

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, April 25, 2012, 7:00 p.m.**
(or as soon thereafter as possible)

Location: City Hall Council Chambers and Conference Room 109
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 – None.
2. NEW BUSINESS
 - A. **AMENDMENT TO THE I-205 CORRIDOR SPECIFIC PLAN WITH REGARD TO FREEWAY IDENTIFICATION SIGNS FOR COMMERCIAL CENTERS – THE AMENDMENT IS APPLICABLE TO ALL PROPERTIES WITHIN THE I-205 CORRIDOR SPECIFIC PLAN – APPLICANT IS JS KENDALL CONSTRUCTION, INC.**
 - B. **DETERMINATION OF CONSISTENCY WITH THE CITY OF TRACY GENERAL PLAN FOR A VACATION OF PUBLIC RIGHT OF WAY AFFECTING CHABOT COURT - APPLICANT IS PROLOGIS - APPLICATION NUMBER DET12-0001**
 - C. **DOWNTOWN SPECIFIC PLAN STUDY SESSION**
3. ITEMS FROM THE AUDIENCE

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

April 19, 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

**AMENDMENT TO THE I-205 CORRIDOR SPECIFIC PLAN WITH REGARD TO
FREEWAY IDENTIFICATION SIGNS FOR COMMERCIAL CENTERS – THE
AMENDMENT IS APPLICABLE TO ALL PROPERTIES WITHIN THE I-205
CORRIDOR SPECIFIC PLAN – APPLICANT IS JS KENDALL CONSTRUCTION, INC.**

DISCUSSION

Background

Both the Tracy Municipal Code and the I-205 Corridor Specific Plans allow for freeway identification signs to be constructed on parcels that are located within 350 feet of a highway. These signs are limited to a height of 15 feet measured from the crown of the freeway or 45 feet, whichever is less. They are also limited to 300 square feet in area per each sign face, with two sign faces allowed per sign.

There are 31 freeway signs within the City, four of which are located within the I-205 Corridor Specific Plan Area. The regulations for freeway identification signs within the I-205 Corridor Specific Plan are similar to those in the remainder of the City which are governed by the requirements of the Tracy Municipal Code (TMC). Throughout the City, new freeway signs are required to first obtain Conditional Use Permit (CUP) approval from the Planning Commission, and the sign height and area requirements are the same. The one difference in the I-205 area is that parcels located within 700 feet of a freeway are eligible to install a freeway sign with CUP approval, whereas in the remainder of the city the maximum distance is 350 feet.

Amendment

The proposed amendment to the I-205 Corridor Specific Plan would allow the maximum size of freeway identification signs within the Specific Plan area to increase from 300 square feet to 400 square feet.

All of the existing freeway signs within the I-205 Corridor Specific Plan advertise large shopping centers rather than individual establishments. The existing signs include the West Valley Mall, the Tracy Outlets, the Home Depot shopping center and the Tracy Marketplace (Walmart center). Because most of these signs include a list of multiple tenants (all but the Tracy Outlets), a larger size allowance within the area will better serve these centers. Allowing for the size of these shared shopping center signs to be larger will encourage fewer signs, helping to prevent the proliferation of more single-tenant signs along the I-205 corridor.

The size of freeway signs within the remainder of the City would remain at a maximum of 300 square feet.

Proposed Amendment Language

Staff proposes the language of the amendment to change the sign area as well as clarify the permitting requirements for new versus existing signs as follows:

“Each commercial center may have one freeway identification sign ~~which shall require a Conditional Use Permit. Prior to the construction of a new freeway identification sign, a Conditional Use Permit must be granted by the Planning Commission. Prior to any additions or changes to an existing freeway identification sign, a sign permit must be obtained from the Development Services Director.~~ The sign may identify any tenant(s) located within 700 feet of the freeway on any parcel within the center. Maximum height shall be 15 feet above the crown of the nearest freeway, not to exceed 45 feet above finished site grade. Maximum sign area shall be ~~300-400~~ feet per sign face with a maximum of two sign faces.”

Environmental Document

The proposed amendment is consistent with the Negative Declaration that was prepared for the I-205 Corridor Specific Plan and approved on July 6, 1999. In accordance with CEQA Guidelines Section 15183, no further environmental assessment is required.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the amendment to the I-205 Corridor Specific Plan to allow for freeway identification signs for commercial centers to be increased in size to a maximum area of 400 square feet, based on the findings contained in the Planning Commission Resolution dated April 25, 2012 (Attachment B).

MOTION

Move that the Planning Commission recommend that the City Council approve the amendment to the I-205 Corridor Specific Plan to allow for freeway identification signs for commercial centers to be increased in size to a maximum area of 400 square feet, based on the findings contained in the Planning Commission Resolution dated April 25, 2012 (Attachment B).

Prepared by Victoria Lombardo, Senior Planner

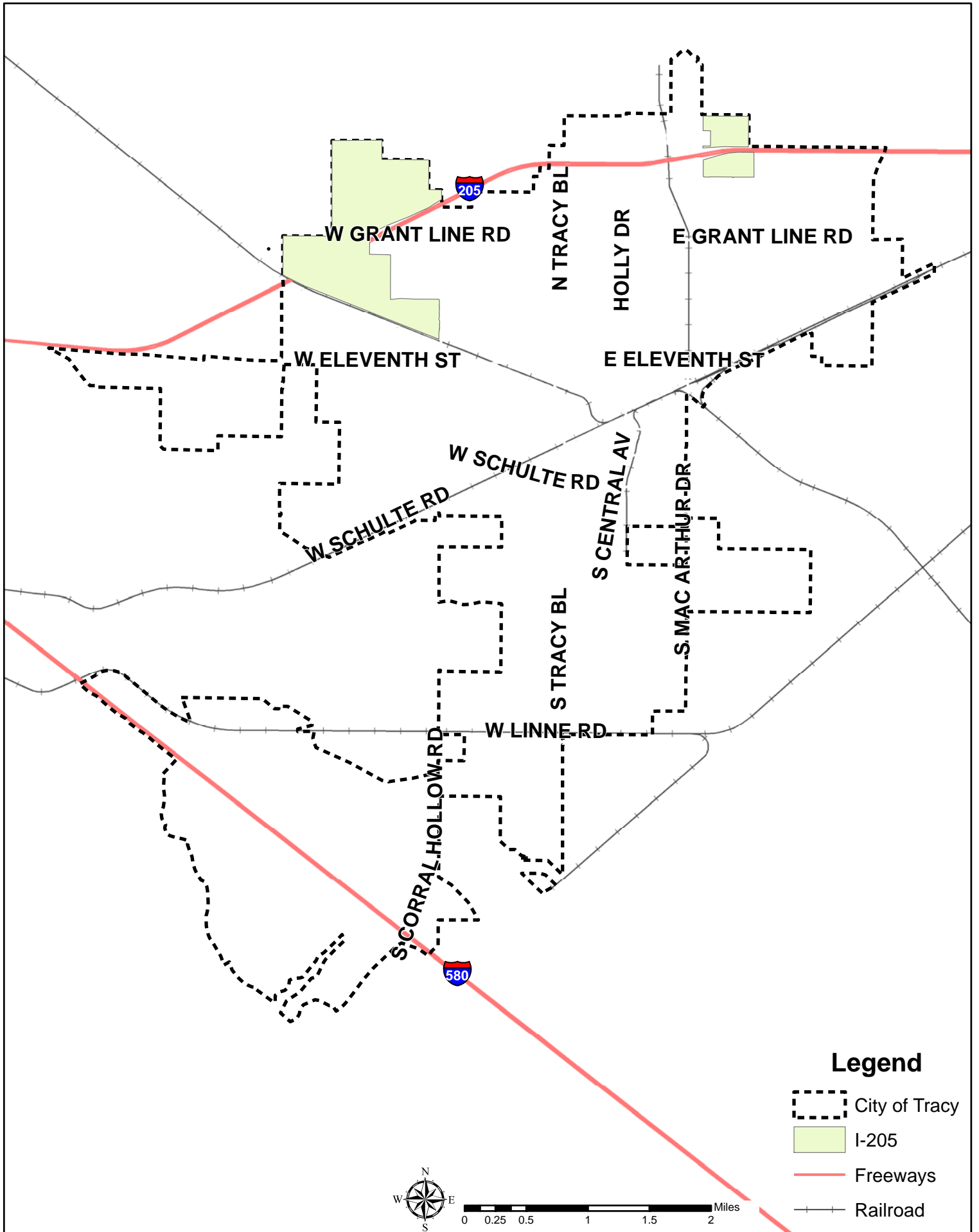
Approved by Bill Dean, Assistant Development Services Director

ATTACHMENTS

A—I-205 Corridor Specific Plan Location Map

B—Planning Commission Resolution

Map of I-205 Corridor Specific Plan Area



RESOLUTION PC 2012-_____

RECOMMENDING CITY COUNCIL APPROVAL OF THE AMENDMENT TO THE I-205 CORRIDOR SPECIFIC PLAN WITH REGARD TO FREEWAY SIGNS; APPLICATION NUMBER SPA12-0002

WHEREAS, The City Council adopted the I-205 Corridor Specific Plan and certified its Environmental Impact Report on August 21, 1990, and approved a subsequent Negative Declaration on July 6, 1999, and the City Council certified the 2006 General Plan EIR on July20, 2006, and

WHEREAS, JS Kendall Construction, Inc., on behalf of the Tracy Marketplace, submitted an application for an amendment to the I-205 Corridor Specific Plan to allow for freeway signs within the Specific Plan to be larger than 300 square feet in area, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the application on April 25, 2012;

NOW, THEREFORE BE IT RESOLVED, The Planning Commission hereby recommends the City Council approve application number SPA12-0002, an amendment to the I-205 Corridor Specific Plan Section 4.1.2.2.G.11, based on the findings below, to read as follows:

“Each commercial center may have one freeway identification sign ~~which shall require a Conditional Use Permit.~~ Prior to the construction of a new freeway identification sign, a Conditional Use Permit must be granted by the Planning Commission. Prior to any additions or changes to an existing freeway identification sign, a sign permit must be obtained from the Development Services Director. The sign may identify any tenant(s) located within 700 feet of the freeway on any parcel within the center. Maximum height shall be 15 feet above the crown of the nearest freeway, not to exceed 45 feet above finished site grade. Maximum sign area shall be ~~300~~ 400 feet per sign face with a maximum of two sign faces.”

Findings:

The amendment is consistent with the goals, actions, and policies of the General Plan and the I-205 Corridor Specific Plan and with its purposes, standards, and guidelines; will result in development of desirable character, which will be compatible with the existing and future development in the Specific Plan area; contributes to a balance of land uses that will enable local residents to work and shop within the Tracy Planning Area; and respects the environmental and aesthetic assets of the community consistent with economic realities. The Specific Plan amendment is minor in nature, focusing solely on freeway signs with minimal impact on the build out of the Specific Plan. The Specific Plan amendment will be compatible with existing and proposed neighboring development because it poses only minor modifications to the Specific Plan signage requirements within the I-205 Corridor Specific Plan area to support economic development while respecting the aesthetic assets of the community.

The foregoing Resolution 2012-_____ was adopted by the Planning Commission on the 25^h day of April, 2012, by the following vote:

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

Chair

ATTEST:

Staff Liaison

AGENDA ITEM 2-B

REQUEST

DETERMINATION OF CONSISTENCY WITH THE CITY OF TRACY GENERAL PLAN FOR A VACATION OF PUBLIC RIGHT OF WAY AFFECTING CHABOT COURT - APPLICANT IS PROLOGIS - APPLICATION NUMBER DET12-0001

DISCUSSION

Background

Chabot Court was built and dedicated as a public street located on the south side of East Grant Line Road, between Paradise and Banta Roads (Attachment A: Location Map). The City Council approved the subdivision map that created Chabot Court on October 21, 2003, and the final map was recorded on October 30, 2003, San Joaquin County Recorder's Book 38, Page 70.

On April 11, 2012, the Planning Commission recommended approval of a Preliminary and Final Development Plan for the extension of Chabot Court to Paradise Road, along with the construction of new industrial buildings. Should that plan be approved by the City Council, the extension of Chabot Court will be constructed and the existing public right-of-way will be converted into a private street, to be owned and maintained by the developer and property owner of the surrounding industrial development. These improvements will render the Chabot Court right-of-way no longer necessary, and it will be vacated back to the surrounding parcels (Attachment B: Vacation of Right of Way).

Whenever a public agency proposes to dispose of real property, California Government Code, Section 65402 requires a finding of consistency with the General Plan. If the Planning Commission determines that the public right of way vacation is consistent with the General Plan, the City Council will conduct a public hearing and decide whether or not to vacate the property.

Site and Project Description

The site and adjacent properties have a General Plan land use designation of Industrial (I) and are located within the Planned Unit Development (PUD) zone district and within the Northeast Industrial Concept Development Plan (NEI). The requested vacation of right of way is consistent with the General Plan, Zoning Ordinance, and Northeast Industrial Concept Development Plan because it will return the land to industrial use. The development plan recently considered by Planning Commission showed adequate access to and from the project consistent with City standards.

Environmental Document

The proposed right of way vacation is categorically exempt from the California Environmental Quality Act pursuant to Section 15312 of the CEQA Guidelines. This exemption pertains to surplus government property sales. In compliance with CEQA

Guidelines Section 15312, the right of way property proposed for vacation does not have significant value for wildlife habitat or other environmental purposes.

RECOMMENDATION

Staff recommends that the Planning Commission determine that the vacation of public right of way affecting Chabot Court is consistent with the City of Tracy General Plan, based on the findings contained in the Planning Commission Resolution dated April 25, 2012 (Attachment C: Planning Commission Resolution).

MOTION

Move that the Planning Commission determine that the vacation of public right of way affecting Chabot Court is consistent with the City Of Tracy General Plan, based on the findings contained in the Planning Commission Resolution dated April 25, 2012.

Prepared by Victoria Lombardo, Senior Planner
Approved by Bill Dean, Assistant Development Services Director

ATTACHMENTS

- A: Location Map
- B: Vacation of Right of Way Map
- C: Planning Commission Resolution

Location Map



Right-of-Way to be vacated



RESOLUTION 2012-_____

**DETERMINATION THAT THE VACATION OF PUBLIC RIGHT OF WAY AFFECTING
CHABOT COURT IS CONSISTENT WITH THE CITY OF TRACY GENERAL PLAN.
APPLICATION NUMBER DET12-0001**

WHEREAS, Prologis is seeking the approval of a Preliminary and Final Development Plan to extend Chabot Court as a private street to the west and north, intersecting with Paradise Road, and

WHEREAS, The City of Tracy initiated a vacation of public right of way affecting the whole of Chabot Court, and

WHEREAS, The site has a General Plan land use designation of Industrial (I), and

WHEREAS, The requested vacation of public right of way is consistent with the General Plan because it will allow industrial use of the land, and

WHEREAS, The proposed vacation of public right of way is categorically exempt from the California Environmental Quality Act pursuant to Section 15312 of the CEQA Guidelines;

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission hereby finds the vacation of public right of way affecting Chabot Court is consistent with the General Plan.

The foregoing Resolution 2012-_____ was adopted by the Planning Commission on the 25th day of April, 2012, by the following vote:

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

CHAIR

ATTEST:

Staff Liaison