

May 12, 2020

DIRECTOR PUBLIC HEARING
ITEM 1

REQUEST

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR THE CONSTRUCTION OF A MULTI-FAMILY DEVELOPMENT: FOUR DUPLEXES, TWO SINGLE-FAMILY HOMES, AND RELATED SITE IMPROVEMENTS ON A VACANT LOT LOCATED ON THE SOUTH SIDE OF COLLIN AVENUE, APPROXIMATELY 200 FEET WEST OF ALTOGA AVENUE. APPLICANT IS MARK LEE, LEE-JAGOE ARCHITECTURE, AND OWNER IS RAZEENU AND ABSUL CHASHMAWALA - 178 COLLIN AVENUE, ASSESSOR'S PARCEL NUMBER 214-520-24. APPLICATION NUMBER D18-0015.

Project Description

The proposal is for a Development Review Permit to develop a multi-family development including four duplexes and two detached, single-family homes, a total of ten new dwelling units. The Project site is located at 178 Collin Avenue, APN 214-520-24, on the south side of Collin Avenue, approximately 200 feet west of Altoga Avenue. The 0.4-acre site is directly east of the Stone Pine Meadow apartment complex, north of Amigo Auto Services, and at the end of Collin Avenue. The site currently has several single-family homes, all of which will be demolished as part of this Project. Please see Attachment A for a vicinity map.

The proposed structures are three-stories tall, with a proposed height of approximately 38 feet. Each residence will have a private, 2-car garage, including an area for a washer and dryer, located on the first floor of the structure. The second floor includes a kitchen, living room, a bathroom, and one bedroom. The third floor includes two bedrooms, a bathroom, and a secondary living room. Please see Attachment B for floor plans. In addition to the residential units, an outdoor open space area will be provided in the rear of the site, including a play area and barbeque area. The applicant is also proposing landscaping along the perimeter of the site with additional landscaping at the entry of the development and around the open space area at the rear of the site. A site plan can be seen in Attachment C.

The architecture incorporates a mix of high quality materials including: architectural siding, metal awnings, and cement plaster. The entries of the buildings that front onto Collin Avenue have been designed with decorative details including wall sconces and windows. There are also multiple pop-outs included on the structure that break up long, flat planes. These design features result in the Project achieving the City's design goals and standards. Building elevations are included as Attachment D.

The property is zoned High Density Residential (HDR), which permits multi-family residential uses. All HDR zone standards have been met. The proposal is also consistent with the General Plan designation of Residential High.

The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15332; the Project is an infill development, consistent with the City's General Plan and Zoning on a site of less than five acres. In addition to the attachments, a full set of large plans may be located on the City of Tracy website at the following link: <https://cityoftracy.org/?navid=48>.

RECOMMENDATION

City staff is recommending the Development Services Director approves an application for the construction of a multi-family development: four duplexes, two single-family homes, and related site improvements on a vacant lot located on the south side of Collin Avenue, approximately 200 feet west of Altoga Avenue, Application number D18-0015. The Project planner is Genevieve Federighi. Please direct any questions or comments regarding this project to Genevieve Federighi at (209)831-6435 or Genevieve.Federighi@cityoftracy.org.

Prepared by: Genevieve Federighi, Associate Planner

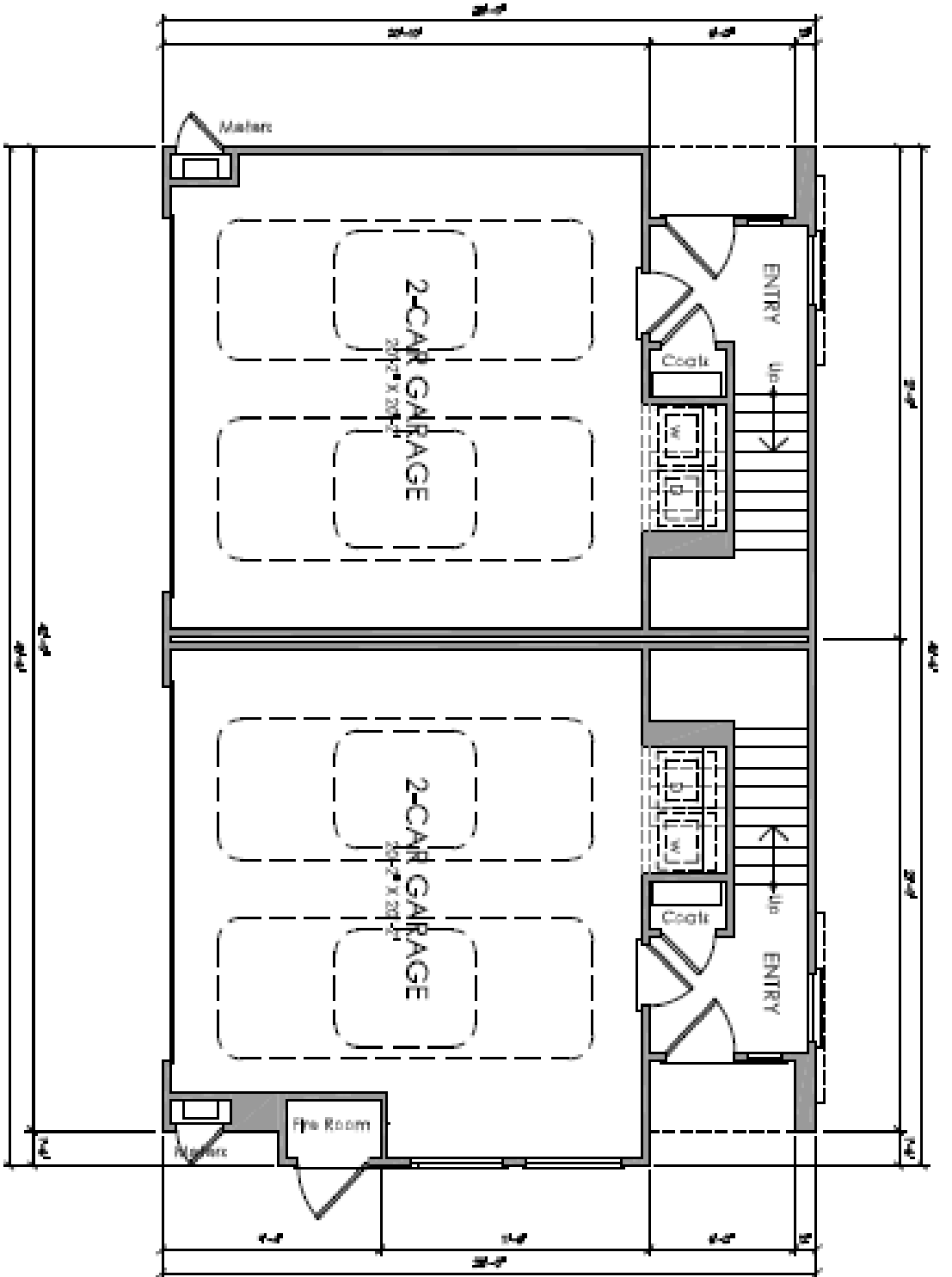
Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

- Attachment A – Project Location Map
- Attachment B – Floor Plans
- Attachment C – Site Plan
- Attachment D – Colored Elevations
- Attachment E – Director Determination
- Exhibit 1 – Project Conditions of Approval



Duplex Floor Plans

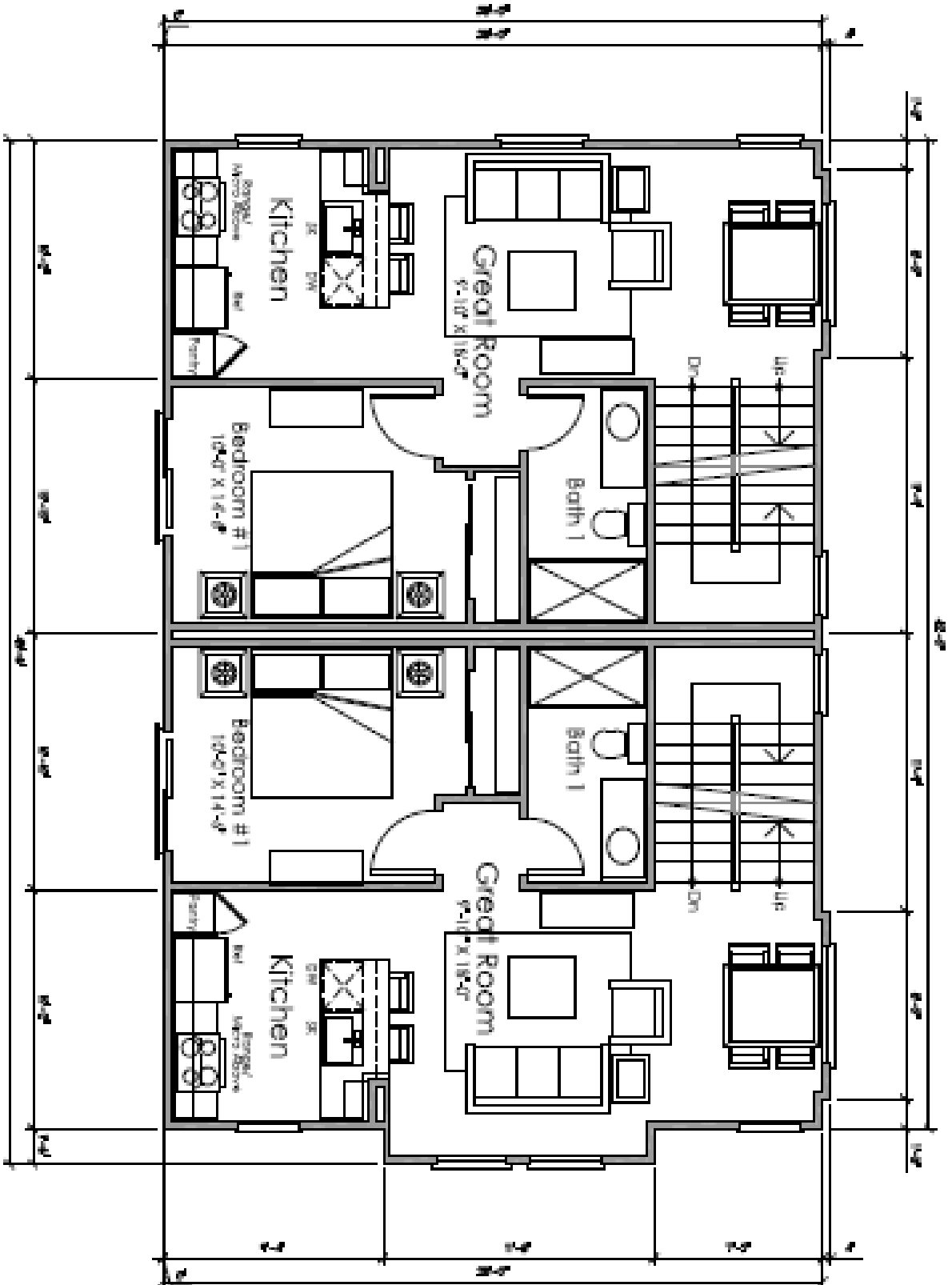


Prototype 'B'
Ground Floor Plan

Ground Floor	135 Square Feet
Second Floor	623 Square Feet
Third Floor	532 Square Feet
Total:	1,240 Square Feet

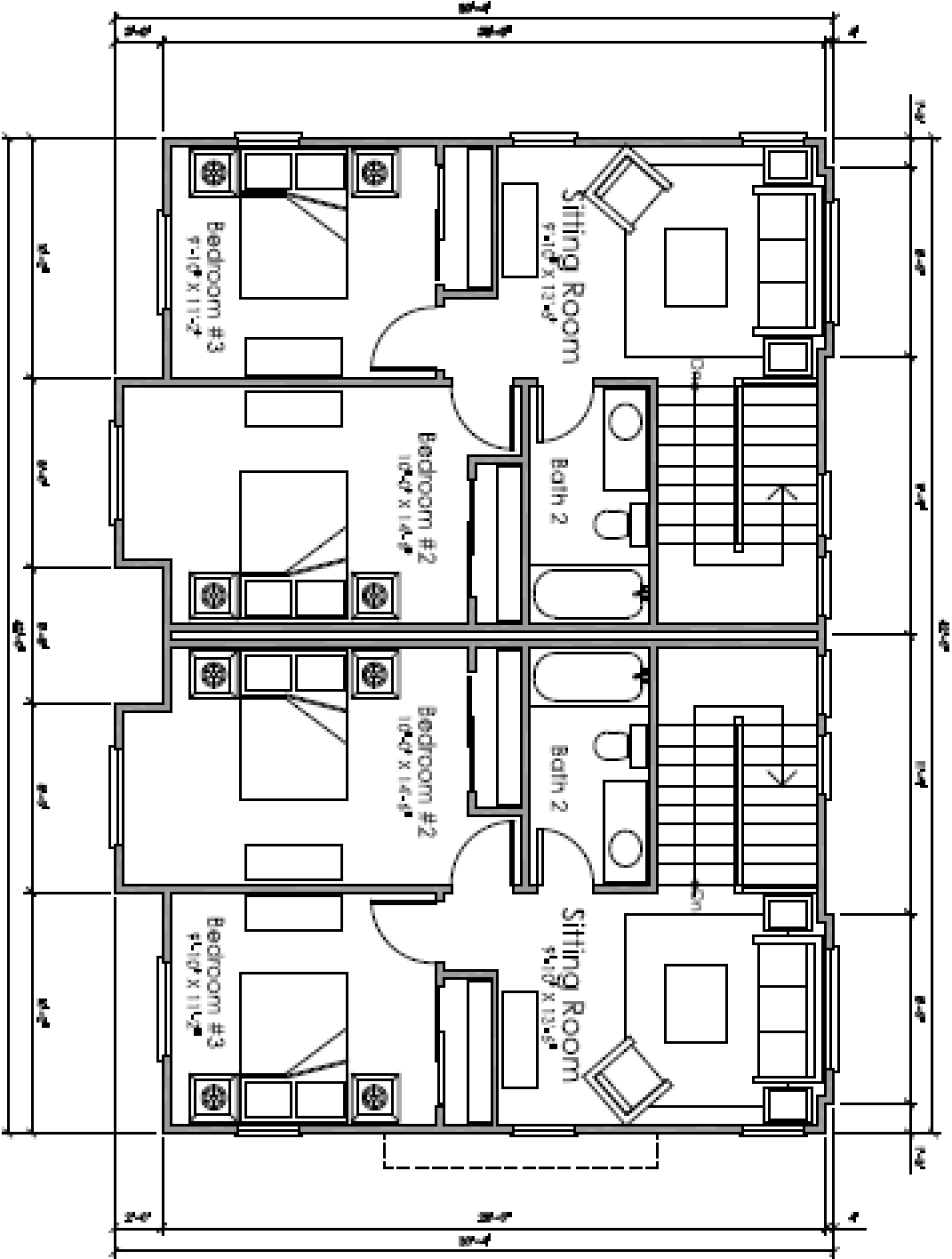
Prototype 'A'
Ground Floor Plan

Ground Floor	135 Square Feet
Second Floor	606 Square Feet
Third Floor	532 Square Feet
Total:	1,273 Square Feet



Prototype 'B'
Second Floor Plan

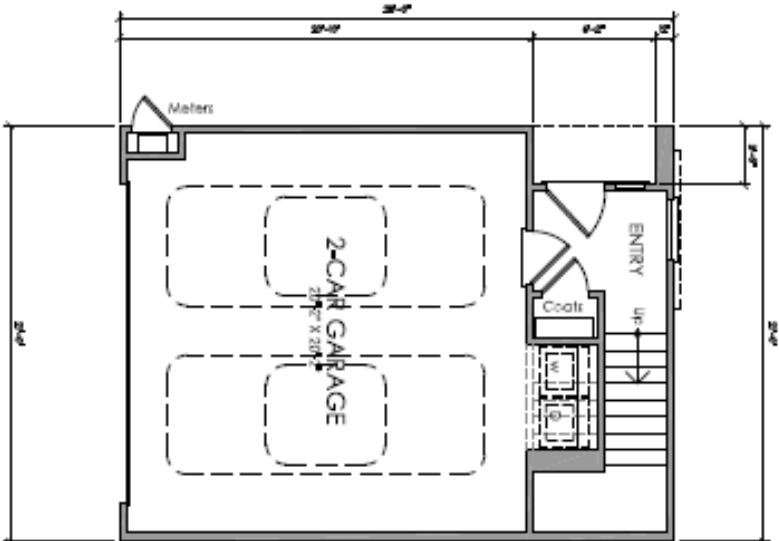
Prototype 'A'
Second Floor Plan



Prototype 'B'
Third Floor Plan

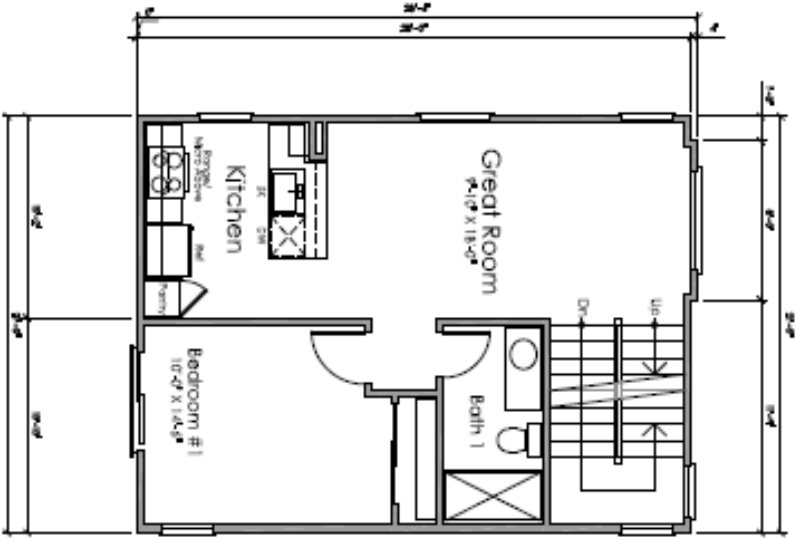
Prototype 'A'
Third Floor Plan

Single Family Home Floor Plan

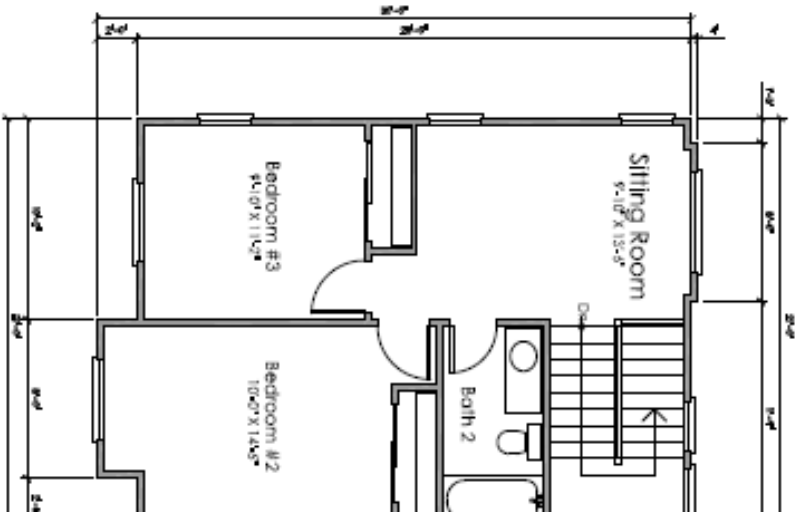


Prototype 'B'
Ground Floor Plan

Ground Floor	1,335 Square Feet
Second Floor	606 Square Feet
Third Floor	532 Square Feet
Total:	1,273 Square Feet

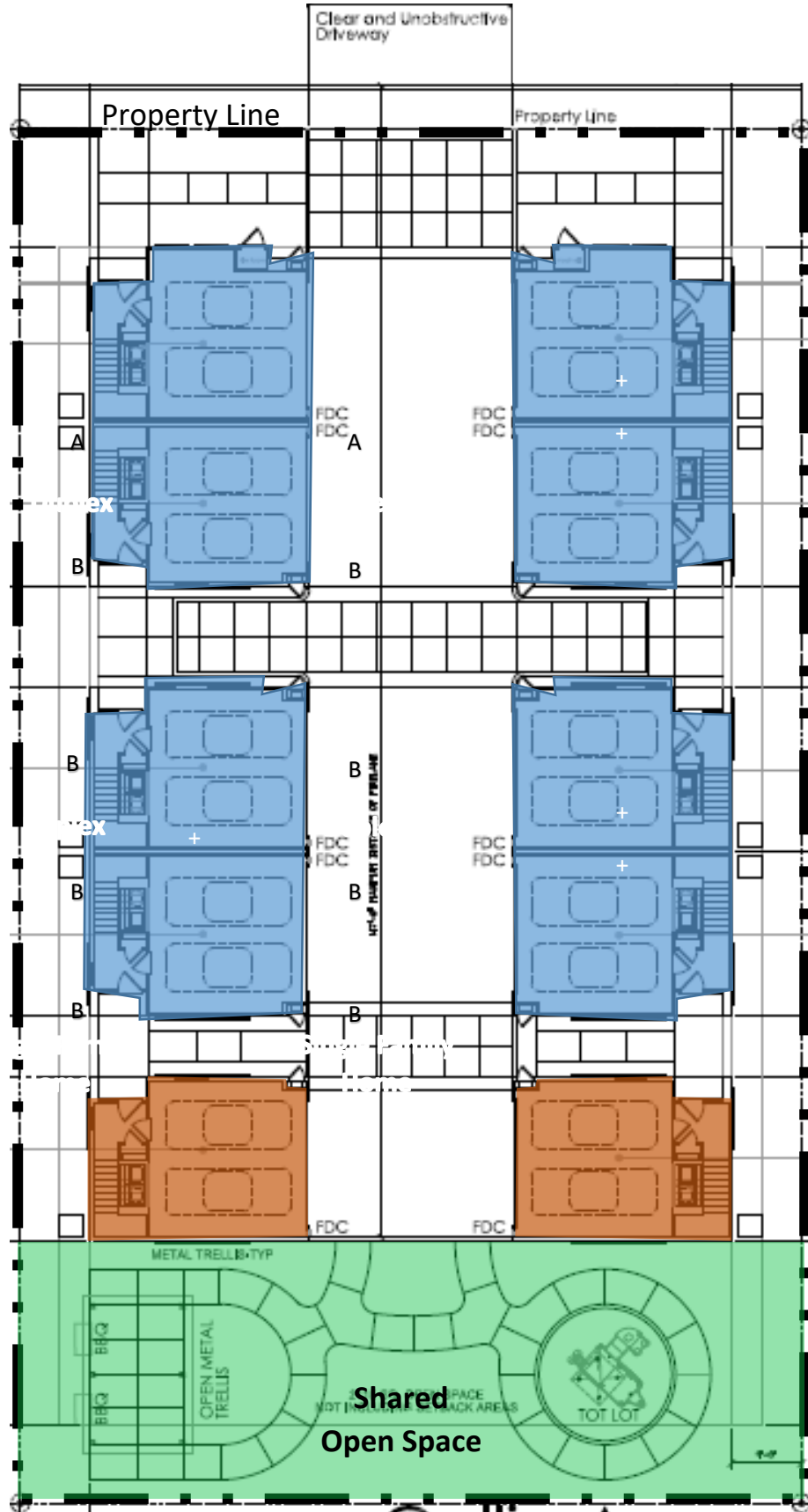


Prototype 'B'
Second Floor Plan



Prototype 'B'
Third Floor Plan

Collin Avenue





Drive Elevation

End Unit
Prototype 'A' * Interior Unit
Prototype 'B'

End Unit-Side Elevation-
Prototype 'A'

Rear Elevation

Interior Unit
Prototype 'B' * End Unit
Prototype 'A'



Drive Elevation-
Prototype 'B'-Single Unit

Exterior Side Elevation-
Prototype 'B'-Single Unit



Rear Elevation-
Prototype 'B'-Single Unit

Interior Unit-Side Elevation-
Prototype 'B'-Both Duplex and Single Unit

CITY OF TRACY

DETERMINATION OF
THE DEVELOPMENT SERVICES DIRECTOR
Collin Avenue Multi-Family Residential Development
178 Collin Avenue, Tracy

Application Number D18-0015

A determination of the Development Services Director approving a Development Review application for the development of a multi-family, residential development including: four duplexes, two single family homes, and related site improvements. The property is approximately 0.4 acres, located at 178 Collin Avenue, Tracy (Assessor's Parcel Number 214-520-24).

Staff has reviewed the application and determined that the following City regulations apply:

1. Tray Municipal Code
2. High Density Residential (TMC Chapter 10.08, Article 11)
3. Development Review (TMC Chapter 10.08, Article 30)
4. City of Tracy Design Goals and Standards

The Development Services Director has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15332, pertaining to infill developments, consistent with the City's General Plan and Zoning on a site of less than five acres.

THE DEVELOPMENT SERVICES DIRECTOR, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY APPROVES DEVELOPMENT REVIEW FOR APPLICATION NUMBER D18-0015 FOR A RESIDENTIAL MULTI-FAMILY DEVELOPMENT, SUBJECT TO CONDITIONS CONTAINED IN EXHIBIT 1 AND BASED ON THE FOLLOWING FINDINGS:

Findings:

1. The proposal increases the quality of the project site and enhances the property in a manner that therefore improve the property in relationship the surrounding area and the citizens of Tracy. The project is to be located in a residential neighborhood that includes single family homes and a church. The building proposes high quality design through the use of various materials and architectural accents including: decorative awnings and siding, multiple pop-outs on the structure, and an asymmetrical roofline. The design has also incorporated the use of cement plaster which is prevalent in the surrounding neighborhood. A shared open space area will be located at the rear of the site to provide residents with a play area as well as a barbeque area. The north elevation, which faces Collin Avenue, has additional details including wall sconces, a recessed entry,

and additional windows which accomplishes the City's Design Goals and Standards of having enhanced entries.

2. The desirability, benefits of occupancy, most appropriate development, and maintenance or improvements of surrounding properties will not be adversely affected by the project. The site is currently occupied with several residential units which will be replaced by the proposed development and remain a residential use. The project will be served by City utilities, and all other site improvements consistent with City standards. The project is compatible, in terms of land use, design character, and quality of improvements with nearby existing and permitted land uses. The proposed development will be located in a residential neighborhood and has been designed to achieve current design trends while also incorporating materials that are used in the existing homes in the area.
3. The site has a General Plan designation of Residential High and is zoned High Density Residential. The proposed improvements are consistent with the Residential High General Plan designation and High Density Residential zoning of the site. The density for High Density Residential zone allows up to one unit per 1,400 square feet of net lot area. Therefore, this 17,424 square foot site would allow up to 12 units, two more than the ten proposed. All parking, landscaping and open-space requirements have also been met.

ANDREW MALIK,
Development Services Director

Date of Action

Exhibit 1 – Project Conditions of Approval

Exhibit 1
Collin Avenue Multi-Family Residential Development
Conditions of Approval
Application Number D18-0015
May 12, 2020

These Conditions of Approval shall apply to the real property described as the Collin Avenue Multi-family Residential Development, Development Review Permit, Application Number D18-0015. The subject property is located at 178 Collin Ave (APN 214-520-24).

A. The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
3. "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, and the City's Design documents (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).
4. "Conditions of Approval" shall mean the conditions of approval applicable to the real property described as Collin Avenue Multi-family Residential Development, Application Number D18-0015. The subject property is located at 178 Collin Ave (APN 214-520-24).
5. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
6. "Project" means Development Review Application Number D18-0015 located on the real property at 178 Collin Ave (APN 214-520-24).
7. "Property" means the real property located at 178 Collin Ave (APN 214-520-24).

B. General Conditions of Approval:

1. 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 Subdivision Map Act (Government Code sections 66410, *et seq.*), the California Environmental Quality Act (Public Resources Code sections 21000, *et seq.*, "CEQA"), and the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 15000, *et seq.*, "CEQA Guidelines").
2. Unless specifically modified by these Conditions of Approval, the Project shall comply with all City Regulations.
3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all mitigation measures identified in the General Plan Environmental Impact Report, dated February 1, 2011.
4. 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.
5. Except as otherwise modified herein, all construction shall be consistent with the plans (Attachment A) received by the Development Services Department on February 19, 2020.
6. Prior to the issuance of a building permit, the applicant shall provide a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code TMC Section 10.08.3560 to the satisfaction of the Development Services Director; and consistent with the applicable portions of TMC Chapter 11.2.8, Article 8 Water Efficient Landscape Ordinance to the satisfaction of the Utilities Director. Said landscape plans shall include documentation which demonstrates there is no less than 40 percent canopy tree coverage of the parking area at tree maturity in accordance with City Regulations. Newly planted, on-site trees shall be a minimum size of 24-inch box and shrubs shall be a minimum size of five gallons. Root barriers (two-feet deep by eight feet long) shall be installed along all buildings or edge of planter where a tree is within ten feet of building or edge of planter.
7. All vents, gutters, downspouts, flashing, electrical conduit, gas meters, bollards, electrical panels and doors, and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent building surface to the satisfaction of the Development Services Director.

8. Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way or adjacent or nearby residential property, to the satisfaction of the Development Services Director.
9. All PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development Services Director.
10. Prior to the issuance of a building permit, the developer shall document compliance with the City of Tracy June 2015 Multi-Agency Post-Construction Stormwater Standards manual (Manual) to the satisfaction of the Utilities Director.
11. Prior to the issuance of a building permit, the applicant shall demonstrate compliance with City of Tracy and State of California solid waste recycling requirements, to the satisfaction of the Public Works Director. This may include, but not be limited to, storage and access for mixed and yard waste recycling.

Building Division Conditions of Approval:

1. Prior to the construction of the project, applicant shall submit construction documents, plans, specifications and/or calculations to the Building Safety Division, which meet all requirements of the currently adopted Title 24 California Code of Regulations and City of Tracy Municipal Codes, as applicable and at time of submittal.

South County Fire Authority:

1. Prior to building permit approval, applicant shall provide the following: design in accordance with 2019 *California Code of Regulations, Title 24* as amended by the Tracy Municipal Code, Fire flow results from consultant approved by the South San Joaquin County. Fire flow results shall be in accordance with 2019 CFC Appendix B, as amended by the Tracy Municipal Code, demonstrate all fire hydrants are located outside of the building collapse zone (1 ½ times the building height), and are spaced accordingly to 2019 CFC Appendix C (details for installation are in accordance with NFPA 24, 2016 edition), demonstrate that the hydrant loop is separate from the sprinklers, identify the locations of the FDC and dedicated hydrants for the FDCs, demonstrate a minimum of 26' of unobstructed fire apparatus access, and identify fire sprinklers and monitoring systems to the satisfaction of the Fire Marshal.

Finance Department

1. Prior to issuance of a building permit, the applicant shall do one of the following, subject to the approval of the Finance Director:

a. CFD or other funding mechanism. The applicant shall enter into an agreement with the City, to be signed by the Finance Director, which shall be recorded against the property, which stipulates that prior to the issuance of the first building permit, the applicant will form or annex into a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for funding the on-going operational costs of providing Police services, Public Works services and other City services to serve the Project area. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. The applicant shall be responsible for all costs associated with the formation or annexation proceedings. Upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment.

Or

b. Direct funding. The applicant shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that prior to the issuance of the first building permit, the applicant will fund a fiscal impact study to be conducted and approved by the City to determine the long term on-going operational costs of providing Police services, Public Works services and other City services to serve the Project area, and deposit with the City an amount

Engineering Division Conditions of Approval:

C.1. General Conditions

Developer shall comply with the applicable sections of approved documents and/or recommendations of the technical analyses/reports prepared for the Project listed as follows:

1) NONE

C.2. RESERVED

1)C.3. RESERVED

C.2 Tentative Subdivision Map

Prior to signature of the Tentative Subdivision Map by the City Engineer, Developer shall comply with the requirements set forth in this section, to the satisfaction of the City Engineer.

C.2.1 Tentative Subdivision Map shall contain all the appropriate signature blocks.

C.2.2 Revise the Tentative Prior to the Final Subdivision Map to show restricted access to prevent future homeowners from accessing nearby streets:

- C.2.2.a. Restrict access to Tracy Boulevard along the eastern property line of Lots 5, 6, 7, 8, 9, 10, 11, and 12;
- C.2.2.b. Restrict access to Crepe Myrtle Lane along the eastern edge of Lots 13, 18, and 19; and
- C.2.2.c. Restrict access to Autumn Creek Court along the western edge for Lot 15.
- C.2.3 Outline the right-of-way dedication on Tracy Boulevard. This dedication shall conform to the current right-of-way at the northern and southern boundary.
- C.2.4 Developer shall obtain approval regarding the cul-de-sac's street name.
- C.2.5 Submit one (1) mylar copy of the approved tentative subdivision map for the Project within ten (10) days after Developer's receipt of a notification of approval of the Tentative Subdivision Map. The owner of the Property must consent to the preparation of the Tentative Subdivision Map, and the proposed subdivision of the Property.
- C.3 Final Subdivision Map
No final subdivision map within the Project boundaries will be approved by the City Council until Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, the following:
- C.3.1 Developer has completed all the requirements set forth in this section, and Condition C.2, above.
- C.3.2 The Final Subdivision Map prepared in accordance with the applicable requirements of the Tracy Municipal Code (TMC), the City Design Documents Standards, and in substantial conformance with the Tentative Subdivision Map for the Project.
- C.3.3 The Final Subdivision Map shall include dedications or offers of dedication of all right(s)-of-way and/or Public Utility Easement(s) required to serve the Project described by the Final Subdivision Map, in accordance with City Regulations and these Conditions of Approval. Said Public Utility Easement (P.U.E.) shall be ten (10) feet wide as measured from the right-of-way and shall be continuous along each lot's frontage along every right-of-way.
- C.3.4 All proposed right-of-way dedication for the internal in-tract streets shall conform to the 2008 Standard Plans Detail 102 and shall have a right-of-way width of fifty-six (56) feet, excluding the P.U.E. The cul-de-sac shall conform to the 2008 Standard Plans Detail 108.

The right-of-way dedication on Tracy Boulevard shall be from the Project's easterly boundary to the eastern property lines of Lots 5 through 12. The general width of the dedication is forty (40) feet as measured from the Project's eastern boundary with an additional five (5) feet dedication (for a total of forty-five (45) feet of dedication as measured from the Project's eastern boundary) along Lots 6, 8, 11, and 12.

C.3.5 Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the final map. The final map shall also identify surveyed ties from two of the horizontal control points to a minimum of two (2) separate points adjacent to or within the Property described by the Final Map.

C.3.6 A construction cost estimate of subdivision improvements and for all required public facilities, prepared in accordance with City Regulations to be used for calculating engineering review fees and for bonding purposes. In determining the total construction cost, add ten percent (10%) for construction contingencies.

C.3.7 All the required improvement agreements are executed, improvement security is submitted and documentation of insurance are provided, as required by these Conditions of Approval. The amounts of improvement security shall be approved by the City and the type and form of improvement security shall be in accordance with the TMC.

C.3.8 Developer will include slope easement with the final map submittal to address slopes among the lots to address grade differentials.

C.3.9 Payment of final map checking fees and all fees required by these Conditions of Approval and City Regulations.

C.3.10 At the conclusion of the City's review, Developer shall submit one (1) mylar copy of the approved Final Subdivision Map for signature.

C.3.11 Developer has submitted a signed and notarized Subdivision Improvement Agreement (SIA) and Improvement Security, for the completion of improvements that are required to serve the Project as shown on the Improvement Plans. The form and amount of Improvement Security shall be in accordance with the Applicable Law and the SIA.

C.3.12 Developer shall submit a Final Subdivision Map that will maintain the existing Pacific Gas and Electric (PG&E) easement for the existing overhead powerlines that are located along the northerly property boundary at the rear of proposed Lots 1 through 5. Details of any relocating and/or modifications to the overhead facilities shall be approved by PG&E and the City. The cost of relocating and/or

- modifications to the overhead facilities, providing satisfactory access, and maintenance is the sole responsibility of the Developer.
- C.3.13 City will not permit utility corridors behind lots. Hence, the Developer is required to provide access as acceptable to PG&E within the lots.
- C.3.14 The Developer shall notify in writing, the future buyers of Lots 1 through 5 regarding the existing PG&E easement and any requirements and restrictions related to the overhead power lines within the PG&E easement. Said restrictions include but are not limited to the following:
- C.3.14.a. PG&E's right to install vehicular access gates;
- C.3.14.b. PG&E's right to trim or remove trees or portion of any tree or vegetation;
- C.3.14.c. PG&E's right to prohibit any erection of any building or structure located within the easement; and
- C.3.14.d. PG&E's right to prohibit any drilling or operating any well within the easement.
- The Disclosure Statement(s) shall be made part of the Sale Deeds and recorded in compliance with the applicable law.
- C.3.15 Parcel A shall remain a storm water quality basin for the life of the parcel's existence and shall be owned and maintained by the Developer and or its heir(s). Parcel A will not be filled unless a replacement and equivalent storm water quality basin is constructed. The filling and construction of the storm water basin requires the written approval of from the City. A Deed Restriction shall be placed on the property as aforementioned to the Satisfaction of the City Engineer.
- C.4. Grading Permit
- All grading work (on-site and off-site) shall require a Grading Plan. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Geotechnical Engineer of Record. Prior to releasing the Grading Permit for the Project, Developer shall provide all documents related to said Grading Permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
- C.4.1 Developer has completed all requirements set forth in this section.
- C.4.2 Developer has obtained the approval (i.e. recorded easements for slopes, drainage, utilities, access, parking, etc.) of all other public agencies and/or private entities with jurisdiction over the required public and/or private facilities and/or property. Written permission from PG&E or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit.
- C.4.3 Developer has obtained a demolition permit to remove any existing structure located within the project's limits.

- C.4.4 All existing on-site water well(s), septic system(s), and leech field(s), if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. Developer shall be responsible for all costs associated with the abandonment or removal of the existing well(s), septic system(s), and leech field(s) including the cost of permit(s) and inspection. Developer shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.
- C.4.5 The Improvement Plans for all improvements to serve the Project (on-site and off-site) including the Grading and Drainage Plans shall be prepared in accordance with the City's Subdivision Ordinance (Tracy Municipal Code (TMC) Chapter 12.36), City Design Documents as defined in Title 12 of the Tracy Municipal CodeMC, and these Conditions of Approval.
- C.4.6 On-site Grading/Drainage Plans and Improvement Plans shall be prepared on a twenty-four (24)- inch x thirty-six (36)- inch size four (4)- millimeter thick polyester film (mylar). These plans shall use the City's Title Block. Improvement Plans shall be prepared under the supervision of, stamped and signed by a Registered Civil Engineer and Registered Geotechnical Engineer. Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by the Fire Marshal prior to submitting the mylars to Engineering Division for City Engineer's signature. Erosion control measures shall be implemented in accordance with the Improvement Plans approved by the City Engineer for all grading work. All grading work not completed before October 15 may be subject to additional requirements as applicable. Improvement Plans shall specify all proposed erosion control methods and construction details to be employed and specify materials to be used during and after the construction.
- C.4.7 Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.
- C.4.8 For Projects on property larger than one (1) acre: Prior to the issuance of the Grading Permit, Developer shall submit to the Utilities Department (stephanie.hiestand@cityoftracy.org) one (1) electronic copy and one (1) hard copy of the Storm Water Pollution Prevention Plan (SWPPP) as submitted in Stormwater Multiple Applications and Reporting Tracker System (SMARTS) along with either a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID) or a copy of the receipt for the NOI. After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall

provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Developer. Developer shall comply with all the requirements of the SWPPP, applicable Best Management Practices (BMPs) and the Stormwater Post-Construction Standards adopted by the City in 2015 and any subsequent amendment(s).

For Projects on property smaller than one (1) acre: Prior to the issuance of the Grading Permit, the Developer shall submit to the Utilities Department (stephanie.hiestand@cityoftracy.org) one (1) electronic copy and 1 hard copy of the City of Tracy Erosion and Sediment Control Plan (ESCP) for approval. Cost of preparing the ESCP including any annual storm drainage fees shall be paid by the Developer. Developer shall comply with all the requirements of the ESCP, applicable BMPs and the Post-Construction Stormwater Standards adopted by the City in 2015 and any subsequent amendment(s).

C.4.9 Developer shall provide a PDF copy of the Project's Geotechnical Report signed and stamped by a Registered Geotechnical Engineer. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, compaction recommendations, retaining wall recommendations, if necessary, paving recommendations, paving calculations such as gravel factors, gravel equivalence, etc., slope recommendations, and elevation of the highest observed groundwater level.

C.4.10 In-tract Minor Retaining – Although redwood headers are permitted by the 2008 Design Standards, Developer shall use reinforced or engineered masonry blocks for retaining soil at property lines when the grade differential among the in-tract lots exceeds twelve (12)-inches. Developer will include construction details of these minor retaining walls with the on-site Grading and Drainage Plan. Developer may use slopes among the lots to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical) unless a California licensed geotechnical engineer signs and stamps a geotechnical report letter that supports a steeper slope gradient. Slope easements may be required and will be subject to approval by the City Engineer.

Minor Retaining along Project Perimeter – Although redwood headers are permitted by the 2008 Design Standards, Developer shall use reinforced or engineered masonry blocks for retaining soil along the Project boundary and adjacent property(s) when the grade differential exceeds 12-inches. Developer will include construction details for these minor retaining walls with the on-site Grading and Drainage Plan. Developer may use slopes to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical). Slope easements may be subject to approval by the City

Engineer and if adjacent and affected property(s) owner(s) grants said easements.

Slopes are an acceptable option as a substitute to engineered retaining walls, where cuts or fills do not match existing ground or final grade with the adjacent property or public right of way, up to a maximum grade differential of two (2) feet, subject to approval by the City Engineer.

Slope easements will be recorded, prior to the issuance of the Grading Permit. The Developer shall be responsible to obtain and record slope easement(s) on private properties, where it is needed to protect private improvements constructed within and outside the Project, and a copy of the recorded easement document must be provided to the City, prior to the issuance of the Grading Permit.

Walls - Developer shall show proposed retaining walls and masonry walls on the on-site Grading and Drainage Plan. The Developer is required to submit improvement plans, construction details, and structural calculations for retaining walls and masonry walls to Building and Safety. Retaining wall and masonry wall design parameters will be included in the geotechnical report.

- C.4.11 Developer shall provide a copy of the approved Incidental Take Minimization Measures (ITMM) habitat survey [San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)] from San Joaquin Council of Governments (SJCOG).
- C.4.12 Developer shall provide a copy of the approved Air Impact Assessment (AIA) with an Indirect Source Review (ISR) from San Joaquin Valley Air Pollution Control District (SJVAPCD).
- C.4.13 Developer shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Developer will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.
- C.4.14 If the Project contains overhead utilities, the Developer shall underground existing overhead utilities such as electric, TV cable, telephone, and others. Each dry utility shall be installed at the location approved by the respective owner(s) of dry utility and the Developer shall coordinate such activities with each utility owner. All

costs associated with the undergrounding shall be the sole responsibility of the Developer and no reimbursement will be due from the City. Developer shall submit undergrounding plans. Exempt from this condition is the high voltage power lines along the Project's northerly property line.

C.4.15 If at any point during grading that the Developer, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Developer shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR; and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.

C.5. Improvement Agreement(s)

All construction activity involving public improvements will require an approved Off-Site Improvement Agreement fully executed improvement agreement (Off-site, Subdivision, and/or Inspection). Any construction activity involving public improvements without an executed Off-Site Improvement Agreement fully executed improvement agreement is prohibited. All public improvements shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Civil Engineer of Record. Prior to writing any agreement, improvement agreement or schedule any improvement agreement to be approved by City Council for the Project Developer provides all documents related to said improvements required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.5.1. Off-site and/or Public Infrastructure Improvement Plans prepared on a twenty-four (24)- inch x thirty-six (36)- inch size four (4)- millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Developer shall use the latest title block and, if necessary, contain a signature block for the Fire Marshal. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by Fire Marshal to submitting the mylars to Engineering Division for City Engineer's signature. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

- C.5.1.a. All existing and proposed utilities such as domestic water line, irrigation service, fire service line, storm drain, and sanitary sewer, including the size and location of the pipes.
- C.5.1.b. All supporting engineering calculations, materials information or technical specifications, cost estimate, and technical reports. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers such as benchmarks.
- C.5.1.c. A PDF copy of the Project's approved Geotechnical/Soils Report, that was prepared for the grading permit submittal. prepared or signed and stamped by a Registered Geotechnical Engineer. The technical report must include relevant information related to street pavement thickness, materials, compaction and other pertinent information.
- C.5.1.d. Storm Water - The Project's on-site storm water drainage connection to the City's storm water system shall be approved by the City Engineer. Drainage calculations for the sizing of the on-site storm drainage system. Improvement Plans to be submitted with the hydrology and storm water.

Storm drainage release point is a location at the boundary of the Project adjacent private public right-of-way property where storm water leaves the Property, in a storm event and that the Property's on-site storm drainage system fails to function or it is clogged. Site grading shall be designed such that the Project's storm drainage overland release point will be directly to an adjacent private property public street with a functional storm drainage system and the existing storm drainage line has adequate capacity to drain storm water from the Property. The storm drainage release point is recommended to be at least 0.70-feet lower than the building finish floor elevation and shall be designed and improved to the satisfaction of the City Engineer.

The Project's permanent storm drainage connection(s) shall be designed and constructed in accordance with City Regulations. The design of the permanent storm drainage connection shall be shown on the Grading and Drainage Plans with calculations for the sizing of the storm drain pipe(s), and shall comply with the applicable requirements of the City's storm water regulations adopted by the City Council in 2012 and any subsequent amendments.

Developer shall form/create a Homeowners Association (A Property Owners Association is not permitted to be formed/created.) that conforms to the requirements of other California State laws and/or other California Agencies such as Bureau of Real Estate to be its heirs. Developer and its heirs (i.e. Homeowner's Association) shall be responsible for repairing and maintaining the on-site storm water quality basin at the Developer's (and heirs') sole cost and expense.

The storm drain structure for the storm water quality basin shall be designed and constructed in a manner that does not impose any additional maintenance or reconstruction burdens to the City. Said design and construction methods shall be to the satisfaction of the City Engineer.

The storm water treatment system shall be located on private property and shall be at least off-set from the right-of-way by one (1) foot.

Due to the Developer's design of the storm drain system, prior to the release of the improvement agreement for execution, Developer shall grant to the City a public storm water easement for the Project to accept public water from Collin Avenue. Developer shall also execute a Deferred Improvement Agreement to remove the storm drain connection when a public storm drain line can be installed on Collin Avenue.

Through the plan-check process, City will verify if the on-site private underground basin is correctly sized.

C.5.1.e.

Sanitary Sewer - It is the Developer's responsibility to design and construct the Project's permanent on-site sanitary sewer (sewer) improvements including the Project's sewer connection in accordance with the City's Design Standards, City Regulations and Standard Specifications. Sewer improvements shall include but not limited to, replacing asphalt concrete pavement, reconstructing curb, gutter and sidewalk, restoring pavement marking and striping, and other improvements that are disturbed as a result of installing the Project's permanent sewer connection. Developer shall submit improvement plans that include the design of the sewer line from the Property to the point of connection.

Developer is hereby notified that the City will not provide maintenance of the sewer lateral within the public right-of-way unless the sewer cleanout is located and constructed in conformance with Standard Plans. The City's responsibility to maintain on the sewer lateral is from the wye/onsite sewer manhole at the right-of-way line/property line/wye fitting to the point of connection with the sewer main.

C.5.1.g.

Water Distribution - Developer shall design and construct domestic and irrigation water service that comply with the City Regulations. Water line sizing, layout and looping requirements for this Project shall comply with City Regulations. During the construction of the Project, the Developer is responsible for providing water infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the Fire Marshal.

Interruption to the water supply to the existing businesses and other users will not be allowed to facilitate construction of improvements related to the Project. Developer shall be responsible for notifying business owner(s) and users, regarding construction work. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least seventy-two (72) hours before start of work. Prior to starting the work described in this section, the Developer shall submit a Work Plan acceptable to the City that demonstrates no interruptions to the water supply, and Traffic Control Plan to be used during the installation of the off-site water mains and connections.

The Project's water service connections shall use a remote-read (radio-read) master water meter (the water meter to be located within City's right-of-way) and a Reduced Pressure Type back-flow protection device in accordance with City Regulations. The domestic and irrigation water service connection(s) must be completed before the inspection of the building. The location of the meters shall be approved by the City Engineer.

After improvement acceptance, Rrepair and maintenance of the water service from the water meter to the point of connection with the water distribution main in the street shall be the responsibility of the City. Water service repairs after the water meter is the responsibility of the Developer or individual lot owner(s).

Prior to improvement acceptance, Rrepair and maintenance of all on-site water lines, laterals, sub-water meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer or or the individual lot owner(s).

All costs associated with the installation of the Project's water connection(s) including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings on existing street or parking area(s) that may be disturbed with the installation of the permanent water connection(s), or domestic water service, and other improvements shall be paid by the Developer.

Fire HydrantsFire Service Line – Location and construction details of fire service line including the fire hydrant(s) that are to serve the Project shall be approved by the Fire Marshal. Prior to the approval of the Improvement Plans by the City Engineer, the Developer shall obtain written approval from the Fire Marshal, for the design, location and construction details of the fire service connection to the Project, and for the location and spacing of fire hydrants that are to be installed or planned to serve the Project. Hydrants is publicly owned and maintained and shall be re-painted yellow. Developer shall relocate the existing hydrant to be in conformance with Detail 107

- and 401 of the 2020 Design Standards.
- C.5.1.h.
- C.5.1.h. Streets – All streets and utilities improvements within City right-of-way shall be designed and constructed in accordance with City Regulations, and City’s Design documents Standards including the City’s Facilities Master Plan for storm drainage, roadways, wastewater, and water as adopted, amended, and updated by the City, or as otherwise specifically approved by the City. On-site streets shall be privately owned and maintained.
- C.5.1.i.

All proposed public residential street widths and cross sections shall conform to the 2008 Standard Plans Detail 102 and shall have a right-of-way width of fifty-six (56) feet, excluding the Public Utility Easements. The cul-de-sac shall conform to the 2008 Standard Plans Detail 108. The sidewalk shall be immediately behind the Portland cement concrete curb and gutter. Immediately behind the sidewalk will be a 4.5-ft wide public landscape area. Developer will construct the new residential driveways per Standard Detail 134.

Per Section 3.04 of the 2020 Design Standards, the Project’s roads shall have a Traffic Index of 9 with structural cross-section of 0.40-foot asphalt concrete over 1.8-feet of class 2 aggregate base. Developer shall not pave the final layer of asphalt concrete until the subdivision is ready for acceptance by City Council.

All proposed public street widths and cross sections shall conform to the City’s Design Documents.

Collin Avenue Developer shall construct its half of Collin Avenue along the Project’s frontage. The cross-section for Collin Avenue shall conform to Standard Detail 107 of the 2020 Design Documents and shall have a right-of-way width of fifty (50) feet excluding the Public Utility Easements (PUE). The sidewalk shall be five (5) feet wide and be located immediately behind the landscaped parkway. Immediately behind the sidewalk will be the ten (10) feet wide PUE. Prior to the release of the improvement agreement for execution, Developer shall submit to the City the dedication for the PUE. Developer will construct the new commercial driveways per Standard Detail 131.

Developer shall construct driveways that conform to Section 3.08(F) of the 2020 Design Standards. Driveways shall have one and half (1.5) feet of full-height (i.e. six (6) inches) of vertical curb from the driveway’s edge.

Developer shall use existing utility stubs. If the stubs are not present or unusable or additional utility connections are required, the pavement restoration shall conform to C.8.1 of these Conditions.

Developer shall landscape and irrigate the existing area as per current adopted City landscape standards. Landscape and irrigation plans shall be prepared on a 24-inch x 36-inch size 4-millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Developer shall use the latest title block. Said landscape and irrigation plan shall be prepared by a California licensed landscape architect. Developer can either protect-in-place the existing sidewalk and repair any cracked, settled, and/or damaged sidewalk or remove and replace the sidewalk so long as the replacement sidewalk is similar to the current sidewalk, i.e. similar width, meanders, etc. Developer shall also install street trees in the landscaped area between the existing meandering sidewalk and the curb and gutter. On the opposite side of the sidewalk, Developer shall install additional street trees, shrubs, ground cover, and other landscaping as required. The landscaping and irrigation shall conform to MWELo standards. If recommended, Developer shall use structural soil if the street trees' well is narrower than five (5) feet wide. Developer shall also remove existing sign monument and its appurtenances, and any other existing items such as bollards, mailboxes, etc. Developer shall protect-in-place the existing driveway that aligns with PG&E's easement. If PG&E requests a modification of the existing driveway, Developer shall modify the driveway to the satisfaction of the City and PG&E.

On the western side of Tracy Boulevard, Developer shall landscape and irrigate the existing area as per current adopted City landscape standards. Landscape and irrigation plans shall be prepared on a 24-inch x 36-inch size 4-millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Developer shall use the latest title block. Said landscape and irrigation plan shall be prepared by a California licensed landscape architect. Developer can either protect-in-place the existing sidewalk and repair any cracked, settled, and/or damaged sidewalk or remove and replace the sidewalk so long as the replacement sidewalk is similar to the current sidewalk, i.e. similar width, meanders, etc. Developer shall also install street trees in the landscaped area between the existing meandering sidewalk and the curb and gutter. On the opposite side of the sidewalk, Developer shall install additional street trees, shrubs, ground cover, and other landscaping as required. The landscaping and irrigation shall conform to MWELo standards. If recommended, Developer shall use structural soil if the street trees' well is narrower than five (5) feet wide. Developer shall also remove existing sign monument and its appurtenances, and any other existing items such as bollards, mailboxes, etc.

- C.5.2. Joint Trench Plans and Composite Utility Plans, prepared on a twenty-four (24-) inch x thirty-six (36)- inch size four (4)- millimeter thick mylar for the installation of dry utilities such as electric, gas, TV cable, telephone, and others that will be located within the 10-feet the twenty-four (24) feet wide to forty-six (46) feet wide [the width varies] P.U.E. to be installed to serve the Project. All private utility services to serve Project must be installed underground or relocated to be underground, and to be installed at the location approved by the respective owner(s) of the utilities from the street or an existing or proposed utility easement to the building(s). If necessary, the Developer shall dedicate ten (10)- feet wide P.U.E. for access to these new utilities for re-installation, replacement, repair, and maintenance work to be performed by the respective utility owner(s) in the future.
- C.5.3. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans. The cost estimate shall show the cost of designing the public improvements.
- Payment of applicable fees required by these Conditions of Approval and City Regulations, including but not limited to, plan checking, grading and encroachment permits and agreement processing, construction inspection, and testing fees. The engineering review fees will be calculated based on the fee rate adopted by the City Council on September 2, 2014, per Resolution 2014-141 and on May 16, 2017, per Resolution 2017-098. Developer shall submit payment in the form of a check for the aforementioned fees.
- C.5.5. Traffic Control Plan - Prior to starting the work for any work within City's right-of-way, the Developer shall submit a Traffic Control Plan (TCP). TCP can be split among the different construction phases. TCP will show the method and type of construction signs to be used for regulating traffic at the work areas within these streets. TCP shall conform to the Manual on Uniform Traffic Control Devices as amended by the State of California, latest edition (MUTCD-CA). TCP shall be prepared under the supervision of, signed and stamped by a Registered Civil Engineer or Registered Traffic Engineer.
- Access and Traffic Circulation to Existing Businesses/Residents - Developer shall take all steps necessary to plan and construct site improvements such that construction operations do not impact safety and access (including emergency vehicles) to the existing businesses and residents throughout the duration of construction. Developer shall coordinate with the owners and cooperate to minimize impacts on existing businesses. All costs of measures needed to provide safe and functional access shall be borne by the Developer.
- C.5.6. No street trench shall be left open, uncovered, and/or unprotected during night hours and when the Developer's contractor is not

performing construction activities. Appropriate signs and barricades shall be installed on the street and on all trenches during such times. If the Developer or its contractor elects to use steel plates to cover street trenches, said steel plates will be skid-resistance, and shall be ramped on all sides. Ramps will be a minimum two-foot wide and will run the entire length of each side.

C.5.7. If at any point during utility installation or construction in general that the Developer, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Developer shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR; and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.

C.5.8 On-site, in-tract Public Improvements - Prior to the City's approval of the Final Subdivision Map, and prior to the Developer commencing construction of on-site, in-tract public improvements, Developer shall possess a fully executed Subdivision Improvement Agreement (SIA). Developer shall also complete all of the following requirements to the satisfaction of the City Engineer:

Developer has submitted a complete application for a Final Subdivision Map which is served by the required public improvements, and the Final Subdivision Map has been approved by the City Engineer.

Developer has paid all required processing fees including plan check and inspection fees. RESERVED

Improvement Security - Developer shall provide improvement security for all public facilities, as required by the Improvement Agreement. The form of the improvement security may be a bond, or other form in accordance with the Government Code, and the TMC. The amount of the improvement security shall be in accordance with Title 12 of the TMC. Monumentation Bonds shall be five hundred (\$500.00) dollars multiplied by the total number of street centerline monuments that are shown on the Final Map.

Insurance –Developer shall provide written evidence of insurance coverage that meets the terms of the Improvement Agreement.

C.5.9 Off-site Public Improvements, If Applicable - Prior to the Developer commencing construction of off-site public improvements, Developer, if required, shall possess a fully executed Off-site Improvement Agreement (OIA Encroachment Permit). Developer shall also complete all of the following requirements to the satisfaction of the City Engineer:

Developer has received City signed improvement plans.

Developer has paid all required processing fees including plan check and inspection fees.

Improvement Security - Developer shall provide improvement security for all public facilities, as required by the Improvement Agreement. The form of the improvement security may be a bond, or other form in accordance with the Government Code, and the TMC. The amount of the improvement security shall be in accordance with Title 12 of the TMC.

Insurance – Developer shall provide written evidence of insurance coverage that meets the terms of the Improvement Agreement.

C.6. Building Permit

No building permit within the Project boundaries will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

C.6.1 Developer has completed all requirements set forth in Condition C.1, through C.5, above.

C.6.2 Developer pays the applicable development impact fees as required in the TMC, these Conditions of Approval, and City Regulations.

C.6.4 Developer shall provide documentation to demonstrate that the Developer and its successor(s) or assign(s) will participate which include payment of the Project's share towards the use, repair and maintenance of the temporary storm drainage retention basin that serves this Property. The Homeowner's association shall be formed prior to the issuance of the first building permit.

C.7 Acceptance of Public Improvements

Public improvements will not be considered for City Council's acceptance until after the Developer demonstrates to the reasonable satisfaction of the City Engineer, completion of the following:

C.7.1 Developer has satisfied all the requirements set forth in these Conditions of Approval.

C.7.2 Developer submitted the Storm water Treatment Facilities Maintenance Agreement (STFMA) to the Utilities Department.

C.7.3 Developer has satisfactory completed construction of all

required/conditioned improvements. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Developer shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Developer shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).

- C.7.4 Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Developer, the City, at its sole discretion, temporarily release the original mylars of the Improvement Plans to the Developer so that the Developer will be able to document revisions to show the "As-Built" configuration of all improvements.
- C.7.56 Developer shall be responsible for any repairs or reconstruction of street pavement, curb, gutter and sidewalk and other public improvements along the frontage of the Project, if determined by the City Engineer to be in poor condition or damaged by construction activities related to the Project.
- C.7.67 Developer has completed the ninety (90-) day public landscaping maintenance period.
- C.7.7 Per Section 21107.5 of the California Vehicle Code, Developer shall install signs at all entrance(s) of the Project stating that the streets are privately owned and maintained and are not subject to the public traffic regulations or control. Said signs must be conspicuously placed, plainly visible, and legible during daylight hours from a distance of one hundred (100) feet.
- C.7.88 Survey Release of Improvement Security Monuments – Release of improvement security shall be in accordance with the requirements of Title 12 of the TMC. Monumentation Bond will be released to the Developer after City Council's acceptance of the public improvements and if the Developer meets the terms set in Section 66497(c) of the Subdivision Map Act. All survey monuments shown on the Final Map must be installed. Any altered, damaged, or destroyed survey monuments and/or benchmarks shall be re-established. Developer shall submit centerline tie sheets or a record of survey for the following: new public streets; re-established survey monuments, and/or benchmarks. If the Developer destroyed, altered, and/or reconstructed any existing curb returns, Developer shall also submit corner records. Any survey document will be submitted to the City and to the San Joaquin County Surveyor to comply with California Business and Professions Code Section 8771(c). Said work shall be executed by a California licensed Land Surveyor at the Developer's sole expense.

- C.8 Special Conditions
- C.8.1 When street cuts are made for the installation of utilities, the Developer shall conform to Section 3.14 of the 2008 Design Standards and is required install a two (2)- inch thick asphalt concrete (AC) overlay with reinforcing fabric at least twenty-five (25)-feet from all sides of each utility trench. A two (2) -inch deep grind on the existing AC pavement will be required where the AC overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. This pavement repair requirement is when cuts/trenches are perpendicular and parallel to the street's direction.
- C.8.2 Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the improvement plans, prior to the City Engineer's signature on the improvement plans, and prior to issuance of Grading Permit, Encroachment Permit, Building Permit, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Developer shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.
- C.8.3 If water is required for the project, the Developer shall obtain an account for the water service and register the water meter with the Finance Department. Developer shall pay all fees associated with obtaining the account number for the water service.
- C.8.4 Developer shall obtain an account for the water service to the Project and register the water meter with the Finance Department. Developer shall prepare and submit a map depicting the location of the water meter on a 8.5-inch X 11-inch sheet to Finance Department.
- C.8.5 As stipulated by Section 5.17 of the 2020 Design Standards, a PCC valley gutter is prohibited in the City's right-of-way.
- C.8.6 Developer shall design or purchase and then construct or install a storm water treatment device and shall be located entirely within private property. Said installation shall be in a manner that does not impose any additional downstream maintenance burdens to the City. Said design and construction methods shall be to the satisfaction of the City Engineer.
- C.8.7 Sidewalks to Right-of-Way Developer shall construct sidewalks that connect the private in-tract sidewalks to the sidewalks in the right-of-way. These sidewalks' grade, alignment, etc. shall be in a way that

does not create excessively narrow areas that prevent the survival of plants. This condition shall be performed to City standards and to the satisfaction of the City.

C.8.8

Developer may use the existing utility stubs and can replace the existing utility boxes with traffic rated utility boxes.