

MINUTES  
TRACY CITY PLANNING COMMISSION  
APRIL 11, 2012  
7:00 P.M.  
TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTE APPROVAL

DIRECTOR'S REPORT REGARDING THIS AGENDA:

ITEMS FROM THE AUDIENCE

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

1. OLD BUSINESS
2. NEW BUSINESS
  - A. PUBLIC HEARING TO CONSIDER A PRELIMINARY AND FINAL DEVELOPMENT PLAN TO PERMIT THE DEVELOPMENT OF THREE NEW INDUSTRIAL BUILDINGS TOTALING 989,717 SQUARE FEET, THE EXPANSION OF AN EXISTING INDUSTRIAL BUILDING BY 288,770 SQUARE FEET, AND THE EXTENSION OF CHABOT COURT TO TURN WEST AND INTERSECT WITH PARADISE ROAD ON A 70.49-ACRE SITE, LOCATED ADJACENT TO PARADISE ROAD, SOUTH OF GRANT LINE ROAD AND ADJACENT TO AND WEST OF THE EXISTING CHABOT COURT - APPLICANT IS PROLOGIS, AND OWNERS ARE AMB HOLD CO, LLC AND PROLOGIS, L.P.- APPLICATION D12-0003.
  - B. CONDITIONAL USE PERMIT FOR TWO WALL SIGNS THAT EXCEED 100 SQUARE FEET IN AREA ON THE WALMART RETAIL BUILDING - THE PROJECT IS LOCATED AT 3010 WEST GRANT LINE ROAD - APPLICANT IS PERKOWITZ + RUTH ARCHITECTS FOR WALMART R.E. BUSINESS TRUST - ASSESSOR'S PARCEL NUMBERS 238-600-08 AND 10.
  - C. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE I-205 CORRIDOR SPECIFIC PLAN MODIFYING THE CRITERIA FOR WALL SIGNS IN EXCESS OF 100 SQUARE FEET. APPLICATION NUMBER SPA12-0001.
  - D. PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW TWO 157-SQUARE FOOT WALL SIGNS TO BE LOCATED

ON A BUILDING IN THE TRACY PAVILION AT 2471 NAGLEE ROAD. APPLICANT IS CITY SIGNS. PROPERTY OWNER IS TRACY PAVILION, LLC. APPLICATION NUMBER CUP12-0002.

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

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

The pledge of allegiance was led by Chair Manne.

ROLL CALL: Roll call found Commissioner Johnson, Commissioner Mitracos, Commissioner Sangha, Vice Chair Ransom, and Chair Manne present. Also present were staff members Kimberly Matlock, Assistant Planner; Victoria Lombardo, Senior Planner; Cris Mina, Senior Civil Engineer; Bill Dean, Assistant Director of Development Services Department; Bill Sartor, Assistant City Attorney; and Sandra Edwards, Recording Secretary.

MINUTES – None

#### DIRECTOR'S REPORT REGARDING THIS AGENDA

Bill Dean, Assistant Director of Development Services indicated Item 2-D was actually old business; however it needed to be considered after Item 2-C.

#### ITEMS FROM THE AUDIENCE – None

1. OLD BUSINESS – None
2. NEW BUSINESS
  - A. PUBLIC HEARING TO CONSIDER A PRELIMINARY AND FINAL DEVELOPMENT PLAN TO PERMIT THE DEVELOPMENT OF THREE NEW INDUSTRIAL BUILDINGS TOTALING 989,717 SQUARE FEET, THE EXPANSION OF AN EXISTING INDUSTRIAL BUILDING BY 288,770 SQUARE FEET, AND THE EXTENSION OF CHABOT COURT TO TURN WEST AND INTERSECT WITH PARADISE ROAD ON A 70.49-ACRE SITE, LOCATED ADJACENT TO PARADISE ROAD, SOUTH OF GRANT LINE ROAD AND ADJACENT TO AND WEST OF THE EXISTING CHABOT COURT - APPLICANT IS PROLOGIS, AND OWNERS ARE AMB HOLD CO, LLC AND PROLOGIS, L.P.- APPLICATION D12-0003.

The staff report was provided by Victoria Lombardo, Senior Planner. Mrs. Lombardo indicated the application was three-part, and included: the conversion of Chabot Court to a private street

and its extension to meet up with Paradise Road; three new buildings and all of their improvements; and finally, the expansion of the existing Barbosa Cabinets building. Mrs. Lombardo stated the site plan showed the layout of all four buildings; however the buildings were speculative at this point because there were no specific tenants in mind. Mrs. Lombardo stated architecturally the buildings were intended to match the design of the Crate and Barrel buildings. Mrs. Lombardo further stated the expansion of the Barbosa cabinets building would look like the existing building. Mrs. Lombardo stated the proposal was consistent with the Northeast Industrial Concept Development Plan requirements. Mrs. Lombardo indicated staff recommended approval of the project.

Vice Chair Ransom asked what the vacancy rate was of the large buildings in the area. Mrs. Lombardo stated she did not have any figures; however she knew the building at the south end of Chabot Court was currently vacant. Mrs. Lombardo stated Prologis was looking at moving a tenant from an existing building off Paradise Road into that building, to clear out the space they are using for use of a potential client who wished to occupy several buildings.

Chair Manne asked if the purpose of the hook-shape of the extension of Chabot to Paradise was for trucking. Mrs. Lombardo indicated the City had acquired a small piece of land with an existing farmhouse, in order to make the extension to Paradise Road. Mrs. Lombardo stated that it would be mostly truck traffic on the road; however cars would have access to it also. Chair Manne asked if vehicles would be able to make a left turn to enter Paradise. Cris Mina, Senior Engineer answered when Chabot Court is initially converted to a private street there would be a left in, left out; however when Grant Line Road was widened to its ultimate improvements, Chabot Court would have limited access, and would be a right turn in and a right turn out, with restricted access.

Commissioner Sangha asked if Paradise Road would be a private street or a City street. Mrs. Lombardo answered Paradise Road would be a public street.

Commissioner Johnson asked what the advantage would be to have a private drive versus a City street. Mr. Mina stated there would be public access to Chabot, and it would be used for circulation. Mr. Mina stated the benefit is the improvements would be paid by the developer. Commissioner Johnson asked if the City would maintain ownership of the underground utilities. Mr. Mina answered the City would maintain ownership of the water, sewer, and storm drain.

Chair Manne opened the public hearing. As there was no one to speak to the item, the public hearing was closed.

It was moved by Vice Chair Ransom and seconded by Commissioner Johnson that the Planning Commission recommend the City Council approve the Preliminary and Final Development Plan to permit the development of three new industrial buildings and one building expansion totaling 1,278,487 square feet on a 70.49-acre site, located adjacent to Paradise Road, south of Grant Line Road, west of and adjacent to Chabot Court, Application Number D12-0003, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated April 11, 2012. Voice vote found all in favor; passed 5-0-0-0.

- B. CONDITIONAL USE PERMIT FOR TWO WALL SIGNS THAT EXCEED 100 SQUARE FEET IN AREA ON THE WALMART RETAIL BUILDING - THE PROJECT IS LOCATED AT 3010 WEST GRANT LINE ROAD – APPLICANT IS PERKOWITZ +

RUTH ARCHITECTS FOR WALMART R.E. BUSINESS TRUST - ASSESSOR'S  
PARCEL NUMBERS 238-600-08 AND 10.

The staff report was provided by Victoria Lombardo. Mrs. Lombardo stated the Municipal Code allowed wall signs to be no larger than 100 square feet; however the I-205 Specific Plan allowed for larger buildings within the plan to have a sign up to 250 square feet if it is scale with the size of the building. Mrs. Lombardo stated Walmart came before the Commission in 2008 to get approval of the expansion for the grocery store, and in 2009 they submitted an application for a 150 square foot wall sign on the front of the building on Grant Line. Mrs. Lombardo further stated that with the expansion of the building, the applicant was proposing to construct a sign on both the back of the building facing I-205, and on the front of the building facing Grant Line Road, that was approximately 223 square feet. Mrs. Lombardo indicated the signs were in scale with the building with the expansion. Mrs. Lombardo stated staff recommended approval of the project.

Commissioner Mitracos stated the pylon sign had already been changed. Mrs. Lombardo stated the change had been made because of a change in the logo due to corporate re-imaging. Commissioner Mitracos asked if the sign had been included in the expansion application. Mrs. Lombardo stated the sign change in 2009 had been done through a separate application due to the corporate re-imaging. Mrs. Lombardo stated one of the conditions of the expansion approval was they would have to go through approval of all the signs.

Commissioner Johnson stated he appreciated the perspectives of the renderings. Commissioner Mitracos agreed with the comment.

Chair Manne asked if the Planning Commission had seen an item like this from Walmart in the last two years. Mrs. Lombardo answered yes, and she believed the sign design in the last application was the same; this was just a different size.

Chair Manne opened the public hearing. As there was no one to speak to the item, the public hearing was closed.

Chair Manne stated he liked the refreshed look of the sign, and he felt the size was in scale with the building.

It was moved by Commissioner Johnson and seconded by Commissioner Sangha that the Planning Commission approve a Conditional Use Permit to allow two approximately 222.69-square foot wall signs based on the findings contained in the Planning Commission Resolution dated April 11, 2012. Voice vote found all in favor; passed 5-0-0-0.

C. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE I-205 CORRIDOR  
SPECIFIC PLAN MODIFYING THE CRITERIA FOR WALL SIGNS IN EXCESS OF  
100 SQUARE FEET. APPLICATION NUMBER SPA12-0001.

The staff report was provided by Kimberly Matlock, Assistant Planner. Mrs. Matlock stated the item before the Commission was an amendment to the I-205 Specific Plan, which currently allowed for the maximum sign area of a wall sign of 100 square feet, and up to 250 square feet with a Conditional Use Permit (CUP). Mrs. Lombardo indicated the exception of a maximum wall sign of up to 250 square feet with a CUP currently applied to single tenant buildings only. Mrs. Matlock stated the proposal was to allow the 250-square foot wall signs for multi-tenant wall

signs also. Mrs. Matlock further stated the City had received an application for a large sign on a multi-tenant building. Mrs. Matlock indicated the I-205 Specific Plan established criteria for wall signs so that they are in appropriate size a building. Mrs. Matlock indicated buildings in the I-205 area tended to be larger buildings with large fascia, and that included multi-tenant buildings. Mrs. Matlock stated staff recommended the amendment to the I-205 Specific Plan.

Commissioner Mitracos asked if the only change was to allow the signs on multi-tenant buildings. Mrs. Matlock stated that was correct.

Vice Chair Ransom asked how the City's signage rules compared to other cities. Mr. Dean answered he felt Tracy was very comparable, and he felt signage was one of the things that ebb and flow in the community, and was constantly changing.

Commissioner Sangha asked why the amendment would be exempt from CEQA. Mr. Dean answered there were a number of relatively minor changes that would fall under the environmental work done for the General Plan, and this amendment would fall under the "Visual Impacts" that were disclosed under the General Plan.

Commissioner Johnson stated it was hard to visualize what the square footage number would look like, but they would review the signs individually when they came before the Commission. Mr. Dean stated that was exactly right.

Chair Manne opened the public hearing. As there was no one to speak to the item, the public hearing was closed.

Chair Manne asked if there were issues in the past in terms of signage that made it difficult to do business in Tracy. Mr. Dean stated that typically staff dealt with the sign contractor, not the business owner. Mr. Dean added that he felt the answer was it is not an encumbrance, especially when staff can demonstrate they can expeditiously respond to a request to amend the Plan to accommodate a different type of sign. Mr. Dean stated this was an example of how the City could look at its standards in response to a business' needs.

It was moved by Commissioner Sangha, and seconded by Commissioner Johnson that the Planning Commission recommend the City Council approve the I-205 Specific Plan Amendment regarding wall signs in excess of 100 square feet, Application Number SPA12-0001, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated April 11, 2012. Voice vote found all in favor; passed 5-0-0-0.

**D. PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW TWO 157-SQUARE FOOT WALL SIGNS TO BE LOCATED ON A BUILDING IN THE TRACY PAVILION AT 2471 NAGLEE ROAD. APPLICANT IS CITY SIGNS. PROPERTY OWNER IS TRACY PAVILION, LLC. APPLICATION NUMBER CUP12-0002.**

The staff report was provided by Kimberly Matlock. Mrs. Matlock stated the application was for two 157-square foot wall signs in the I-205 Specific Plan area, based on the amendment the Commission had just heard. Mrs. Matlock stated the two signs were in scale with the building fascia, and met the criteria regarding the length and area of the sign. Mrs. Matlock stated staff recommended approval of the application, contingent on City Council's approval of the I-205 Specific Plan Amendment.

Chair Manne asked if this was an example of a multi-tenant building which needed a larger sign. Mrs. Matlock answered it was.

Commissioner Mitracos asked how the size of the proposed letters compared to the existing sign. Matlock stated she did not have that information at the current time, but she could gather it. Commissioner Mitracos stated it looked taller than the sign at the previous location. Mr. Dean stated the old sign had to be less than 100 square feet, and that was why they were applying for a larger sign.

Vice Chair Ransom asked about the size of the previous tenant's sign. Mrs. Matlock stated she did not have that information readily available; however, again it had to be less than 100 square feet.

Chair Manne asked if the square footage of the sign was specifically the letters, or if it included the red background. Mrs. Matlock answered that because only letters were being used, staff had drawn a rectangle around each individual letter and include that area in the calculations. Mrs. Matlock further stated there was no red background proposed, and if there were, it would have been included it in the calculations.

Chair Manne opened the public hearing. As there was no one to speak to the item the public hearing was closed.

It was moved by Commissioner Mitracos and seconded by Vice Chair Ransom that the Planning Commission approve the Conditional Use Permit to allow two 157-square foot wall signs to be located on a building in the Tracy Pavilion at 2471 Naglee Road, Application Number CUP12-0002, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated April 11, 2012, contingent upon City Council approval of the I-205 Corridor Specific Plan amendment, application number SPA12-0001. Voice vote found all in favor; passed 5-0-0-0.

3. ITEMS FROM THE AUDIENCE – None

4. DIRECTOR'S REPORT

Mr. Dean congratulated Commissioner Mitracos on his reappointment to the Commission and welcomed Commissioner Sangha.

Mr. Dean mentioned the Cool California Challenge in which the City of Tracy was competing. Ms. Matlock explained the competition.

5. ITEMS FROM THE COMMISSION

Commissioner Johnson stated he was excited about the Sixth Street Opening.

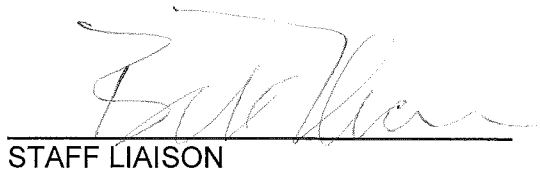
Commissioner Johnson asked if there was anything in the Ordinance regarding when a business vacates a building and removes the sign but leaves holes in the wall, or paints over just the letters. Commissioner Johnson said if it wasn't in there, he would like to see it. Mr. Dean indicated it was a follow up and enforcement issue; however it may be a good idea to remind the applicant as a condition of the approval.

6. ADJOURNMENT

It was moved by Commissioner Mitracos and seconded by Commissioner Sangha to adjourn.

Time: 7:57 p.m.

  
CHAIR

  
STAFF LIAISON

