

August 24, 2020

DIRECTOR PUBLIC HEARING
AGENDA ITEM 1

REQUEST

PUBLIC HEARING TO CONSIDER A DEVELOPMENT REVIEW PERMIT FOR AN APPROXIMATELY 1800 SQUARE FOOT CARPORT LOCATED IN THE REAR OF M-GARAGE AT 2461 HOLLY DRIVE. APPLICANT IS KARIEM MCFARLIN AND OWNERS ARE DEBBIE AND SURIN MANIVANH. APPLICATION NUMBER D20-0020.

Project Description

The project site is the existing M-Garage at 2461 Holly Drive. The existing attached carport is made of three sections (30' x14', 29'x25', and 12'x12') totaling 1289 square foot. The existing carport is 12' from the rear residential property.

The proposed carport would replace the existing 1289 square foot carport that is partially collapsed. The proposal is to locate an approximately (30' x 60') 1800 square foot carport in the rear of the property attached to the existing M-Garage building. The proposed carport will be set back 15 feet from the rear residential property which will meet the minimum requirements of the General Highway Commercial Zone.

The proposed carport will mostly be obscured from view from the public right of way as the majority of the structure is behind the existing 1200 square foot M-Garage building facing Holly Drive. The proposed carport will be constructed of a weatherproof aluminum material painted white in color to complement existing 1200 square foot M-Garage building.

Environmental Document

The Development Services Department has determined that the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, which pertains to small structures that do not exceed 2500 square feet in floor area. No further environmental assessment is necessary.

RECOMMENDATION

Staff recommends that the Development Services Director approve the approximately 1800 square foot carport located at 2461 Holly Drive (Assessor's Parcel Number 214-520-17, based on the findings contained in the Director's Determination dated August 24, 2020 (Attachment B).

Prepared by Kenny Lipich, Assistant Planner

Reviewed by Scott Claar, Senior Planner

Approved by Bill Dean, Assistant Development Services Director

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ATTACHMENTS

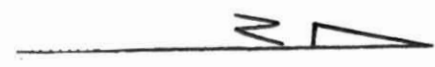
- A: Project Site Plan
- B: Development Services Director Determination
Exhibit 1 – Conditions of Approval

RECEIVED
July 27, 2020
City of Tracy
Development Services

Sun Busters Patio Cover Co. Inc.
700 Harvest Park Dr. Ste G
Brentwood, CA 94513
925-625-0120

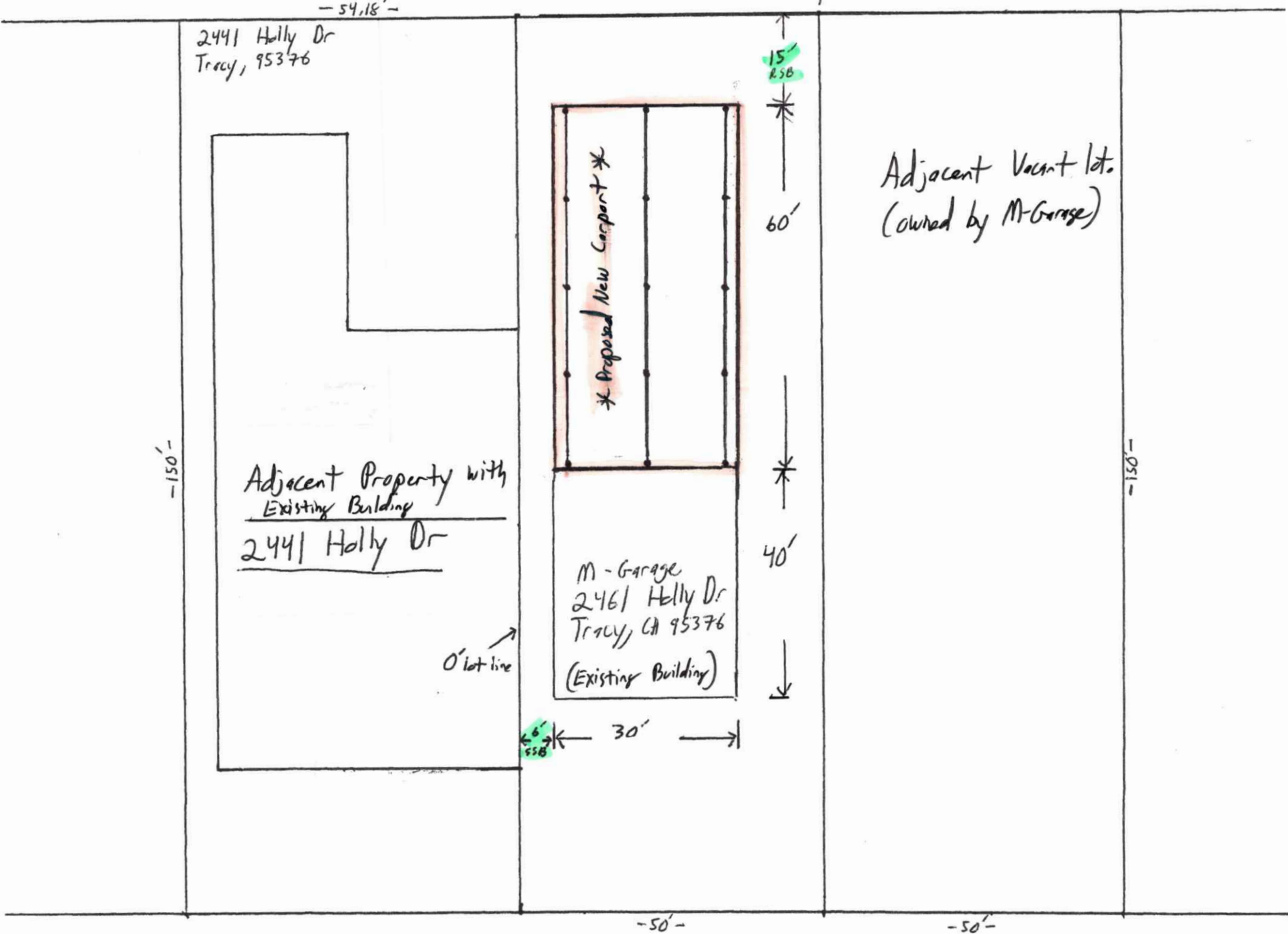
Proposed 1,800 sq ft attached
aluminum carport @ max 14'5.5"
OB enclosed.

M-Garage
2461 Holly Dr
Tracy, CA 95376



← 20' →
scale
1" = 20'

Residential Property
2474 Altosa Ave
(House is 45' setback from rear property line)



Holly Dr

CITY OF TRACY

DETERMINATION OF
THE DEVELOPMENT SERVICES DEPARTMENT

Application Number D20-0022

A determination of the Development Services Department approving a Development Review permit for an approximately 1800 square foot carport at M-Garage at 2461 Holly Drive (Assessor's Parcel Number 214-520-17). The applicant is Kariem McFarlin.

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

1. General Highway Commercial (GHC) Zone (TMC Chapter 10.08, Article 10)
2. Development Review (TMC Chapter 10.08, Article 30)
3. City of Tracy Design Goals and Standards

The Development Services Department has determined that the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, which pertains to small structures that do not exceed 2500 square feet in floor area. No further environmental assessment is necessary.

THE DEVELOPMENT SERVICES DEPARTMENT, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY APPROVES DEVELOPMENT REVIEW PERMIT APPLICATION NUMBER D20-0022, SUBJECT TO CONDITIONS CONTAINED IN EXHIBIT 1 AND BASED ON THE FOLLOWING FINDINGS:

1. 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 carport will be replacing a partially collapsed existing structure and includes desirable elements such as compatible colors to existing commercial store.
2. The proposal conforms to Chapter 10.08, Zoning Regulations; of the Tracy Municipal Code, the City of Tracy General Plan, the Citywide Design Goals and Standards, and other City regulations.

Andrew Malik
Assistant City Manager

Date of Action

**City of Tracy
Development Review
Conditions of Approval**

2461 Holly Drive
Assessor's Parcel Number 214-520-17
Application Number D20-0022
August 24, 2020

These Conditions of Approval shall apply to the real property located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, Application Number D20-0022 (hereinafter "Project"), proposed by Kariem McFarlin (hereinafter "Applicant") and Debbie and Surin Manivanh (hereinafter "Property Owners").

1. The following definitions shall apply to these Conditions of Approval:
 - 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 Development Services Director, or the City Engineer to perform the duties set forth herein.
 - c. "City Regulations" mean 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 (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
 - d. "Conditions of Approval" shall mean these conditions of approval, applicable to Development Review Application Number D20-0022.
 - e. "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.
 - f. "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.
 - g. "Project" means an approximately 1800 square foot carport at M-Garage, 2461 Holly Drive, Assessor's Parcel Number 214-520-17), Tracy, California, Application Number D20-0022.

2. Compliance with submitted plans. Except as otherwise modified herein, the project shall be developed in substantial compliance with the plans received by the Development Services Department on July 27, 2020.
 3. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, building permit fees, plan check fees, inspection fees, or any other City or other agency fees or deposits that may be applicable to the project.
 4. 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:
 - a. Planning and Zoning Law (Government Code sections 65000, et seq.),
 - b. California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
 - c. Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").
 5. 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 Design Goals and Standards.
 6. Protest of fees, dedications, reservations, or other exactions. 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
1. Except as modified herein, the project shall be developed in substantial compliance with the site plans and elevations received by the Development Services Department on July 27, 2020, to the satisfaction of the Development Services Director.
- C. Building Division Conditions
1. At time of building permit application submittal, applicant shall provide details of the type of equipment that will be used under the canopy.
 2. At time of building permit application submittal, applicant shall submit plans that are prepared by a registered design professional per CBC 107.1.

3. At time of building permit application, applicant shall provide plans that show compliance with CBC 704 for the fire-resistance rating and protection of structural members of the canopy due to fire separation distance of 6 feet.
4. At time of building permit submittal, applicant to demonstrate compliance with CBC 11B-202.4 and 206 for path of travel requirements to new areas of alteration/addition, to right of way, between buildings, and to facilities on site, including the accessible trash enclosure.
5. At time of building permit submittal, applicant to provide appropriate sand and grease interceptor for repair garage as per CPC Chapter 10.
6. At time of permit application submittal, applicant shall provide electrical and lighting plans that comply with the California Electrical Code, as applicable.
7. At time of building permit submittal, applicant shall provide an emergency egress plan from the new canopy to the public right-of-way that complies with CBC Chapter 10, as applicable to the project.
8. At time of building permit submittal, applicant to clarify proposed use of service center to confirm proposed S-1 occupancy and use. And applicant to specify the number of control areas, types of hazardous materials, maximum amount of storage of hazardous materials and storage methods meet CBC Table 307.1 and CBC Section 406.8.
9. Prior to construction of any structures, applicant shall submit a building permit application along with all pertinent construction documents such as plans, specifications, and/or calculations to the Building Safety Division prior to the construction of the canopy. Construction documents shall conform to the Title 24 California Code of Regulations edition effective on the date of application for a building permit.
10. Effective July 1, 2019, all projects requiring plans MUST be submitted electronically. See the City of Tracy Website to review additional information about electronic plan check requirements to ensure your projects are processed in a timely matter. Any questions regarding Electronic Plan Review can be addressed by one of our Building Permit Technicians. They can be reached M-TH 8a-6p and every other Friday 8a-5p at (209) 831-6400.

D. South San Joaquin County Fire Authority Conditions

1. Prior to construction, applicant shall submit construction documents to the South San Joaquin County Fire Authority for review and approval. 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. Deferred submittals shall be listed on the coversheet of each page. Each deferred submittal shall be submitted, review and approved by SSJCFA prior to installation. Fire sprinklers may be required if main building currently had fire sprinklers and carport is attached to the structure. Plans shall be drawn to scale by a licensed design professional, stamped and signed at submittal.
2. Application processing fees and minimum plan review fees are due at the time of submittal of construction documents. 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. Permit holder is responsible for any additional inspection fees incurred, and shall be paid prior to final inspection.