

MINUTES
TRACY CITY PLANNING COMMISSION
MARCH 9, 2011
7:00 P.M.
TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTE APPROVAL

DIRECTOR'S REPORT REGARDING THIS AGENDA:

ITEMS FROM THE AUDIENCE

In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2008-140 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Planning Commission Member to sponsor the item for discussion at a future meeting.

1. OLD BUSINESS
2. NEW BUSINESS
 - A. PUBLIC HEARING TO CONSIDER APPLICATIONS FOR A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW FOR EXPANSION OF A PLACE OF WORSHIP AND PARKING AREA IMPROVEMENTS AT 1330 N. TRACY BLVD - APPLICANT IS SCHACK & COMPANY, INC. AND OWNER IS GRACE BAPTIST CHURCH - APPLICATION NUMBERS CUP10-0003 & D10-0005
3. ITEMS FROM THE AUDIENCE
4. DIRECTOR'S REPORT
5. ITEMS FROM THE COMMISSION
6. ADJOURNMENT

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The Planning Commission meeting was called to order by Chair Mitracos at 7:00 p.m.

The pledge of allegiance was led by Chair Mitracos.

ROLL CALL: Roll call found Commissioner Johnson, Commissioner Ransom, Vice Chair Alexander, and Chair Mitracos present; Commissioner Manne was absent. Also present were staff members Kimberly Matlock, Assistant Planner; Bill Dean, Assistant Director of Development and Engineering Services; Bill Sartor, Assistant City Attorney; and Elizabeth Silva, Recording Secretary.

MINUTES

Chair Mitracos pointed out there was a typo in the date of the minutes. Chair Mitracos asked about a schedule for study sessions regarding the Downtown Specific Plan from the February 9, 2011 meeting. Bill Dean, Assistant Director of Development and Engineering Services Department stated that was an exhibit of the presentation that Scott Claar had provided and was not in the minutes; however staff planned on keeping to the schedule. It was moved by Commissioner Johnson and seconded by Commissioner Ransom to approve the minutes of February 9, 2011, with the correction of the date. Voice vote found all in favor with Commissioner Manne absent; passed 4-0-1-0.

DIRECTOR'S REPORT REGARDING THIS AGENDA – None

ITEMS FROM THE AUDIENCE – None

1. OLD BUSINESS – None
2. NEW BUSINESS
 - A. PUBLIC HEARING TO CONSIDER APPLICATIONS FOR A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW FOR EXPANSION OF A PLACE OF WORSHIP AND PARKING AREA IMPROVEMENTS AT 1330 N. TRACY BLVD - APPLICANT IS SCHACK & COMPANY, INC. AND OWNER IS GRACE BAPTIST CHURCH - APPLICATION NUMBERS CUP10-0003 & D10-0005

Commissioner Manne arrived at the meeting at 7:04; however he recused himself from the item due to a conflict of interest.

Staff report was provided by Kimberly Matlock, Assistant Planner. Mrs. Matlock stated that the application was for Grace Baptist Church to demolish their existing building and build a new building because they had found the current facility was no longer adequate for their needs. Mrs. Matlock indicated the proposal was to build a building on the east side of the property as well as parking lot, hardscape, and landscape improvements on the remainder of the site. Mrs. Matlock further indicated the church currently shared parking areas with the medical offices to the north and the proposal included modification to those areas as well as additional parking areas. Mrs. Matlock stated the proposal includes some improvements to a portion of the West Side Irrigation District (WSID) property which is currently vacant and fenced, where an underground irrigation line existed. Mrs. Matlock further stated that WSID had indicated that they would not be improving the surface of the property, and granted the church permission to develop that portion to the benefit of the facility, with landscaping and a fire access lane. Mrs. Matlock indicated that the building proposed was a two story building and it met all City standards for architecture. Mrs. Matlock noted that there was a trellis proposed for the west and south elevations, however staff felt that the trellis was not necessary for the project approval and staff recommended the project be approved noting the trellis was not a requirement. Mrs.

Matlock stated that the applicant proposed to apply for joint use parking with the medical office users, and there was currently a parking agreement in place. Mrs. Matlock further stated the application proposed to improve upon the current agreement by providing more shared parking spaces. Mrs. Matlock indicated the application included an extended approval length due to the current state of the economy and the fact the church relied on contributions for the funding of the project. Mrs. Matlock stated the church requested five years for the development review and two years for the conditional use validity period. Mrs. Matlock indicated staff recommended approval of the project.

Mrs. Matlock noted there were several typos in the Resolution provided in the agenda packet however the Commissioners had been given a copy of the Corrected Resolution at the dais.

Chair Mitracos asked if the medical offices had been informed of the changes to the Resolution. Mrs. Matlock stated that staff had included signatures from the medical offices stating that they had seen and approved of the development of the site plan.

Commissioner Ransom asked if the Commission should be concerned about whether or not the WSID would come back at a future date and say that they would develop their property, and if there would then be inadequate parking. Mr. Dean indicated that it was appropriate that Commission be concerned with the issue, however not with this project because staff had written authorization from WSID to support the application. Mr. Dean stated that staff wanted to change the Resolution to make it clear that staff desired the Board of WSID to act to dually authorize someone to sign the application. Mr. Dean indicated that staff had copies of minutes from three Board meetings where the item had been discussed and there were no objections. Commissioner Ransom asked how many parking spaces were tied to the property. Mrs. Matlock answered only one. Commissioner Ransom asked if the remaining property was for the fire access lane and Mrs. Matlock answered that was correct.

Chair Mitracos asked if he understood correctly the WSID did not wish to connect the parking lots. Matlock answered that was correct. Chair Mitracos asked if staff had received a reason for that; however he stated he would wait for the applicant to answer the question.

Commissioner Ransom asked how long the City would typically give for the construction of a project and secondly if the project was given five years for the construction, did that mean it had to be completed in year five? Mr. Dean answered that the Code established a development review permit was valid for one year and the applicant would have a year to begin construction, and this would extend it to five years to begin construction, and instead of six months to establish the use of the church they would have two years to establish the use. Mr. Dean indicated that in this economy it was giving the group time to ensure appropriate fundraising to get the project underway. Commissioner Ransom stated that she understood that portion of the extension; however her question was once construction had begun was there a time limit. Mr. Dean answered it was tied to the building permit process. Mr. Dean stated that once a building permit was issued there was 180 days before an inspection must be made, and once there was an inspection, there was another 180 days and it would go on in this way.

Vice Chair Alexander asked what maximum amount of time was that the Planning Commission had the authority to extend the use permit application. Mr. Dean indicated that a conditional use permit if established would run with the land until revoked. Mr. Dean stated that the time limit to establish the use was at the Commission's discretion.

Chair Mitracos asked why the application included the building be located in the center of the lot with parking at Tracy Boulevard. Mr. Dean answered that the property owner and applicant worked out what would best fit their needs. Mr. Dean stated that initially staff had pointed out the General Plan policy to try to have the building front Tracy Boulevard; however those were not "shall" policies but "should" policies. Chair Mitracos stated that he understood the need for flexibility but the building seemed to fit between the existing buildings so he was curious as to why it was designed in this way. Chair Mitracos asked for information regarding the trellises. Mrs. Matlock stated that the trellis would be located on the south elevation where the columns were located at the edge of the decorative pavement, and also on the west side of the building at the end of the pavement as well. Mr. Dean stated that staff had received some input both positive and negative for trellises that had gone up on recent projects around town, and staff had written this so that the project was approvable with or without it. Chair Mitracos asked if the greenery on the walls on the east and north side may not occur. Mrs. Matlock stated that the condition was meant to target the trellis on the west and south elevations, and the greenery on the north and east was meant to soften the elevations there. Chair Mitracos asked if the trellises were horizontal and Mrs. Matlock answered they were.

Chair Mitracos opened the Public Hearing.

Dan Schack of Schack and Company, 1025 Central Avenue addressed the commission. Mr. Schack indicated that he and Scott Schendel had been working with the church staff and Mrs. Matlock on this project for quite a bit of time. Mr. Schack indicated that there were a number of unique constraints on the property including the number of parcels, access, existing constraints, and the size of the building. Mr. Schack indicated that the Church and its staff had reviewed the conditions and found them acceptable. Mr. Schack indicated that the extending of the time limit was due to the way the church raised its funds and the current state of the economy. Mr. Schack stated that the church intended to go forward with the project as it was presented.

Chair Mitracos asked why WSID would be in agreement with the project, but not wish to connect the parking lot. Mr. Schack stated that the WSID line was old and in some segments it had not been replaced and WSID had always been stand-offish to heavy vehicle traffic over their line. Mr. Schack indicated that their property was not designed for multiple vehicle traffic, and they did not want it to be used as a shortcut from point A to point B. Mr. Schack stated that WSID had been very cooperative and want the church to be able to use the property for the play yard and for the fire access lane on the north side of the easement, not on the pipe. Mr. Schack added that a load summary was done to ensure that on the off chance a loaded fire truck needed to be parked on that area, it would not have a structural impact on the pipe.

Vice Chair Alexander asked if there was any foreseeable conflict in the future between church activities and the office uses. Mr. Schack stated that the joint use had been going on for several years and had always worked fine. Mr. Schack indicated that the hours of the church operations and the medical and office uses don't conflict. Mr. Schack indicated that all parties would benefit from the project with sprucing up of the entire area, increased security with improved lightening, and landscape improvements.

Vice Chair Alexander asked how many members the church had.

Greg Bidlack, 2472 Erie Ct. addressed the commission. Mr. Bidlack indicated he was the volunteer church administrator. Mr. Bidlack stated that there were about 350 church-goers at the

recent Sunday services, with actual church membership being about 290, and membership was growing at a rate of approximately ten percent.

Commissioner Johnson asked Mr. Schack for clarification about the phasing as shown on Sheet One under Phasing Note Number 17. Mr. Johnsons stated that he was confused by the phasing description, and asked if phase two was basically the trellising. Mr. Schack indicated that originally there was a plan for the services to continue on the site in a temporary facility however that plan had been abandoned and apparently the note had not been removed. Commissioner Johnson stated that he felt the idea of moving the building back from Tracy Boulevard to the east side of the site was the best idea as the building was a large rectangular structure and it would be imposing if it was located right on the street. Mr. Schack indicated that the parking lot would be nicely landscaped, and there would be shading and a feature with benches. Mr. Schack stated that the entire project would greatly improve the area.

Chair Mitracos closed the Public Hearing.

Chair Mitracos stated that he liked to see buildings close to the street however he knew that is not always possible. Chair Mitracos stated that the parking was good, and this would be an improvement.

Commissioner Johnson stated that he liked the idea that the City would be flexible and this was a good opportunity to show the community that the City and the Commission could use flexibility.

It was moved by Commissioner Ransom and seconded by Vice Chair Alexander that the Planning Commission approve the applications for a Conditional Use Permit and Development Review for expansion of a place of worship and parking area improvements at 1330 N. Tracy Boulevard and based on the findings and subject to the conditions as stated in the revised Planning Commission Resolution dated March 9, 2011 (Attachment D). Voice vote found all in favor with Commissioner Manne abstaining from the vote; passed 4-0-0-1.

3. ITEMS FROM THE AUDIENCE – None

4. DIRECTOR'S REPORT – None

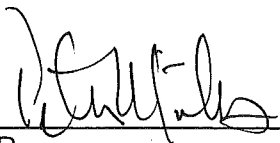
5. ITEMS FROM THE COMMISSION

Chair Mitracos stated that he had seen a couple Commissioners at the recent Rail Commission meeting and it was good to have seen them there.

6. ADJOURNMENT

It was moved by Commissioner Alexander and seconded by Commissioner Johnson to adjourn.

Time: 7:39 p.m.



CHAIR



STAFF LIAISON