

# NOTICE OF REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the Planning Commission is hereby called for:

**Date/Time:** **Wednesday, February 22, 2012, 7:00 p.m.**  
(or as soon thereafter as possible)

**Location:** City Hall Council Chambers  
333 Civic Center Plaza, Tracy

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES 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. **CONDUCT A SCOPING SESSION TO OBTAIN COMMENTS FROM THE PUBLIC ON WHAT INFORMATION SHOULD BE INCLUDED IN THE PROPOSED ELLIS SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT**
  - B. **PUBLIC HEARING TO CONSIDER A GENERAL PLAN LAND USE DESIGNATION AMENDMENT OF A 10-ACRE SITE IN THE EASTLAKE AND ELISSAGARAY RANCH SUBDIVISIONS FROM PUBLIC FACILITIES TO RESIDENTIAL LOW. THE APPLICANT IS CHRIS TYLER AND THE PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER GPA10-0004**
  - C. **PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT FROM DOWNTOWN (D) TO COMMERCIAL (C) AND REZONE FROM LIGHT INDUSTRIAL (M-1) TO PLANNED UNIT DEVELOPMENT (PUD) – THE SITE INCLUDES FIVE PARCELS ON THE NORTH SIDE OF W. SIXTH STREET BETWEEN N. “B” STREET AND N. “C” STREET (615 N. “C” ST., 63 W. SIXTH ST., 69 W. SIXTH ST., 77 W.**

**SIXTH ST., AND 99 W. SIXTH ST., TRACY; ASSESSOR'S PARCEL NUMBERS 235-066-08 THRU 12) – THE APPLICANT IS STAN SHORE FOR THE STAN SHORE TRUST**

3. ITEMS FROM THE AUDIENCE
4. DIRECTOR'S REPORT
5. ITEMS FROM THE COMMISSION
6. ADJOURNMENT

**February 16, 2012**

Posted Date

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Development and Engineering Services Department located at 333 Civic Center Plaza during normal business hours.

AGENDA ITEM 2-A

REQUEST

**CONDUCT A SCOPING SESSION TO OBTAIN COMMENTS FROM THE PUBLIC ON WHAT INFORMATION SHOULD BE INCLUDED IN THE PROPOSED ELLIS SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT**

DISCUSSION

In 2008 the City approved the Ellis Specific Plan project, which included certifying an Environmental Impact Report (State Clearinghouse Number 2006102092), approving a General Plan Amendment, the Ellis Specific Plan, and a Development Agreement . Subsequently, the City was challenged in a lawsuit filed by Tracy Alliance for a Quality Community, or TRAQC). The case is still under review by the Court of Appeals.

In December, Surland Companies filed new applications to amend and reapprove the Ellis project with revisions.

The Surland Companies are requesting that the City of Tracy approve the Ellis Specific Plan and Development Agreement project. The proposed Ellis Specific Plan is intended to serve as a land use policy and design guideline document for the future development of approximately 320 acres located between Corral Hollow Road and Lammers Road, approximately one-half mile south of Valpico Road. The project would result in up to 2,250 residential units, 180,000 square feet of commercial use, and a 16-acre swim center.

In accordance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) will be prepared to evaluate the potential environmental effects of the project. A Notice of Preparation and Initial Study (Attachment A) were published for public review.

The Notice of Preparation is one of the opportunities in the CEQA process through which public input on the content of the EIR is formally solicited. In accordance with CEQA Guidelines, the City may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project. This early consultation may be called scoping. CEQA Guidelines Section 15083 states, in part:

Scoping has been helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important.

Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, state, and local agencies, the proponent of the action, and other interested persons including those who might not be in accord with the action on environmental grounds.

**Tonight's scoping session is intended to provide an opportunity for any person or organization to learn more about the EIR process or to identify areas or issues that should be addressed in the EIR.**

**The Notice of Preparation, Initial Study, and notice of tonight's public hearing were sent to a variety of public and private agencies who may be interested or have review authority over some portion of the project, organizations who have previously expressed an interest in the project, the State Clearing House for distribution to potentially affected State agencies, the San Joaquin County Clerk for public posting, and to adjacent and nearby property owners.**

**RECOMMENDATION**

Staff recommends that the Planning Commission receive input from any interested parties regarding information that should be included in the EIR.

Prepared by Bill Dean, Assistant Director of Development Services

Approved by Andrew Malik, Director of Development Services

Attachments

Attachment A – Ellis Specific Plan EIR Notice of Preparation and Initial Study

## Notice of Preparation

<b>TO:</b>	California State Clearinghouse	<b>FROM:</b>	City of Tracy
	1400 Tenth Street		City Hall
	Sacramento, CA 95814		333 Civic Center Plaza
			Tracy, CA 95376
			ATTN: Bill Dean, Assistant Director of Development and Engineering Services

**Subject: Notice of Preparation of an Environmental Impact Report**

**The City of Tracy** will be the Lead Agency and will prepare a Draft Environmental Impact Report (EIR) for the Ellis Specific Plan and Ellis Development Agreement. The proposed scope for the EIR is defined in the attached Initial Study. If your agency has a view with respect to the scope of the Draft EIR as per the attached Initial Study, or is concerned with an issue that is germane to your agency's statutory responsibilities in connection with the proposed project, please let us know in writing. Your agency may need to use the EIR prepared by our agency when considering your permit or other approvals for the project.

**Project Title:** City of Tracy/Ellis Specific Plan and Ellis Development Agreement  
Environmental Impact Report

**Project Applicant:** The Surland Companies  
1024 Central Avenue  
Tracy, CA 95376  
209-832-7000

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, **but no later than 30 days after receipt of this notice**. This notice will be available from February 8, 2012 through March 12, 2012.

Please send your response to Bill Dean, Assistant Director of Development and Engineering Services, Development and Engineering Services Department, City of Tracy, at the address shown on the top of the page. We respectfully request the name of a contact person for your agency.

A scoping meeting will be held on February 22, 2012 at 7:00 p.m. to obtain public input on the proposed Project.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: Bill Dean, Assistant Director of  
Development and Engineering Services  
City of Tracy

Telephone: 209-831-4600

Reference: California Code of Regulations, Title 14, (State CEQA Guidelines) Sections 15082(A), 15103, 15375



# City of Tracy Ellis Specific Plan and Ellis Development Agreement Initial Study

Prepared for:

The City of Tracy, Department of Development and Engineering  
Services

February 2012

Prepared by:  
RBF Consulting  
111 North Market Street, Suite 440  
San Jose, California 95113



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# ENVIRONMENTAL DETERMINATION

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Biological Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation / Traffic	<input checked="" type="checkbox"/> Utilities/Service Systems
<input checked="" type="checkbox"/> Mandatory Finding of Significance			

## DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that, although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature



Date

2/6/12

For

## Section 1 Introduction

This Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000 et seq.) and the *CEQA Guidelines* (California Administrative Code Sections 15000 et seq.), as amended January 1, 2006.

According to Section 15063 (a)(c) of the *CEQA Guidelines*:

- (a) *Following preliminary review, the lead agency shall conduct an initial study to determine if the project may have a significant effect on the environment. If the lead agency can determine that an EIR will clearly be required for the project, an initial study is not required but may still be desirable.*
  
- (c) *Purposes. The purposes of an initial study are to:*
  - 1) *Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or negative declaration;*
  - 2) *Enable an applicant or lead agency to modify a project, mitigating adverse effects before an EIR is prepared, thereby enabling the project to qualify for a negative declaration;*
  - 3) *Assist the preparation of an EIR, if one is required, by:*
    - a. *Focusing the EIR on the effects determined to be significant,*
    - b. *Identifying the effects determined not to be significant,*
    - c. *Explaining the reasons for determining that potentially significant effects would not be significant, and*
    - d. *Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.*
  - 4) *Facilitate environmental assessment early in the design of a project;*
  - 5) *Provide documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment;*
  - 6) *Eliminate unnecessary EIR's;*
  - 7) *Determine whether a previously prepared EIR could be used with the project.*

The *CEQA Guidelines* Section 15382 states:

*“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.*

The *CEQA Guidelines* Section 15365 further states:

*An “Initial Study” means a preliminary analysis prepared by the lead agency to determine whether an EIR [Environmental Impact Report] or a negative declaration must be prepared and to identify the significant effects to be analyzed in an EIR.*

The Initial Study for the proposed Project focuses on effects determined to be potentially significant, and has been prepared as an objective, full-disclosure document to inform agency decision-makers and the general public of the direct and indirect physical environmental effects of the proposed action and any measures to reduce or eliminate potential adverse impacts.

The environmental checklist, approved by the City of Tracy (City) and consistent with the *CEQA Guidelines*, is used to focus this study on physical, social, and economic factors that may be further impacted by the proposed Project. The checklist indicates one of the following determinations for each specified potential impact under each category of impact on the checklist:

- Potentially significant impact
- Potentially significant impact unless mitigation incorporation
- Less than significant impact
- No impact

## Section 2 Project Description

1. **Project Title:** Ellis Specific Plan and Ellis Development Agreement.
2. **Lead Agency Name and Address:** City of Tracy, Department of Development and Engineering Services,  
333 Civic Center Plaza  
Tracy, CA 95376
3. **Contact Persons and Telephone Number:** Bill Dean, Assistant Director of Development and Engineering Services.  
209-831-6400
4. **Project Location:** The Ellis Specific Plan (ESP) site is located in San Joaquin County, adjacent to the southwestern portion of the City of Tracy, within the City of Tracy's Sphere of Influence. The ESP site is bounded by agricultural land on the north, the Union Pacific Railroad on the south, the Delta Mendota Canal to the southwest, Corral Hollow Road on the east, and Lammers Road on the west.
5. **Project Sponsor's Name and Address:** Surland Companies  
1024 Central Avenue  
Tracy, CA 95376  
209-832-7000
6. **General Plan Designation:**  
  
City of Tracy: TR-Ellis  
  
County of San Joaquin: Various/Limited Industrial (I/L) and Resource Conservation (OS/RC)
7. **Zoning:**  
  
City of Tracy: Various, to be established with annexation and rezoning.  
  
County of San Joaquin: Various/Agriculture-Urban Reserve (AU-20)
8. **Description of Project:** The proposed Project is the execution of the City of Tracy General Plan TR-Ellis land use designation through the implementation of the Ellis Specific Plan (ESP). A Development Agreement that encompasses the Ellis Specific Plan (ESP), including a proposed 16-acre, family oriented swim center is also part of the Project.

The ESP serves as a comprehensive land use policy, zoning, and design guideline document for the future development of an area defined in the Tracy General Plan as TR-Ellis. As proposed, it is the intent of the ESP to implement and comply with the goals, objectives, and policies of the General Plan, including the specific intent of the General Plan with respect to TR-Ellis.

The vision of the proposed ESP is to create a mix of residential, commercial, office/professional, and recreational uses with the focal point of community activities centered around the village center, where neighborhood-serving retail services, recreational facilities, and residences are within walking distances of each other.

Implementation of the ESP would allow a mix of residential, commercial, office/professional, institutional, and recreational uses. The plan would accommodate up to a maximum of 2,250 residential units<sup>1</sup>; 180,000 square feet of commercial use; and a 16-acre Swim Center.

## 9. Surrounding Land Uses and Existing Setting:

The City of Tracy is located in San Joaquin County, which is within the Central Valley region of California. The City is approximately 60 miles east of the San Francisco Bay, which is separated from the Central Valley by the Coastal Range. The southwestern portion of San Joaquin County is located within the Diablo Range, and generally consists of rolling hills cut by drainage channels. The topography in the vicinity of the City of Tracy flattens into the “low alluvial plains and fans” geomorphic units. The City lies adjacent to the foothills of the Diablo Range, just north of the Cedar Mountains. The land within and surrounding the City is relatively flat and uniform and is best characterized as open fields on a relatively flat agricultural plain.

The predominant land use surrounding the ESP site is agriculture, which is located to the north of the site. Union Pacific railroad lines are located south of the site and form the southern site boundary. The Delta Mendota Canal abuts the site to the southwest forming the southwestern site border. An MCI Telecommunications facility (switching station) is located adjacent to the southeastern corner of the ESP site. Further southeast of the ESP area, south of Linne Road and east of Corral Hollow Road, there are a number of large-scale aggregate mining and concrete production operations, while the Tracy Municipal Airport is located further southeast of this area. The Edgewood residential development is located east of the ESP site, across Corral Hollow Road. West of the ESP site, across Lammers Road, is characterized by sparse rural residential development. The proposed ESP site is raw land and largely undeveloped; however, a few residences and a residence operating a small tree growing operation are located within the site.

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<sup>1</sup> Secondary residential units, as defined by the Tracy Municipal Code (T.M.C.) may be permitted within the ESP area provided they are located on lots that meet criteria to be established in the ESP.

## 2.1 Background and History

In 2006, the City approved a new General Plan to address changes in growth within the City of Tracy. Subsequently, the City approved an update to the General Plan in 2011 as well as a Sustainability Action Plan. The General Plan contains specific land use designations for the Ellis Specific Plan site, which include TR-Ellis, Village Center, and Commercial. The Tracy City Council adopted the General Plan update on February 1, 2011, which confirmed the TR-Ellis designation. With the update of the City's General Plan in 2011, and prior to adopting the General Plan, the City undertook environmental review of the potential direct and indirect environmental impacts pursuant to the CEQA and the CEQA Guidelines. The City certified the Final Environmental Impact Report (EIR) for the General Plan Update (SCH No. 2008092006) and adopted findings, mitigation measures, and a statement of overriding considerations on February 1, 2011.

## 2.2 Project Location

The City of Tracy is located in San Joaquin County, which is within the Central Valley region of California. The City is approximately 60 miles east of the San Francisco Bay, which is separated from the Central Valley by the Coastal Range.

The proposed ESP area is adjacent to the southwestern portion of the City of Tracy (City); refer to Figure 2-1 (Regional Location Map). The ESP area is bounded by agricultural land on the north, the Union Pacific Railroad on the south, the Delta Mendota Canal to the southwest, Corral Hollow Road on the east, and Lammers Road on the west; refer to Figure 2-2 (Local Vicinity Map).

## 2.3 Site Characteristics

The southwestern portion of San Joaquin County is located within the Diablo Range, and generally consists of rolling hills cut by drainage channels. The topography in the vicinity of the City of Tracy flattens into the "low alluvial plains and fans" geomorphic units. The City lies adjacent to the foothills of the Diablo Range, just north of the Cedar Mountains. The land within and surrounding the City is relatively flat and uniform and is best characterized as open fields on a relatively flat agricultural plain.

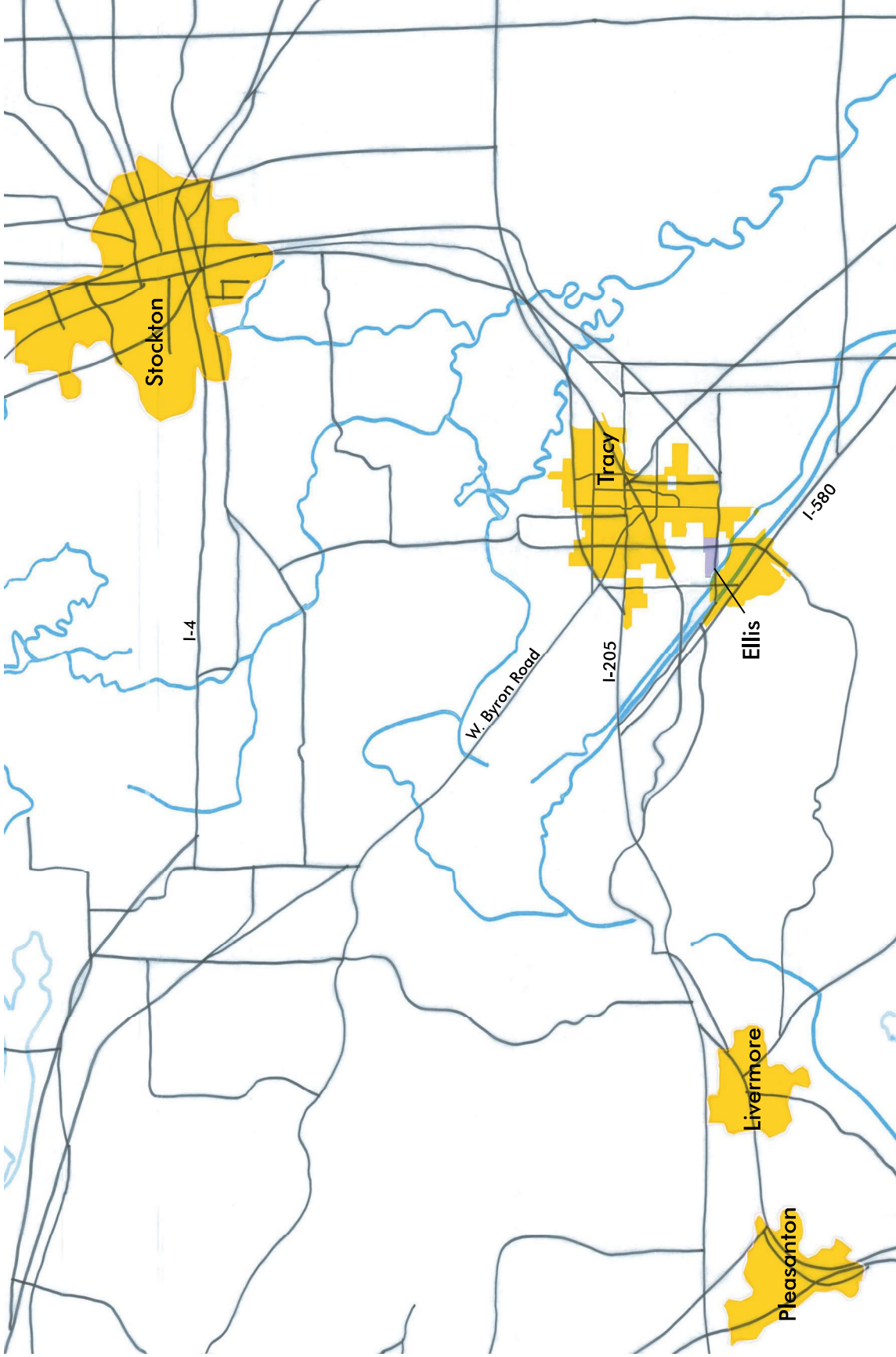
The ESP area is currently sparsely developed. The great majority of land area is in large land holdings that consist of undeveloped land, and fields. Residential development occurs along Lammers Road and is characterized by large lots (five- and ten-acre parcels) that are developed with homes and accessory structures (barns, storage sheds, etc.). In addition, tree growing occurs within the site.

## 2.4 Regulatory Setting

In order to comprehensively plan for the City's future growth into lands outside the City limits, but within the City's Sphere of Influence (SOI), the General Plan provides for the land use designations of "Urban Reserve", "TR-Ellis," Residential Low, Commercial, Industrial, among others. In order for the development of TR-Ellis to proceed, it is a mandatory obligation of TR-Ellis that the City first adopt a Specific Plan that implements at least four residential criteria as currently described in TR-Ellis. The Project would amend the City of Tracy General Plan to modify density and acreage ranges of TR-Ellis in the General Plan from what was approved on February 1, 2011.

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Source: Urban Design Associates, August 2006

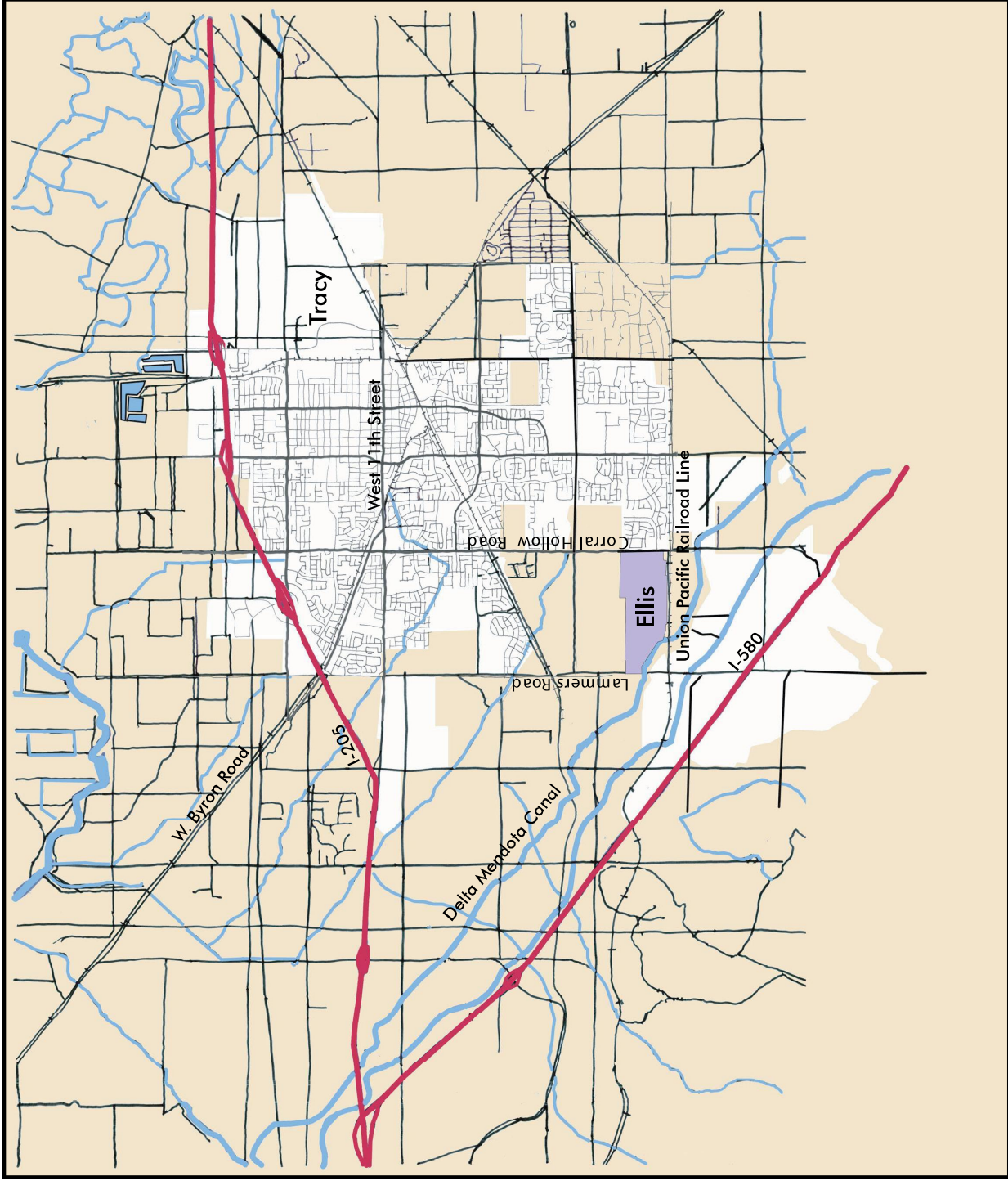
City of Tracy Ellis Specific Plan Approvals and  
Ellis Development Agreement Initial Study



**Regional Location Map**

Figure 2-1

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Source: Urban Design Associates, August 2006

City of Tracy Ellis Specific Plan Approvals and  
Ellis Development Agreement Initial Study

**Local Vicinity Map**

Figure 2-2



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## 2.5 Purpose of the Proposed Project

The purpose of the ESP is to provide for comprehensive planning policy, regulatory standards, and design guidelines to ensure quality future development of the ESP Plan area (TR-Ellis, as identified in the General Plan). The ESP is a document to be used by designers, developers, builders, planners, and regulators. The ESP incorporates a Pattern Book that sets forth the standards for the development of buildings on lots. Together, the ESP and Pattern Book would serve as the prime regulatory document to guide land use decisions and reinforce the City's goals and expectations for quality development of the Ellis Community. The ESP generally regulates development of lots with their land uses, parks, public landscaping, roads, and utilities, while the Pattern Book generally governs the placement of buildings on lots and the exterior architecture of buildings.

## 2.6 Project Characteristics

### Overview

The proposed ESP is intended to implement the City of Tracy General Plan for a specific location within the City's SOI (TR-Ellis). The proposed ESP also includes a vision, assumptions, guiding principles, and objectives, as well as zoning, regulatory, design concepts and guidelines, and implementation phasing components to guide future development within the ESP area boundaries.

### Objectives

The objectives of the proposed Project include the following:

- Integrate the Ellis community into the physical and social fabric of the City of Tracy, as well as existing and planned infrastructure systems.
- Develop and implement the Specific Plan in a way that allows Ellis to become a unique community with distinct character and style.
- Create a Village Center area as an integrated, multi-use Village Center. The Village Center shall promote businesses that are small, local, and neighborhood serving.
- Base development standards on the precedents found in traditional towns in northern California to ensure that Ellis becomes a place of memorable beauty and lasting urban quality.
- Create a village concept that provides a superior living environment.
- Create a family-oriented Swim Center.

## 2.7 Ellis Specific Plan Characteristics

The proposed Project is the execution of the City of Tracy General Plan TR-Ellis land use designation through the implementation of the Ellis Specific Plan (ESP). A Development Agreement that encompasses the Ellis Specific Plan (ESP), including a proposed 16-acre, family oriented swim center is also part of the Project.

### ESP Vision

The vision of the ESP is to create a mixed-use village (with housing and commercial and recreational uses) that is a pedestrian friendly, planned development.

### Land Use Concept

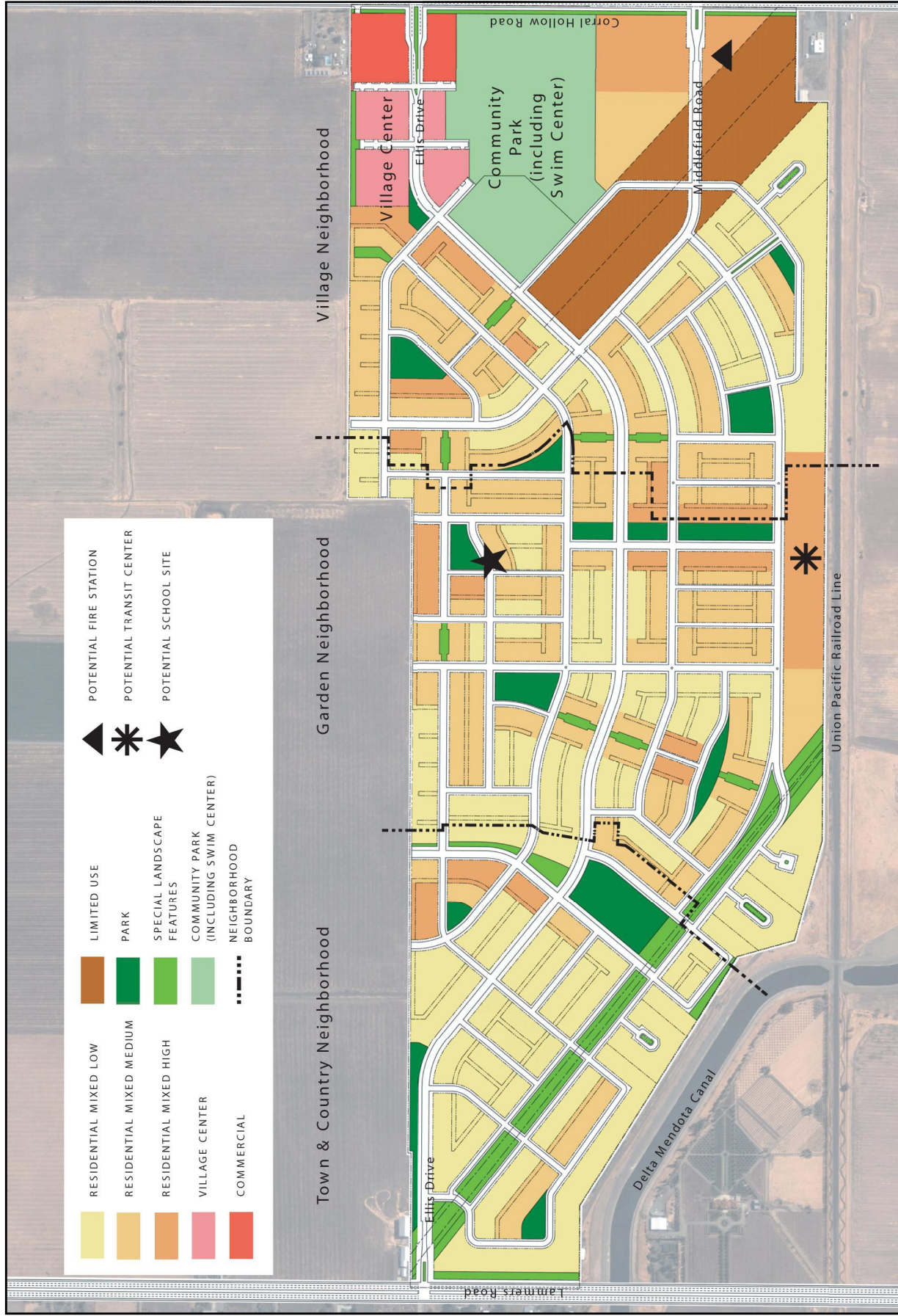
The ESP includes a mix of residential, commercial, office/professional, institutional, and recreational uses. The Plan will accommodate a maximum of 2,250 residential units, 180,000 square feet of commercial use, a 16-acre Swim Center, and parks; refer to Figure 2-3 (Land Use Plan) for a depiction of the proposed land use plan. The Pattern Book (design guidelines) calls for a mix of architectural styles historically popular in the Tracy area to guide the design of all buildings within the ESP area. Housing would be the predominant land use. The ESP proposes three residential neighborhoods that would have pedestrian-scaled streets, neighborhood parks, and open spaces, as well as Residential Mixed low, Residential Mixed Medium, and Residential Mixed High-density housing. In some cases, residential garages would be accessed by way of rear driving lanes (alleys). A village with commercial, office/retail, and/or civic facilities is proposed to support the residential land uses. The ESP also provides for a Swim Center currently envisioned to include a 50-Meter Olympic-sized swimming pool, recreation pool, water slide, lazy river, flow rider, sprayground area, wet play structure, sand volleyball, and picnic area on a 16-acre site. A commercial area is also proposed to support residential land uses. Proposed park, open space, and buffer areas would provide the community with both passive and active recreation opportunities.

### Residential Land Uses

The goal of the residential component of the ESP is to provide a range of housing choices to the residents of the City of Tracy: Residential Mixed Low (RML), Residential Mixed Medium (RMM), and Residential Mixed High (RMH). Residential Mixed Low provides for relatively low-density housing consisting of one and two-story detached houses. Residential Mixed Medium would allow one and two-story detached houses, and two and three-story attached townhouses. Residential Mixed High housing would consist of single- and multi-family, detached houses, and attached townhouses and apartments.

### Village Center

The ESP would accommodate up to 60,000 square feet of commercial uses in the Village (V). Some of the permitted commercial uses would include retail shops, art galleries, personal services, banking, professional offices, cafes, and restaurants. Permitted public uses include a post office and/or civic facilities, including administrative offices. Up to 50 residential units, would be allowed in the Village portion of the ESP.



City of Tracy Ellis Specific Plan Approvals and  
Ellis Development Agreement Initial Study  
**Land Use Plan**  
Figure 2-3

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## Commercial

At the northeast corner of the Project site, there are multiple sites designated for up to 40,000 square feet of commercial uses. While a variety of commercial uses are permitted, the preferred uses include a gas station bank, a small office building, and a coffee shop.

## Limited Use

The Limited Use designation is intended to allow for up to 80,000 square feet of development within the Tracy Airport Outer Approach Zone.

## Parks

### Improved and Passive Parks

A portion of the ESP is reserved for parks. The system is designed to serve a broad cross-section of residents by providing a diverse mix of active and passive recreational opportunities. The park areas would also be designed to be in compliance with the City of Tracy General Plan and the State of California's Quimby Act. The ESP proposes approximately 3 acres of improved and passive parks per 1,000 residents that would be distributed throughout the ESP residential neighborhoods. The parks are designed to provide a diverse set of passive and active recreational opportunities, including walking paths, playing fields, play areas, court games, and community gathering places.

## Swim Center

A 16-acre site along Corral Hollow Road has been designated for a Swim Center. Uses in the Swim Center may include a competition swimming pool, recreation pool, wet play structures, recreational rivers, support facilities, volleyball, and associated parking and landscaping. The land dedication for and contribution towards the swim center is in-lieu of any community park requirements for the Ellis Program.

## Landscaping

The ESP recommends a variety of landscape materials. In addition, the ESP states that each park and public open space may utilize a native plant palette if it complements the streetscape plantings and provides a for variety amongst the distribution of species. The ESP also encourages the use of drought-tolerant landscaping.

## Parking

The ESP calls for parking spaces to be located on-street, in designated lots, and on private properties accessed via streets and rear lanes (alleys). Residential parking would be located on-streets, in driveways, garages, and in some cases accessed via a rear lane (alley) network. On-street visitor parking would be allowed on most streets types. The Village would be served by a series of designated lots and on-street convenience parking. Neighborhood parks would typically be served by on-street parking; however, some parking would be provided in designated off-street lots.

## Phasing

The proposed ESP would be developed in three phases. Phase I would be started during Year 1, Phase II started in Years 3 & 4, , and Phase III started in Years 5 & 6. All phases may at some point be under concurrent construction until buildout. The Village could be built on its own or concurrently with another phase.

### **Infrastructure/ Public Utilities**

Procurement, development, and construction of a variety of infrastructure improvements would be required to support the proposed land uses. Necessary utilities include, but are not limited to: water supply sources, a water distribution system, a wastewater system, a storm water conveyance system, and roads and sidewalks. A Finance and Implementation Plan will be completed for the ESP that will describe the funding and phasing of necessary infrastructure improvements.

## Section 3 Evaluation of Environmental Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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### I. Aesthetics

*Would the project:*

a. *Have a substantial adverse effect on a scenic vista?*

**LESS THAN SIGNIFICANT IMPACT.** The Ellis Specific Plan (ESP) site is currently sparsely developed. The majority of land area is in large agricultural holdings that consist of crops and fields. Residential development occurs along Lammers Road and is characterized by large lots (five- and ten-acre parcels) that are developed with homes and accessory structures (barns, storage sheds, etc.). In addition, a tree nursery is located within the site. The City of Tracy General Plan (General Plan) does not identify any scenic vistas or scenic routes within the vicinity of the ESP site.

The proposed ESP is intended to comprehensively guide future development within the ESP site to ensure quality future development occurs. Long-term buildout of the ESP site would produce a mix of uses and a variety of building types. The ESP incorporates a Pattern Book that establishes standards for building architecture and building placement on lots, among other things. As the ESP site is not considered a scenic resource and the ESP includes development standards and design guidelines to ensure quality development of the ESP site, future development that would be facilitated by the ESP is not anticipated to result in a substantial effect on a scenic vista. Less than significant impacts would occur with implementation of the proposed ESP. Additionally, impacts associated with development of the ESP site were previously contemplated and analyzed in the General Plan EIR.

**(Sources: 1, 2, 3)**

b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**NO IMPACT.** The ESP site is not located near or within an officially designated or eligible state scenic highway. Moreover, no scenic rock outcroppings or historic buildings are located on the ESP site. Future development facilitated by the proposed ESP would result in the removal of a number of ornamental trees; however, these trees are not considered scenic resources. Therefore, no impact would occur.

**(Sources: 1, 2, 3)**

c. *Substantially degrade the existing visual character or quality of the site and its*

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

*surroundings?*

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Implementation of the ESP would result in a significant alteration of the existing visual character of the ESP site. ESP construction activities would temporarily disrupt views across the site from surrounding areas. Graded surfaces, construction debris, construction equipment, and heavy truck traffic would be visible. The staging and operation of heavy equipment, graded areas, and material and debris stockpiles would result in the degradation of the aesthetic qualities of the ESP site. Short-term impacts from construction-related activities such as grading and equipment storage could also degrade short-term public views from I-580 and other surrounding roadways. Additionally, long-term buildout of the ESP site would produce a mix of uses and a variety of building types.

Implementation of the ESP would permanently alter the nature and appearance of the ESP site from active farmland to residential development. On-site structures would be visible from surrounding areas. This alteration of appearance is permanent and would continue through the life of the ESP. However, the *General Plan* land use designation for the Project site is TR-Ellis; buildout of the Project site was previously contemplated and analyzed as part of the General Plan EIR. The Project is consistent with the General Plan, and less than significant aesthetic impacts would occur. Additionally, the following General Plan mitigation measure to further reduce potential impacts related to light and glare applies to the Project:

**Mitigation Measure AES-1:** With submittal of a final subdivision map application, the Project Applicant shall show the temporary construction equipment staging areas within the ESP site through the duration of construction. These areas shall be clustered in order to minimize visual impacts during construction.

(Sources: 1, 2, 3)

- d. *Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?*

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Future uses facilitated by implementation of the proposed ESP would introduce new sources of light and glare on the site and in the ESP vicinity and, in particular, to an area that currently produces little nighttime light. Sources of light may include interior and exterior lighting, street lights, security lighting, and light and glare from headlights of vehicles on the ESP site. Structures, equipment, and paved surfaces may cause glare impacts on adjacent land uses. As stated previously, the *General Plan* land use designation for the Project site is TR-Ellis; buildout of the Project site was previously analyzed as part of the General Plan EIR. Therefore, the Project is consistent with the General Plan, and less than significant impacts would occur. Additionally, the following mitigation measure to further reduce potential impacts related to light and glare applies to the Project:

**Mitigation Measure AES-2:** ESP design features shall be incorporated by the Project Applicant and future Project Applicants to reduce visibility of the ESP caused by light and glare. Such design features include, but are not limited to shielding sources of light from “spilling” onto adjacent areas, where feasible.

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

(Sources: 1, 2, 3)

## II. Agricultural Resources

*Would the project: {In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.}*

- a. *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** Programs applicable to agricultural resources include the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program and the California Land Conservation (Williamson) Act. The CDC Farmland Mapping and Monitoring Program identifies and designates lands that are prime farmland or farmland of statewide importance.

According to the 2002 San Joaquin County Important Farmland Map prepared by the Farmland Mapping and Monitoring Program of the California Resources Agency, the proposed ESP site is classified as Prime Farmland. Implementation of the ESP would facilitate the conversion of 320-acres of prime farmland to residential, commercial, office, and recreational uses. However, the General Plan land use designation for the Project site is TR-Ellis; buildout of the Project site was previously analyzed as part of the General Plan EIR. Therefore, the Project is consistent with the General Plan, and less than significant impacts to agricultural resources would occur. In addition, the Project Applicant will be subject to the payment of the appropriate Agricultural Mitigation Fee to the City of Tracy, in accordance with Chapter 13.28 of the Tracy Municipal Code. Less than significant impacts would occur.

(Sources: 1, 2, 3)

- b. *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

**LESS THAN SIGNIFICANT IMPACT.** None of the parcels that make up the ESP site are under a Williamson Act contract. However, the ESP site is currently zoned for agricultural use by San Joaquin County. As previously stated, the General Plan land use designation for the Project site is TR-Ellis; buildout of the Project site was previously contemplated and analyzed as part of the General Plan EIR. Therefore, the Project is consistent with the General Plan, and less than significant impacts related to existing zoning and Williamson Act contracts would occur.

(Sources: 1, 2, 3)

- c. *Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?*
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** The Project site does not contain forest land. Therefore, no impacts would occur.

(Sources: 1, 2, 3)

- d. *Result in the loss of forest land or conversion of forest land to non forest use?*
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** Refer to the response to Checklist Item II.c above. No impacts would occur.

(Sources: 1, 2, 3)

- e. *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*
- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
|  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Refer to the response to Checklist Items II.a. and II.b., above. In addition, the following mitigation measure applies to the Project:

**Mitigation Measure AG-1:** As construction occurs along the northern Ellis boundary, fencing consistent with the ESP shall be required prior to occupancy of those structures.

(Sources: 1, 2, 3)

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

### III. Air Quality

*Would the project:*

a. *Conflict with or obstruct implementation of the applicable air quality plan?*

**POTENTIALLY SIGNIFICANT IMPACT.** The proposed ESP area is within the San Joaquin Valley Air Basin (SJVAB), which has been classified as “non-attainment” by the Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) for ozone and respirable particulate matter (PM<sub>10</sub>) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the state in an effort to control and minimize air pollution.

Future development facilitated by the ESP is likely to result in increased vehicular emissions during both the construction and post construction phases. Therefore, it could contribute to ozone precursors and particulate matter in the local airshed, potentially resulting in a violation of air quality standards. A violation of air quality standards by future development facilitated by implementation of the ESP would be considered a potentially significant impact. Though development of this site was contemplated in the General Plan EIR and the preparation of the City’s Sustainability Action Plan (SAP), site specific impacts will be evaluated in the EIR.

The SJVAPCD’s *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) establishes thresholds of significance for construction and operation (post-construction) phases of projects. The SJVAPCD guidelines and thresholds for determining significance will be utilized in the EIR’s assessment of site-specific construction, operational and long-term impacts. In addition, consistency with Clean Air Plan, applicable City of Tracy General Plan policies and the City of Tracy General Plan EIR will also be analyzed in the EIR.

**(Sources: 1, 2, 3)**

b. *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

**POTENTIALLY SIGNIFICANT IMPACT.** Future development facilitated by implementation of the ESP would result in construction activities, such as site preparation, grading, excavation and other general construction activities, which could increase the amount of dust and construction emissions. Construction may create temporary impacts from fugitive dust to occupants of neighboring properties to the east and west. The San Joaquin Valley Air Basin is currently in non-attainment for particulate matter (dust) less than 10 microns in diameter (PM<sub>10</sub>). Under the long-term, the operational activities of future development facilitated by the ESP would generate traffic from residential, commercial/office, and activities within the ESP site and would emit additional pollutants along local roadways (including ozone precursors), adding to the regional burden of pollution within the larger air basin. The San Joaquin Valley Air Basin is currently in non-attainment for ozone. These issues will be evaluated in the EIR using SJVAPCD’s *Guide for Assessing and Mitigating Air Quality Impacts*.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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(Sources: 1, 2, 3)

- c. *Result in a cumulatively considerable net increase any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*
- |                                     |                          |                          |                          |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** Implementation of the ESP has the potential to increase PM<sub>10</sub> and ozone precursors. Because the San Joaquin Valley Air Basin is currently in non-attainment for PM<sub>10</sub> and ozone, the proposed ESP could contribute to cumulative air quality impacts. Potentially significant cumulative air quality impacts will be evaluated in the EIR using SJVAPCD’s *Guide for Assessing and Mitigating Air Quality Impacts*.

(Sources: 1, 2, 3)

- d. *Expose sensitive receptors to substantial pollutant concentrations?*
- |                                     |                          |                          |                          |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** Construction activities, including excavation, grading, demolition, vehicle travel on unpaved surfaces, and vehicle and equipment exhaust may generate dust that could potentially affect nearby sensitive receptors, such as the residential communities located to the east and west of the ESP site. Air quality impacts on sensitive receptors will be analyzed in the EIR.

(Sources: 1, 2, 3)

- e. *Create objectionable odors affecting a substantial number of people?*
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** The proposed ESP would facilitate the development of residential, commercial, office, and recreational uses. None of the proposed land uses would create objectionable odors that would affect a substantial number of people. No impacts would occur as a result of the proposed ESP.

(Sources: 1, 2, 3)

#### IV. Biological Resources

*Would the project:*



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>a. <i>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**POTENTIALLY SIGNIFICANT IMPACT.** The ESP site is primarily comprised of agricultural lands. Agricultural lands provide breeding, foraging, and/or sheltering habitat for several animal species, including special-status species. Therefore, future development facilitated by the ESP could result in direct and indirect impacts to special-status species. Impacts to special-status species are considered significant and will require further analysis in the EIR. It should be noted that, as stated in the General Plan EIR, all development projects within City limits are required to meet all Federal, State, and local regulations for habitat and species protection (General Plan Objective OSC-1.1). Additionally, the ESP site falls under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Though development of this site was contemplated in the General Plan EIR site specific impacts to biological resources will be evaluated in the EIR. Further analysis will be conducted in the EIR.

**(Sources: 1, 2, 3)**

<p>b. <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**LESS THAN SIGNIFICANT IMPACT.** One irrigation ditch, totaling approximately 1.6 acres, or less than 1 percent of the site, is located at the northern end of the site. Additionally, three agricultural tail water irrigation ponds are located within the ESP boundaries. These features have the potential to contain riparian habitat. As stated in the General Plan Supplemental EIR, not all sensitive species, especially in conjunction with wetland habitats, are covered by the SJMSCP. Regardless, State and federal requirements for wetlands mitigation as outlined in the Clean Water Act must be met prior to project approval. Any development project proposed in a wetland area would under-go CEQA review for biological resources, and review by CDFG, in order to determine if additional mitigation measures are required. For example, a detailed wetland delineation and verification by the Corps would be required to determine the extent of jurisdictional wetlands on sites where modifications are proposed and to provide the basis for mitigation. Therefore, less than significant impacts to wetlands are expected to occur.

**(Sources: 1, 2, 3)**

<p>c. <i>Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

*to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**LESS THAN SIGNIFICANT IMPACT.** Wetlands are considered sensitive habitats because by nature they are fragile, and because of their decreasing distribution in the region and throughout the state. In addition, they provide flood control, pollution control, habitat for native plants and animals, and aesthetic and recreational amenities. Three agricultural tail water irrigation ponds and one irrigation ditch are located within the ESP boundaries that contain water only during irrigation events. All of the ponds have been excavated on dry, level land to function as irrigation holding ponds or as irrigation water runoff basins. There is no evidence that these areas are being supported by any other hydrology. Given these characteristics, these features are not considered wetlands. Additionally, as stated in the General Plan EIR, all development projects within City limits are required to meet all Federal, State, and local regulations for habitat and species protection (General Plan Objective OSC-1.1). Additionally, the ESP site falls under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Therefore, less than significant impacts are anticipated.

**(Sources: 1, 2, 3)**

- d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** The ESP site is located in a developing area adjacent to the City of Tracy. Agricultural lands and open space are located to the north and south of the ESP site. Given the Delta Mendota Canal is located adjacent to the site and there is neighboring open space, it is reasonable to assume that the site may be used for the movement of wildlife. However, it should be noted that, as stated in the General Plan EIR, all development projects within City limits are required to meet all Federal, State, and local regulations for habitat and species protection (General Plan Objective OSC-1.1). Additionally, the ESP site falls under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Therefore, less than significant impacts would occur.

**(Sources: 1, 2, 3)**

- e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** No protected trees exist within the Project site. The City of Tracy has a tree ordinance (Tracy Municipal Code [T.M.C]. Chapter 7.08) that protects “street trees” planted within rights-of-way or planting easements. However, the City's tree ordinance does not cover trees on agricultural lands, and therefore, impacts are considered to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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(Sources: 1, 2, 3)

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p><i>f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** The ESP site is located within the jurisdiction of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The SJMSCP is a 50-year plan aimed at preserving habitat for a multitude of species found in San Joaquin County. Administered by SJCOG, Inc., the plan is funded through grants and developer fees that are used to acquire easements or land in order to protect habitat. Participation in the SJMSCP is voluntary for both local jurisdictions and project proponents. Only agencies adopting the SJMSCP will be covered by the SJMSCP. On February 6, 2001, the Tracy City Council adopted the SJMSCP by means of Resolution 2001-050. As noted in the Ellis Specific Plan (Section 2.4), the Project Applicant would work with the City to implement the SJMSCP as it relates to implementation of the Ellis Specific Plan. The Project Applicant would be required to pay fees at time of ground disturbance permits (such as grading and/or building permits) as set forth in the Plan to implement recommendations (called “minimization measures”) as required by an SJCOG appointed qualified biologist on a case-by-case basis throughout the Ellis Specific Plan Area prior to ground disturbance of that area. These standard procedures apply to all projects, including the Ellis Specific Plan, that are covered under the SJMSCP. Less than significant impacts would occur in this regard.

(Sources: 1, 2, 3)

## V. Cultural Resources

*Would the project:*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p><i>a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** Historical resources include any resource listed in or determined to eligible for listing in the California Register of Historical Resources, a resource included in a local register of historical resources, or any object building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. There are no buildings, structures, facilities, or other resources within the ESP site that would be considered historically significant. Therefore, future development facilitated by the ESP would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. No impacts would occur.

(Sources: 1, 2, 3)

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p><i>b. Cause a substantial adverse change in the</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

*significance of an archaeological resource pursuant to §15064.5?*

**LESS THAN SIGNIFICANT IMPACT.** The Tracy Planning Area likely contains undiscovered archaeological and paleontological sites, including human remains, especially in undeveloped areas. Implementation of the ESP would result in the development of one of these areas, which may include grading, ground removal, and other disturbances. These actions could result in a potentially significant impact to paleontological and archaeological resources. Mitigation was identified in the General Plan EIR to reduce potentially significant impacts to archaeological and paleontological resources to a less than significant level. Future development facilitated by the ESP would be required to comply with the mitigation identified in the General Plan EIR. Therefore, less than significant impacts would occur.

**(Sources: 1, 2, 3)**

c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*                       

**LESS THAN SIGNIFICANT IMPACT.** There are no known paleontological resources or unique geologic features within the proposed ESP site. Grading and earth excavation during future construction of development facilitated by the implementation of the ESP could result in the discovery of unknown resources. If paleontological resources and/or unique geologic features are uncovered as a result of ESP implementation, adherence to mitigation measures identified in the General Plan EIR would reduce potential impacts to less than significant levels.

**(Sources: 1, 2, 3)**

d. *Disturb any human remains, including those interred outside of formal cemeteries?*                       

**LESS THAN SIGNIFICANT IMPACT.** There are no known human remains buried within the ESP site. However, buried remains could be present and unearthed as a result of excavation and grading associated with future development facilitated by the ESP. Implementation of mitigation measures identified in the General Plan EIR would reduce potential impacts on human remains to a less than significant level.

**(Sources: 1, 2, 3)**

## VI. Geology and Soils

*Would the project:*

a. *Expose people or structures to potential substantial adverse effects, including the risk of*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

*loss, injury, or death involving:*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>➤ <i>Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** The ESP area is not located in a designated Alquist-Priolo Earthquake Fault Zone. Therefore, the probability of ground surface rupture at the site due to displacement along a fault is considered remote. No impacts would occur as a result of the implementation of the ESP.

**(Sources: 1, 2, 3)**

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>➤ <i>Strong seismic ground shaking?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** The ESP site is not located within an Earthquake Fault Zone, as defined by the State Geologist. The nearest mapped active fault (Carnegie/Corral Hollow) is located approximately eight miles southwest of the site. However, due to the proximity of the ESP site to numerous inactive and active faults in the surrounding region, the ESP site has the potential to experience groundshaking. The impact of groundshaking to people or property caused by seismic activity on nearby faults would be increased as a result of site development. Therefore, to minimize potential damage to the proposed structures caused by groundshaking, all construction would comply with the latest California Building Code standards, as required by the City of Tracy Municipal Code 9.04.030. Implementation of the California Building Code standards, which include provisions for seismic building designs, would ensure that impacts associated with groundshaking would be less than significant.

**(Sources: 1, 2, 3)**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>➤ <i>Seismic related ground failure, including liquefaction?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** The probability of liquefaction near the surface of the site is low when evaluated against existing site conditions, including topography, soil types and presence of groundwater. The ESP site is characterized by interbedded layers and lenses of gravel, sand and clay with intermixes of these soils. The water table at the ESP site is approximately 60 to 70 feet in depth. Liquefaction more often occurs in earthquake-prone areas underlain by young (Holocene age) alluvium where the groundwater is shallower than 50 feet below the ground surface. The ESP site is not located within an Earthquake Fault Zone, as defined by the State Geologist. The nearest mapped active fault (Carnegie/Corral Hollow) is located approximately eight miles southwest of the site. This geologic condition, in conjunction with a low water table, indicates that the probability of liquefaction near the surface of the site is very low. The Safety Element

	Less Than Significant			
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact	

of the *General Plan* includes Objective SA-1.1, Policy 1, which requires that geotechnical engineering studies be undertaken for any development in areas where potentially serious geologic risks exist. The implementation of this policy would reduce the potential risk of liquefaction. Any potential impact from liquefaction is therefore considered to be less than significant.

(Sources: 1, 2, 3)

➤ *Landslides?*

**NO IMPACT.** The ESP site and its surroundings are relatively flat and do not have any steep slopes or hillsides that would be susceptible to landslides. Therefore, the potential for landslides is considered to be low. No impacts would occur as a result of the implementation of the ESP.

(Sources: 1, 2, 3)

b. *Result in substantial soil erosion or the loss of topsoil?*

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Impacts of ESP construction include clearing existing agriculture and potentially demolishing one residence and one accessory structure for the building of structures, roads, landscaped areas and similar permanent improvements. During the construction preparation process, existing vegetation would be removed to grade and compact the site, as necessary. As construction occurs, these exposed surfaces could be susceptible to erosion from wind and water. Effects from erosion include impacts on water quality and air quality. Risks associated with erosive surface soils can be reduced by using appropriate controls during construction and properly revegetating exposed areas. Additionally, the following mitigation measures to further reduce potential impacts related to soil erosion apply to the Project:

**Mitigation Measure GEO-1:** The Ellis Specific Plan requires the implementation of control measures set forth under Regulation VIII of the San Joaquin Valley Air Pollution Control District (SJVAPCD) Fugitive PM<sub>10</sub> Prohibition. The following mitigation measures, in addition to those required under Regulation VIII of the SJVAPCD, shall be implemented by the Project Applicant/future subsequent Project Applicants to reduce fugitive dust emissions:

- Water previously disturbed exposed surfaces (soil) a minimum of three-times/day or whenever visible dust is capable of drifting from the site or approaches 20 percent opacity.
- Water all haul roads (unpaved) a minimum of three-times/day or whenever visible dust from such roads is capable of drifting from the site or approaches 20 percent opacity.
- All access roads and parking areas shall be covered with asphalt-concrete paving or water sprayed regularly.

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

- Dust from all on-site and off-site unpaved access roads shall be effectively stabilized by applying water or using a chemical stabilizer or suppressant.
- Reduce speed on unpaved roads to less than 15 miles per hour.
- Install and maintain a trackout control device that meets the specifications of SJVAPCD Rule 8041 if the site exceeds 150 vehicle trips per day or more than 20 vehicle trips per day by vehicle with three or more axles.
- Stabilize all disturbed areas, including storage piles, which are not being actively utilized for construction purposes using water, chemical stabilizers or by covering with a tarp, other suitable cover or vegetative ground cover.
- Control fugitive dust emissions during land clearing, grubbing, scraping, excavation, leveling, grading or cut and fill operations with application of water or by presoaking.
- When transporting materials offsite, maintain a freeboard limit of at least six inches and cover or effectively wet to limit visible dust emissions.
- Limit and remove the accumulation of mud and/or dirt from adjacent public roadways at the end of each workday. (Use of dry rotary brushes is prohibited except when preceded or accompanied by sufficient wetting to limit visible dust emissions and use of blowers is expressly forbidden).
- Stabilize the surface of storage piles following the addition or removal of materials using water or chemical stabilizer/suppressants.
- Remove visible track-out from the site at the end of each workday.
- Cease grading activities during periods of high winds (greater than 20 mph over a one-hour period).
- Asphalt-concrete paving shall comply with SJVUAPCD Rule 4641 and restrict use of cutback, slow-cure, and emulsified asphalt paving materials.
- Grading should be conducted in phases.
- ESP site shall not be cleared of existing vegetation cover until required by construction.
- The Project Applicant shall revegetate graded areas as soon as it is feasible after construction is completed.

Additionally, refer to Mitigation Measure HYD-2 of this Initial Study.

**(Sources: 1, 2, 3)**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. <i>Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**LESS THAN SIGNIFICANT IMPACT.** The ESP site and its surroundings are relatively flat and do not have any steep slopes or hillsides that would be susceptible to landslides or lateral spreading. Therefore, impacts are anticipated to be less than significant.

(Sources: 1, 2, 3)

d. <i>Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Geotechnical studies prepared for the ESP noted the existence of potentially expansive clay near the surface of the site. Laboratory testing indicated that the soils exhibited moderate to high shrink/swell potential with variations in moisture content.

Expansive soils shrink and swell in volume during changes in moisture content, such as a result of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections. Implementation of the following mitigation measures would reduce potential impacts related to foundation support.expansive soils to a less than significant level:

**Mitigation Measure GEO-2:**

Prior to approval of improvement plans, the project proponent shall conduct a design-level geotechnical study, which shall consider the recommendations in the existing geotechnical studies prepared for each neighborhood in the ESP and additional recommendations as needed. The study shall specifically address whether expansive soils are present in the development area and include measures to address these soils where they occur. The recommendations from the geotechnical study shall be incorporated into the design of roadway and infrastructure improvements as well as foundation and building design for the review and approval of the City Engineer.

(Sources: 1, 2, 3)

e. <i>Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

*the disposal of wastewater?*

**NO IMPACT.** The future development facilitated by the ESP would connect to the City of Tracy's municipal waste water system. No septic systems or alternative wastewater systems are proposed. Therefore, no adverse impacts would occur as a result of the proposed ESP.

(Sources: 1, 2, 3)

## VII. Hazards and Hazardous Materials

*Would the project:*

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

**LESS THAN SIGNIFICANT IMPACT.** Implementation of the proposed ESP would facilitate a mixed-use development consisting of residential, commercial, office, and recreational uses. Future development facilitated by the ESP would use relatively small quantities of hazardous materials, such as household cleaners, pesticides, and fertilizers. The proper transport, use, and disposal of such materials would not create a significant hazard to the public or the environment. Therefore, less than significant impacts would occur as a result of the proposed ESP.

(Sources: 1, 2, 3)

- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**POTENTIALLY SIGNIFICANT IMPACT.** Because the ESP site has been intermittently used for agricultural production for decades, on-site soils may contain varying levels of pesticides and other chemicals. Although it is not anticipated that widespread undiscovered contamination exists on-site, the potential remains that contaminated soils or other materials may be discovered during site grading and construction activities. Due to the possible presence of hazardous materials, the potential for the implementation of the proposed ESP to result in upset and/or accidents involving the release of hazardous materials into the environment exists. However, the following mitigation would reduce potential impacts associated with hazards to a less than significant level:

**Mitigation Measure HAZ-1:** Based on the results of the Phase I analysis, prior to ground disturbing activities and issuance of grading permits, soil sampling shall be conducted by a Registered Environmental Assessor with Phase II/III experience to determine the potential for subsurface contamination associated with staining. Should any subsurface hazardous materials be found and contamination levels exceed federal or state human health screening levels

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

for residential areas or exceed hazardous waste limits, the soil shall be treated in accordance with standards of the City of Tracy and the California Department of Toxic Substances Control. The Registered Environmental Assessor shall prepare a Soil Management Plan in consultation with the City of Tracy and the California Department of Toxic Substances Control and the soil shall be treated accordingly.

**Mitigation Measure HAZ-2:** Interiors of individual on-site structures shall be visually inspected prior to demolition or renovation activities by a qualified inspector. Should hazardous materials be encountered with any onsite structure, the materials shall be tested and properly disposed of in accordance with state and federal regulatory requirements.

**Mitigation Measure HAZ-3:** Prior to the issuance of grading permits, onsite wells shall be properly closed and abandoned pursuant to state and federal guidelines.

**Mitigation Measure HAZ-4:** The exact location of petroleum pipelines shall be defined prior to the commencement of construction. Any activities occurring within the petroleum pipeline easement should be conducted pursuant to applicable CPUC guidelines and regulations.

**Mitigation Measure HAZ-5:** Prior to the issuance of grading permits, the exact location and extent of septic tanks and leach fields shall be determined. Once located, septic tanks shall be removed and properly disposed of at an approved landfill facility.

**Mitigation Measure HAZ-6:** During demolition of structures, paint waste shall be evaluated independently from building materials if paint is separated from building materials during demolition to determine whether lead based paint is present. Waste shall be evaluated independently from the building material to determine its proper management. Lead-based paint removal shall be performed in accordance with California Code of Regulations Title 8, Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and mandates good worker practices by workers exposed to lead.

**Mitigation Measure HAZ-7:** Any transformers shall be relocated during site construction/demolition should be constructed under the purview of the local utility purveyor to identify proper handling procedures regarding potential PCBs.

Two existing Pacific Gas and Electric (PG&E) pipelines traverse the ESP site in a northwesterly and southeasterly direction, bisecting the ESP site in a diagonal manner. These existing pipelines have the potential to create a hazard to future land uses located onsite. The purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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project. Therefore, while an analysis of this potential impact may not need to be included in the EIR pursuant to CEQA, it is being provided for informational purposes.

**(Sources: 1, 2, 3)**

- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** The proposed ESP site is not located within one-quarter mile of an existing or proposed school. Therefore, no impacts would occur as a result of the proposed ESP.

**(Sources: 1, 2, 3)**

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** Public records identified no listed regulatory sites within ESP site boundaries and 11 listed regulatory sites within a radius of one mile of the ESP site. The City of Tracy *General Plan* requires that developers “conduct the necessary level of environmental investigation prior to Project approval to ensure that redevelopment of the site would not affect the environment or the health or safety of future property owners (Objective SA-4.1, P2). Compliance with this policy would reduce the potential impact to a less-than-significant level.” Any existing hazardous materials located offsite have the potential to create a hazard to future land uses located onsite. The purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project. Therefore, while an analysis of this potential impact may not need to be included in the EIR pursuant to CEQA, it is being provided for informational purposes. Less than significant impacts would occur.

**(Sources: 1, 2, 3)**

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*
- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** Tracy Municipal Airport (TMA) is located immediately southeast of the ESP site across Corral Hollow Road. The airport is a general aviation facility owned and operated by the City of Tracy. TMA can accommodate, and currently serves, private single- and twin-engine propeller aircraft, as well as helicopters. An approach path for a runway extends from TMA to the northwest

	Less Than Significant			
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact	

into the ESP site. The existing TMA has the potential to create a hazard to future land uses located onsite. The purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project. Therefore, while an analysis of this potential impact may not need to be included in the EIR pursuant to CEQA, it is being provided for informational purposes. Due to the location of an airport immediately southeast of the ESP site further analysis will be included in the EIR to characterize potential safety impacts.

(Sources: 1, 2, 3)

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**NO IMPACT.** The ESP site is not located in the vicinity of a private airstrip. Therefore, no impacts would occur as a result of the proposed ESP.

(Sources: 1, 2, 3)

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**POTENTIALLY SIGNIFICANT IMPACT.** Implementation of the proposed ESP would result in an increase in traffic levels on surface streets in the vicinity of the ESP site. This may affect emergency response and/or emergency evacuation in the area. Further analysis is required in the EIR to evaluate the proposed ESP's potential impact on emergency response and emergency evacuation plans.

(Sources: 1, 2, 3)

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**LESS THAN SIGNIFICANT IMPACT.** Wildland fire risks stem from such factors as fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). To quantify potential risks, the California Department of Forestry (CDF) has developed a Fire Hazard Severity Scale using these criteria. No part of the Tracy Planning Area has a High wildland fire hazard designation. Some lands on the southwest side of the City are designated as having a Moderate wildland fire hazard. It also adjoins other undeveloped lands. However, no part of the ESP site or adjoining properties are shown by the *General Plan EIR* as being in this Moderate hazard area.

A number of design standards, such as road standards for fire equipment access; signage identifying streets, roads, and buildings; minimum water supply reserves for emergency fire use; fuel breaks and greenbelts;

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

clearances around structures; and emergency preparedness protocol and procedures are required by the City of Tracy in order to reduce wildfire hazards. These characteristics of the proposed ESP would reduce fire hazards by substantially improving the ability of fire crews and engines to access the area and to protect proposed structures from brush fires. As standard practice, the South County Fire Authority (SCFA) sets forth policies that would be enforceable within the ESP site to ensure that all construction plans and development proposals use fire protection measures that ensure fire protection-related impacts of development would be less than significant. These policies include the use of fire resistant plants, groundcover, and roofing materials, and clearing areas around structures of potential fuel. New development would also be required to satisfy fire flow and hydrant standards established by the City to facilitate fire fighting in the event of a fire. The *General Plan* also requires that the SCFA train regularly for both urban and wildland fire fighting conditions. The City is also required to maintain an up to date map of areas vulnerable to wildland fires. These features would reduce impacts to a less than significant level.

(Sources: 1, 2, 3)

### VIII. Greenhouse Gas Emissions

*Would the project:*

- a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**POTENTIALLY SIGNIFICANT IMPACT.** Though development of this site was contemplated in the General Plan EIR and site specific impacts will be evaluated in the EIR. In addition, the City prepared a Sustainability Action Plan (SAP) to further reduce potential greenhouse gas emissions. However, the Project has the potential to generate greenhouse gas emissions. Therefore, the EIR will further analyze potential impacts related to greenhouse gas emissions.

(Sources: 1, 2, 3)

- b. *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**POTENTIALLY SIGNIFICANT IMPACT.** Refer to discussion VIII (a), above. The EIR will further analyze potential impacts related to greenhouse gas emissions.

### IX. Hydrology and Water Quality

*Would the project:*

- a. *Violate any water quality standards or waste discharge requirements?*

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** The proposed ESP would result in the conversion of existing agricultural lands to urban uses, thereby potentially increasing the generation of typical urban water contaminants from the area. In addition, the proposed ESP could result in greater vehicular use of nearby roadways, which could potentially increase contaminants that would be carried in runoff and discharged into receiving waters. Moreover, grading and excavation associated with future development facilitated by the ESP could result in deposition of sediment on street surfaces. A Final Storm Drainage Technical Report was prepared for the Project in January 2011. The report summarizes the results of the storm drainage analysis performed to determine the master plan drainage infrastructure needed to serve the project. The report also identifies storm water runoff to be generated by the Project. The following mitigation measures to reduce potential impacts to a level of less than significant applies to the Project:

**Mitigation Measure HYD-1:** Prior to approval of Final Subdivision Maps, the Project Applicant shall provide a detailed hydrology report that specifies the expected stormwater volumes, projected peak storage capacity of temporary basins, and percolation characteristics of soil. The hydrology report shall demonstrate that adequate stormwater conveyance and capacity is available in either the region, onsite or offsite basins, depending on the chosen option. The hydrology report would be subject to review and approval by the City Engineer.

**Mitigation Measure HYD-2:** Prior to issuance of a grading or building permit, whichever occurs first, and following the preparation of ESP site grading plan, the Project Applicant shall demonstrate to the City of Tracy compliance with NPDES General Construction Activities Storm Water Permit Requirements established by the Clean Water Act (CWA), including the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall identify specific types and sources of stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate control measures to eliminate any potentially significant impacts on receiving water quality from stormwater runoff. The SWPPP shall comply with the most current standards established by the Central Valley RWQCB. Best Management Practices shall be selected from a menu according to site requirements and shall be subject to approval by the City Engineer and Central Valley RWQCB.

**Mitigation Measure HYD-3:** Prior to issuance of a grading or building permit, whichever occurs first, and following the preparation of the ESP site grading plan, the Project Applicant shall submit to the City Engineer for review a draft copy of the Notice of Intent (NOI) and SWPPP. After approval by the City, the NOI and SWPPP shall be sent to the State Water Resources Control Board for approval.

**Mitigation Measure HYD-4:** After Project completion, the Project Applicant or successor shall properly maintain parking lots and other common paved areas, by

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

sweeping or other appropriate means, to prevent the majority of litter from washing into storm drains.<sup>1</sup>

**(Sources: 1, 2, 3)**

- b. *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*
- 

**POTENTIALLY SIGNIFICANT IMPACT.** The ESP would accommodate a maximum of 2,250 residential units plus 180,000 square feet of commercial uses. Pursuant to the requirements of SB 610, as adopted in the California Water Code as Sections 10910-10915, a Water Supply Assessment (WSA) will be performed for the proposed ESP. The potential for the development intensity facilitated by the ESP to impact groundwater supplies will be evaluated in the EIR.

**(Sources: 1, 2, 3)**

- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off- site?*
- 

**LESS THAN SIGNIFICANT WITH MITIGATION WITH MITIGATION INCORPORATED.** Implementation of the proposed ESP would not alter the course of a stream or river. In addition, the proposed site storm drainage system would be constructed to follow the existing ground slope of the ESP site. However, future development facilitated by the ESP would involve vegetation removal, grading, earth excavation, and the construction of roads, sidewalks, and buildings. These activities would alter the existing drainage patterns of the ESP site and would increase the potential for erosion and/or siltation. Such increases in runoff could potentially cause increases in erosion, and/or siltation, of the ESP site. Implementation of standard erosion control procedures (SWPPP) would be required to minimize the risk. Implementation of Mitigation Measures HYD-1 through HYD-4 would reduce the potential impacts related to erosion and siltation by requiring that a hydrology report demonstrate adequate conveyance and capacity for surface runoff, and that Best Management Practices (BMPs) be implemented that would slow runoff flows and allow sediment to settle. With implementation of Mitigation Measures in addition to Project design features, such as Project-specific BMPs and green building design considerations would reduce potential drainage and erosion impacts to a less than significant level.

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<sup>1</sup> Proper maintenance of parking lots and other paved areas can eliminate the majority of litter washing into storm drains and thus, entering local waterways. Regular sweeping is a simple and effective BMP aimed at reducing the amount of litter in public waterways.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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(Sources: 1, 2, 3)

- d. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- |                          |                                     |                          |                          |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Implementation of the proposed ESP would not alter the course of a stream or river. In addition, the proposed site storm drainage system would be constructed to follow the existing ground slope of the ESP site. However, future development facilitated by the ESP would involve vegetation removal, grading, earth excavation, and the construction of roads, sidewalks, and buildings. These activities would alter the existing drainage patterns of the ESP site and would increase the potential for surface runoff which could result in flooding. Implementation of Mitigation Measures HYD-1 through HYD-4 would reduce potential impacts on flooding by requiring that a hydrology report demonstrate adequate conveyance and capacity for surface runoff, and that BMPs be implemented that would slow runoff flows, avoid debris accumulation, and provide opportunities for recharge. With implementation of Project design features, in addition to compliance with the requirements of the General Permit and with Chapter 9.52, Floodplain Regulations, of the City of Tracy Municipal Code, and implementation of Mitigation Measures HYD-1 through HYD-4 would reduce potential impacts on flooding to a less than significant level.

(Sources: 1, 2, 3)

- e. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- |                          |                                     |                          |                          |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** As stated in response to Checklist Item VIII.c, above, future development facilitated by implementation of the ESP would result in changes to the absorption rates, drainage patterns, and the corresponding rate and amount of surface runoff of the existing ESP site. New development would be required to construct adequately sized storm drainage systems that would connect to the City's existing storm drainage system that conveys stormwater flows. Without the final site plan designs, including information on the areas to be covered by impermeable or permeable surfaces (e.g. permeable pavers and landscaping), this analysis cannot accurately quantify the change in absorption rates and stormwater volume and rate. Implementation of Mitigation Measures HYD-1 through HYD-4 would reduce potential impacts on drainage systems or polluted runoff by requiring that a hydrology report demonstrate adequate conveyance and capacity for surface runoff, and that BMPs be implemented that would slow runoff flows, avoid debris accumulation and allow sediments to settle. Therefore, with implementation of Mitigation Measures HYD-1 through HYD-4 above, impacts on storm drainage systems or polluted runoff is considered to be less than significant level.



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**(Sources: 1, 2, 3)**

<i>f. Otherwise substantially degrade water quality?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**LESS THAN SIGNIFICANT IMPACT.** Refer to Checklist Items VIII.a and VIII.c above.

**(Sources: 1, 2, 3)**

<i>g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**NO IMPACT.** The ESP site is not within the 100-year flood zone.

**(Sources: 1, 2, 3)**

<i>b. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**NO IMPACT.** The ESP site is not within the 100-year flood zone.

**(Sources: 1, 2, 3)**

<i>i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**NO IMPACT.** The ESP is not located within the vicinity of a dam or a dam inundation area. The future development would not expose people or structures to risks associated with flooding caused by the failure of a dam or levee. No impact would occur.

**(Sources: 1, 2, 3)**

<i>j. Inundation by seiche, tsunami, or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**NO IMPACT.** A seiche is the tide-like rise and drop of water in a closed body of water caused by earthquake-induced seismic shaking or strong winds. A tsunami is a series of large waves generated by a strong offshore earthquake or volcanic eruption. The ESP site is not located in the vicinity of any major source of surface water; therefore, seiche and tsunami waves would not be a threat to the area. The ESP area is predominantly flat and does not have any steep slopes or hillsides that would be susceptible to mudflows or landslides. Therefore, no impacts would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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(Sources: 1, 2, 3)

## X. Land Use and Planning

*Would the project:*

a. *Physically divide an established community?*                       

**NO IMPACT.** The proposed ESP site is used primarily for agricultural purposes and contains one home on the site. The site is adjacent to an existing residential neighborhood to the east and rural residential development to west and is currently designated as TR-Ellis, which allows residential development to occur onsite. The ESP would not divide an established community. No further analysis is required.

(Sources: 1, 2, 3)

b. *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*                       

**LESS THAN SIGNIFICANT IMPACT.** The proposed ESP site is designated as TR-Ellis on the General Plan Land Use Map. The new zoning would be established with annexation and rezoning as described in the Specific Plan. The proposed Project includes a General Plan Amendment that would further facilitate the proposed residential, commercial, and open space uses to occur onsite. Therefore, the proposed Project would be consistent with the existing land use plans. Less than significant impacts would occur.

(Sources: 1, 2, 3)

c. *Conflict with any applicable habitat conservation plan or natural community conservation plan?*                       

**LESS THAN SIGNIFICANT IMPACT.** Refer to Checklist Item IV.f.

(Sources: 1, 2, 3)

## XI. Mineral Resources

*Would the project:*

a. *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

**NO IMPACT.** The main mineral resources found in San Joaquin County, and the Tracy Planning Area, are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. Within the Tracy Planning Area aggregate materials are found in the Corral Hollow alluvial fan deposits south of Tracy. The City of Tracy has an adopted Aggregate Mining Overlay zone, which has been approved by the State Division of Mines and Geology (Resolution 2000-12 of State Division of Mines and Geology). The Overlay Zone establishes that the area north of Linne Road would allow for urban development, while area south of Linne Road would be available for aggregate mining. Presently, there are five aggregate extraction sites operating within the Tracy Planning Area.

In order to protect aggregate land and mitigate conflicts between mining activities and urban uses, the Tracy General Plan designates lands with production quality mineral reserves as Aggregate in the southern portion of Tracy. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the City has designated the bulk of this area as Aggregate in the General Plan. This includes permitted mining uses on ten acres within the City limits and on 1,030 acres in the SOI. Some additional areas identified as having potentially significant aggregate deposits are designated as Industrial in the General Plan. As noted above, the City and the State have agreed that identified areas south of Linne Road can be used for aggregate uses. The proposed ESP site does not fall within areas identified as having potentially significant aggregate deposits; therefore, no impacts would occur.

**(Sources: 1, 2, 3)**

- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*
- 

**NO IMPACT.** See discussion above under Checklist Item X.a.

**(Sources: 1, 2, 3)**

## **XII. Noise**

*Would the project result in:*

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- 

**POTENTIALLY SIGNIFICANT IMPACT.** Future development within the ESP site would be exposed to traffic noise from Corral Hollow Road, Lammers Road, and potentially Linne Road. Other potential sources of noise would derive from the adjacent railroad lines to the south, as well as small aircraft and helicopters traveling to and from the Tracy Municipal Airport. Potential exposure to noise levels in excess of standards adopted by the City of Tracy General Plan is a potentially significant impact. These existing noises have the potential to expose future land uses located onsite to excessive noise levels. The purpose of an EIR

	Less Than Significant			
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact	

is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project. Therefore, while an analysis of this potential impact may not need to be included in the EIR pursuant to CEQA, it is being provided for informational purposes. Though development of this site was contemplated in the General Plan EIR and site specific impacts will be evaluated in the EIR. The EIR will analyze the potential noise impacts on the ESP, and determine whether ESP noise will exceed established noise standards.

**(Sources: 1, 2, 3)**

- b. *Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*

**POTENTIALLY SIGNIFICANT IMPACT.** The proposed land uses, including residential, commercial, office, and recreational, are not land uses that are normally associated with excessive noise levels or vibrations. Furthermore, the ESP does not propose any underground development such as tunnels or parking garages that might contribute to groundborne vibration or noise. However, the ESP would place residential structures adjacent to Union Pacific Railroad lines and Corral Hollow Road, which receives truck traffic from the industrial uses located southeast of the area. Thus, future residential uses would be exposed to noise and vibration from rail and truck traffic. These existing noises have the potential to expose future land uses located onsite to excessive groundbourne vibration and noise levels. The purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project. Therefore, while an analysis of this potential impact may not need to be included in the EIR pursuant to CEQA, it is being provided for informational purposes. Though development of this site was contemplated in the General Plan EIR, specific impacts will be evaluated in the EIR.

**(Sources: 1, 2, 3)**

- c. *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

**POTENTIALLY SIGNIFICANT IMPACT.** The proposed ESP would facilitate new housing, commercial, office, and recreational uses in an area that, at present, only contains agricultural fields and sparse residential development. Future development facilitated by the proposed ESP would result in a permanent increase in the existing ambient noise levels in the vicinity, primarily from traffic. Potential increases in ambient noise levels may be detected by residents in the residential communities located east and west of the ESP site. Increases in the ambient noise level are potentially significant. Though development of this site was contemplated in the General Plan EIR, site specific impacts will be evaluated in the EIR.

**(Sources: 1, 2, 3)**

- d. *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above*

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

*levels existing without the project?*

**POTENTIALLY SIGNIFICANT IMPACT.** Implementation of the ESP could indirectly result in periodic increases in temporary construction-related noise over the long-term buildout of the proposed ESP site. Potential impacts related to temporary or periodic increases in ambient noise levels will be addressed in the EIR.

**(Sources: 1, 2, 3)**

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- 

**POTENTIALLY SIGNIFICANT IMPACT.** The ESP site is located within the San Joaquin County Council of Governments' *Airport Land Use Plan (ALUP)* for the Tracy Municipal Airport. A portion of the Plan area is located within the airport's Outer Approach/Departure Zone (Zone 4) (northwest of the intersection of Corral Hollow and Linne Roads). Potential exposure to noise levels in excess of standards adopted by the San Joaquin County Council of Governments' ALUP is a potentially significant impact. The existing TMA has the potential to create excessive noise levels to future land uses located onsite. The purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project. Therefore, while an analysis of this potential impact may not need to be included in the EIR pursuant to CEQA, it is being provided for informational purposes. The EIR will analyze the potential noise impacts on the ESP, and determine whether ESP noise will exceed City General Plan Noise Element established noise standards.

**(Sources: 1, 2, 3)**

- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*
- 

**NO IMPACT.** The proposed ESP site is not located within the vicinity of a private airstrip. Therefore, No impacts would occur.

**(Sources: 1, 2, 3)**

### XIII. Population and Housing

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. <i>Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**LESS THAN SIGNIFICANT IMPACT.** The amount of new residential growth facilitated by the ESP (up to 2,250 housing units) would be within the range of housing development planned for in the City of Tracy *General Plan*. The *General Plan* identifies a potential increase of 16,200 housing units in the City by 2025, which is the maximum increase allowed by the City’s Growth Management Ordinance. Of these, a maximum of 2,250 units are anticipated in the ESP site. Therefore, less than significant impacts would occur.

(Sources: 1, 2, 3)

b. <i>Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

**LESS THAN SIGNIFICANT IMPACT.** The proposed ESP site is used primarily for agricultural purposes and contains one home on the site. Ultimately, implementation of the ESP would result in the demolition of structures to accommodate construction of the proposed land uses. If the proposed ESP is approved, one house would be replaced by up to 2,250 homes. Due to the small number of existing housing units that would need to be replaced and to the fact that no residents would be displaced, impacts relative to displacement of substantial numbers of existing housing are considered to be less than significant.

(Sources: 1, 2, 3)

c. <i>Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

**LESS THAN SIGNIFICANT IMPACT.** Refer to the response to Question XII.b, above.

(Sources: 1, 2, 3)

#### XIV. Public Services

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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a. *Fire protection?*

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** The proposed ESP could increase the service demands of the South County Fire Authority by adding new residents and possibly new employees, who would work in the area. Impacts to fire protection services are potentially significant. The following mitigation measures to reduce potential impacts to fire protection services applies to the Project:

**Mitigation Measure PS-1:**

The Project Applicant shall work with the City and the South County Fire Authority to help identify a possible location for a future fire station to serve the ESP site and surrounding areas.

**Mitigation Measure PS-2:**

Prior to the issuance of Building Permits, the Project Applicant shall work with the City and the South County Fire Authority to establish adequate emergency response services to the ESP site through the construction of a new fire sub-station, and EMT sub-station, temporarily stationed emergency response personnel, or other means as reviewed and approved by the South County Fire Authority. Additionally, the Project FIP shall include a Public Buildings Mitigation Fee.

(Sources: 1, 2, 3)

b. *Police protection?*

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------	--------------------------

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** Future development facilitated by implementation of the ESP could increase the service demands of the City of Tracy Police Department by adding new residents and possibly additional employees working in the area. The following mitigation measure to reduce potential impacts to fire protection services applies to the Project:

**Mitigation Measure PS-3:**

The Project Applicant of individual projects within the ESP site shall consult with the Police Department during preliminary stages of site design to review safety features, determine their adequacy, and suggest design and/or physical improvements to the proposed site plan and/or to police facilities and equipment to ensure adequate service is maintained. This is achieved through the City's development review process, which currently is coordinated with various City Departments' review of new development proposals.

(Sources: 1, 2, 3)

c. *Schools?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

	Less Than Significant		
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact

**LESS THAN SIGNIFICANT IMPACT.** The future development facilitated by the ESP could ultimately add a maximum of 2,250 residential units, which could generate an increase in demand for school facilities in the Jefferson Elementary School District and the Tracy Unified School District. A Memorandum of Understanding (MOU) has been established between the Project Applicant and Tracy Unified School District. The MOU between TUSD and Western Corral, LLC (recorded against the property) stipulates the Project Applicant would pay the school mitigation fees for the proposed ESP as appropriate. Pursuant to Section 65995(3)(h) of the California Government Code (SB 50), “the payment of statutory fees is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use or development of real property....” Therefore, with payment of statutory fees, school impacts would be considered less than significant and no additional mitigation measures would be required.

(Sources: 1, 2, 3)

d. Parks?

**LESS THAN SIGNIFICANT IMPACT.** The proposed ESP could result in the addition of new residents to the area that could ultimately generate additional demand on the City’s parks. Ellis would provide approximately 3 acres of improved and passive parks per 1,000 residents, and 1 acre per 1,000 residents for community parks through land dedication for and contribution towards the swim center. This meets the current *General Plan* adopted requirement of 4 acres of parks per 1,000 residents. Therefore, less than significant impacts would occur.

(Sources: 1, 2, 3)

e. Other public facilities?

**LESS THAN SIGNIFICANT IMPACT.** The City requires payment of Public Facilities Impact Fees to offset the capital costs for impacts to public facilities. These fees are collected at building permit issuance and are used to fund additional facilities and equipment. Therefore, impacts would be less than significant.

(Sources: 1, 2, 3)

## XV. Recreation

*Would the project:*

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**LESS THAN SIGNIFICANT IMPACT.** See discussion above under Checklist Item XIIV.d.

(Sources: 1, 2, 3)



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- |   |                                     |                          |                          |                          |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <p><i>b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?</i></p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** The ESP includes a 16 acre Swim Center and approximately 3 acres per 1,000 residents of improved and passive parks. The proposed Swim Center and several parks are not anticipated to have an adverse physical effect on the environment. However, analysis is required in the EIR to determine if the construction of the proposed recreational facilities would have an impact on the environment.

(Sources: 1, 2, 3)

## XVI. Transportation and Traffic

*Would the project:*

- |   |                                     |                          |                          |                          |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <p><i>a. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</i></p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** Future development resulting from implementation of the ESP could result in a potentially significant increase in traffic volumes due to the addition of residential and commercial, office, and recreational uses. Though development of this site was contemplated in the General Plan EIR and the preparation of the Citywide Transportation Master Plan (TMP), site specific impacts to local roadways and intersections will be evaluated in the EIR. The increase in traffic volumes would place an increased demand on the existing street systems and I-580 and I-205, which provide regional vehicular access to the site. Further analysis is required in the EIR to assess the potential impacts from the proposed ESP on the surrounding regional and local roadways network.

(Sources: 1, 2, 3)

- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <p><i>b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</i></p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** The density, intensity, and types of uses proposed by the ESP would increase the volume of daily traffic trips traveling to and from the ESP site and on surrounding roadways. Implementation of the ESP could adversely impact, both individually and cumulatively, the level of

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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service on congested roadways. As such, the proposed ESP could result in potentially significant impacts that will require further analysis in the EIR.

**(Sources: 1, 2, 3)**

- c. *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**NO IMPACT.** The ESP does not propose any land uses or a change in location that would cause an increase in air traffic levels or result in substantial safety risks. Therefore, potential impacts to air traffic are not anticipated.

**(Sources: 1, 2, 3)**

- d. *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** New internal roadways would be required to serve and access proposed on-site uses. The roads would have to meet specific design standards to ensure that there would be no safety hazards such as sharp curves and dangerous intersections. Nonetheless, design features will be analyzed in the EIR.

**(Sources: 1, 2, 3)**

- e. *Result in inadequate emergency access?*
- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** The proposed ESP would be required to provide an internal circulation system, including ingress and egress that is designed to accommodate emergency vehicle access. Emergency access will be analyzed in the EIR.

**(Sources: 1, 2, 3)**

- f. *Result in inadequate parking capacity?*
- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

**POTENTIALLY SIGNIFICANT IMPACT.** Parking for each use will be evaluated in the EIR based on the City of Tracy Zoning Ordinance or as modified by the ESP, as well as parking demand created by the proposed uses. Further analysis for each land use area will be required in the EIR to ensure that there is sufficient parking capacity for proposed land uses.

**(Sources: 1, 2, 3)**

- g. *Conflict with adopted policies, plans, or programs*
- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	with Mitigation Incorporation	Impact	Impact

*supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

**POTENTIALLY SIGNIFICANT IMPACT.** Further analysis would be required in the EIR to ensure the ESP does not conflict with adopted plans and/or policies supporting alternative transportation.

(Sources: 1, 2, 3)

## XVII. Utilities and Service Systems

*Would the project:*

- a. *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** The ESP would be subject to all applicable Regional Water Quality Control Board requirements. However, new development could potentially exceed the wastewater treatment plant capacity, which could potentially result in exceeding wastewater treatment requirements if additional facilities are not constructed. Therefore, the future development facilitated by the ESP has the potential to cause an exceedance of existing plant capacity, and result in the necessity of the expansion of the Tracy WWTP, which would be considered a potentially significant impact.

All other future development within Corral Hollow service area would be required to connect to the existing Corral Hollow sewer system. Upgrades to the existing Corral Hollow system would be required in order to adequately handle additional wastewater generation from the Project. Upgrades to the Corral Hollow system would be completed in three phases. All upgrades would occur on the downstream end of the system since capacity is restrained at the downstream portion of the Corral Hollow sewer system. The Project Applicant would be required to pay for all upgrades to the existing Corral Hollow sewer system necessary to service the proposed Project.

These facilities would largely be constructed within existing roadway right of ways. As such, the impacts of either of these options would be primarily limited to short-term construction-related impacts, such as short-term noise, short-term air quality impacts, and temporary traffic delays if travel lane closures are necessary. No significant impacts would be expected with the implementation of these facilities following the standard construction-related mitigation measures identified throughout this Initial Study, and with implementation of Mitigation Measure UTIL-1.

In addition, since the Corral Hollow sewer system conveys additional flows to the Hansen pump station, upgrades to the Hansen pump station would be necessary. The Project Applicant would be required to pay for all upgrades to the existing Hansen Pump station necessary to service the proposed Project. The Project Applicant would also be required to pay a fair share portion of upgrades to the Tracy WWTP in order to adequately expand treatment capacity. The Project Applicant would be required to pay a fair share portion of upgrades to the existing WWTP necessary to service the proposed Project.

	Less Than Significant			
Potentially Significant Impact	with Mitigation Incorporation	Less Than Significant Impact	No Impact	

The following mitigation measure to reduce potential impacts to a level of less than significant apply to the Project:

**Mitigation Measure UTIL-1** Prior to the approval of a Tentative Subdivision Map for the proposed ESP site, the Project Applicant shall prepare a wastewater treatment conveyance and capacity study in consultation the City’s Department of Development and Engineering Services to determine which wastewater treatment facility would have the capacity to provide wastewater treatment service. The wastewater treatment conveyance facilities shall be designed in accordance with this determination, routing wastewater to the appropriate facility or facilities.

**(Sources: 1, 2, 3)**

b. *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*                       

**POTENTIALLY SIGNIFICANT IMPACT.** See response to Question XVII (a), above. Senate Bill (SB) 610 was adopted in the California Water Code as Sections 10910-10915. SB 610 requires that housing and commercial development projects that meet or exceed a specific number of units or square footage prepare a Water Supply Assessment (WSA) report to determine if adequate water supplies are available to serve the proposed development. Pursuant to the requirements of SB 610, a WSA will be prepared for the proposed ESP. The results of the WSA required by SB 610 will be disclosed in the EIR, along with information pertaining to the water demand of the ESP, the availability of water to serve the proposed ESP, and potential impacts that could occur as a result of ESP water demand and availability of water supplies.

**(Sources: 1, 2, 3)**

c. *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*                       

**POTENTIALLY SIGNIFICANT IMPACT.** Refer to the response to Question VIII (e), above.

**(Sources: 1, 2, 3)**

d. *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**LESS THAN SIGNIFICANT IMPACT.** See response to Question IX (b), above.

**(Sources: 1, 2, 3)**

- e. *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*
- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
|  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

**LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** The City of Tracy's existing wastewater system facilities includes sewer lines, lift stations, pump stations, and force mains. These facilities convey wastewater to the northern part of the City where wastewater is treated at the Tracy Wastewater Treatment Plant (WWTP), located north of I-205, between MacArthur Drive and Holly Drive. As stated above, the future development facilitated by the ESP has the potential to cause an exceedance of existing plant capacity, and result in the necessity of the constructing new facilities, which would be considered a potentially significant impact. Refer to the discussion in XVII (a) above. With the implementation of mitigation, less than significant impacts would occur.

**(Sources: 1, 2, 3)**

- f. *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** The proposed ESP would facilitate development of new housing units, office, and commercial development that would generate additional solid waste. However, according to the City of Tracy General Plan EIR, capacity at the Foothill Sanitary landfill, which serves the City of Tracy, is expected to be available to accommodate the anticipated development through the life of the General Plan. This would be considered a less than significant impact.

**(Sources: 1, 2, 3)**

- g. *Comply with federal, state, and local statutes and regulations related to solid waste?*
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**LESS THAN SIGNIFICANT IMPACT.** No conditions or elements have been identified that would result in the proposed project being inconsistent with federal, state, or local statutes and regulations regarding solid waste (such as excessive on-site demolition, illegal disposal of hazardous materials, etc.). Potential impacts are considered to be less than significant. No further analysis is required.

**(Sources: 1, 2, 3)**

	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Potentially Significant Impact			

### XVIII. Mandatory Findings of Significance

*Would the project:*

a. *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**POTENTIALLY SIGNIFICANT IMPACT.** The proposed ESP has the potential to degrade the quality of the environment. The future development facilitated by the proposed ESP could impact sensitive wildlife species. Therefore, further analysis is required.

**(Sources: 1, 2, 3)**

b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

**POTENTIALLY SIGNIFICANT IMPACT.** Future development facilitated by the proposed ESP could generate additional traffic and increased noise and air emissions associated with traffic, and could result in an increase in demands for services and utilities in the community. As such, further analysis of cumulative impacts is required in the EIR.

**(Sources: 1, 2, 3)**

c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**POTENTIALLY SIGNIFICANT IMPACT.** Potentially adverse environmental effects from air quality, traffic, and noise will need to be analyzed to determine whether their impact may cause substantial adverse effects on human beings either directly or indirectly. As such, further analysis of these impacts is required in the EIR.

**(Sources: 1, 2, 3)**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Section 4**  
**Report Authors and Consultants**

**City of Tracy**

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## Section 5 References and Persons Consulted

1. City of Tracy/Design Community and Environment, *City of Tracy General Plan*, February 1, 2011.
2. City of Tracy/Design Community and Environment, *City of Tracy General Plan Draft Supplemental EIR* April 2009.
3. City of Tracy/RBF Consulting. *City of Tracy/Surland Companies Development Agreement and Ellis Specific Plan Applications Environmental Impact Report*. April 2008.

AGENDA ITEM 2-B

REQUEST

**PUBLIC HEARING TO CONSIDER A GENERAL PLAN LAND USE DESIGNATION AMENDMENT OF A 10-ACRE SITE IN THE EASTLAKE AND ELISSAGARAY RANCH SUBDIVISIONS FROM PUBLIC FACILITIES TO RESIDENTIAL LOW. THE APPLICANT IS CHRIS TYLER AND THE PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER GPA10-0004**

DISCUSSION

Background and Project Location

The subject property is an approximately 10-acre site comprised of a 5-acre lot in the Eastlake residential subdivision (Assessor's Parcel Number 252-050-24) and a 5-acre lot in the Elissagaray Ranch residential subdivision Assessor's Parcel Number (252-260-01). The site is bordered by single-family homes to the north, south, east, and west (Attachment A).

In 1995 and 1996, the City annexed the Eastlake and Elissagaray Ranch development areas respectively and designated the properties Residential Low in the 1993 General Plan. In 1998, the City approved Eastlake Planned Unit Developments (PUD) and designated the subject 10-acre site as a public school based on the request of the Tracy Unified School District (TUSD). To date, a school has not been built.

In 2006, the City adopted the 2006 General Plan and designated the subject 10-acre site and other planned or developed public school sites citywide as Public Facilities. The remainder of the Eastlake and Elissagaray Ranch subdivisions was designated Residential Low and Park. In 2011, the City updated the General Plan and made no changes to the land use designation of the subject property.

Project Description and Analysis

At the time the Eastlake and Elissagaray Ranch subdivisions were developed, the subject 10-acre site was anticipated to be needed for a K-6 school. The site has not yet been developed and is currently under private ownership.

In 2010, the applicant submitted an application to the City requesting that the General Plan land use designation of the subject property be amended to Residential Low to permit land uses that are not permitted under the Public Facilities designation. Uses permitted in the Public Facilities designation include public schools, civic, cultural, recreational, community, and health facilities (Attachment B). The applicant is requesting to change the land use designation to Residential Low, which permits uses including single-family homes, places of worship, schools, parks and recreational facilities, fire stations, libraries, day care facilities, and community centers. Public schools are permitted under both land use designations. Should the land use designation request be approved, a public school may still be built at the subject site.

The project applicant has not submitted an application for further development of the site. According to the applicant, there are no immediate development plans for the site; however, low density residential similar to the existing neighborhoods would be the most likely development should a school not be built (Attachment D). This General Plan amendment is the first step toward single-family residential or other development of the site. If the developer pursues residential or other development of the site, amendments to the Eastlake and Elissagaray Ranch PUDs (zoning) and other entitlement applications (such as subdivision maps) would be necessary prior to the issuance of building permits. This application solely requests an amendment to the General Plan land use designation of the site from Public Facilities to Residential Low.

#### TUSD and Neighborhood Outreach

According to the applicant, the TUSD has not begun the process to purchase the property or provided details regarding when a school might be built. While the site is designated for a school, there are no City records that require the site to be developed as a public school. City staff contacted the TUSD regarding their interest in the property. According to TUSD staff, the TUSD does not have immediate plans to build the school and does not oppose the General Plan amendment request (Attachment C). Follow-up conversations between City staff and TUSD staff revealed that TUSD was unsure if and when an additional school would be needed. According to TUSD, if, at the time an additional school is needed, and the subject site has been developed for other uses, there are other potential nearby sites where a school could be constructed.

Residents of the Eastlake and Elissagaray Ranch subdivisions have the potential to be impacted by the proposed land use change. The public hearing notice for this Planning Commission meeting was sent to all property owners in both subdivisions. Staff also asked the applicant to meet with the residents prior to Public Hearings on the project as a courtesy. The applicant held three neighborhood meetings to explain the project and answer questions. According to the applicant, the primary concerns raised by the residents were the desire for no high-density housing to be built at the site and the desire for more frequent weed and pest control of the site. Staff did not receive any comments opposing or supporting the proposed land use change.

#### Environmental Review

The project is exempt from the California Environmental Quality Act per Section 15162 pertaining to projects with a certified Environmental Impact Report (EIR) where the project does not propose substantial changes that will result in a major revision of the previous EIR. On February 1, 2011, the City of Tracy adopted the General Plan. The associated EIR (SCH# 1992 122 069) was certified February 1, 2011. The project does not propose new significant changes to the environment that was not analyzed in the General Plan EIR, including the areas of traffic, air quality, and aesthetics.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve an amendment to the General Plan land use designation of the 10-acre site in the Eastlake and Elissagaray Ranch subdivisions from Public Facilities to Residential Low.

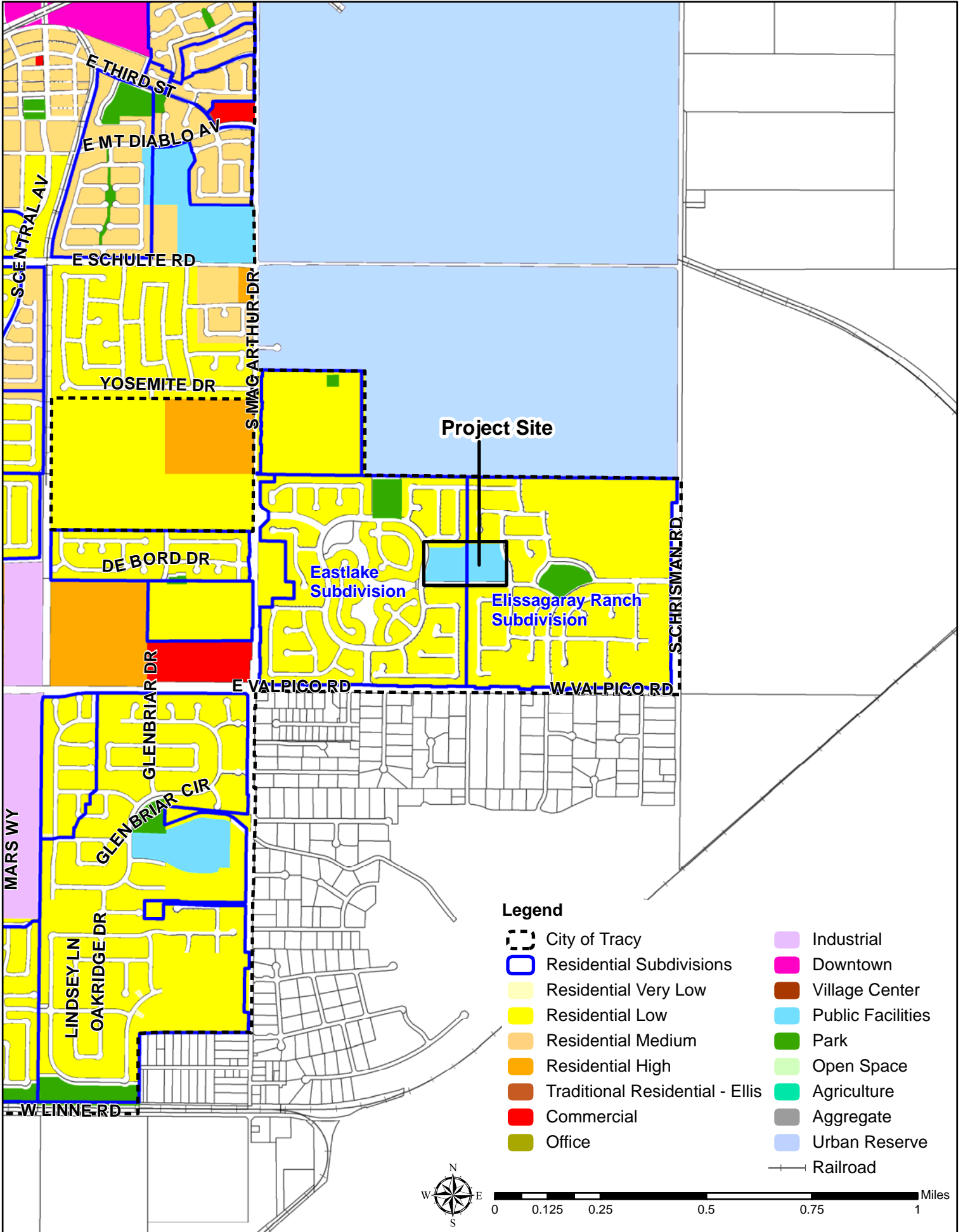
MOTION

Move that the Planning Commission recommend that the City Council approve an amendment to the General Plan land use designation of the 10-acre site in the Eastlake and Elissagaray Ranch subdivisions from Public Facilities to Residential Low.

Prepared by Kimberly Matlock, Assistant Planner  
Approved by Bill Dean, Assistant Director of Development Services

ATTACHMENTS

- Attachment A – Location Map
- Attachment B – Excerpt from the General Plan Land Use Element for Public Facilities and Residential Low
- Attachment C – Letter from TUSD dated August 17, 2010
- Attachment D – Applicant letter to Elissagaray Ranch resident dated December 4, 2011
- Attachment E – Planning Commission Resolution



## Excerpt from the General Plan Land Use Element

**8. Public Facilities (Pub)**

The purpose of this designation is to provide locations for uses that support government, civic, cultural, recreational, health, and infrastructure aspects of the community. Uses that are recognized to be consistent with this land use designation include public educational institutions (including colleges and schools, and their administrative offices), community and group meeting centers, fire stations, parks, cemeteries and libraries. Private schools are not included in this designation; rather, private schools, when not associated with places of worship, are designated as commercial uses.

This designation also includes large-scale public facilities such as the Tracy Municipal Airport, stormwater detention/retention facilities, water treatment plants, solid waste transfer stations, recycling facilities, multi-modal facilities, transit station, corporation yards, cemeteries, landfill sites, which need to be in satellite locations to take advantage of natural environmental characteristics such as topography or winds and to avoid conflict with other land uses.

Public facilities may also be located in other land use designations. The central location of the Downtown is the most appropriate location for many public uses, such as City Hall, museums, an art center, administrative offices, court house, police and fire headquarters, main post office and transit offices. Other appropriate locations for these public uses are Village Centers.

Pg. 2-26 through 2-27

## **1. Residential (VL, L, RM, RH and TR)**

The five residential land use categories allow for residential uses ranging from very low-density single-family homes to multi-family buildings of several stories. Residential land should be developed with well-designed mix of single- and multi-family uses forming neighborhoods that are oriented around a focal point, which is a public space such as a park or school. Neighborhoods should be physically connected to one another via a series of roadways, bikeways and pedestrian paths, and all residents should be within a short walk, bike ride or drive of retail and other services. Commercial uses and Village Centers, as described later in this Element, may be located at the periphery of neighborhoods and should be integrated with, rather than separated from, residential uses. When developing residential neighborhoods, emphasis should be placed on high quality construction and innovative architecture that reinforces the City's small-town feel. All neighborhoods should be designed to provide a "sense of place" and preserve the City's hometown feel while offering a choice of densities and costs. Many of the goals, objectives, policies and actions necessary to achieve this sense of place are found in the Community Character Element.

Residential land use designations may also allow for other land use types that serve residents of the community. Examples of uses that may be allowed include places of worship, schools, parks and recreation facilities, fire stations, libraries, day care facilities and community centers. The precise location of such facilities will be determined upon the submittal of detailed plans for individual properties.

Residential land uses are divided into five designations to provide for development of a full range of housing types.

- ◆ **Residential Very Low (RVL) and Residential Low (RL).** Single-family dwelling units are the principal type of housing stock allowed in these areas. Attached units, zero lot line and clustered housing are also permissible and are encouraged within the overall framework of each community. These housing types can help to meet the City's desire to create unique neighborhoods and enhance the character of the community. Allowable densities are from 0.1 to 2.0 dwelling units per gross acre in the Residential Very Low designation and 2.1 to 5.8 units per gross acre in the Residential Low designation.



**TRACY**  
UNIFIED SCHOOL DISTRICT

*"The future belongs  
to the educated"*

Dr. James C. Franco  
*Superintendent*  
(209) 830-3201  
(209) 830-3204 Fax

Dr. Casey J. Goodall  
*Associate Superintendent  
of Business Services*  
(209) 830-3230  
(209) 830-3234 Fax

Dr. Sheila Harrison  
*Assistant Superintendent  
of Educational Services &  
Human Resources*  
(209) 830-3202  
(209) 830-3209 Fax

1875 W. Lowell Avenue  
Tracy, CA 95376  
www.tracy.k12.ca.us

August 17, 2010

RECEIVED

AUG 19 2010

CITY OF TRACY  
D.E.S.

Mr. Bill Dean  
Assistant Director  
Development and Engineering Services Department  
333 Civic Center Plaza  
Tracy, CA 95376

Subject: Assessor's Parcel Numbers 252-050-24 and 252-260-01  
General Plan Amendment Application Number GPA10-0004 to  
change land use designation from Public Facilities to Residential Low

Dear Mr. Dean:

The District is in receipt of your July 20, 2010 letter regarding an application received by the City of Tracy from the property owner of the Eastlake/Elissagary school sites, requesting an amendment to the General Plan Land Use Designation from Public Facilities to Residential Low.

It is our understanding that the applicant, TVC Tracy Holdco, LLC, is aware that TUSD is in the process of conducting a master plan facilities analysis to determine our future school site needs and is requesting this amendment to parallel track TUSD's study process. It is also our understanding that a general plan amendment from Public Facilities to Residential Low for these two parcels will not preclude TUSD's use of the site as a potential school site.

Based upon these facts, the School District does not oppose the applicants request for a General Plan Amendment from Public Facilities to Residential Low for these parcels.

Sincerely,

Bonny Carter  
Director of Facilities and Planning



The logo for Terravest, featuring the word "TERRAVEST" in a serif font inside a rectangular border with a textured background.

December 4, 2011

Ms. Kelli Goble  
1201 Citadelle  
Tracy, CA 95304

Dear Kelli-

Following the meeting with the Elissagaray neighbors on November 16, 2011, you asked that I specify my intentions for the vacant ten acre site in writing. While, the current general plan amendment application to the City of Tracy would not in and of itself confer any development rights for the site and would simply restore the pre-2006 general plan land use designation to the site, it is understandable that the neighbors would be concerned about the type and quality of future development which may occur on the site. It is primarily this concern that I would like to address.

I filed the existing general plan amendment application with the City of Tracy as a means to formally ask two questions of the city. First, is there still a possibility that a school may be developed on the site, and, secondly, could the planning commission and city council envision a residential use on the site?

What I have come to understand through my two meetings with neighborhood groups is that many neighbors have had their own conversations with the Tracy Unified School District and are resigned that a school will not in fact be built on the site. I would concur that the likelihood of a school being constructed seems remote since it has been twelve years since the final map for Elissagaray was approved and since the neighborhood children have been accommodated elsewhere in the school system. Rather than dwelling on the school vs. no school issue, neighbors seemed more concerned with the unknowns and maintenance issues associated with having a large vacant parcel within their neighborhood. The site is home to many ground squirrels and other pests and, despite being fenced off, is prone to trespassing, causing safety and security concerns for adjacent residences. Maintenance of the site has also been an issue, particularly over the last two years when tumbleweed outcroppings re-emerged.

With home values that have declined substantially in the last four years, neighbors were particularly keen to obtain assurance that any residential project developed on the site be high quality and conform to the neighborhood so as not to cause any further devaluation of home values. In particular, there was considerable angst that the site might be developed for townhomes, apartments, or other form of high-density development in conflict with the surrounding low density uses.

December 4, 2011  
Page 2

The two community outreach meetings I have had with neighbors have provided very valuable feedback and I am grateful to have established a means by which to communicate and work collaboratively with interested parties. Now for the statement of intention you requested.

Assuming the City Council approves the requested general plan amendment and assuming it still appears unlikely that a school would be developed on the site, then it would be my intention, as a subsequent action, to proceed with an application to amend the Elissagaray Ranch and Hidden Lake Planned Unit Developments' zoning to allow for a single family residential project on the ten acre site.

This subsequent zoning amendment process would involve formulating a specific development proposal which would be used to amend the two zoning documents which currently control zoning and development standards for the neighborhoods. They are the Elissagaray Estates Concept Development Plan and Eastlake Concept Development Plan.

This zoning amendment process to alter these controlling documents would also involve public hearings and participation and I would look forward to developing a plan which calls for a high-quality project to be built on the site. In formulating a plan for residential development, it would be my intention that the site be developed into single family home lots, and that the lots be equal in size and similar in configuration as those already developed at Hidden Lake/ Elissagaray. In developing amendments to the Concept Development Plans, I am willing to commit to developing specific architectural standards to which builders must comply when building on the ten acre site. The essence of these standards would be that new home design and construction would be required to be of equal or greater quality to that of existing homes. I note that both of the original homebuilders, Pulte and Suncrest, retain rights to repurchase the site if I decide to sell at any time. This contractual right may provide natural architectural consistency, but nevertheless will not be relied upon.

This zoning amendment process and tentative map application would require public hearings. The public would have the opportunity to see and comment on the proposed neighborhood layout, lot size, yard setbacks, architectural design and standards, and streetscape. It is my every intention to work collaboratively with the neighbors before the actual public hearings to arrive at an agreeable project design that would blend in and conform with the style and quality of the existing neighborhood.

Thank you for taking the time to meet. Please do not hesitate to call me at 925-383-9066 if you have any concerns. I am looking forward to working with you in a collaborative and constructive manner.

Sincerely,



Chris Tyler

Cc: Kimberly Matlock, Assistant Planner, City of Tracy

**RECOMMENDING THAT THE CITY COUNCIL APPROVE A GENERAL PLAN LAND USE DESIGNATION AMENDMENT OF A 10-ACRE SITE IN THE EASTLAKE AND ELISSAGARAY RANCH SUBDIVISIONS FROM PUBLIC FACILITIES TO RESIDENTIAL LOW. THE APPLICANT IS CHRIS TYLER AND THE PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER GPA10-0004**

WHEREAS, The subject property consists of a 5-acre parcel in the Eastlake Planned Unit Development area and a 5-acre parcel in the Elissagaray Ranch Planned Unit Development, area and the total 10-acre site is designated for a public school, and

WHEREAS, The subject property has a General Plan land use designation of Public Facilities, which permits uses such as public schools, civic, cultural, recreational, community, and health facilities, and

WHEREAS, A school has not been built on the subject property, and

WHEREAS, The City received a request to amend the General Plan land use designation of the subject site from Public Facilities to Residential Low, which permits uses such as single-family homes, places of worship, schools, parks and recreational facilities, fire stations, libraries, day care facilities, and community centers, and

WHEREAS, A public school is permitted under the Public Facilities and Residential Low General Plan land use designations, and

WHEREAS, No applications for development was submitted for the subject site, and

WHEREAS, Development of the site for uses other than a public school will require amendments to the Eastlake and Elissagaray Ranch PUDs and other entitlement applications, and

WHEREAS, The Planning Commission conducted a public hearing to review the project on February 22<sup>nd</sup>, 2012, and

WHEREAS, The project is exempt from the California Environmental Quality Act per Section 15162 pertaining to projects with a certified Environmental Impact Report where the project does not propose substantial changes that will result in a major revision of the previous Environmental Impact Report, and the project does not propose additional environmental impacts that were not analyzed in General Plan Environmental Impact Report certified on February 1, 2011;

NOW, THEREFORE, BE IT RESOLVED, That the City of Tracy Planning Commission recommends that the City Council approve an amendment to the General Plan land use designation of the 10-acre site in the Eastlake and Elissagaray Ranch subdivisions from Public Facilities to Residential Low.

\*\*\*\*\*

The foregoing Resolution No. 2012-\_\_\_\_\_ was passed and adopted by the City of Tracy Planning Commission on the 22<sup>nd</sup> day of February, 2012 by the following vote:

AYES: COMMISSION MEMBERS  
NOES: COMMISSION MEMBERS  
ABSENT: COMMISSION MEMBERS  
ABSTAIN: COMMISSION MEMBERS

---

Chair

ATTEST:

---

Staff Liaison

February 22, 2012

Agenda Item 2-C

REQUEST

**PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT FROM DOWNTOWN (D) TO COMMERCIAL (C) AND REZONE FROM LIGHT INDUSTRIAL (M-1) TO PLANNED UNIT DEVELOPMENT (PUD) – THE SITE INCLUDES FIVE PARCELS ON THE NORTH SIDE OF W. SIXTH STREET BETWEEN N. “B” STREET AND N. “C” STREET (615 N. “C” ST., 63 W. SIXTH ST., 69 W. SIXTH ST., 77 W. SIXTH ST., AND 99 W. SIXTH ST., TRACY; ASSESSOR’S PARCEL NUMBERS 235-066-08 THRU 12) – THE APPLICANT IS STAN SHORE FOR THE STAN SHORE TRUST**

DISCUSSION

Background and Site Description

The site is located on the north side of W. Sixth Street between N. “B” and N. “C” Streets (Attachment A), adjacent to Tracy’s downtown area. The approximately 0.85-acre site contains five parcels, each of which is fully developed.

The western-most parcel, at the northeast corner of W. Sixth Street and N. “B” Street contains the Tracy Delta Solid Waste Management, Inc. Recycle Buy-Back Center. The next parcel to the east contains a single-family home. And the final three parcels each contain a Quonset Hut building. All existing buildings have been in place for approximately 50 to over 100 years.

The site is adjacent to a long-established residential neighborhood to the north and the Union Pacific rail lines to the south. Historically, it has been part of a small, industrial employment area including an Ace Tomato packing facility (now the spice warehouse on the south side of W. Sixth Street), auto services, Tracy Glass Shop (in place for over 65 years), and other businesses.

The General Plan designation and zoning of the site, historically, have been industrial. In 2006, the City Council amended the General Plan designation of the site to Downtown (Attachment B) in anticipation that retail, restaurants, multi-family residential or similar expansions of the downtown would need and seek locations in this vicinity on both the north and south sides of W. Sixth Street. For reference, Attachment F contains the Tracy General Plan descriptions for the Industrial, Downtown, and Commercial land use designations.

The zoning, though, has not yet been changed to be consistent with the General Plan designation and remains Light Industrial (Attachment C).

A wider range of land uses such as commercial, office and auto repair uses can be compatible with adjacent land uses and further goals of increased business activity in and around downtown. This application represents an opportunity to widen the range of allowable land uses that also account for existing improvements (Quonset Huts, single-family home, and buy-back center storage buildings).

### Proposed General Plan Designation and PUD Zone

Recently, the eastern-most Quonset Hut building (at the northwest corner of W. Sixth Street and N. "C" Street) became vacant. The owner's proposed replacement is an auto service facility, which is not permitted on the site with a Downtown General Plan designation. The owner, therefore, submitted an application to amend the zoning and the General Plan designation to allow auto services. The proposal before the Planning Commission is a combination of the owner's original proposal for his own parcel and City staff's recommendation to modify the proposal and expand it to cover the entire site. Staff worked with the applicant to refine the proposed PUD and has reviewed the proposal with all property owners within the proposed PUD.

The proposal is to adopt a General Plan designation and zoning that are designed to balance the site's (1) historical industrial neighbors, land uses and improvements; (2) proximity to the City's Downtown and long-term vision to support commercial and residential uses in the Downtown area; and (3) opportunities to promote compatibility with the adjacent, residential neighborhood.

This proposal would amend the General Plan designation from Downtown to Commercial and change the zoning from Light Industrial to Planned Unit Development (PUD), Attachments D and E. The proposed PUD is contained in Attachment G.

The proposed PUD would allow the existing businesses to remain (without being nonconforming land uses) and allow similar and a wider range of land uses to replace them in the future, such as business services, auto services, storage, and contract construction.

The proposed PUD contains development standards (unique to this site) to help reduce noise, light and glare, nighttime disturbance or traffic, and other potential impacts on the adjacent residences to the north.

The proposed PUD would promote increased activity of commercial uses by allowing such businesses as retail, consumer services, offices, restaurants, and other commercial uses to locate to the site. Over time, the existing, older structures would be able to be replaced with commercial or high-density

residential uses, consistent with a long-term vision for the downtown vicinity. Again, existing uses would remain permitted uses with this rezoning.

### Environmental Document

The proposal does not change the development density established by the General Plan for which an Environmental Impact Report (EIR) was certified on February 1, 2011 (State Clearinghouse Number 2008092006). Therefore, in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15183, no further environmental assessment is required.

The project includes a General Plan amendment from Downtown (D) to Commercial (C) and adoption of a PUD Zone to implement the General Plan designation.

CEQA Guidelines Section 15183(i) state that the density is “consistent” if the proposed project “is the same or less than the standard expressed for the involved parcel of the General Plan... for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning.”

The site is designated Downtown in the General Plan for which the EIR was certified. Both the existing Downtown and the proposed Commercial land use designations (including the limitations set by the proposed PUD Zone) have sufficiently similar density standards, in this context, to conclude that the project meets the requirements of CEQA Guidelines Section 15183.

For example, both land use designations allow a full range of retail, office, restaurant, and other commercial land uses. Both assume a maximum floor area ratio of 1.0. Both allow high density residential development. However, the Downtown designation allows a density of up to 50 dwelling units per acre, while the Commercial designation allows only up to 25 dwelling units per acre.

The proposed PUD to implement the Commercial designation on the subject property will further limit the development density of the project. The proposed PUD limits noise, roll-up door activity, height, conduct of uses to within buildings, and other activities compared with the potential development density of the site under the existing Downtown designation and the Central Business District Zone, which is used to implement the Downtown designation.

### RECOMMENDATION

Staff recommends that the Planning Commission recommends that the City Council take the following action:

1. Approve the General Plan Amendment from Downtown (D) to Commercial (C),
2. Approve the rezoning of the site from Light Industrial (M-1) to Planned Unit Development (PUD) including the Concept, Preliminary and Final Development Plans.

### MOTION

Move that the Planning Commission recommends that the City Council take the following action:

1. Approve the General Plan Amendment from Downtown (D) to Commercial (C),
2. Approve the rezoning of the site from Light Industrial (M-1) to Planned Unit Development (PUD) including the Concept, Preliminary and Final Development Plans contained in the Planning Commission Resolution dated February 22, 2012.

Prepared by Alan Bell, Senior Planner  
Reviewed by Bill Dean, Assistant Director of Development Services  
Approved by Andrew Malik, Development and Engineering Services Director

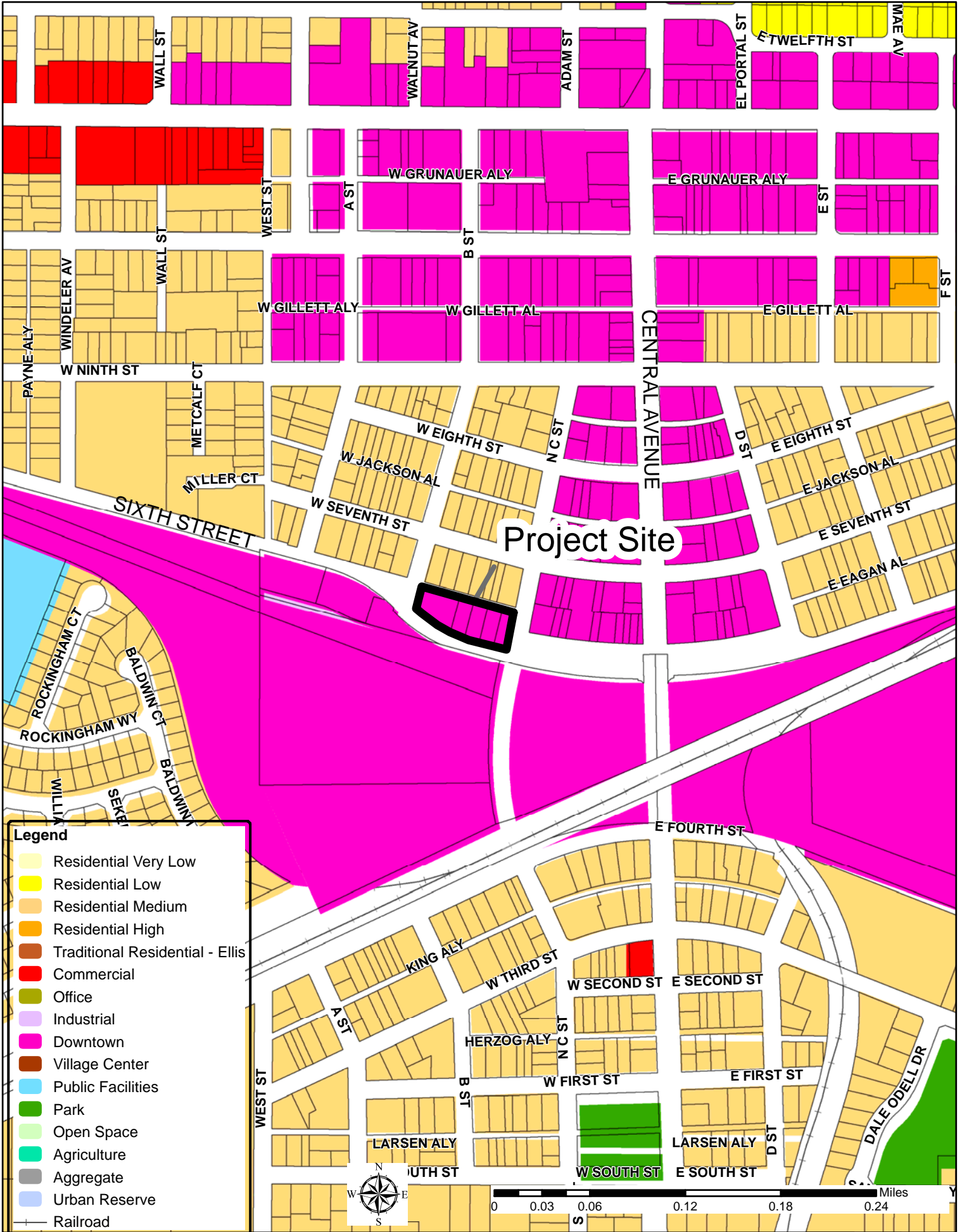
### ATTACHMENTS

Attachment A – Project Location Map  
Attachment B – Current General Plan Designation  
Attachment C – Current Zoning  
Attachment D – Proposed General Plan Designation  
Attachment E – Proposed Zoning  
Attachment F – Tracy General Plan Descriptions for the Industrial, Downtown, and Commercial Land Use Designations  
Attachment G – Planning Commission Resolution (with Recommended City Council Resolutions and Ordinance)

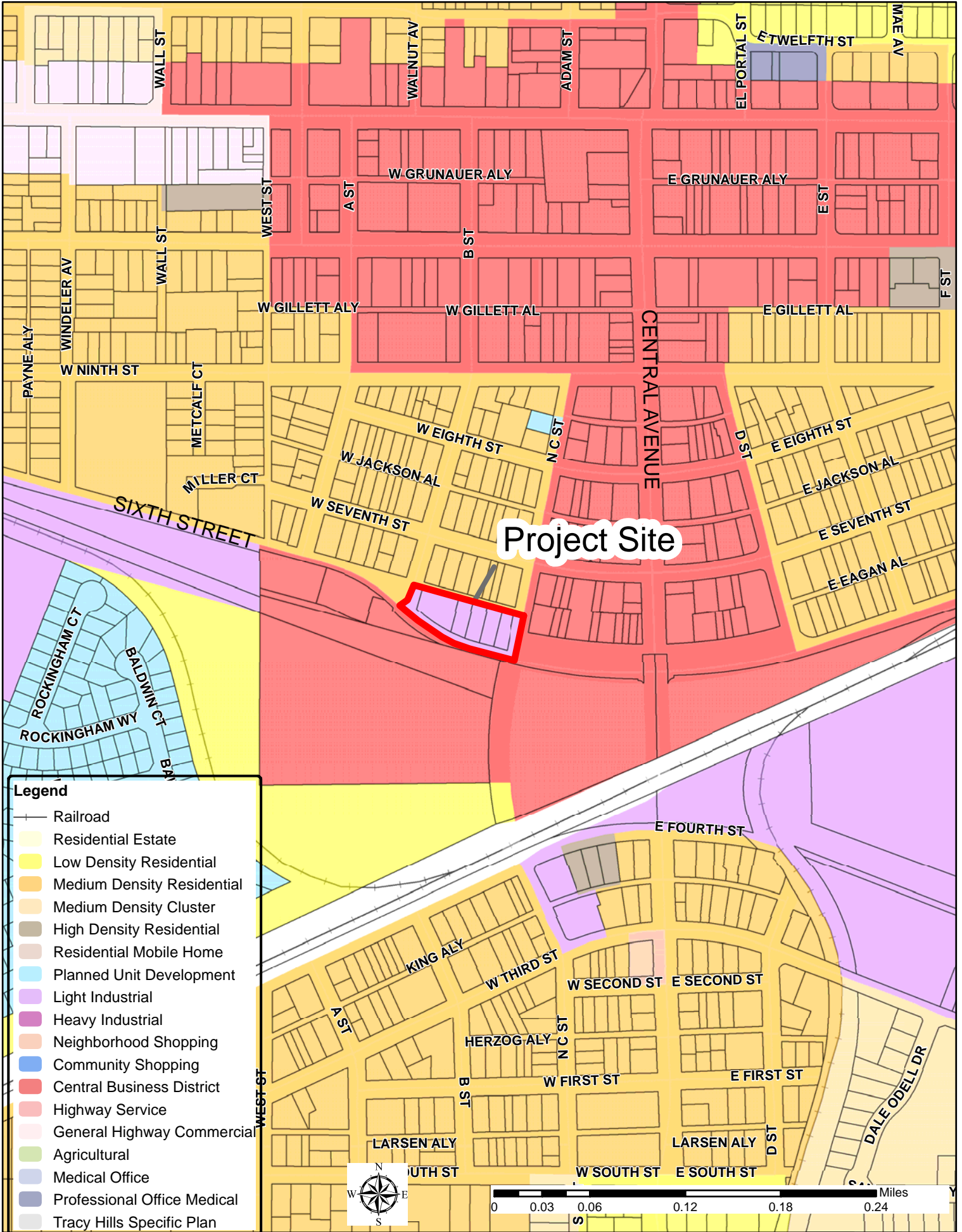




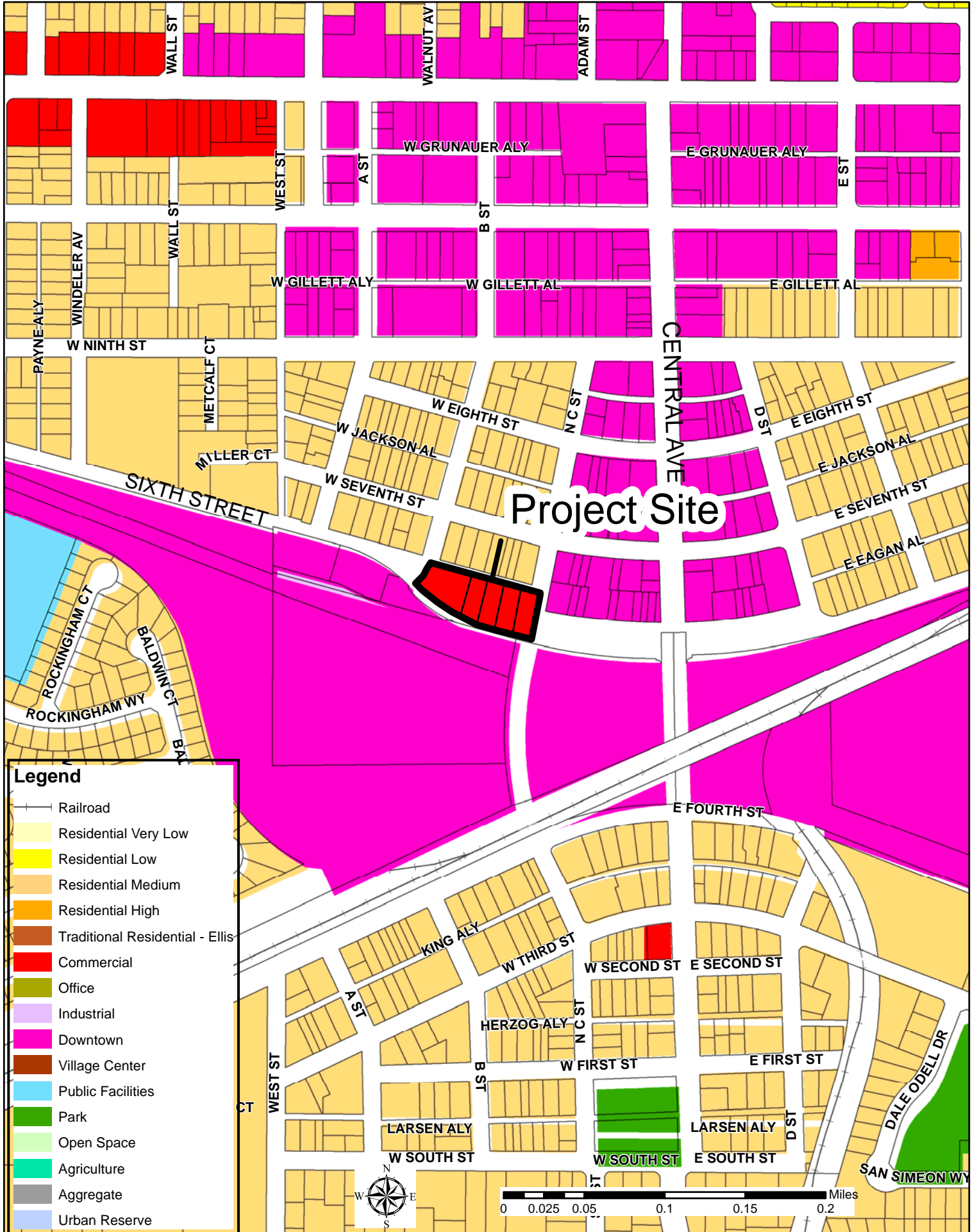
# Current General Plan Designation



# Current Zoning



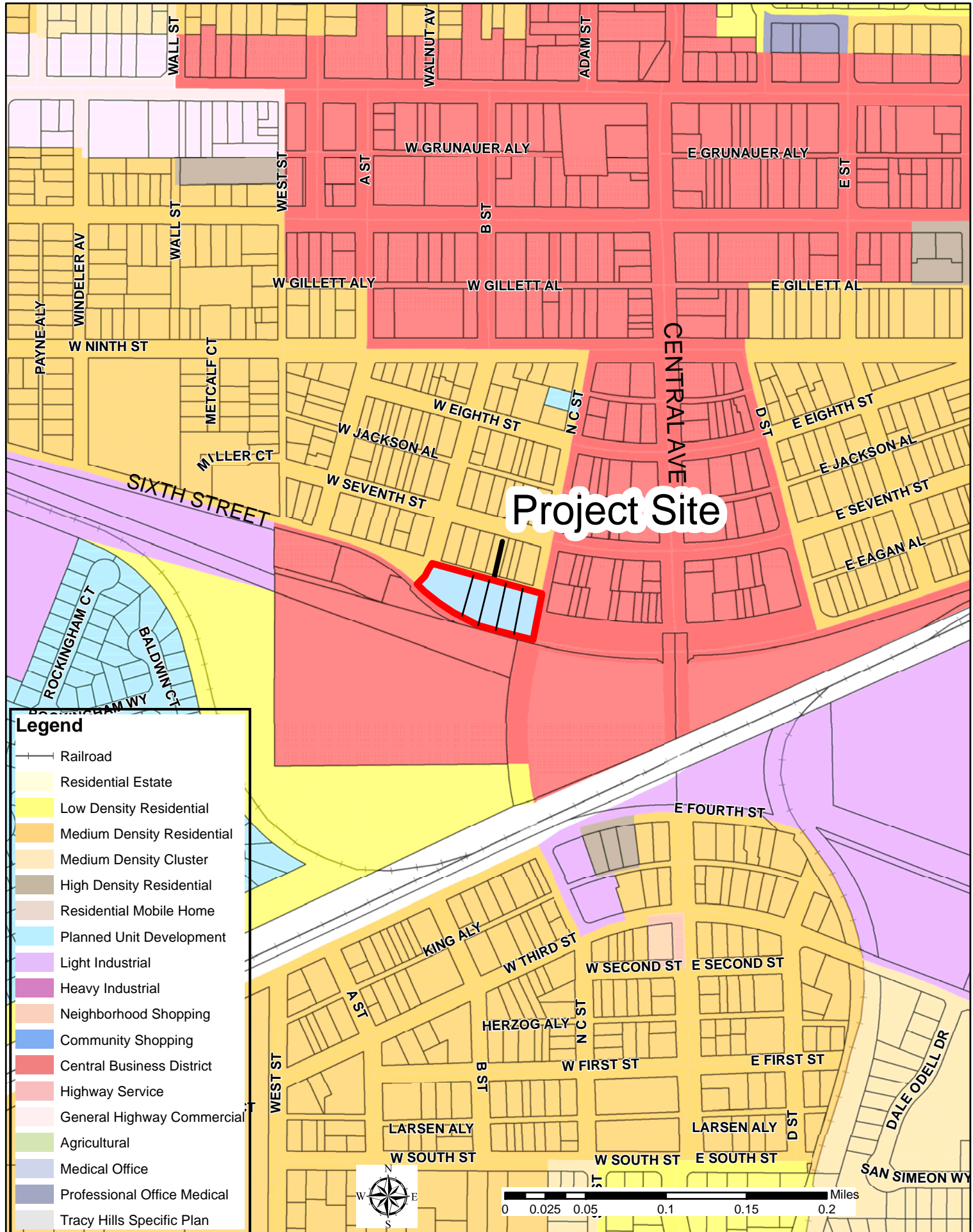
# Proposed General Plan Designation



**Legend**

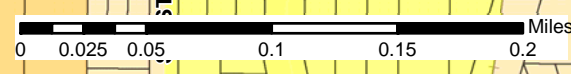
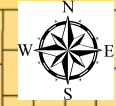
- Railroad
- Residential Very Low
- Residential Low
- Residential Medium
- Residential High
- Traditional Residential - Ellis
- Commercial
- Office
- Industrial
- Downtown
- Village Center
- Public Facilities
- Park
- Open Space
- Agriculture
- Aggregate
- Urban Reserve

# Proposed Zoning



**Legend**

- Railroad
- Residential Estate
- Low Density Residential
- Medium Density Residential
- Medium Density Cluster
- High Density Residential
- Residential Mobile Home
- Planned Unit Development
- Light Industrial
- Heavy Industrial
- Neighborhood Shopping
- Community Shopping
- Central Business District
- Highway Service
- General Highway Commercial
- Agricultural
- Medical Office
- Professional Office Medical
- Tracy Hills Specific Plan



# Tracy General Plan Descriptions for Industrial, Downtown, and Commercial

## Industrial (I)

Specific uses allowed in the industrial category range from flex/office space to manufacturing to warehousing and distribution. Industrial parcels should have a maximum FAR of 0.5. Ancillary uses, such as restaurants, consumer services and parks, may be allowed to serve the daily needs of the workers.

Industrial uses are located to provide proper truck access, buffering from incompatible uses and proximity with rail corridors and transit links.

## Downtown (D)

Tracy's existing Downtown is the cultural and historical heart of the city. The purpose of the Downtown land use designation is to provide specific policy guidance to support and reinforce the role of the downtown area as the heart of the city. Uses allowed in the Downtown designation include a mix of retail, office, high-density residential, cultural and public-serving uses (such as post offices, libraries, places of worship, museums, art centers, parks, plazas or common space for gatherings, day care facilities, medical buildings, fire departments and police sub-stations) arranged in a manner that results in a strong sense of place for Tracy's residents, workers and visitors. Characteristics of the Downtown include a pedestrian-oriented environment, vertical mixed-use development, a diverse mix of public and private uses, streets on a grid or modified grid, multi-modal street design, and direct pedestrian and bicycle connections to residential neighborhoods. Residential development is strongly encouraged in the Downtown and allowed at a density of 15 to 50 units per gross acre. Non-residential (e.g., retail, service commercial and office) may have a maximum FAR of 1.0.

More information on the Downtown can be found in the Community Character Element.

## Commercial (C)

The Commercial designation allows for a relatively wide range of uses but focuses primarily on retail and consumer service activities that meet the needs of Tracy residents and employees as well as pass-through travelers. Office uses are allowed in commercially designated areas. Mixed-use development is also permitted in the Commercial designation. Appropriately scaled and designed residential development in the density ranges permitted in Residential High (RH) may be allowed, and other residential densities may be allowed in Com-

mercial districts in Areas of Special Consideration. In addition, parks are allowed in the Commercial designation. Regardless of configuration, there should be an attempt in both locational criteria and design criteria to be as accessible and appealing to the pedestrian as possible to encourage walking and biking. Commercially designated land may have a maximum FAR of 1.0.

Specific categories of commercial activity within this designation include general commercial, regional commercial and highway commercial. The specific location of each type of commercial use will be provided in the zoning code.

General commercial uses include grocery and convenience stores, salons, professional offices, restaurant, fast-food establishments, auto service stations, drug stores, dry cleaners, day care centers, and banks. Adequate access, compatibility with other surrounding uses, and consistent design with the community are all necessary for these uses. They should be located in centralized areas capable of serving the greatest number of households with the least travel distance and best access to alternate modes of transportation and freeways.

Regional commercial uses (such as the I-205 Regional Commercial Area), include factory outlets, discount stores, regional shopping malls, automobile sales, office uses, medical facilities and home improvement centers. These uses should be located in areas with the highest level of automobile access but should also contain a safe pedestrian environment.

Highway commercial uses serve the needs of the traveling motorist and should be located in close proximity to freeway ramps. Appropriate uses include hotels and motels, restaurants, and motor vehicle and gasoline service stations that provide services to the traveling public and allow for convenient freeway access. Since these areas are visible from the interstate and function as gateways to the community, it is important to ensure that they are well designed.

Existing suburban commercial strip development is typically designated as Commercial. As these uses redevelop, they should take on the characteristics of Village Centers and Corridors described in the Community Character Element, including a mix of uses and supporting a vibrant pedestrian environment.

RESOLUTION 2012- \_\_\_\_\_

RECOMMENDING CITY COUNCIL APPROVAL OF  
A GENERAL PLAN AMENDMENT FROM DOWNTOWN TO COMMERCIAL, REZONING  
FROM LIGHT INDUSTRIAL TO PLANNED UNIT DEVELOPMENT, INCLUDING APPROVAL  
OF THE CONCEPT,  
PRELIMINARY AND FINAL DEVELOPMENT PLANS –  
THE PROPERTY IS LOCATED ON THE NORTH SIDE OF W. SIXTH STREET, BETWEEN N.  
“B” AND N. “C” STREETS  
APPLICANT IS STAN SHORE FOR THE STAN SHORE TRUST  
APPLICATION NUMBERS GPA11-0006 AND PUD11-0001

WHEREAS, The subject property has a General Plan designation of Downtown, is zoned Light Industrial, and is occupied by light industrial uses and one single-family home, and

WHEREAS, Stan Shore, owner of one of the five parcels within the subject property, submitted an application to amend the General Plan designation to Commercial and rezone the property to Planned Unit Development (PUD), and

WHEREAS, The proposed Commercial General Plan designation and implementing PUD will provide increased land use and development opportunities for the existing structures on the site, and

WHEREAS, The proposal will provide for increased commercial and/or high density residential development in keeping with long-term goals of increased business activity near the downtown, and

WHEREAS, The PUD’s proposed Development Standards regarding roll-up doors, noise, exterior lighting and others will help ensure compatibility with the adjacent residential neighborhood, and

WHEREAS, The proposal does not increase the development density established by the General Plan for which an Environmental Impact Report was certified, and therefore, in accordance with California Environmental Quality Act Guidelines Section 15183, no further environmental assessment is required, and

WHEREAS, The Planning Commission conducted a public hearing to review the project on February 22, 2012;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the City Council amend the General Plan designation from Downtown to Commercial and rezone the site from Light Industrial to PUD, including approval of the PUD Concept, Preliminary and Final Development Plans as indicated in Exhibit 1, attached.

\* \* \* \* \*



The foregoing Resolution 2012- \_\_\_\_\_ was adopted by the Planning Commission on the 22<sup>nd</sup> day of February, 2012, by the following vote:

AYES:	Commission Members:
NOES:	Commission Members:
ABSENT:	Commission Members:
ABSTAIN:	Commission Members:

---

Chair

ATTEST:

---

Staff Liaison

## Sixth Street Planned Unit Development Zone

Planning Commission Recommendation

February 22, 2012

This Planned Unit Development (PUD) is adopted to conform with the City's PUD ordinance, Chapter 10.08, Article 13, by adopting the Concept Development Plan (CDP), Preliminary Development Plan (PDP), and Final Development Plan (FDP).

### A. CONCEPT DEVELOPMENT PLAN

#### I. INTRODUCTION

The CDP establishes the PUD zoning district and includes Section A of this PUD: purpose, property description, and permitted land uses. Section B is the Preliminary Development Plan and includes the development standards and the zoning districts requirements for lot area and width, minimum yards, height, lot coverage, off-street parking, and signs. The existing land uses and approved improvements in place upon adoption of this PUD (March 20, 2012) constitute the Final Development Plan.

#### II. PURPOSE

The purpose of this Planned Unit Development (PUD) Zone is to implement the Commercial General Plan designation while balancing the site's (1) historical industrial neighbors, land uses and improvements; (2) proximity to the City's Downtown and long-term vision to support commercial and residential uses in the Downtown area; and (3) opportunities to promote compatibility with the adjacent, residential neighborhood.

The combination of Permitted Land Uses and Development Standards, contained herein, are designed to permit a range of land uses to promote job creation, business development, consumer retail and services, and/or multi-family development opportunities while balancing land use compatibility with the adjacent residential neighborhood.

#### III. PROPERTY DESCRIPTION

The approximately 0.87-acre site is located on the north side of Sixth Street, between North "B" and North "C" Streets, Assessor's Parcel Numbers 235-066-08 thru 12, Exhibit A. It contains five parcels, ranging in size from approximately 6,117 square feet to approximately 13,313 square feet. Three of the parcels each contain a Quonset hut (which, in the recent past, have contained a variety of commercial and light industrial operations), one parcel contains a single-family home, and the final parcel is currently occupied by a recycle/buy-back center with storage building for the local solid waste disposal company.

The site is surrounded by a single-family residential neighborhood to the north and northwest, auto service and Union Pacific rail lines to the south, and commercial property of Downtown Tracy to the east.

The site is surrounded by a mix of land uses and is in transition from its past as a small-scale industrial site to a future with a wider range of land uses supportive of the Downtown and the adjacent residential neighborhood.

#### IV. PERMITTED LAND USES

The following land uses are permitted uses in this PUD Zone. There are no uses requiring a Conditional Use Permit.

Retail; consumer services (such as hair and nail salons, tanning, etc.); offices; restaurants; multi-family residential (subject to density and design standards of the High Density Residential Zone); places of assembly (such as churches, meeting halls, etc.), schools; day care centers; business services (such as printing, repair shops, household or office equipment and appliance storage and repairs, etc.); automobile sales, repair services, and custom manufacture; veterinary clinics (no kennels or outdoor keeping of animals); merchandise or equipment storage; contract construction (cabinet makers/repair, plumbers, general contractors, etc.).

#### B. Preliminary and Final Development Plans

The existing improvements within this PUD include the warehouse/storage buildings at 99 W. Sixth Street, a single-family home at 77 W. Sixth Street, a metal Quonset Hut at 69 W. Sixth Street, a metal Quonset Hut at 63 W. Sixth Street, and a metal Quonset Hut at 615 N. "C" Street.

The existing improvements for which building permits have been issued constitute the Final Development Plan for the purposes of TMC Section 10.08.1830.

All new buildings or other improvements that do not have FDP approval shall be consistent with the PDP and shall receive FDP approval prior to the issuance of building permits.

The remainder of this Section B constitutes the PDP.

#### I. DEVELOPMENT STANDARDS

- a. Roll-up doors. Any roll-up, sliding, or door other than an exit door (“man door”) on the north side of a building facing toward the adjacent residential property shall be closed during the hours between 9:00 p.m. and 7:00 a.m.
- b. Noise. All uses shall be conducted in compliance with the Noise Control Ordinance (beginning at Tracy Municipal Code (TMC) Section 4.12.710) except that, notwithstanding TMC Sections 4.12.750, 4.12.760, and 4.12.770, the one-hour average Sound Level Limit during the hours of between 10:00 p.m. and 7:00 a.m. along this PUD’s west, north, and east boundaries, is 55 decibels.
- c. Exterior Lighting. All exterior lighting shall be directed down so that the light source or fixture does not shine directly onto adjacent or nearby residential property.
- d. Uses to be Conducted within Buildings. All uses within this PUD Zone shall be conducted wholly within a building except such uses and associated improvements (furniture, appliances, cooking equipment, canopies, etc.) which are approved through an FDP or otherwise in accordance with the PUD ordinance (TMC Chapter 10.08, Article 13). Washing and storage of totes and bins; sorting and storage of recycled materials and refuse vehicles; and related operations in association with the refuse container storage and buy-back center operations are permitted outdoors only on the western most parcel of this PUD (99 W. Sixth Street; APN 235-066-12).
- e. Special Landscaping. The parcel at 615 N. “C” Street (APN 235-066-08) shall install and maintain a minimum, two-foot wide planter with irrigation and shrubs along its Sixth Street frontage and a portion of N. “C” Street as approved by City of Tracy Variance Application Number 2-94-V on January 19, 1995.
- h. General Standards. All new development shall be consistent with the City’s Design Goals and Standards and other regulations applied City wide not otherwise addressed herein.

## II. LOT SIZE AND WIDTH

There are no lot size or width requirements in this PUD Zone, except that any subdivision or property line change shall be reviewed as part of or otherwise be consistent with an approved FDP.

## III. MINIMUM SETBACKS

There are no yard area setback requirements in this PUD Zone.

## IV. HEIGHT

The maximum height allowed at the north property line, adjacent to the public alley, is 30 feet. The maximum height increases (above 30 feet) by one foot for each one foot setback from the north property line. Therefore, for example, the maximum height five feet south of the north property line is 35 feet; the maximum height 10 feet south of the north property line is 40 feet.

V. LOT COVERAGE

There is no maximum lot coverage requirement in this PUD Zone.

VI. OFF-STREET PARKING

Tracy Municipal Code Title 10, Article 26 (beginning at TMC Section 10.80.3440), Off-Street Parking Requirements shall apply to this PUD Zone except as modified herein. Where two or more uses that are separate businesses combine their parking into a single parking lot with common ingress and egress, they may receive a 25 percent reduction in the required number of spaces. Any change of use or improvements requiring additional parking spaces shall provide the spaces as required above or pay the Central Business District (CBD) Zone parking in-lieu fee as specified in TMC Section 10.08.3470(c).

VII. SIGNS

All signs within this PUD shall conform to TMC Chapter 10.08, Article 35. Properties in this PUD may utilize signs as permitted in the CBD or GHC zones, however, no freeway or freestanding signs shall be permitted on any property within this PUD.

# PROJECT LOCATION

## SIXTH STREET PUD

