to participate in the public comment anonymously***, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.
 - Join by phone by dialing +1-408-418-9388, 2558 614 6934, #75266464# Press *3 to raise the hand icon to speak on an item.

- *Protocols for commenting via WebEx:*
 - *If you wish to comment on the "New Business" or "Items from the Audience" portions of the agenda:*
 - *Listen for the Chair to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
 - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
 - *Comments for the "New Business" or "Items from the Audience" portions of the agenda will be accepted until the public comment for that item is closed.*

Comments received on Webex outside of the comment periods outlined above will not be included in the record.

Americans With Disabilities Act – The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Planning Commission meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

Addressing the Planning Commission on Items on the Agenda – The Brown Act provides that every regular Planning Commission meeting shall provide an opportunity for the public to address the Planning Commission on any item within its jurisdiction before or during the Planning Commission’s consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Planning Commission to conduct its business as efficiently as possible, members of the public wishing to address the Planning Commission are requested to, but not required to, hand a speaker card, which includes the speaker’s name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the Planning Commission begins its consideration of an item, no more speaker cards will be accepted. An individual’s failure to present a speaker card or state their name shall not preclude the individual from addressing the Planning Commission. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the “Items from the Audience/Public Comment” portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer’s discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Addressing the Planning Commission on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council’s Meeting Protocols and Rules of Procedure provide that in the interest of allowing Planning Commission to have adequate time to address the agenda items of business, “Items from the Audience/Public Comment” following the Consent Calendar will be limited to 15-minutes maximum period. “Items from the Audience/Public Comment” listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during “Items from the Audience/Public Comment”. For non-agendized items, Planning Commissioners may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Planning Commission. When members of the public address the Planning Commission, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

Notice – A 90-day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a Planning Commission action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the Planning Commission prior to or at the public hearing.

Full copies of the agenda are available on the City’s website: www.cityoftracy.org.

MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACTIONS, BY MOTION, OF PLANNING COMMISSION PURSUANT TO AB 2449, IF ANY

ROLL CALL

MINUTES – NONE

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Council Meeting Protocols and Rules of Procedure, adopted by Resolution No. 2019-240, a five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Planning Commissioners may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to the Planning Commission.*

1. NEW BUSINESS

- 1.A STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON ITS CONCLUSION, ADOPT A RESOLUTION: (1) APPROVING A DEVELOPMENT REVIEW PERMIT, APPLICATION NUMBER D24-0006, FOR THE INSTALLATION OF TWO MODULAR BUILDINGS AND RELATED SITE IMPROVEMENTS; (2) GRANTING A CONDITIONAL USE PERMIT, APPLICATION NUMBER CUP24-0002, TO EXPAND THE EXISTING SCHOOL, ON A 5.34-ACRE DEVELOPED SITE LOCATED AT 1635 CHESTER DRIVE, ASSESSORS PARCEL NUMBER 232-150-32; (3) DETERMINING THAT THE PROJECT MAY UTILIZE JOINT-USE PARKING FACILITIES TO SATISFY MINIMUM PARKING REQUIREMENTS, DUE TO THE SCHOOL BEING PRIMARILY A DAYTIME (WEEKDAY) USE AND THE CHURCH BEING PRIMARILY A NIGHTTIME AND/OR SUNDAY (WEEKEND) USE; AND (4) DETERMINING THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15314, PERTAINING TO MINOR ADDITIONS TO SCHOOLS.

THE APPLICANT IS ROD THOMPSON, AND THE PROPERTY OWNER IS ST. PAUL'S EVANGELICAL LUTHERAN CHURCH.

2. ITEMS FROM THE AUDIENCE
3. DIRECTOR'S REPORT
4. ITEMS FROM THE COMMISSION

5. ADJOURNMENT

Posted: August 22, 2024

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection via the City of Tracy website at www.cityoftracy.org.



PLANNING COMMISSION STAFF REPORT

Item No. 1.A

DATE	August 28, 2024
TITLE	Two Modular Buildings at St. Paul Lutheran Church
LOCATION	1635 Chester Drive (APN 232-150-32)
APPLICATION TYPE	Development Review Permit (D24-0006), and Conditional Use Permit (CUP24-0002)
CEQA STATUS	Categorically Exempt CEQA Guidelines Section 15314
PROJECT PLANNER	Martin E. Vargas (209) 831-6438 martin.e.vargas@cityoftracy.org

RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing, and upon its conclusion, adopt a Resolution:

- (1) approving a Development Review Permit, Application Number D24-0006, for the installation of two modular buildings and related site improvements;
- (2) granting a Conditional Use Permit, Application Number CUP24-0002, to expand the existing school, on a 5.34-acre developed site located at 1635 Chester Drive, Assessors Parcel Number 232-150-32;
- (3) determining that the project may utilize joint-use parking facilities to satisfy minimum parking requirements, due to the school being primarily a daytime (weekday) use and the church being primarily a nighttime and/or Sunday (weekend) use; and
- (4) determining that this project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15314, pertaining to minor additions to schools.

The applicant is Rod Thompson, and the property owner is St. Paul's Evangelical Lutheran Church.

PROJECT DESCRIPTION

Background

The project site consists of 5.34 acres located at 1635 Chester Drive, the southwest corner of W. Lowell Avenue and Chester Drive (Attachment A: Location Map). The project site is designated Residential Low in the General Plan and zoned Low-Density Residential (LDR) in the Tracy Municipal Code. The project site consists of multiple buildings that are utilized for

school and church related uses, including a sanctuary, classrooms, administration, and a multi-purpose building all of which are conditionally permitted in the LDR zone. A Conditional Use Permit was granted in 1963 to permit the existing school and church (Application Number 136). Subsequent approvals occurred over the years to add additional buildings to the site. The proposed project would be an expansion of previous approvals.

Proposed Project

The proposed project includes the installation of two refurbished modular buildings, each containing two classrooms, located on the southeast corner of the property. One modular building would be installed for the 2024-25 school year and the other modular building would be installed one to two years afterwards. Due to the phasing of the project, recommended approval is for 3 years, as allowed by Tracy Municipal Code Section 10.08.3980 and 10.08.4360.

The two modular buildings are located west of Chester Drive on a portion of the site that is currently lawn, adjacent to an existing classroom and the chapel. The modular buildings would be 12 feet in height, approximately 60 feet in length, and 24 feet in width. The exterior is comprised of wood siding that will be painted in a tan color with the roof trim, gutter, and downspout of the two buildings to be painted in a reddish-brown color to match the existing buildings on site. Additionally, the wall-mounted HVAC units will be painted in a tan color to match the adjacent walls and will be screened by landscaping. New concrete walkways will be constructed to connect existing sidewalk to the new modular ramps. The new modular ramps will also be painted to match the adjacent buildings. Enhanced lighting and two security cameras per building will be installed and located near the roof trim of the building and increase a sense of safety and visibility on site. The proposed elevations are included in Attachment B.

Parking and Circulation

There are currently a total of 128 parking spaces provided at the property. There are 79 parking spaces required for the church related use (based on 1 parking space per 60 square feet of assembly area) and 56 parking spaces required for the school use (based on 2 parking space per classroom) which in total is 135 parking spaces required. Church related use is considered a nighttime and/or Sunday (weekend) use whereas the school use is predominantly daytime (weekday) use. In accordance with Tracy Municipal Code Section 10.08.3460 (j), the Planning Commission may authorize joint use parking facilities which are utilized by a daytime (weekday) use such as a school, and a nighttime and/or Sunday (weekend) use such as a church. The joint use parking allows the required parking to be reduced from 135 parking spaces to 107 parking spaces with the addition of the two modular buildings. If the Planning Commission approves the joint use parking, as recommended by staff, the number of parking spaces provided meets the minimum parking requirements.

New landscape improvements are proposed on the north, east, and south side of the two modular buildings, using a variety of shrubs and ground cover. Tall cypress shrubs will be utilized to screen the wall-mounted HVAC units that are facing Chester Drive. Low-height shrubs will be planted at the base of the two buildings and will be complimentary to the existing landscaping along Chester Drive. Other proposed improvements include replacing three trees in existing landscape planters. In addition, seven trees will be planted throughout the open grass area that is adjacent to the multi-purpose building and located on the northwest portion of

the property. The proposed landscape improvements are provided on sheet DA3 of the Plan Set in Attachment B.

REQUIRED FINDINGS FOR APPROVAL OF DEVELOPMENT PERMIT

Development Review Permits must meet the requirements set forth in Tracy Municipal Code (TMC) Article 30, including a noticed public hearing. Pursuant to TMC Section 10.08.3960, before approving a Development Review Permit, the Planning Commission must review application materials and public comments submitted prior to or at the public hearing, and consider the following several site-specific factors set forth in TMC 10.08.3960:

- general site considerations including height, bulk, and size of buildings;
- physical and architectural relationship with the existing and proposed structures;
- site layout, orientation, and location of the buildings and relationships with open areas and topography;
- location and type of landscaping;
- appropriateness of exterior lighting; and
- appropriate City utilities, public infrastructure, circulation, and roadway access.

After the consideration of the entire record, under TMC 10.08.3960 the Planning Commission may approve the Development Review Permit if the facts on the record support the following findings:

- (a) That the proposal increases the quality of the project site, and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy; and
- (b) That the proposal conforms to the Zoning Regulations of Tracy Municipal Code Chapter 10.08, the general plan, any applicable specific plan, the Design Goals and Standards, any applicable Infrastructure Master Plans, and other City regulations.

Staff recommends that the Planning Commission make the requisite findings for the Development Review Permit based on the evidence in the record, including, without limitation, the following:

- (a) The proposal increases the quality of the project site and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy, because the proposed modular building additions will be constructed with complementary materials and colors to the existing St. Paul Lutheran Church. Additionally, landscaping for the new project area and replacing missing landscaping on the over-all project site provides visual interest and aids in maintaining the project site.
- (b) The proposal, as conditioned, conforms to the Tracy Municipal Code, the City of Tracy General Plan, the City Design Goals and Standards, applicable City Standards, California Building Codes, and California Fire Codes. The project has met all city requirements for both the land use and physical improvements that are proposed. The use is conditionally permitted in the Low-Density Residential (LDR) zone, landscaping is provided for screening, high quality materials are proposed and will be painted to be

complimentary to the existing improvements. The additional classrooms will be located in an existing lawn area on a fully developed site and there will be no change to the site's current circulation or parking area.

REQUIRED FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT

Conditional Use Permits (CUPs) must meet the requirements set forth in TMC Sections 10.08.4250-10.08.4330. Pursuant to TMC Section 10.08.4290, the Planning Commission will conduct a noticed public hearing, consider the application materials, and pertinent evidence and testimony in support of the findings required for approval provided in TMC Section 10.08.4310. Upon conclusion of the public hearing and consideration of the entire record, the Planning Commission may approve the CUP if the record supports all of the following findings:

- (a) That there are circumstances or conditions applicable to the land, structure, or use which make the granting of a use permit necessary for the preservation and enjoyment of substantial property right;
- (b) That the proposed location of the conditional use is in accordance with the objectives of this [Chapter 10.08 – Zoning Regulations] and the purposes of the zone in which the site is located;
- (c) That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to, or inharmonious with, properties or improvements in the vicinity; and
- (d) That the proposed use will comply with each of the applicable provisions of this (Chapter 10.08 – Zoning Regulations).

Staff recommends that the Planning Commission make the following requisite findings for the Conditional Use Permit based on the evidence in the record, including, without limitation, the following:

- (a) There are circumstances applicable to the use which make the granting of a use permit necessary for the preservation and enjoyment of substantial property right because the two modular building additions provide an additional four classrooms for the expansion of St. Paul Lutheran Church as well as landscape improvements to the overall site which will allow the school to grow and increase its existing service for the community and is permitted subject to the granting of a Conditional Use Permit as provided in Tracy Municipal Code, Chapter 10.08.2240 (b).
- (b) The proposed location of the use and the conditions under which it would be operated or maintained is in accordance with the objectives of Tracy Municipal Code Chapter 10.08, and the purposes of the zone in which the site is located because the moduls will be added to an existing school that is located on a busier road less suited for residential development and is adjacent to residential uses providing access to alternative education and building additions are consistent with the design and siting requirements and policies of the City of Tracy Design Goals and Standards, the General Plan designation of Residential Low, and the zoning designation of Low-Density Residential

(LDR), in which it is located.

- (c) The project will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use, or to the general welfare of the City because the two modular building additions and related site improvements, as designed and conditioned, will be harmonious with the properties and improvements in the vicinity and therefore will not have significant negative effects on property in the vicinity. The design of the two modular building additions and related site improvements are compatible with the surrounding area and all design aspects have been reviewed through the Development Review Permit D24-0006. The impact to the site is minimal as the site already developed with additional parking than required which allows this addition without any change to the on-site circulation and parking. Furthermore, the two modular building additions and related site improvements will meet the requirements of the California Environmental Quality Act, the California Building Code, and applicable provisions of the Tracy Municipal Code.
- (d) The project is consistent with the zoning and other elements of the Tracy Municipal Code, the City of Tracy General Plan, the Design Goals and Standards, City Standards, and the project has met all requirements of the LDR Zone.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15314, pertaining to minor additions to schools. No further environmental assessment is necessary.

SUMMARY

The requested Development Review Permit (D24-0006) and Conditional Use Permit (CUP24-0002) would allow for the installation of two modular buildings and related site improvements for St. Paul Lutheran Church on a 5.34-acre site located at 1635 Chester Drive. Landscape improvements are proposed in the project area to aid in screening as well as the replacement of missing trees on-site. Cameras and lighting will be added to enhance security, and additional pathways will be constructed to ensure ease of pedestrian circulation. If the Planning Commission approves the joint use parking, as recommended by staff, the number of parking spaces provided meets the minimum parking requirements. The project is categorically exempt from the California Environmental Quality Act Section 15314 pertaining to minor additions to schools, therefore no further environmental assessment is needed. The proposed project enhances the project site, provides additional resources for the community, and meets all City standards. Staff recommends approval of the project.

ATTACHMENTS

- A – Location Map
- B – Plan Set
- C – Planning Commission Resolution:
 - Exhibit 1 – Findings
 - Exhibit 2 – Conditions of Approval

ATTACHMENT A

W. Grant Line Road

W. Grant Line Road

Lincoln Boulevard

N. Tracy Boulevard

Merrill F. West High School

Monte Vista Middle School

W. Lowell Avenue

W. Lowell Avenue

**1635 Chester Drive
(APN 232-150-32)**

Chester Drive



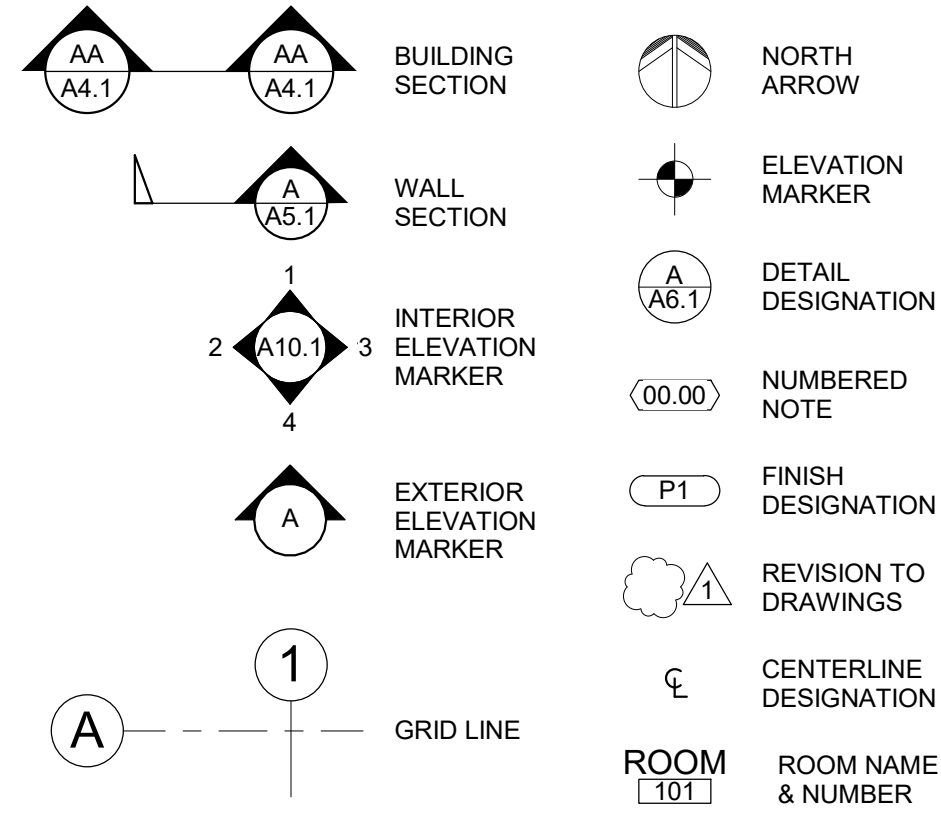


St. Paul's Lutheran Church Modular Classrooms

1635 Chester Drive
Tracy, CA 95376

APN: 232-15-032

SYMBOLS



@	AT	JB.	JAMB
A.F.F.	ABOVE FINISH FLOOR	JT.	JOINT
ABV.	ABOVE	LAV.	LAVATORY
ADJ.	ADJUSTABLE	LTWT.	LIGHT WEIGHT
ALT.	ALTERNATE	MAX.	MAXIMUM
ALUM.	ALUMINUM	MECH.	MECHANICAL
APPL.	APPLICABLE	MIN.	MINIMUM / MINUTE
APPROX.	APPROXIMATE	MTD.	MOUNTED
		MTL.	METAL
B.O.	BOTTOM OF	(N)	NEW
BD.	BOARD	N.I.C.	NOT IN CONTRACT
BLDG.	BUILDING	N.T.S.	NOT TO SCALE
BLK.	BLOCK	N/A	NOT APPLICABLE
BLKG.	BLOCKING	NO. / #	NUMBER
BLW.	BELOW	O.C.	ON CENTER
BTWN.	BETWEEN	OPP.	OPPOSITE HAND
		ov/	OVER
		OZ.	OUNCE
C.I.	CAST IRON	P.F.	PREFINISHED
C.I.P.	CAST-IN-PLACE	P.O.C.	POINT OF CONNECTION
C.J.	CONTROL JOINT	P.T.	PRESSURE TREATED
C.L.	CENTER LINE	PL.	PLATE
CBC	CALIFORNIA BUILDING CODE	PLAM.	PLASTIC LAMINATE
CLG.	CEILING	PROP.	PROPERTY
CLR.	CLEAR	PSI	POUNDS PER SQUARE INCH
CMU	CONCRETE MASONRY UNIT	PW	PLYWOOD
COL.	COLUMN	R.W.L.	RAIN WATER LEADER
COMP.	COMPACTED	RDWD.	REDWOOD
CONC.	CONCRETE	REF.	REFER TO
CONT.	CONTINUOUS	REINF.	REINFORCED
		REQD.	REQUIRED
		RM.	ROOM
D.F.	DOUGLAS FIR / DRINKING FOUNTAIN	S.C.	SOLID CORE
D.S.	DOWNSPOUT	S.D.	STORM DRAIN
DBL.	DOUBLE	S.F.	SQUARE FOOTAGE / STOREFRONT
DIA.	DIAMETER	S.M.	SHEET METAL
DN.	DOWN	S.M.S.	SHEET METAL SCREW
DWG.	DRAWING	S.P.	SINGLE PLY
		S.S.	SANITARY SEWER LINE / STANDING SEAM / STAINLESS STEEL
E.I.F.S.	EXTERIOR INSULATION & FINISH SYSTEM	SCH.	SCHEDULE
E.J.	EXPANSION JOINT	SDST	SELF-DRILLING SELF-TAPPING
E.W.	EACH WAY	SHT.	SHEET
EA.	EACH	SIM.	SIMILAR
ELEV.	ELEVATION	SPEC.	SPECIFICATION
EQ.	EQUAL	SQ.	SQUARE
EXIST. / (E)	EXISTING	STD.	STANDARD
EXP.	EXPANSION	STL.	STEEL
EXT.	EXTERIOR	SUSP.	SUSPENDED
		T & B	TOP & BOTTOM
F.D.	FLOOR DRAIN	T & G	TONGUE & GROOVE
F.E.	FIRE EXTINGUISHER	T.J.I.	TRUS JOIST I-JOIST
F.G.	FIBERGLASS / FINISH GRADE	T.O.	TOP OF
F.H.	FIRE HYDRANT	T.S.	TUBE STEEL
F.O.F.	FACE OF FINISH	TEMP	TEMPORARY
F.O.S.	FACE OF STUD	TYP.	TYPICAL
F.R.P.	FIBER REINFORCED POLYMER	U.O.N.	UNLESS OTHERWISE NOTED
F.S.	FIRE SPRINKLERS	V.B.	VAPOR BARRIER
FIN.	FINISH	V.I.F.	VERIFY IN FIELD
FLR.	FLOOR	V.T.R.	VENT THROUGH ROOF
FT.	FOOT / FEET	VERT.	VERTICAL
FTG.	FOOTING	W.C.	WATER CLOSET
		W.H.	WATER HEATER
G.B.	GRADE BREAK	W.I.	WROUGHT IRON
G.I.	GALVANIZED IRON	W.W.F.	WOVEN WIRE FABRIC
G.L.B.	GLUE LAMINATED BEAM	w/	WITH
GA.	GAUGE	w/o	WITHOUT
GALV.	GALVANIZED	WD.	WOOD
GD.	GRADE		
GYP. BD.	GYPSSUM BOARD		
H.M.	HOLLOW METAL		
HD.	HEAD		
HDR.	HEADER		
HDWR.	HARDWARE		
HORIZ.	HORIZONTAL		
HR.	HOUR		
HT.	HEIGHT		
I.D.	IDENTIFICATION		
I.S.A.	INTERNATIONAL SYMBOL OF ACCESSIBILITY		
INSUL.	INSULATION		
INT.	INTERIOR		

PROJECT CONTACTS

OWNER
ST. PAUL'S LUTHERAN CHURCH
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FAX: 209.835.1488
EMAIL: dan@schackandco.com
CONTACT: DAN SCHACK

PROJECT INFORMATION

PROJECT DESCRIPTION
INSTALLATION OF TWO REFURBISHED MODULAR CLASSROOMS w/ ACCOMPANYING FLATWORK AND LANDSCAPING.

PHASING
THE SOUTH MODULAR CLASSROOM IS PROPOSED TO BE INSTALLED DURING THE 2024-25 SCHOOL YEAR, WITH THE NORTH MODULAR CLASSROOM TO FOLLOW 1-2 YEARS AFTERWARD.
REFER TO SITE PLANS ON SHEETS DA.3 AND DA.4.

IMPACTS TO CITY
REASONS / BENEFITS: BELLA VISTA CHRISTIAN ACADEMY IS SERVING THE GROWING TRACY COMMUNITY WITH QUALITY PRIVATE SCHOOL EDUCATION. BELLA VISTA HAS BEEN ADDING A GRADE EACH YEAR FOR THE LAST THREE YEARS AND HOPES TO CONTINUE SERVING TRACY FAMILIES AND SURROUNDING COMMUNITIES. COSTS TO CITY, IF ANY, ARE MINIMAL.

SHEET INDEX

- DA1 TITLE SHEET
- DA2 CONTEXT PHOTOS
- DA3 SITE PLAN
- DA4 ENLARGED PLANS
- DR.1 GRADING & UTILITIES PLAN

LOCATION MAP



PROJECT LOCATION: ST. PAUL'S LUTHERAN CHURCH / BELLA VISTA CHRISTIAN ACADEMY

ADDRESS: 1635 CHESTER DRIVE
APN: 232-15-032
ZONING: LOW DENSITY RESIDENTIAL
LOT AREA: 5.34 ACRES

St. Paul's Lutheran
Modular Classroom
Development Application

1635 Chester Drive
Tracy, CA 95376

WMB Project No. 23-059

PUBLISH HISTORY:

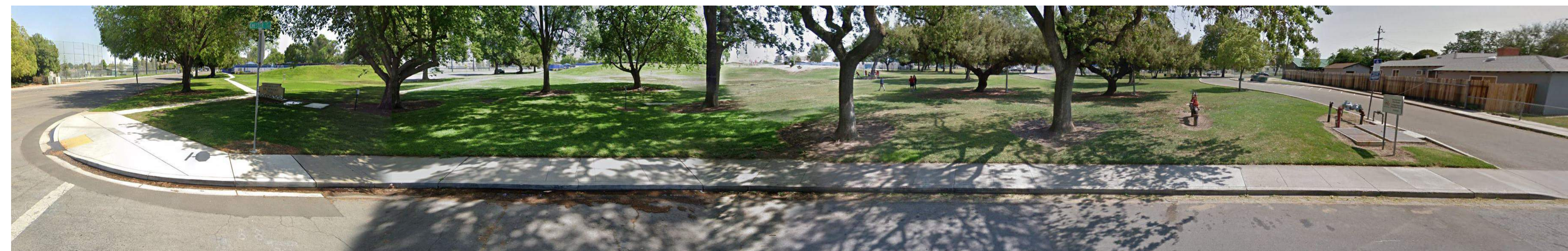
No.	DATE	PURPOSE
	03.01.24	Development Application
1	05.10.24	Review Responses
2	07.03.24	Review Responses 2

TITLE SHEET

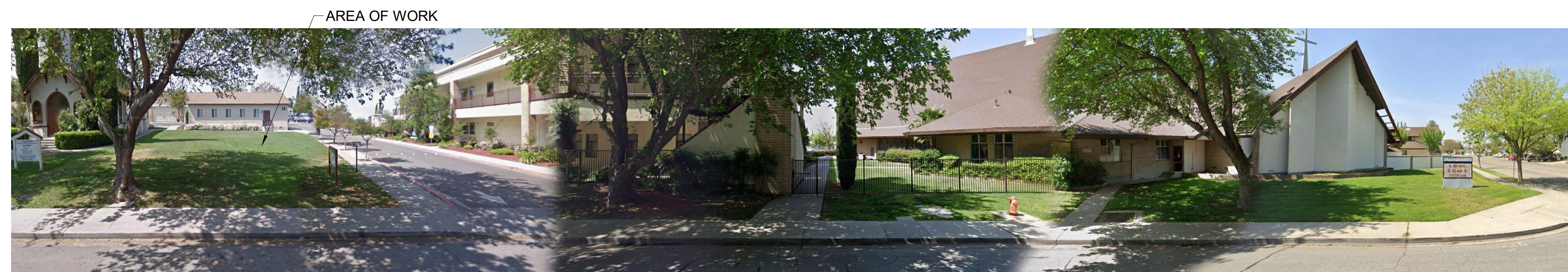
DA1

PUBLISH HISTORY:

No.	DATE	PURPOSE
	03.01.24	Development Application
1	05.10.24	Review Responses
2	07.03.24	Review Responses 2



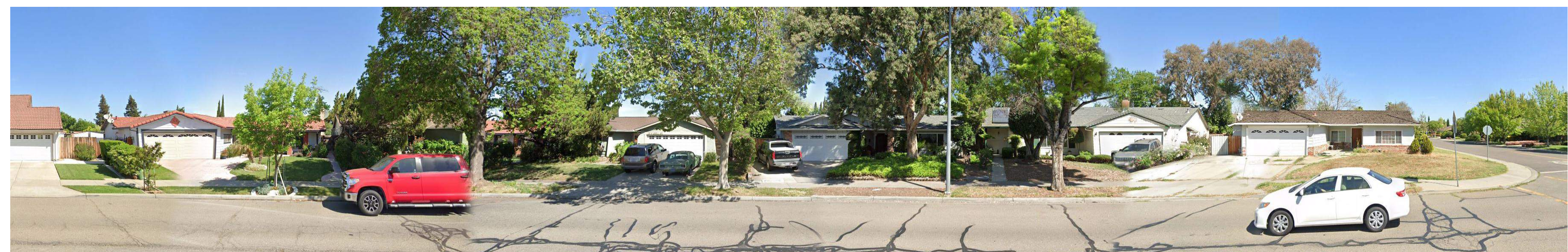
1 COMPOSITE VIEW FROM CHESTER DRIVE - FACING EAST



2 COMPOSITE VIEW FROM CHESTER DRIVE - FACING WEST



3 COMPOSITE VIEW FROM LOWELL AVENUE - FACING SOUTH



4 COMPOSITE VIEW FROM LOWELL AVENUE - FACING NORTH



(A) FACING EAST



(B) FACING SOUTH

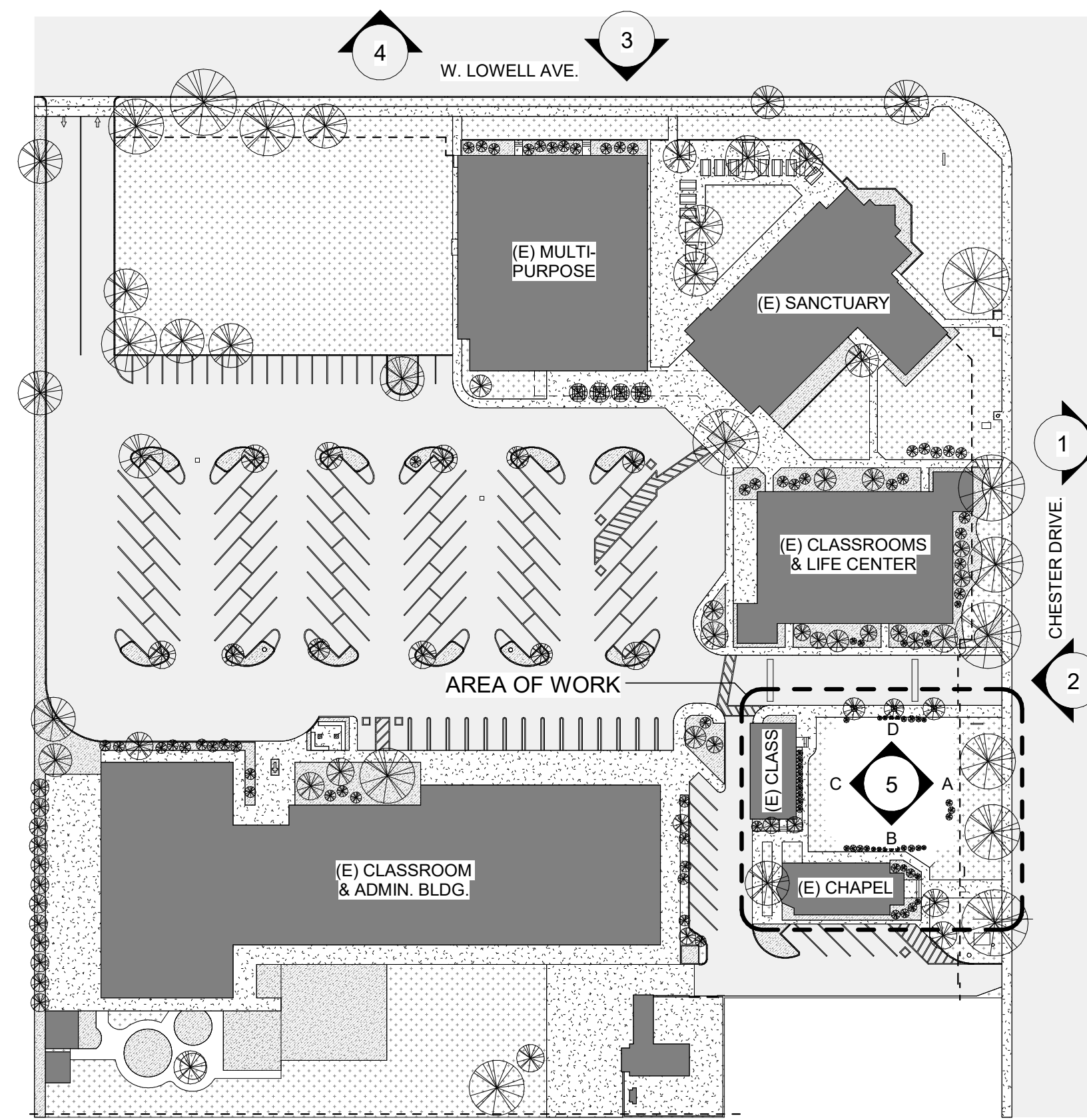


(C) FACING WEST



(D) FACING NORTH

5 CONTEXT PHOTOS @ AREA OF WORK



KEY PLAN



OVERALL SITE PLAN
1" = 30'-0"

KEYNOTES

- 01.01 ACCESSIBLE PEDESTRIAN ROUTE
- 01.02 PIPELINE EASEMENT IN FAVOR OF WEST SIDE IRRIGATION DISTRICT
- 01.03 PROPERTY LINE, TYP.
- 01.04 OUTDOOR PLAYGROUND AREA
- 01.05 OUTDOOR GATHERING / BBQ AREA
- 01.06 EXTERIOR STAIR STRUCTURE
- 02.01 EXISTING MONUMENT SIGN
- 02.02 EXISTING WROUGHT IRON FENCE
- 02.03 EXISTING MOTORIZED VEHICULAR GATE
- 02.04 EXISTING PEDESTRIAN GATE
- 02.05 EXISTING TRASH ENCLOSURE
- 02.07 EXISTING PICNIC TABLES AND BENCHES
- 02.08 EXISTING BBQ PIT
- 02.09 EXISTING FLAG POLES
- 02.10 EXISTING BUILT-IN BENCH
- 02.11 EXISTING CROSS PAVING INLAY
- 02.12 EXISTING PLAY EQUIPMENT AND ATHLETIC SURFACE (NOT VISIBLE FROM STREET)
- 02.13 EXISTING SHADE STRUCTURES (NOT VISIBLE FROM STREET)
- 26.01 EXISTING LIGHT POLE
- 26.02 EXISTING MAIN ELECT. SERVICE & METER
- 26.03 EXISTING OVERHEAD POWER LINES
- 32.01 STREET TREES TO REMAIN - TREE SPECIES ASSUMED TO BE FRUITLESS MULBERRY, CANOPY RANGING FROM 20' TO 30'
- 32.04 TREE TO BE REPLANTED - SPECIES TO MATCH EXISTING TREES
- 32.06 NEW STREET TREES ALONG LOWELL AVENUE, VOLUNTARILY PROVIDED IN ADDITION TO REQUIRED TREES - SPECIES TO MATCH EXISTING TREES
- 32.07 NEW TREES AT EXISTING PARKING AREAS, VOLUNTARILY PROVIDED IN ADDITION TO REQUIRED TREES - SPECIES TO MATCH EXISTING TREES
- 33.01 EXISTING CATCH BASIN
- 33.02 EXISTING FIRE HYDRANT
- 33.03 EXISTING WATER METER AND BACKFLOW
- 33.04 EXISTING FIRE WATER CONNECTION, SEWER CONNECTION, AND CLEAN-OUT

LEGEND

- CONCRETE FLATWORK
- ASPHALT PAVING
- GRASS
- PLANTING AREA
- ACCESSIBLE PEDESTRIAN ROUTE:**
MIN. WIDTH = 48"
MAX. SURFACE SLOPES:
CROSS SLOPE = 1:48" MAX.
SLOPE IN DIRECTION OF TRAVEL = 1:20 MAX.
RUNNING SLOPE ON RAMPS AND CURB RAMPS = 1:12 MAX.
NO VERTICAL OFFSETS IN EXCESS OF 1/4"
- PROPERTY LINE - NO PROPOSED LOT LINE ADJUSTMENTS**
- EXISTING FENCE LINE - REF. SITE PLAN**

GENERAL NOTES

1. LINEWORK IS BASED ON EXISTING TOPOGRAPHIC SURVEY PREPARED BY SCHACK & CO. BASIS FOR BEARING IS IN THE FOUND MONUMENTS ON LOWELL AVENUE.
2. SEE SHEET DR.1 FOR ADDITIONAL GRADING AND UTILITY INFORMATION

PARKING CALCULATION

BUILDING(S)	AREA	USE	UNIT	FACTOR / UNIT	CHURCH USE		SCHOOL USE	
					SPACES REQ'D	SPACES	SPACES REQ'D	SPACES
A	MULTI-PURPOSE	EDUCATION	4 CLASSES	2 SPACES / CLASS	8 SPACES			
		MULTI-PURPOSE	6,200 S.F.**	N/A	N/A			
B	SANCTUARY	ASSEMBLY	4,720 S.F.***	1 SPACE / 60 S.F.	79 SPACES			
		ADMIN.	1,020 S.F.	N/A	N/A			
C	CLASSROOMS + LIFE CENTER (ADULT EDUCATION)	LIFE CENTER	1 CLASS	2 SPACES / CLASS	2 SPACES			
		KITCHEN	360 S.F.	N/A	N/A			
		EDUCATION	5 CLASSES	2 SPACES / CLASS	10 SPACES			
D	CLASSROOMS / ADMIN. BUILDING	EDUCATION	12 CLASSES	2 SPACES / CLASS	24 SPACES			
		ADMIN.	4,620 S.F.	N/A	N/A			
E	MODULAR CLASSRMS / CHAPEL*	EDUCATION	6 CLASSES	2 SPACES / CLASS	12 SPACES			
TOTAL AREA			55,330 SF (50,530 SF FOOTPRINT)					
					TOTAL	79 SPACES REQ'D (CHURCH USE)	28 SPACES REQ'D (SCHOOL USE)	56 x 50% = 28 SPACES**
						79 SPACES (CHURCH USE) + 28 SPACES (SCHOOL USE) =	107 SPACES REQUIRED	128 SPACES PROVIDED

NOTE: NO ALTERATIONS TO PARKING ARE PROPOSED. EXISTING STALLS ARE ADEQUATE TO SATISFY PARKING REQUIREMENTS.

*BUILDINGS IN ROW 'E' INCLUDE THE EXISTING CHAPEL, EXISTING STANDALONE CLASSROOM, AND THE TWO NEW MODULAR CLASSROOMS. EXISTING CHAPEL IS CURRENTLY BEING USED AS A MUSIC EDUCATION CLASSROOM

**50% OF PARKING FACILITIES ARE ALLOWED FOR JOINT-USE PER TMC 10.08.3460 (J)

***SQUARE FOOTAGE IS CALCULATED AS NET ASSEMBLY AREA PER TMC 10.08.3460. THIS DOES NOT INCLUDE CIRCULATION, LOBBIES, RESTROOMS, OR UTILITY AREAS THAT SERVE THE ASSEMBLY SPACE.

LANDSCAPE CALCULATION

NUMBER OF REQUIRED AUTOMOBILE SPACES	PERCENT OF PARKING AREA REQUIRED IN LANDSCAPING
126 (OVER 60)	20%
PARKING AREA	LANDSCAPED AREA
61,800 S.F. (INCLUDING CIRCULATION)	67,800 S.F. (12,360 S.F. REQUIRED)

SITE COVERAGE TABULATION

OVERALL SITE AREA	232,610 S.F. (5.34 ACRES)
EXISTING BUILDING FOOTPRINT AREA	50,530 S.F.
LANDSCAPED AREA	67,800 S.F. (53,100 S.F. OPEN LAWN + 14,700 S.F. PLANTER BEDS)
PARKING AREA (INCLUDING PEDESTRIAN PATHWAYS AND VEHICULAR CIRCULATION)	61,800 S.F. (PLUS 7,600 S.F. DRIVEWAYS)
TREE CANOPY COVERAGE (WITHIN PARKING AREA - 12 EXISTING, 5 NEW TREES, 17 TOTAL)	2,975 S.F. (17 TREES @ AVERAGE 15' DIAMETER CANOPY)



WMB ARCHITECTS

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**St. Paul's Lutheran
Modular Classroom
Development Application**
1635 Chester Drive
Tracy, CA 95376

WMB Project No. 23-059

PUBLISH HISTORY:

No.	DATE	PURPOSE
03.01.24		Development Application
1	05.10.24	Review Responses
2	07.03.24	Review Responses 2

SITE PLAN

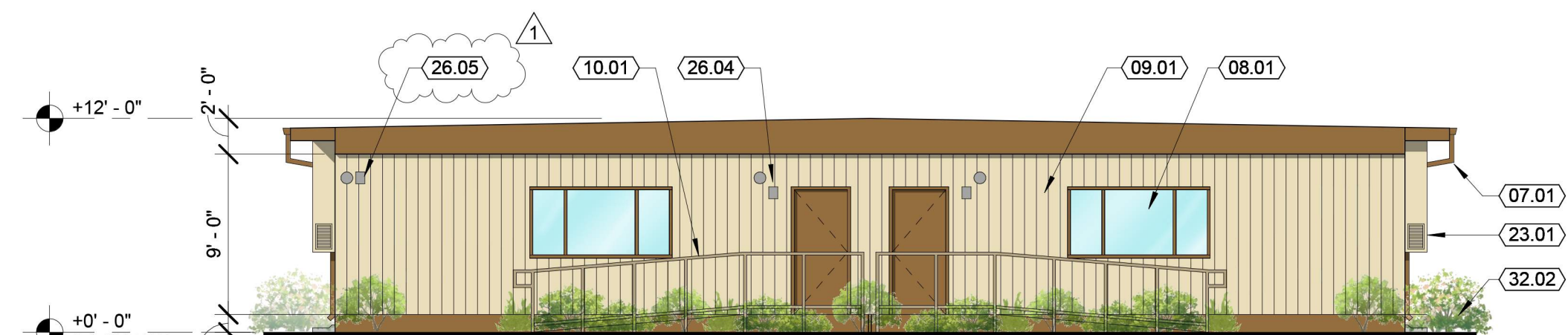
DA3

PUBLISH HISTORY:

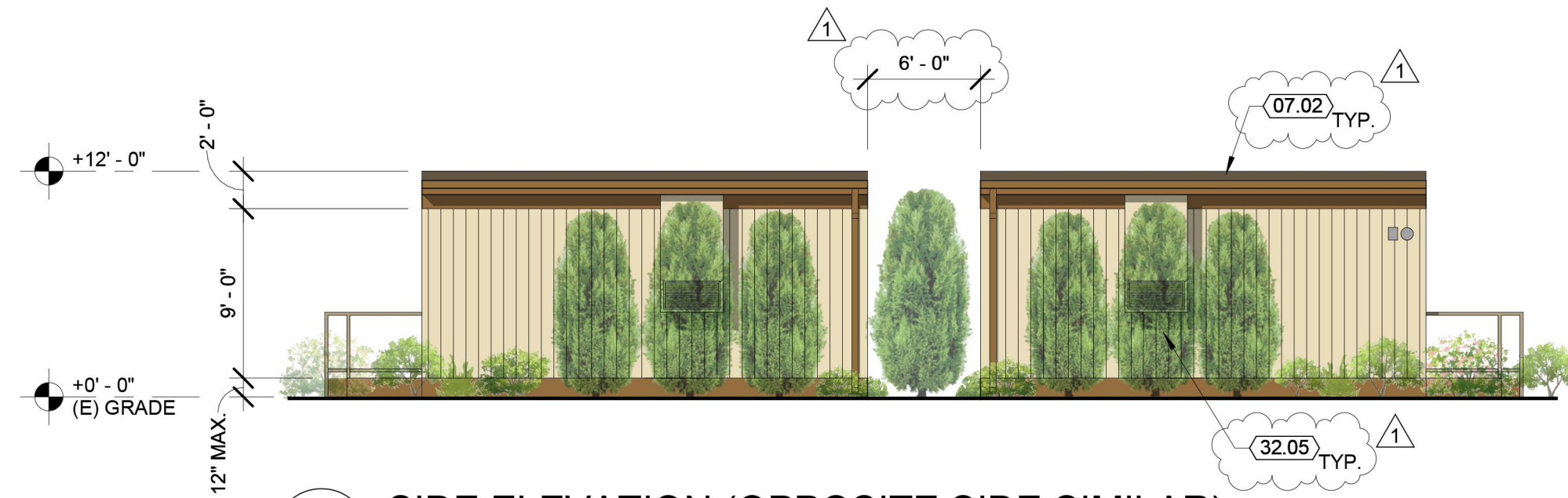
DATE	PURPOSE
03.01.24	Development Application
05.10.24	Review Responses
07.03.24	Review Responses 2

ENLARGED PLANS

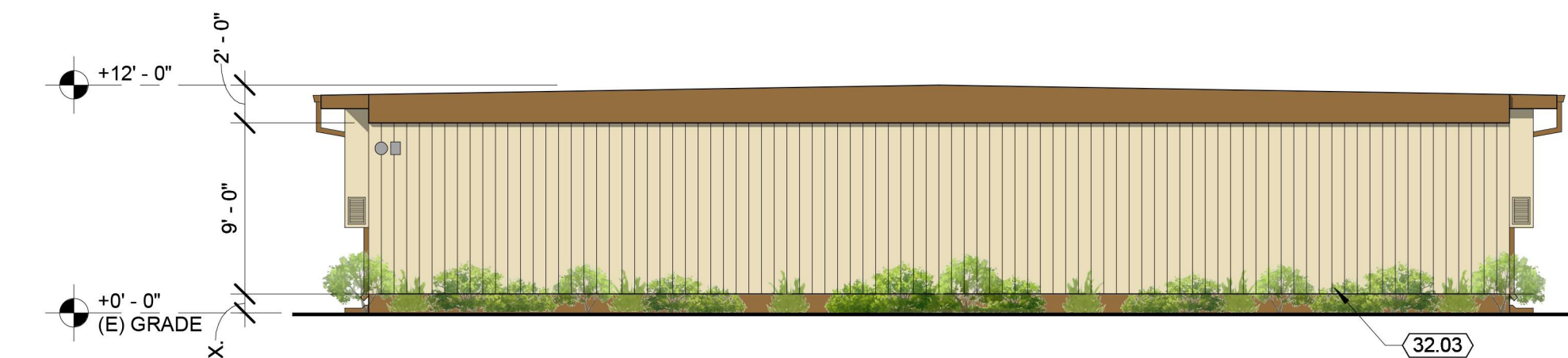
DA4



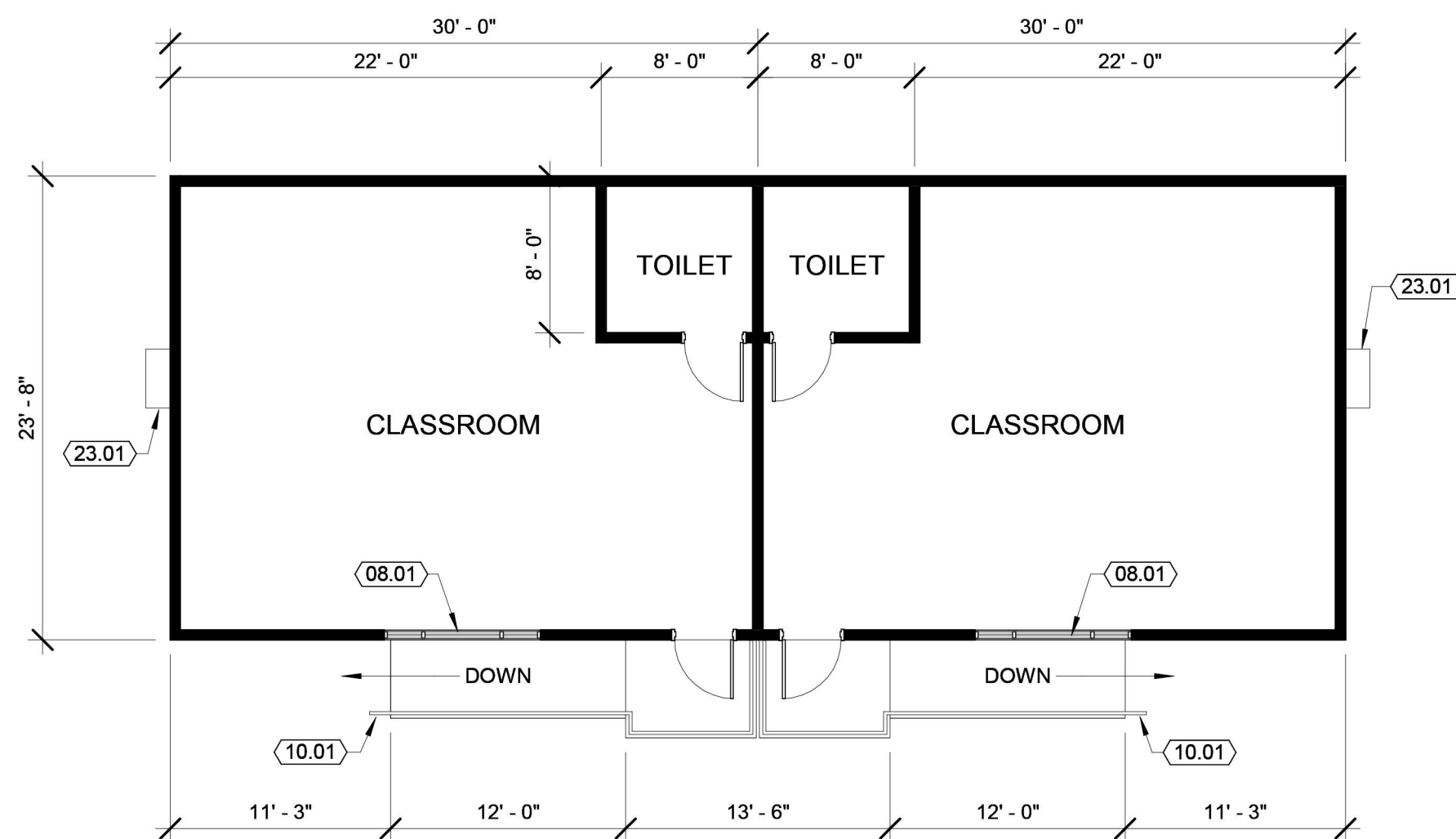
1 FRONT ELEVATION
1/8" = 1'-0"
KEYNOTES ON THIS ELEVATION ARE TYPICAL OF ALL ELEVATIONS UNLESS OTHERWISE NOTED



2 SIDE ELEVATION (OPPOSITE SIDE SIMILAR)
1/8" = 1'-0"

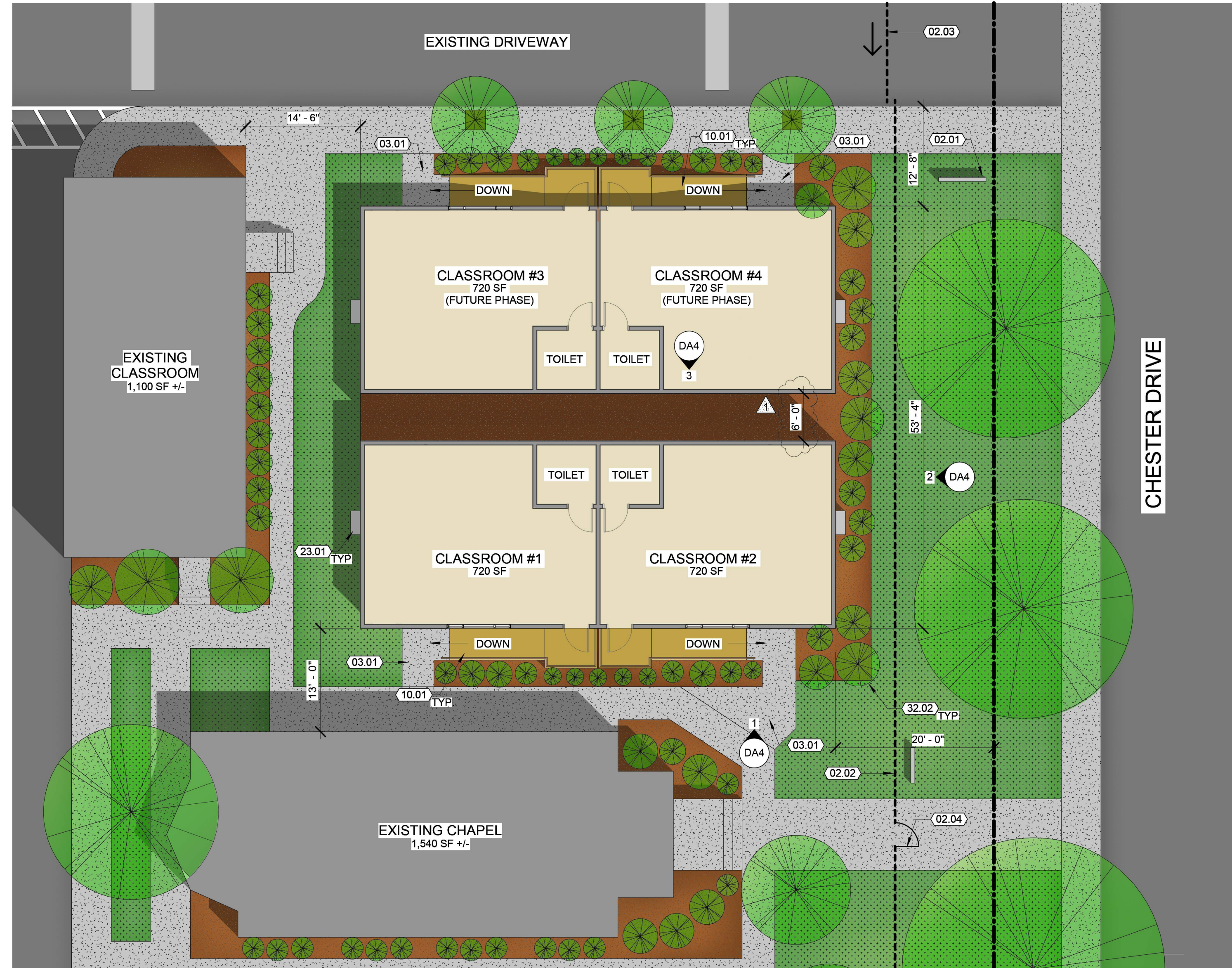


3 REAR ELEVATION
1/8" = 1'-0"



TYPICAL FLOOR PLAN

1/8" = 1'-0"



ENLARGED SITE PLAN

1" = 10'-0"

- 02.01 EXISTING MONUMENT SIGN
- 02.02 EXISTING WROUGHT IRON FENCE
- 02.03 EXISTING MOTORIZED VEHICULAR GATE
- 02.04 EXISTING PEDESTRIAN GATE
- 03.01 NEW CONCRETE WALKWAY TO CONNECT EXISTING FLATWORK TO NEW MODULAR RAMP
- 07.01 GUTTER AND DOWNSPOUT, PAINTED TO MATCH TRIM
- 07.02 EXISTING ROOFING - COLOR: BROWN
- 08.01 8' WIDE BY 4' TALL SLIDING WINDOW
- 09.01 WOOD SIDING AND TRIM, TO BE PAINTED TAN AND REDDISH BROWN COLOR TO MATCH EXISTING BUILDINGS ON CAMPUS
- 10.01 ACCESSIBLE RAMP AND HANDRAIL BY MODULAR BUILDING MFG.
- 23.01 WALL MOUNTED HVAC EQUIPMENT, PAINTED TO MATCH WALL COLOR
- 26.04 WALL MOUNTED LIGHT FIXTURE AND FIRE ALARM HORN, APPROX. 6" WIDE
- 26.05 NEW SECURITY CAMERA AND FLOOD LIGHT, TYPICAL ON (4) SIDES OF MODULAR CLASSROOM AREA OF WORK
- 32.02 LOW-HEIGHT SHRUBS AT BASE OF CLASSROOM, SEE LANDSCAPING NOTE
- 32.03 SHRUBS TO BE PLANTED AT REAR OF BUILDING DURING FIRST PHASE, TO BE REMOVED / RELOCATED UPON INSTALLATION OF FUTURE MODULAR
- 32.05 TALL-HEIGHT SHRUBS TO SCREEN HVAC EQUIPMENT - CYPRESS OR SIMILAR, TO MATCH EXISTING SPECIES ON CAMPUS

GRADING AND TOPOGRAPHY NOTES

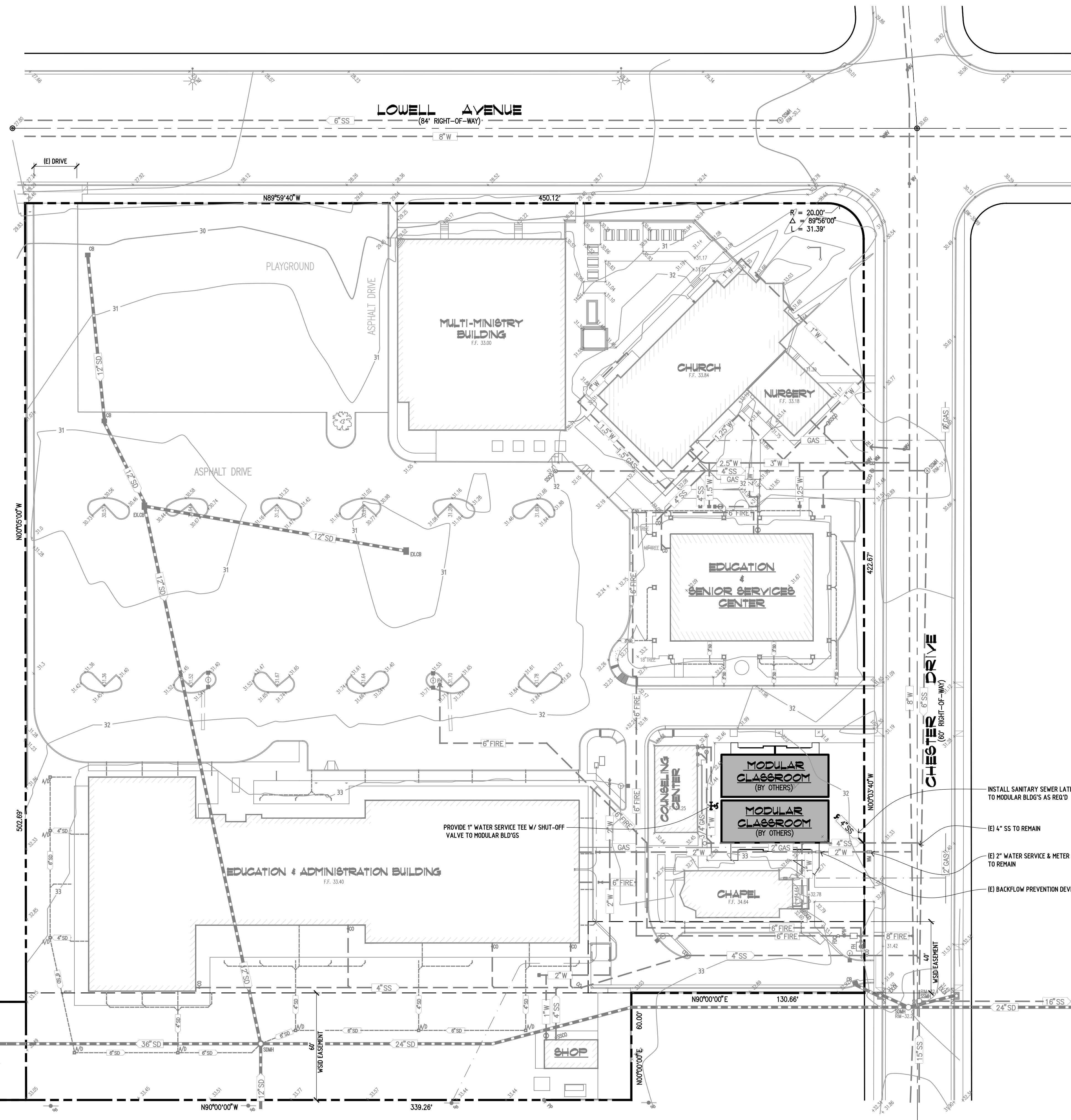
1. THE PROJECT IS LOCATED ON AN EXISTING LAWN ON A PREVIOUSLY DEVELOPED SITE. THE PROJECT AREA IS BOUND BY EXISTING FLATWORK.
2. THE FINISHED FLOOR OF THE NEW MODULAR CLASSROOMS IS EXPECTED TO BE +0'-9" ABOVE EXISTING GRADE, APPROXIMATELY +32.98 (TO BE VERIFIED IN FIELD BY CONTRACTOR).
3. REFER TO GRADING AND UTILITY PLAN BY SCHACK AND CO. FOR ADDITIONAL INFORMATION.

LEGEND

- CONCRETE FLATWORK
- ASPHALT PAVING
- GRASS
- PLANTING AREA
- PROPERTY LINE - NO PROPOSED LOT LINE ADJUSTMENTS
- EXISTING FENCE LINE - REF. SITE PLAN

LANDSCAPE NOTES

1. LOW-HEIGHT SHRUBS SHALL BE PLANTED AROUND MODULAR BUILDING BASE AND TO MATCH EXISTING LANDSCAPING ALONG CHESTER DRIVE, REFER TO IMAGE ON SHEET DA2. VARIETIES (OR SIMILAR):
 A. RHAPHIOLEPIS I. CLARA (COMMON NAME: CLARA INDIAN HAWTHORN) MATURE HEIGHT: 4 FEET, SPREAD: 3 FEET, GROWTH RATE: MODERATE, 5 GALLON CONTAINER
 B. RHAPHIOLEPIS U. MINOR (COMMON NAME: DWARF YEDDO HAWTHORN) MATURE HEIGHT: 4 FEET, SPREAD: 3 FEET, GROWTH RATE: MODERATE, 5 GALLON CONTAINER
 C. TRIMEZIA NORTIANA (COMMON NAME: WALKING IRIS) MATURE HEIGHT: 2 FEET, SPREAD: 2 FEET, GROWTH RATE: MODERATE, 1 GALLON CONTAINER
2. GROUND IN PLANTER BEDS TO BE COVERED WITH RED TAN BARK TO MATCH EXISTING, U.O.N.



SYMBOL LEGEND		
NEW	EXIST	SYMBOL DESCRIPTION
		STORM DRAIN W/ LINE SIZE (8\"/>
		STORM DRAIN CATCH BASIN
		STORM DRAIN DROP INLET
		STORM DRAIN MANHOLE
		STORM DRAIN W/ LINE SIZE (SMALLER THAN 8\"/>
		STORM DRAIN CLEAN-OUT
		STORM DRAIN OVERFLOW
		SANITARY SEWER W/ LINE SIZE
		SANITARY SEWER MANHOLE
		SANITARY SEWER CLEAN-OUT
		SANITARY SEWER WYE/SWEEP TO SEWER MAIN
		WATER W/ LINE SIZE
		WATER VALVE
		WATER METER
		FIRE SERVICE W/ LINE SIZE
		FIRE HYDRANT
		FIRE DEPARTMENT CONNECTION
		FIRE SERVICE BACKFLOW PREVENTION DEVICE
		FIRE SERVICE SINGLE CHECK VALVE
		JOINT TRENCH UNDERGROUND UTILITIES
		JOINT OVERHEAD UTILITIES
		ELECTRIC UNDERGROUND LINES
		ELECTRIC OVERHEAD LINES
		TELEPHONE UNDERGROUND LINES
		TELEPHONE OVERHEAD LINES
		CABLE TELEVISION UNDERGROUND LINES
		CABLE TELEVISION OVERHEAD LINES
		GAS LINES
		POWER POLE, TELEPHONE POLE OR JOINT POLE
		STREET LIGHTS (PUBLIC)
		SITE LIGHTS (PRIVATE)
		GRADE SLOPE DIRECTION

GENERAL NOTES

- 1. SEE ARCHITECTURAL PLANS FOR ELECTRIC &/OR GAS METER LOCATIONS

REVISIONS	
DATE	SYMBOL

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DRAWING RELEASE	
DESCRIPTION	DATE
PRELIMINARY REVIEW	02/09/24
INITIAL PLAN REVIEW	03/01/24
ADDITIONAL PLAN REVIEW	05/17/24
PERMIT ISSUANCE READY	
FINAL CONSTRUCTION	

DEVELOPMENT REVIEW
ST Paul's Lutheran
Modular Classroom
1638 CHESTER DRIVE
TRACY, CALIFORNIA 95376

Schack & Company, Inc.
Professional Design Group
1021 Central Avenue, Tracy, California 95376
Tel: (209) 835-2174 Fax: (209) 835-1488
www.schackandco.com
arc@schackandco.com

DATE:	05/10/24
DRAWN BY:	SFS/MQN
CHECKED BY:	SFS
JOB NO:	24.001
DR.1	
OF 1 SHEETS	

DEVELOPMENT REVIEW
GRADING & UTILITIES PLAN
SCALE: 1"=30'



LINCOLN BLVD.
(64' RIGHT-OF-WAY)

CHESTER DRIVE
(60' RIGHT-OF-WAY)

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY PLANNING COMMISSION

RESOLUTION 2024-_____

-
- 1. APPROVING A DEVELOPMENT REVIEW PERMIT (D24-0006) FOR THE INSTALLATION OF TWO MODULAR BUILDINGS AND RELATED SITE IMPROVEMENTS ON A 5.34-ACRE DEVELOPED SITE LOCATED AT 1635 CHESTER DRIVE, ASSESSORS PARCEL NUMBER 232-150-32;**
 - 2. GRANTING A CONDITIONAL USE PERMIT (CUP24-0002) TO ALLOW THE ADDITION OF FOUR CLASSROOMS FOR EDUCATIONAL PURPOSES AT AN EXISTING SCHOOL AT 1635 CHESTER DRIVE, ASSESSORS PARCEL NUMBER 232-150-32;**
 - 3. DETERMINING THAT THE PROJECT MAY UTILIZE JOINT USE PARKING FACILITIES TO SATISFY MINIMUM PARKING REQUIREMENTS, DUE TO THE SCHOOL BEING PRIMARILY A DAYTIME (WEEKDAY) USE AND THE CHURCH BEING PRIMARILY A NIGHTTIME AND/OR SUNDAY (WEEKEND) USE, IN ACCORDANCE WITH TRACY MUNICIPAL CODE SECTION 10.08.3460 (J); AND**
 - 4. DETERMINING THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), PURSUANT TO CEQA GUIDELINES SECTION 15314, PERTAINING TO MINOR ADDITIONS TO SCHOOLS.**

WHEREAS, the applicant submitted a Development Review Permit (D24-0006) and a Conditional Use Permit (CUP24-0002) to install two modular buildings for the addition of four classrooms and related site improvements on March 6, 2024; and

WHEREAS, the subject site is designated Residential Low in the Tracy General Plan and is zoned Low-Density Residential (LDR) in the Tracy Municipal Code (TMC) where schools are conditionally permitted; and

WHEREAS, in accordance with Tracy Municipal Code Section 10.08.3460 (j), the Planning Commission may authorize joint use parking facilities which are utilized by a daytime (weekday) use such as a school and a nighttime and/or Sunday (weekend) use such as a church; and

WHEREAS, the Planning Commission may approve a Development Review Permit on the basis of the application and evidence submitted, subject to making all of the requisite findings set forth in TMC 10.08.3920; and

WHEREAS, the Planning Commission may grant a Conditional Use Permit, on the basis of the application and evidence submitted, subject to making all of the requisite findings set forth in TMC Section 10.08.4250; and

WHEREAS, the Statement of Findings attached hereto as Exhibit 1 articulates the requisite findings and the evidentiary support for those findings; and

WHEREAS, the proposed project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15314, which pertains to minor additions to schools because the project involves the installation of two modular buildings and related site improvements for educational purposes to an existing school. No further environmental assessment is necessary; and

WHEREAS, the Planning Commission conducted a public hearing to review and consider the applications on August 28, 2024; now, therefore, be it

RESOLVED: That the Planning Commission of the City of Tracy hereby determines, based on the evidence in the record and its own independent judgement, that the proposed project is categorically exempt from the California Environmental Quality Act pursuant to Guidelines Section 15314 (Minor Additions to Schools) as the project involves the installation of two modular buildings and related site improvements for educational purposes to an existing school; and be it

FURTHER RESOLVED: That the Planning Commission, hereby determines that the project may utilize joint use parking facilities to satisfy minimum parking requirements, due to the school being primarily a daytime (weekday) use and the church being primarily a nighttime and/or Sunday (weekend) use, in accordance with Tracy Municipal Code Section 10.08.3460 (j); and be it

FURTHER RESOLVED: That the Planning Commission hereby adopts the findings set forth in Exhibit 1, supporting the approval of a Development Review Permit to install two modular buildings and related site improvements at an existing school at 1635 Chester Drive, Assessors Parcel Number 232-150-32; and be it

FURTHER RESOLVED: That the Planning Commission, hereby approves Development Review Permit (D24-0006) for the installation of two modular buildings and related site improvements for educational purposes to an existing school at 1635 Chester Drive, Assessors Parcel Number 232-150-32, subject to the Conditions of Approval contained in Exhibit 2; and be it

FURTHER RESOLVED: That the Planning Commission hereby adopts the findings set forth in Exhibit 1, supporting the granting of a Conditional Use Permit to allow the addition of four classrooms at an existing school at 1635 Chester Drive, Assessors Parcel Number 232-150-32; and be it

FURTHER RESOLVED: That the Planning Commission hereby grants a Conditional Use Permit (CUP24-0002) to allow the addition of four classrooms for educational purposes at an existing church/school at 1635 Chester Drive based on the findings set forth in Exhibit 1, Assessors Parcel Number 232-150-32; and be it

FURTHER RESOLVED: That the Development Review Permit (D24-0006) and Conditional Use Permit (CUP24-0002) shall be valid for a 3-year term, within which time a building permit must be issued and the use established, or a request to renew both permits must be submitted prior to the expiration date.

The foregoing Resolution 2024-_____ was adopted by the Planning Commission on August 28, 2024, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTENTION:	COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON

**CITY OF TRACY
DEVELOPMENT REVIEW PERMIT FINDINGS
APPLICATION NUMBER D24-0006**

Development Review Permits must meet the requirements set forth in Tracy Municipal Code (TMC) Article 30, including a noticed public hearing. Pursuant to TMC Section 10.08.3960, before approving a Development Review Permit, the Planning Commission must review application materials and public comments submitted prior to or at the public hearing, and consider the following several site-specific factors set forth in TMC 10.08.3960:

- general site considerations including height, bulk, and size of buildings;
- physical and architectural relationship with the existing and proposed structures;
- site layout, orientation, and location of the buildings and relationships with open areas and topography;
- location and type of landscaping;
- appropriateness of exterior lighting; and
- appropriate City utilities, public infrastructure, circulation, and roadway access.

After the consideration of the entire record, under TMC 10.08.3960 the Planning Commission may approve the Development Review Permit if the facts on the record support the following findings:

- (a) That the proposal increases the quality of the project site, and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy; and
- (b) That the proposal conforms to the Zoning Regulations of Tracy Municipal Code Chapter 10.08, the general plan, any applicable specific plan, the Design Goals and Standards, any applicable Infrastructure Master Plans, and other City regulations.

Therefore, the Planning Commission conducted a noticed public hearing on August 28, 2024, and upon its conclusion, makes the requisite findings for the Development Review Permit based on consideration of the entire record of evidence, including, without limitation, the following:

- (a) The proposal increases the quality of the project site and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy, because the proposed modular building additions will be constructed with complementary materials and colors to the existing St. Paul Lutheran Church. Additionally, landscaping for the new project area and replacing missing landscaping on the over-all project site provides visual interest and aids in maintaining the project site.
- (b) The proposal, as conditioned, conforms to the Tracy Municipal Code, the City of Tracy General Plan, the City Design Goals and Standards, applicable City Standards, California Building Codes, and California Fire Codes. The project has met all city requirements for both the land use and physical improvements that are proposed. The use is conditionally permitted in the Low-Density Residential (LDR) zone, landscaping is provided for screening, high quality materials are proposed and will be painted to be complimentary to the existing improvements. The additional classrooms will be located in an existing lawn area on a fully developed site and there will be no change to the site's current circulation or parking area.

**CITY OF TRACY
CONDITIONAL USE PERMIT FINDINGS
APPLICATION NUMBER CUP24-0002**

Conditional Use Permits (CUPs) must meet the requirements set forth in TMC Sections 10.08.4250-10.08.4330. Pursuant to TMC Section 10.08.4290, the Planning Commission will conduct a noticed public hearing, consider the application materials, and pertinent evidence and testimony in support of the findings required for approval provided in TMC Section 10.08.4310. Upon conclusion of the public hearing and consideration of the entire record, the Planning Commission may approve the CUP if the record supports all of the following findings:

- (a) That there are circumstances or conditions applicable to the land, structure, or use which make the granting of a use permit necessary for the preservation and enjoyment of substantial property right;
- (b) That the proposed location of the conditional use is in accordance with the objectives of this [Chapter 10.08 – Zoning Regulations] and the purposes of the zone in which the site is located;
- (c) That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to, or inharmonious with, properties or improvements in the vicinity; and
- (d) That the proposed use will comply with each of the applicable provisions of this [Chapter 10.08 – Zoning Regulations].

Therefore, the Planning Commission conducted a noticed public hearing on August 28, 2024, and upon its conclusion, makes the requisite findings for the Conditional Use Permit based on consideration of the entire record of evidence, including, without limitation, the following:

- (a) There are circumstances applicable to the use which make the granting of a use permit necessary for the preservation and enjoyment of substantial property right because the two modular building additions provide an additional four classrooms for the expansion of St. Paul Lutheran Church as well as landscape improvements to the overall site which will allow the school to grow and increase its existing service for the community and is permitted subject to the granting of a Conditional Use Permit as provided in Tracy Municipal Code, Chapter 10.08.2240 (b).
- (b) The proposed location of the use and the conditions under which it would be operated or maintained is in accordance with the objectives of Tracy Municipal Code Chapter 10.08, and the purposes of the zone in which the site is located because the modulars will be added to an existing school that is located on a busier road less suited for residential and is adjacent to residential uses providing access to alternative education and building additions are consistent with the design and siting requirements and policies of the City of Tracy Design Goals and Standards, the General Plan designation of Residential Low, and the zoning designation of Low-Density Residential (LDR), in which it is located.
- (c) The project will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in

the vicinity of the proposed use, or to the general welfare of the City because the two modular building additions and related site improvements, as designed and conditioned, will be harmonious with the properties and improvements in the vicinity and therefore will not have significant negative effects on property in the vicinity. The design of the two modular building additions and related site improvements are compatible with the surrounding area and all design aspects have been reviewed through the Development Review Permit D24-0006. The impact to the site is minimal as the site already developed with additional parking than required which allows this addition without any change to the on-site circulation and parking. Furthermore, the two modular building additions and related site improvements will meet the requirements of the California Environmental Quality Act, the California Building Code, and applicable provisions of the Tracy Municipal Code.

- (d) The project is consistent with the zoning and other elements of the Tracy Municipal Code, the City of Tracy General Plan, the Design Goals and Standards, City Standards, and the project has met all requirements of the LDR Zone.

**CITY OF TRACY
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
CONDITIONS OF APPROVAL**

Two Modular Buildings at St. Paul Lutheran Church
Development Review Permit, Application Number D24-0006
Conditional Use Permit, Application Number CUP24-0002
August 28, 2024

A. General Provisions and Definitions.

A.1. General. These Conditions of Approval apply to:

The Project: A Development Review Permit and Conditional Use Permit for the installation of two modular buildings and related site improvements on a 5.34-acre developed site located at 1635 Chester Drive, Assessor's Parcel Number 232-150-32.

The Property: The real property located at 1635 Chester Drive (APN 232-150-32).

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer".
- b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Community and Economic Development Director, or the City Engineer to perform the duties set forth herein.
- c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, the Cordes Ranch Specific Plan, and the City's Design Documents (including the Standard Plans, Standard Specifications, and relevant Public Facility Master Plans).
- d. "Community and Economic Development Director" means the Community and Economic Development Director of the City of Tracy Community and Economic Development Department, or any other person designated by the City Manager or the Community and Economic Development Director to perform the duties set forth herein.
- e. "Conditions of Approval" shall mean the conditions of approval applicable to the Project located at the Property, Application Number D24-0006 and CUP24-0002. The Conditions of Approval shall specifically include all conditions set forth herein.
- f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or

who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

- A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the project plans received by the Community and Economic Development Department on March 6, 2024, to the satisfaction of the Community and Economic Development Director.
- A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.
- A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:
- the Planning and Zoning Law (Government Code sections 65000, et seq.),
 - the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"),
 - the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines"),
 - California Building Code, and
 - California Fire Code
- A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and the City's Design Goals and Standards.
- A.7. Pursuant to Government Code section 66020, including section 66020(d)(1), the City hereby notifies the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations, or other exactions.

B. Planning Division Conditions

- B.1. Landscaping & Irrigation. Before the approval of a building permit, the applicant shall provide detailed landscape and irrigation plans consistent with the following to the satisfaction of the Community and Economic Development Director:

- B.1.1. Where trees are planted ten feet or less from a sidewalk or curb, root barriers dimensioned 8 feet long by 24 inches deep shall be provided adjacent to such sidewalk and curb, centered on the tree.
- B.1.2. Landscape & Irrigation Maintenance. Prior to the issuance of a building permit for each phase, the Developer shall execute a two-year landscape and irrigation maintenance agreement and submit financial security, such as a performance bond, to ensure the success of all on-site landscaping for the term of the agreement. The security amount shall be equal to \$2.50 per square foot of the landscaped area or equal to the actual labor and material installation cost of all on-site landscaping and irrigation for that phase.
- B.2. Screening Utilities and Equipment. Before the approval of a building permit, the applicant shall submit detailed plans that demonstrate the following:
 - B.2.1 All vents, gutters, downspouts, flashing, wall-mounted building utilities and electrical conduits shall be internal to the structures or painted to match the color of the adjacent surfaces or otherwise designed in harmony with the building exterior to the satisfaction of the Community and Economic Development Director.
 - B.2.2. No roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes, whether proposed as part of this application, potential future equipment, or any portion thereof, shall be visible from any public right-of-way to the satisfaction of the Community and Economic Development Director. Plans to demonstrate such compliance shall be submitted to the City prior to the issuance of a building permit.

C. Engineering Division Conditions - None

D. Building Division Conditions

- D.1. A Building Permit is required for this project. The plans submitted with the Building Permit application shall conform to all applicable building and fire codes.
- D.2. Prior to the commencement of construction, applicant shall submit to the Building Safety Division construction plans and supporting documents for the buildings conforming to Title 24 California Code of Regulations and Tracy Municipal Code that are current at the time of submittal or documents/insignia of proposed modularity demonstrating HCD approval along with appropriate foundation plans.
- D.3. Prior to the construction of on-site improvements, including but limited to, walks, sidewalks, utilities, signs, lights, retaining walls, sound walls, underground vaults, transformer, trellis, trash enclosures, etc., applicant shall submit to the Building Safety Division construction drawings and supporting documents that conform to the current Title 24 California Code of Regulations at the time of the application.

E. South San Joaquin County Fire Authority (SSJCFA) Conditions

- E.1 Prior to construction, applicant shall submit construction documents to the South San Joaquin County Fire Authority for review and approval.
 - E.1.1. Construction documents shall be designed to the current edition of the California Code of Regulations, Title 24, as amended by the City of Tracy Municipal Code.
- E.2. Engineering and building permit applications received by our offices are subject to the current fee schedule for South San Joaquin County Fire Authority. Contact our offices for additional information.
 - E.2.1. Application processing fees and minimum plan review fees are due at time of submittal of construction documents.
 - E.2.2. Additional plan review fees, minimum inspection fees and administrative fees are calculated on approval of project and shall be paid prior to issuance of permit.
 - E.2.3. Permit holder is responsible for any additional inspection fees incurred and shall be paid prior to final inspection.
- E.3. Prior to construction, an address must be posted at the construction site entrance. Address must be a minimum of 4 inches high by ½ inch numerals. Address must be provided so that emergency service personnel can locate the construction site in the event of an emergency.