

NOTICE OF A REGULAR MEETING

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

Date/Time: Wednesday, January 23, 2013
7:00 P.M. (or as soon thereafter as possible)

Location: City of Tracy Council Chambers
333 Civic Center Plaza

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.

REGULAR MEETING AGENDA

CALL TO ORDER

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 item shall be placed on an agenda within 30 days*

1. OLD BUSINESS
2. NEW BUSINESS

- A. **PUBLIC HEARING TO CONSIDER A 300-UNIT RESIDENTIAL APARTMENT PROJECT (TRACY SIERRA DEVELOPMENT), INCLUDING PARKING AND RELATED ON-SITE IMPROVEMENTS ON APPROXIMATELY 10.8 ACRES LOCATED ON THE NORTH SIDE OF PAVILION PARKWAY, NORTHWEST OF THE INTERSECTION OF PAVILION PARKWAY AND POWER ROAD, ASSESSOR'S PARCEL NUMBERS 212-280-02 AND 15. THE PROJECT INCLUDES A GENERAL PLAN DESIGNATION AMENDMENT FROM COMMERCIAL TO RESIDENTIAL HIGH (GPA12-0002), AN AMENDMENT TO THE I-205 CORRIDOR SPECIFIC PLAN DESIGNATION FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL AND MAXIMUM DENSITY ALLOWED IN THE HIGH DENSITY RESIDENTIAL AREA (SPA12-0004), A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL DEVELOPMENT PLAN (PUD12-0001) FOR THE PROJECT, AND**

**AN ADDENDUM TO THE WINCO ENVIRONMENTAL IMPACT
REPORT. THE APPLICANT IS CYNTHIA ERB AND ASSOCIATES FOR
SIERRA HILLS DEVELOPMENT**

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

January 17, 2013

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.

January 23, 2013

AGENDA ITEM 2-A

REQUEST

PUBLIC HEARING TO CONSIDER A 300-UNIT RESIDENTIAL APARTMENT PROJECT (TRACY SIERRA DEVELOPMENT), INCLUDING PARKING AND RELATED ON-SITE IMPROVEMENTS ON APPROXIMATELY 10.8 ACRES LOCATED ON THE NORTH SIDE OF PAVILION PARKWAY, NORTHWEST OF THE INTERSECTION OF PAVILION PARKWAY AND POWER ROAD, ASSESSOR'S PARCEL NUMBERS 212-280-02 AND 15. THE PROJECT INCLUDES A GENERAL PLAN DESIGNATION AMENDMENT FROM COMMERCIAL TO RESIDENTIAL HIGH (GPA12-0002), AN AMENDMENT TO THE I-205 CORRIDOR SPECIFIC PLAN DESIGNATION FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL AND MAXIMUM DENSITY ALLOWED IN THE HIGH DENSITY RESIDENTIAL AREA (SPA12-0004), A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL DEVELOPMENT PLAN (PUD12-0001) FOR THE PROJECT, AND AN ADDENDUM TO THE WINCO ENVIRONMENTAL IMPACT REPORT. THE APPLICANT IS CYNTHIA ERB AND ASSOCIATES FOR SIERRA HILLS DEVELOPMENT.

DISCUSSION

Project Description

The proposal is to construct a 300-unit, residential apartment project on 10.8 (net) acres at the northeast corner of Pavilion Parkway and Power Road (Attachment A). The vacant parcel is directly across Pavilion Parkway (to the north) from the Winco grocery store. Attachment B is an aerial photograph of the project site and surrounding properties. Attachments C, D, and E contain the project's proposed site plan, exterior elevations, and floor plans.

The project's seven residential buildings are three stories plus a loft on approximately one-third of the units. The units range in size from approximately 800 square feet to 1,400 square feet; and from one bedroom, one bathroom to two bedrooms and three bathrooms plus a loft.

The proposal includes a clubhouse containing an office and meeting/recreation room, a swimming pool, and other on-site amenities such as a tot lot, fire pits, gazebos, active recreation areas, and open lawn areas.

The architecture is a modern design featuring exterior materials of plaster, cement composite board, and standing seam metal. Interest and variety is created with vertical and horizontal relief at the stairway entrances, balconies and

first-floor patios, and at third floor units with lofts projecting outward from the building face (Attachments D and F). The architecture is further enhanced with abundant, symmetrical windows and awnings at the ends of the buildings.

Site Design

A focal point of the project is the main entrance, centrally located along Pavilion Parkway. The entrance occurs between Buildings B-1 and B-2 (Attachment C), which are placed near the Pavilion Parkway right-of-way. The buildings' location on the site is consistent with City design goals to locate the buildings close to the street to create an inviting, pedestrian-oriented environment where people may be more comfortable and the streetscape more attractive than where the street is adjacent only to automobile parking lots.

The two buildings along the street create a successful element of this project. In addition to their street presence, they also help frame the main entrance to the site from Pavilion Parkway into the on-site roundabout and clubhouse area.

Two other ingress/egress points are included in the project: one on the west side at Power Road and one at a shared driveway from Robertson Drive on the east side of the site. The project contains a two-way driveway with 90-degree parking that circumnavigates the entire project.

City off-street parking standards require that one-bedroom units are provided with 1.7 parking spaces per unit and units with two or more bedrooms have 2.2 parking spaces each. One parking space for each unit is required to be covered. The project contains 228 one-bedroom units and 72 units with two or more bedrooms. Therefore, the entire 300-unit project requires 546 off-street parking spaces, 300 of which must be covered. The site plan demonstrates compliance with these standards. Sketches of the proposed carport design are depicted in Attachment F.

The applicant is proposing a wrought iron or other, decorative fence, integrated with the landscaping, along the site's street frontages, with gates at the project entrances for security purposes.

Land Use Compatibility

Attachment B illustrates the site's commercial neighborhood with the Winco grocery store to the south, auto dealerships (with sales and service) to the east and north, and vacant property and commercial services adjacent to the north. The agricultural land adjacent to the west, currently in unincorporated San Joaquin County, is designated Commercial by the City's General Plan, and may one day be annexed to the City for commercial, office, or high density residential development.

The site's proximity to commercial land uses could have potentially negative effects on the proposed residential project such as noise or traffic. However, the nearby commercial land uses can also benefit the proposed project by providing, for the residents, retail and commercial services, recreational opportunities, or employment within walking distance. The West Valley Mall, with its movie theaters and restaurants, is approximately one-quarter mile east of the site. The site's location also benefits from relatively close freeway access for residents seeking shorter commute distances to I-205.

In order to help mitigate noise and visual effects from less compatible, adjacent land uses, the project will include an eight-foot tall masonry wall adjacent to the car sales and service land uses adjacent to the north and east. Additionally, the buildings will be separated from the north and east property lines by landscaping and the two-way drive aisle.

Public Schools

Based on the site's location, away from public parks and schools, it may attract fewer families with school-age children. Nevertheless, the site will contain significant on-site recreational amenities and access to public schools, albeit no schools within a convenient walking distance. The project site is within the attendance boundary areas of Jacobson Elementary School (approximately one mile to the southeast), Monte Vista Middle School (approximately two miles to the southeast), and West High School (just over one mile to the southeast).

Tracy Unified School District representatives indicate they will receive the standard capital school facilities fees from the project and space is available in the public school system for students who may live in the new apartments.

General Plan/Specific Plan Amendments

The project consists of four separate development application requests: (1) General Plan designation amendment from Commercial to Residential High; (2) I-205 Corridor Specific Plan amendment from General Commercial to High Density Residential; (3) Amendment to the I-205 Specific Plan allowable density within the High Density Residential designation; and (4) Planned Unit Development Preliminary and Final Development Plan approval for the proposed apartment project.

In 2007, the City Council approved the Winco project General Plan amendment which covered approximately 21 acres on the east side of Power Road, bisected by Pavilion Parkway, to change the designation from Industrial to Commercial. The Winco store was proposed on the southern half of the site (and subsequently constructed) and no specific development proposal was submitted for the

northern half at that time – on which this 300-unit apartment project is now proposed. And although the Commercial General Plan designation provides for high density residential development (in addition to a variety of commercial uses), the General Plan amendment is included with the project in order for the General Plan map to more specifically reflect the proposed residential land use of the site.

The second application is to amend the I-205 Corridor Specific Plan designation from General Commercial to High Density Residential (HDR). The General Commercial designation was approved in 2007 in anticipation of potential commercial development, consistent with surrounding properties. The Specific Plan amendment is necessary to accommodate the proposed high density residential development of this site.

The third request relates to the allowable density in the I-205 Specific Plan's HDR designation. Currently, the maximum density allowed in the Specific Plan is 19 dwelling units per acre. The Specific Plan, adopted in 1990, anticipated a more suburban, lower density for residential development in the vicinity of the freeway than in the City's existing residential zone districts. The request is to increase the allowable density to 25 dwelling units per acre, to be consistent with the maximum density allowed by the City's General Plan and the HDR Zone District of the Tracy Municipal Code. The I-205 Specific Plan contains the only HDR area in the City that limits the density to less than 25 units per acre. If approved, this amendment would only affect this subject property because all other residential areas of the I-205 Specific Plan have been built out. The proposed density of this project is approximately 23.7 units per gross acre.

Finally, the project includes a request to approve the project Planned Unit Development Preliminary and Final Development Plan, which serves as the permit for the City's approval of the 300-unit apartment project.

CEQA DOCUMENTATION

In 2007, the City Council certified the Winco Environmental Impact Report (EIR) prior to approving the Winco project. The Winco EIR evaluated potential impacts associated with construction and operation of the Winco grocery store (which was subsequently constructed) on approximately ten acres on the south side of Pavilion Parkway and development of the subject 10.8-acre site on the north side of Pavilion Parkway. No specific development application for the 10.8-acre subject property was proposed when the EIR was certified. The Winco EIR, therefore, evaluated potential impacts of the type of retail development that would be allowed under the proposed General Plan and Specific Plan amendments. Since certification of the EIR and approval of the Winco project in 2007, revisions have been proposed affecting the land use (namely, the 300-unit

apartment project is now proposed) on the northern 10.8-acre parcel covered by the EIR.

When a proposed project is changed after approval and certification of an EIR, a determination must be made by the Lead Agency (in this case, the City of Tracy) as to whether an Addendum or a Subsequent EIR is prepared. Criteria, as set forth in CEQA Guidelines, are used to assess which environmental document is appropriate. The criteria for determining whether an Addendum or Subsequent EIR is prepared are outlined below. If the criteria below are true and applicable to the project, then an Addendum is the appropriate environmental document.

1. No new significant impacts will result from the project or from new mitigation measures.
2. No substantial increase in the severity of an environmental impact will occur.
3. No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact, been found to be feasible.

Based upon the information provided in the proposed Addendum (Exhibit 1 to the Planning Commission Resolution, Attachment H), the proposed revisions to the previously approved project will not result in new significant impacts or substantially increase the severity of impacts previously identified in the EIR, and there are no previously infeasible alternatives that are now feasible. Therefore, an Addendum is appropriate, and has been prepared to address the environmental effects of the revisions to the project.

RECOMMENDATION

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

1. Approve the General Plan designation amendment from Commercial to Residential High.
2. Approve the I-205 Corridor Specific Plan designation amendment from General Commercial to High Density Residential.
3. Approve the I-205 Corridor Specific Plan amendment establishing a maximum density of 25 units per gross acre within the High Density Residential designation.
4. Approve the Planned Unit Development Preliminary and Final Development Plan for the Tracy Sierra Development Apartment Project.

MOTION

Move that the Planning Commission recommends that the City Council take the following action, as documented in the January 23, 2013 Planning Commission Resolution:

1. Approve the General Plan designation amendment from Commercial to Residential High.
2. Approve the I-205 Corridor Specific Plan designation amendment from General Commercial to High Density Residential.
3. Approve the I-205 Corridor Specific Plan amendment establishing a maximum density of 25 units per gross acre within the High Density Residential designation.
4. Approve the Planned Unit Development Preliminary and Final Development Plan for the Tracy Sierra Development Apartment Project.

Prepared by Alan Bell, Senior Planner

Reviewed by Bill Dean, Assistant Development Services Director

Approved by Andrew Malik, Development Services Director

ATTACHMENTS

Attachment A – General Plan Map of the Site

Attachment B – Aerial Photograph of the Site and Surrounding Properties

Attachment C – Site Plan

Attachment D – Exterior Building Elevations

Attachment E – Floor Plans

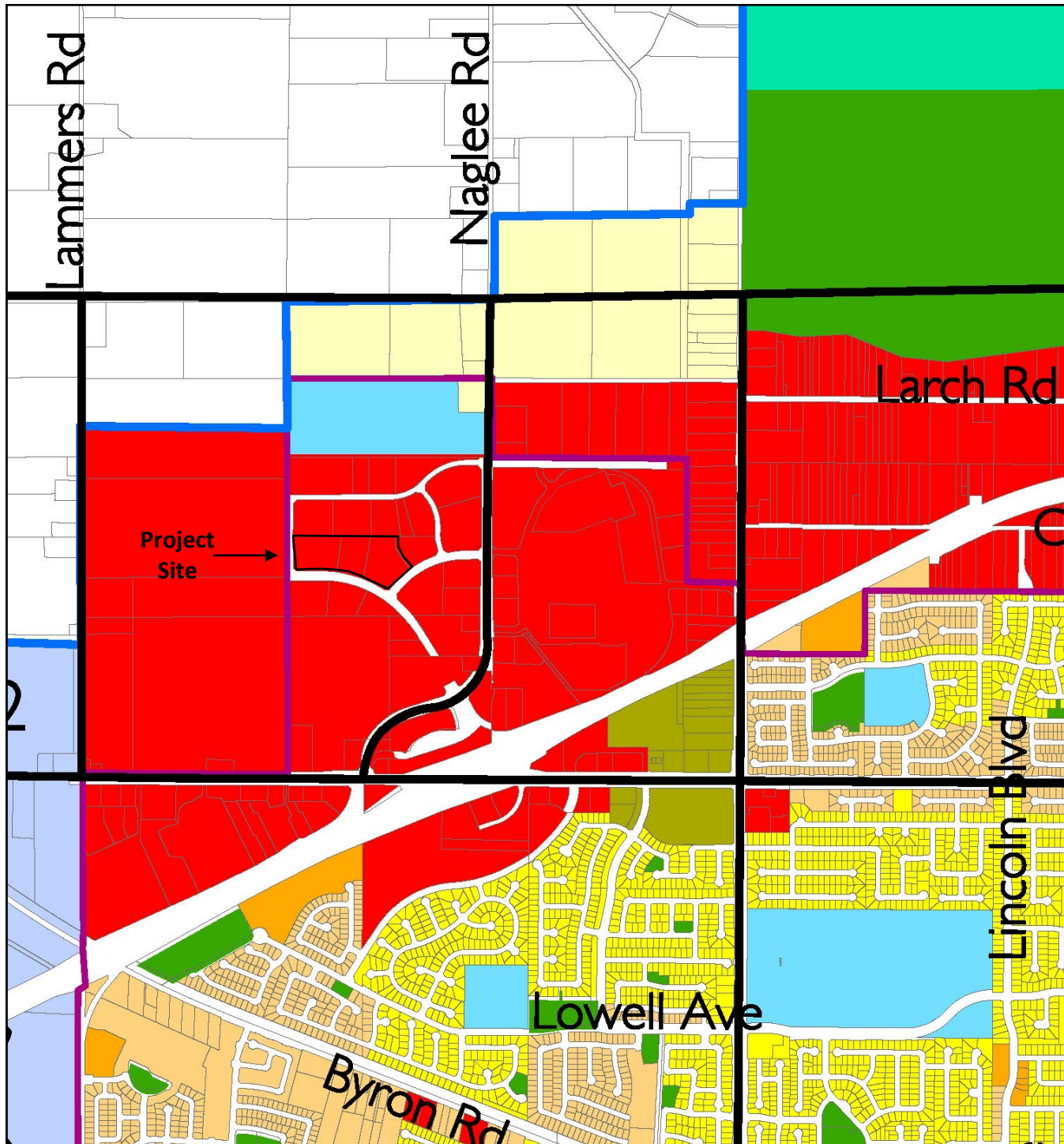
Attachment F – Exterior Building Perspective Drawings

Attachment G – Clubhouse Exterior Elevations

Attachment H – Planning Commission Resolution with the Winco EIR Addendum (Exhibit 1) and Project Conditions of Approval (Exhibit 2)

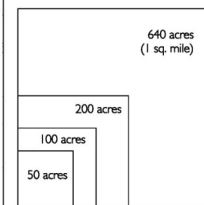
Current General Plan

Attachment A



Tracy General Plan Land Use Designations

- 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
- Sphere of Influence
- City Limits
- Major Arterial/Expressway/
Boulevard

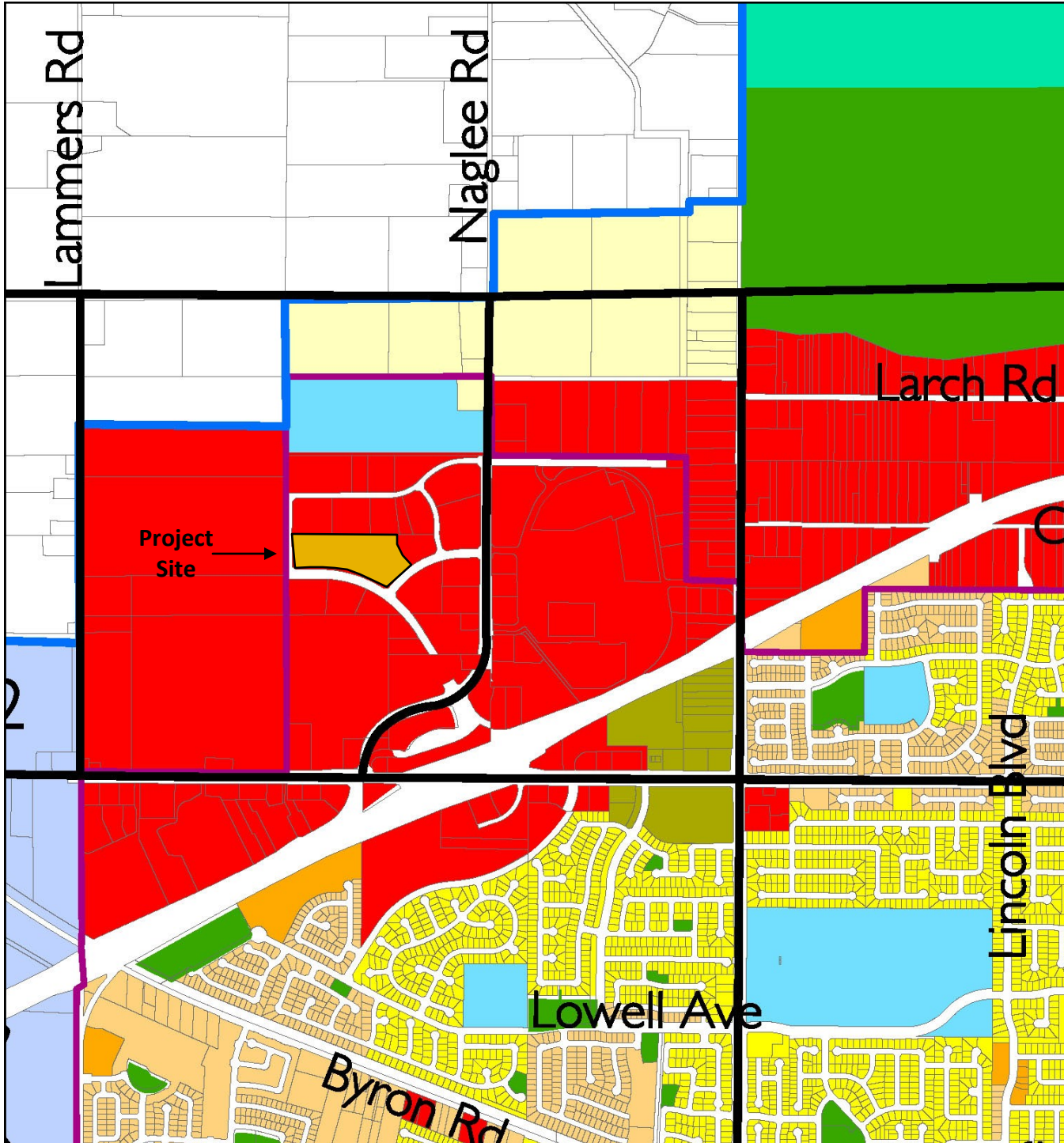


February 1, 2011



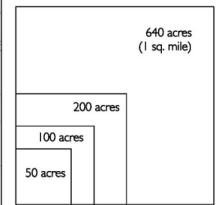
Proposed General Plan

Attachment A



Tracy General Plan Land Use Designations

- 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
- Sphere of Influence
- City Limits
- Major Arterial/Expressway/
Boulevard



February 1, 2011



RECEIVED

JAN 17 2013

Aerial Property Map

SIERRA HILLS DEVELOPMENT

CITY OF TRACY





CLIENT
TRACY SIERRA DEVELOPMENT

PROJECT
TRACY SIERRA DEVELOPMENT
 PAVILION PARKWAY AND ROBERTSON DR. TRACY, CA 95304

REVISIONS

DATE
 JAN. 17, 2013

SCALE
 1"=40'-0"

PROPOSED SITE PLAN

SHEET
A1.1



RECEIVED
 JAN 17 2013
 CITY OF TRACY

PROPOSED SITE PLAN
 0 20 40 80 Feet

UNIT COUNTS	
DELEGY BATH	91 UNITS
1 BED, 2 BATH PLUS LOFT	40 UNITS
2 BED, 2 BATH PLUS LOFT	24 UNITS
2 BED, 3 BATH PLUS LOFT	12 UNITS
TOTAL UNITS	167 UNITS
DELEGY BATH	40 UNITS
1 BED, 2 BATH PLUS LOFT	24 UNITS
2 BED, 2 BATH PLUS LOFT	12 UNITS
TOTAL UNITS	100 UNITS
DELEGY BATH	18 UNITS
1 BED, 2 BATH PLUS LOFT	8 UNITS
2 BED, 2 BATH PLUS LOFT	6 UNITS
TOTAL UNITS	32 UNITS
ALL BUILDINGS	267 UNITS
1 BED, 1 BATH PLUS LOFT	40 UNITS
2 BED, 2 BATH PLUS LOFT	24 UNITS
2 BED, 3 BATH PLUS LOFT	12 UNITS
TOTAL UNITS	500 UNITS
PARKING REQUIREMENTS	500 SPACES
(7) 1 BED, 2 BATH PLUS LOFT X 17	119 SPACES
(4) 2 BED, 2 BATH X 22	88 SPACES
(2) 2 BED, 3 BATH PLUS LOFT X 22	88 SPACES
TOTAL SPACES REQUIRED	300 SPACES
TOTAL COVERED SPACES ALLOWED	184 SPACES
HANDICAP PARKING REQUIREMENTS	11 SPACES
(8) HANDICAP SPACES X 22	176 SPACES

IMPERVIOUS CALCULATIONS	
LOT SIZE	410,541 S.F.
PROPOSED COVERAGE	100,377 S.F.
MAIN RESIDENTIAL BUILDINGS	100,377 S.F.
PARKING/PERVIOUS	100,377 S.F.
PATHWAYS	21,238 S.F.
RECREATION AREAS	6,275 S.F.
TOTAL IMPERVIOUS AREA	208,277 S.F.
% IMPERVIOUS COVERAGE	50.7%
% BUILDING COVERAGE	21.2%
PROPOSED PERVIOUS SURFACES	187,826 S.F.
LANDSCAPED AREAS	12,576 S.F.
LANDSCAPED COVERAGE WITHIN PARKING	12,576 S.F.
ADDITIONAL TREES	111 TREES



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ARCHITECTURAL INTERIORS DESIGN
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Oakland, CA 94612
P: 925.531.8100 F: 925.871.8211
info@cynthierb.com

CLIENT
TRACY SIERRA
DEVELOPMENT

PROJECT
TRACY SIERRA
DEVELOPMENT
PAVILION PARKWAY
AND ROBERTSON DR.
TRACY, CA 95304

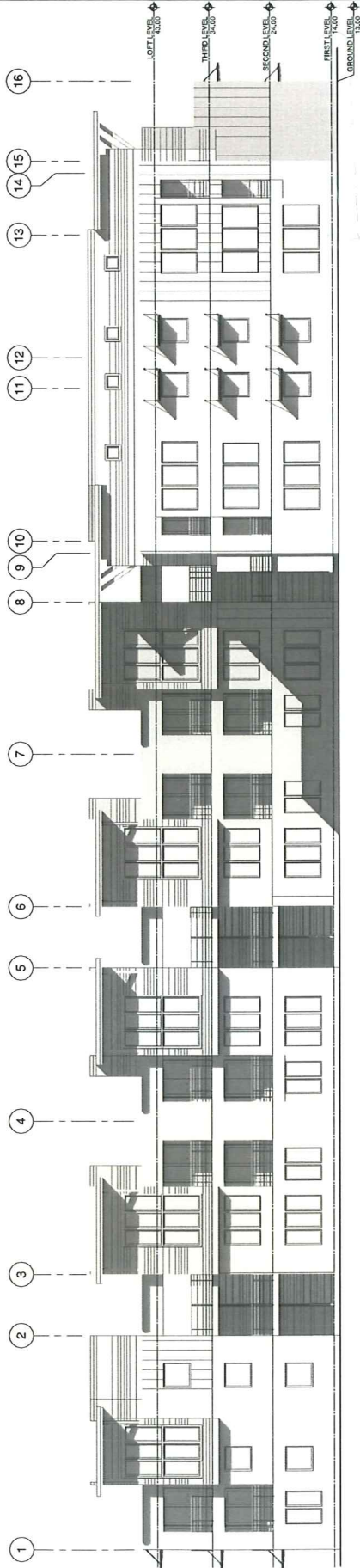
REVISIONS

DATE
JANUARY 17, 2013

SCALE
As indicated

BUILDING A -
EXTERIOR
ELEVATIONS

SHEET
A3.1



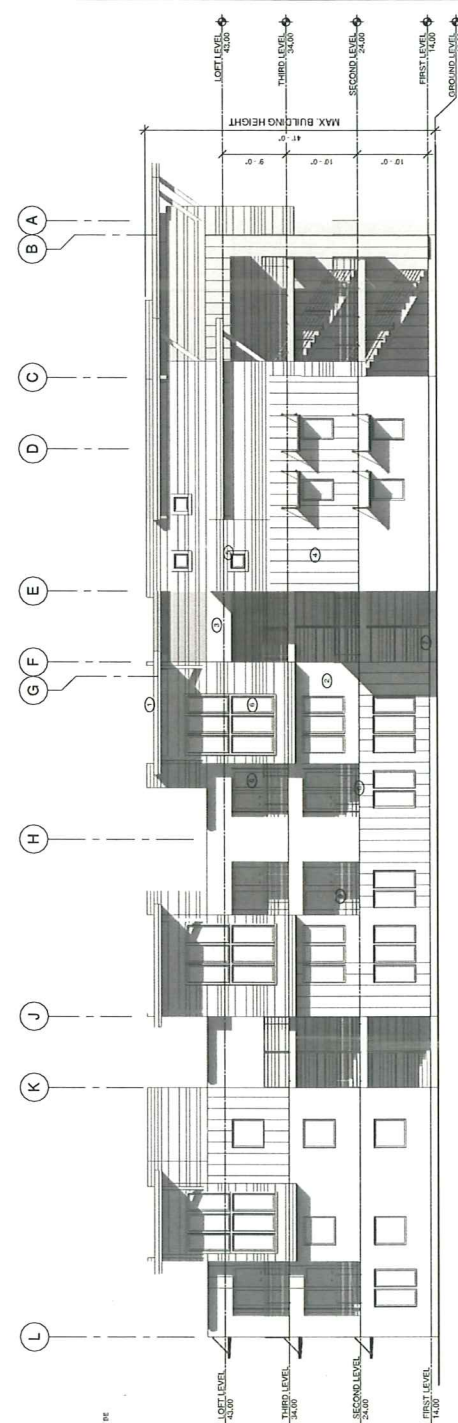
FRONT ELEVATION

JAN 17 2013

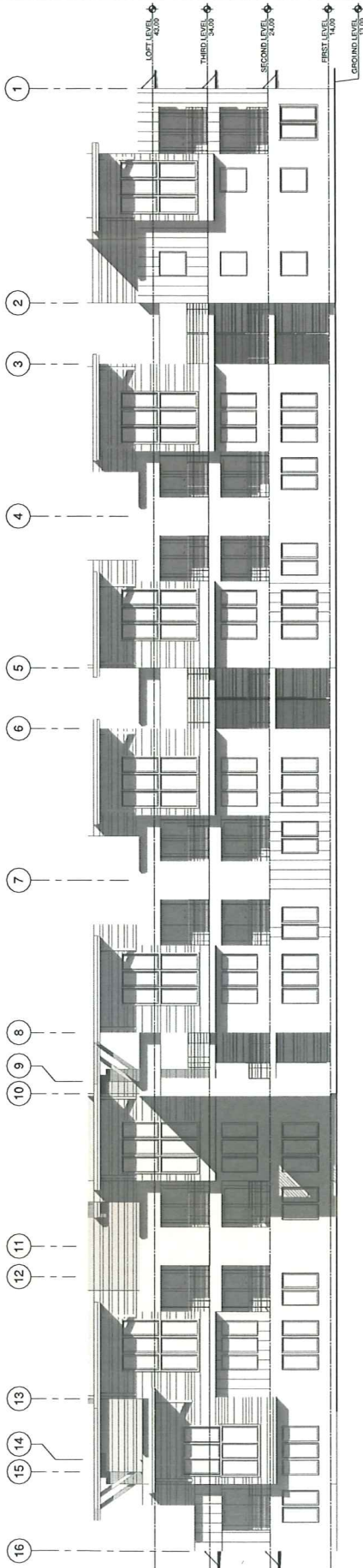
EXTERIOR MATERIAL LEGEND

- ① ASPEN-GUM A FIBER-GLASS ROOFING SYSTEM, 5/8" CERAMIC TILE SYSTEM, 5/8" GYP BOARD
- ② 25.2K T&B
- ③ 25.2K T&B
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NOTE:
REFER TO DRAWING SPECIFICATION FOR ALL MATERIALS AND COLORS. MUST BE APPROVED BY THE CITY OF TRACY PRIOR TO ORDERING AND INSTALLATION.



SIDE 1 ELEVATION



BACK ELEVATION

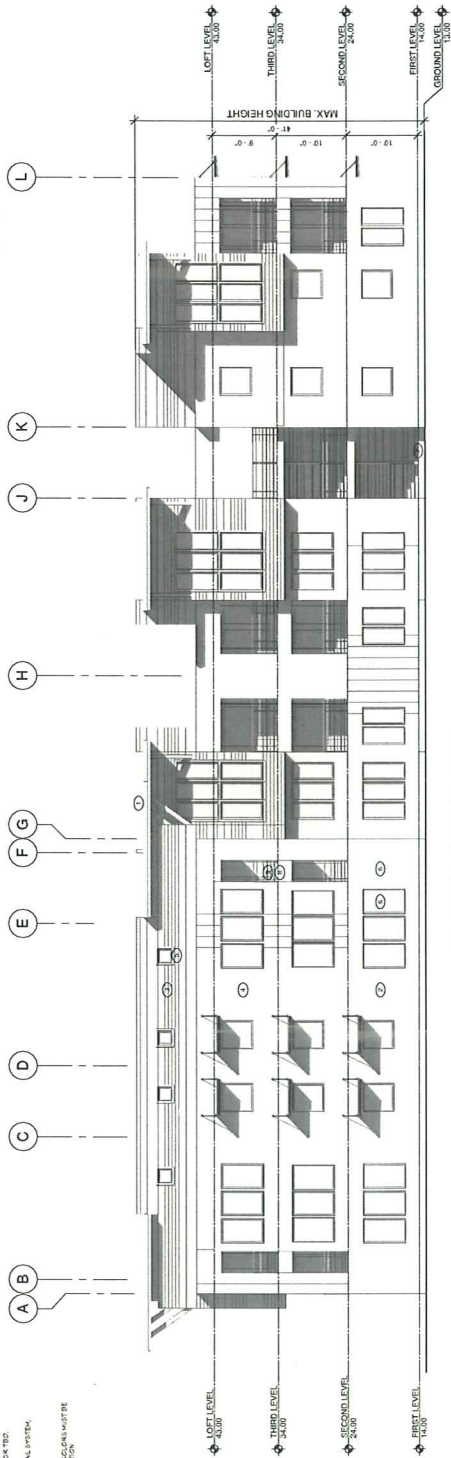
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EXTERIOR MATERIAL LEGEND

- ① OFF PAINT
- ② GLASS - ALUMINUM FRAME SYSTEM, COLOR: 6002, 6008
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- ㊼ 1/2" x 3/4" x 1/4" GROUT, 3/4" GROUT PLASTER SYSTEM, COLOR: TB
- ㊽ 1/2" x 3/4" x 1/4" GROUT, 3/4" GROUT PLASTER SYSTEM, COLOR: TB
- ㊾ 1/2" x 3/4" x 1/4" GROUT, 3/4" GROUT PLASTER SYSTEM, COLOR: TB
- ㊿ 1/2" x 3/4" x 1/4" GROUT, 3/4" GROUT PLASTER SYSTEM, COLOR: TB

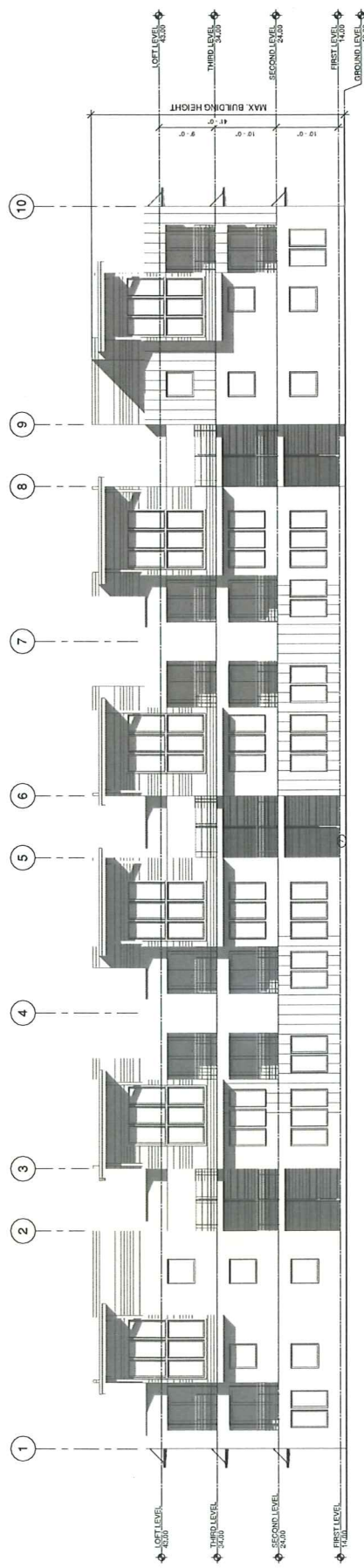
NOTE TO CONTRACTOR: FOR ALL MATERIALS AND COLORS, APPROVED BY THE CITY OF TRACY PRIOR TO ORDER AND INSTALLATION.

JAN 17 2013



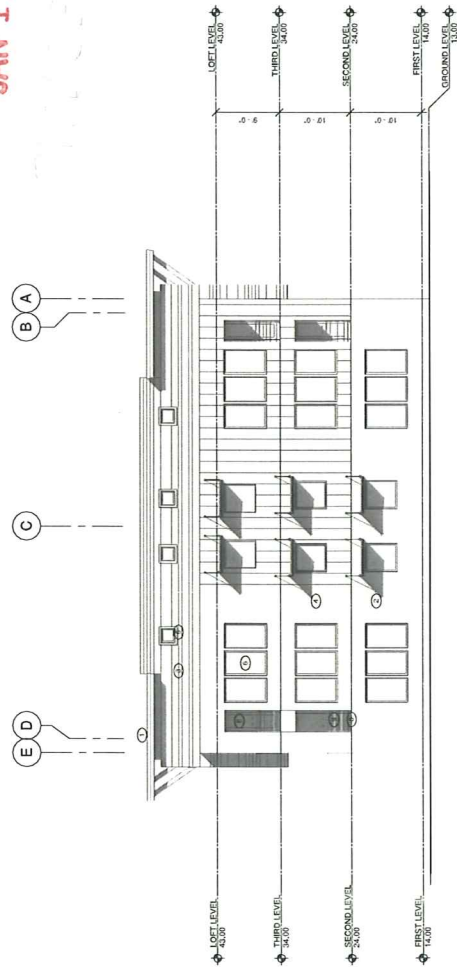
SIDE 2 ELEVATION

00 04 08 16 FEET



FRONT ELEVATION

JAN 17 2013

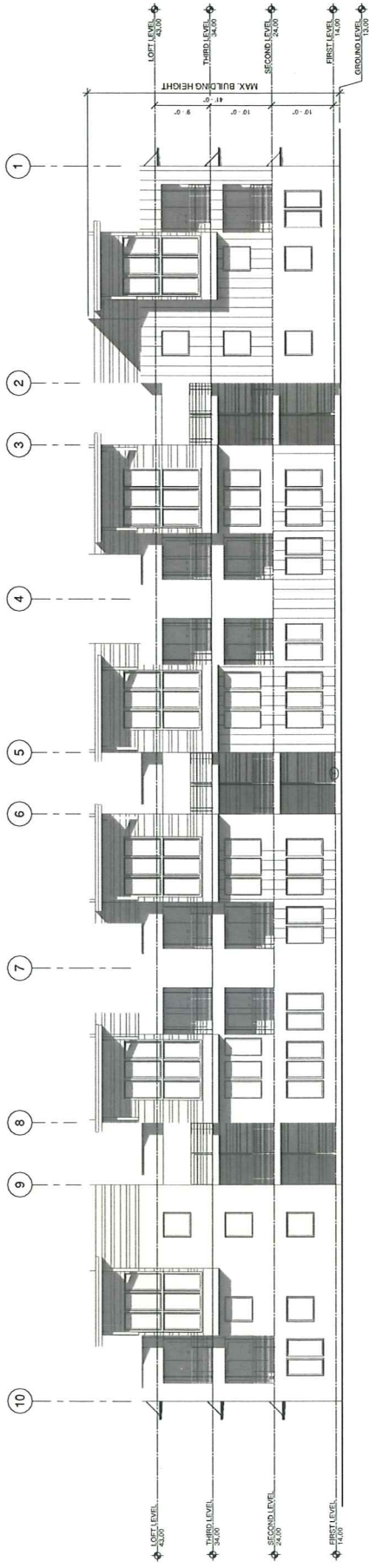


SIDE 1 ELEVATION

EXTERIOR MATERIAL LEGEND

- ① BRICK - CALSIA MIST - HERRING BONE SYSTEM COLOR: 6201, 6202 OFF WHITE
- ② 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ③ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ④ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ⑤ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ⑥ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ⑦ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ⑧ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ⑨ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202
- ⑩ 1/2" x 1/2" x 1/2" GLASS BLOCK - 1/2" x 1/2" x 1/2" SYSTEM COLOR: 6201, 6202

NOTE: TO BE APPROVED BY THE CITY OF TRACY. ALL MATERIALS AND COLORS MUST BE APPROVED BY THE CITY OF TRACY PRIOR TO ORDER AND INSTALLATION.



BACK ELEVATION

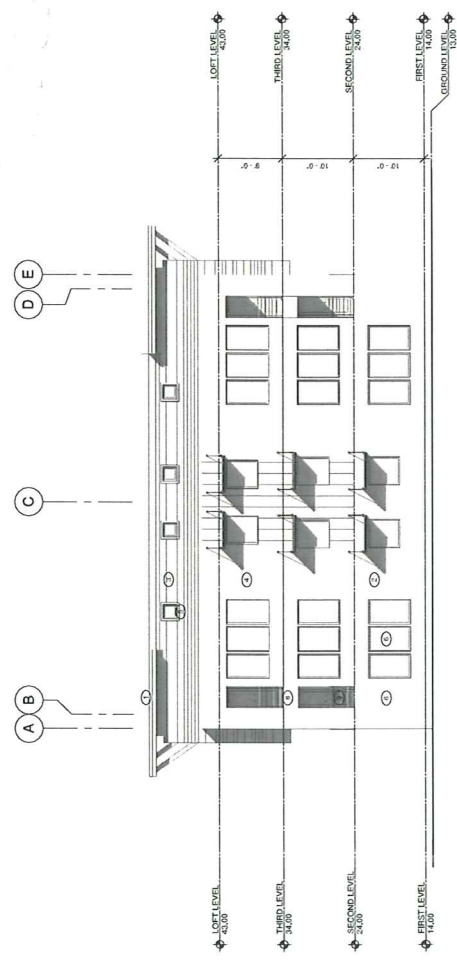


JAN 17 2013

EXTERIOR MATERIAL LEGEND

- ① Gypsum board on metal studs with gypsum board system, color: eggshell
- ② 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ③ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ④ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ⑤ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ⑥ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ⑦ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ⑧ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ⑨ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell
- ⑩ 1/2" gypsum board on metal studs with gypsum board system, color: eggshell

NOTE:
 ALL MATERIALS TO BE SUPPLIED BY THE CONTRACTOR AND INSTALLED BY THE CONTRACTOR.



SIDE 2 ELEVATION



CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

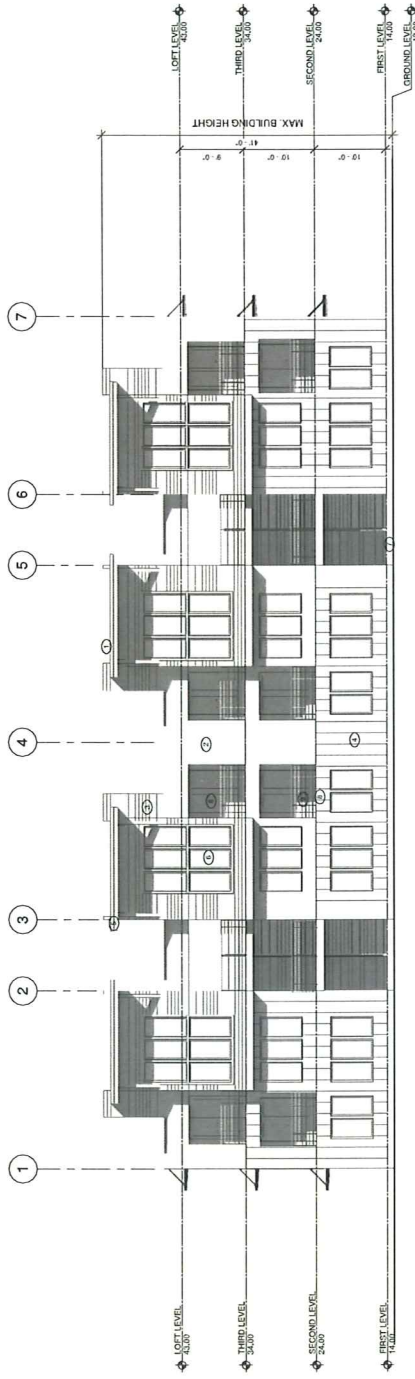
REVISIONS

DATE
 JANUARY 17, 2013

SCALE
 As indicated

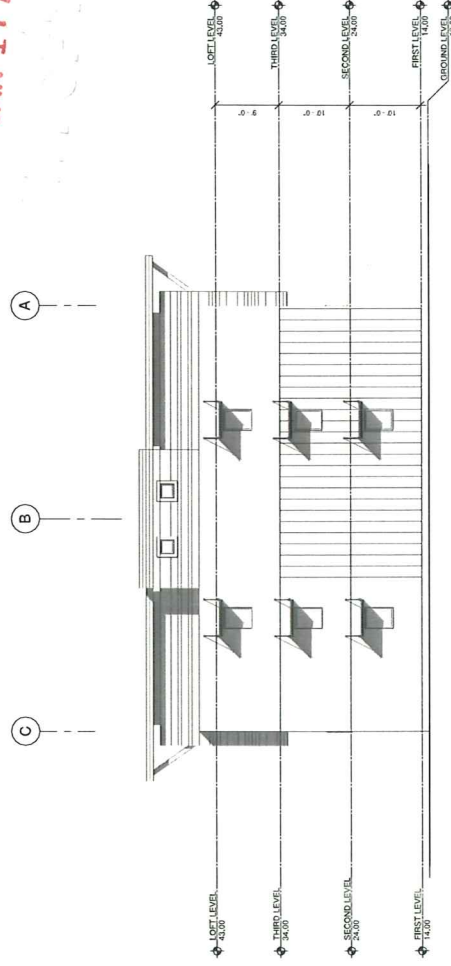
**BUILDING C -
 EXTERIOR
 ELEVATIONS**

SHEET
A3.5



FRONT ELEVATION

JAN 17 2013

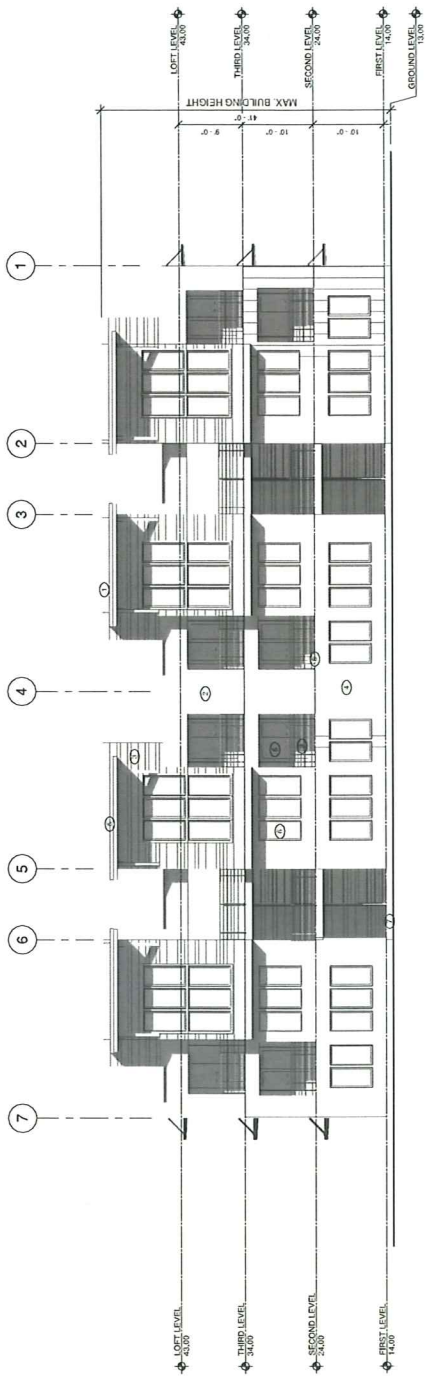


SIDE 1 ELEVATION

EXTERIOR MATERIAL LEGEND

- ① 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ② 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ③ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ④ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑤ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑥ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑦ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑧ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑨ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑩ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑪ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑫ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑬ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑭ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑮ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑯ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑰ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑱ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑲ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ⑳ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ㉑ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ㉒ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ㉓ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ㉔ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
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- ㊾ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL
- ㊿ 1/2" PINE - 1/2" SHEET-HORISANE RESINOUS SYSTEM COLOR: EGGSHELL

NOTE: TO OBTAIN THE BEST QUALITY OF MATERIALS AND COLORS, PLEASE CONTACT THE CITY OF TRACY FOR THE LATEST MATERIALS AND COLORS LIST.



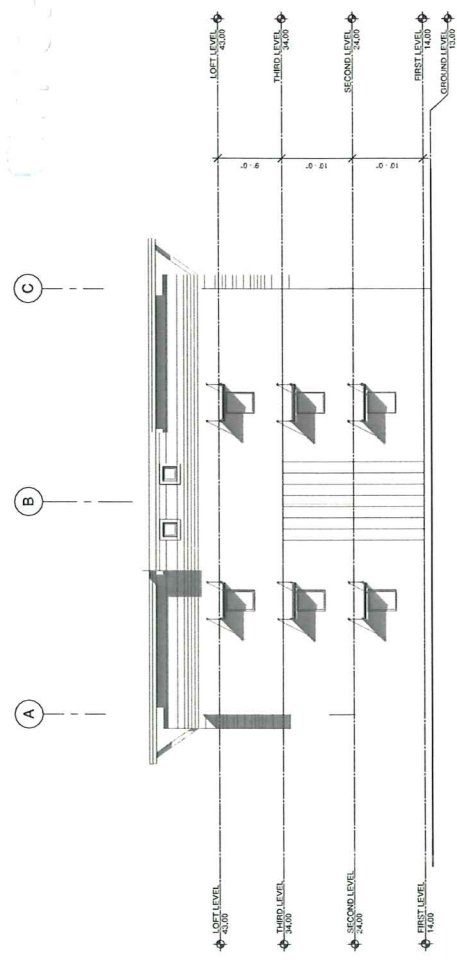
BACK ELEVATION

JAN 17 2013

EXTERIOR MATERIAL LEGEND

- ① ROOFING: CLASS A METAL ROOFING SYSTEM, COLOR: EGGSHELL
- ② OFF WHITE
- ③ 2 1/2" x 12" x 1/2" INTEGRATED SLATING PLATES, 3/4" CEMENT PLASTER SYSTEM
- ④ 2 1/2" x 12" x 1/2" INTEGRATED SLATING PLATES, 3/4" CEMENT PLASTER SYSTEM
- ⑤ 1/2" x 1/2" x 1/2" 1/2" SQUARE COMPOSITE BOARD, PAINT COLOR: TBP
- ⑥ 1/2" x 1/2" x 1/2" 1/2" SQUARE COMPOSITE BOARD, PAINT COLOR: TBP
- ⑦ 1/2" x 1/2" x 1/2" 1/2" SQUARE COMPOSITE BOARD, PAINT COLOR: TBP
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- ㊾ 1/2" x 1/2" x 1/2" 1/2" SQUARE COMPOSITE BOARD, PAINT COLOR: TBP
- ㊿ 1/2" x 1/2" x 1/2" 1/2" SQUARE COMPOSITE BOARD, PAINT COLOR: TBP

NOTE: TO DRAWING SPECIFICATION DETAILS ALL MATERIALS AND COLORS MUST BE APPROVED BY THE CITY OF TRACY PRIOR TO ORDERING AND INSTALLATION.



SIDE 2 ELEVATION



Cynthia Erb & Associates
ARCHITECTURE INTERIOR DESIGN
3201 Donnell Blvd., Suite 2100
Falls Church, VA 22044
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c.erb@ceandassociates.com

CLIENT
TRACY SIERRA
DEVELOPMENT

PROJECT
TRACY SIERRA
DEVELOPMENT
PAVILION PARKWAY
AND ROBERTSON DR.
TRACY, CA 95304

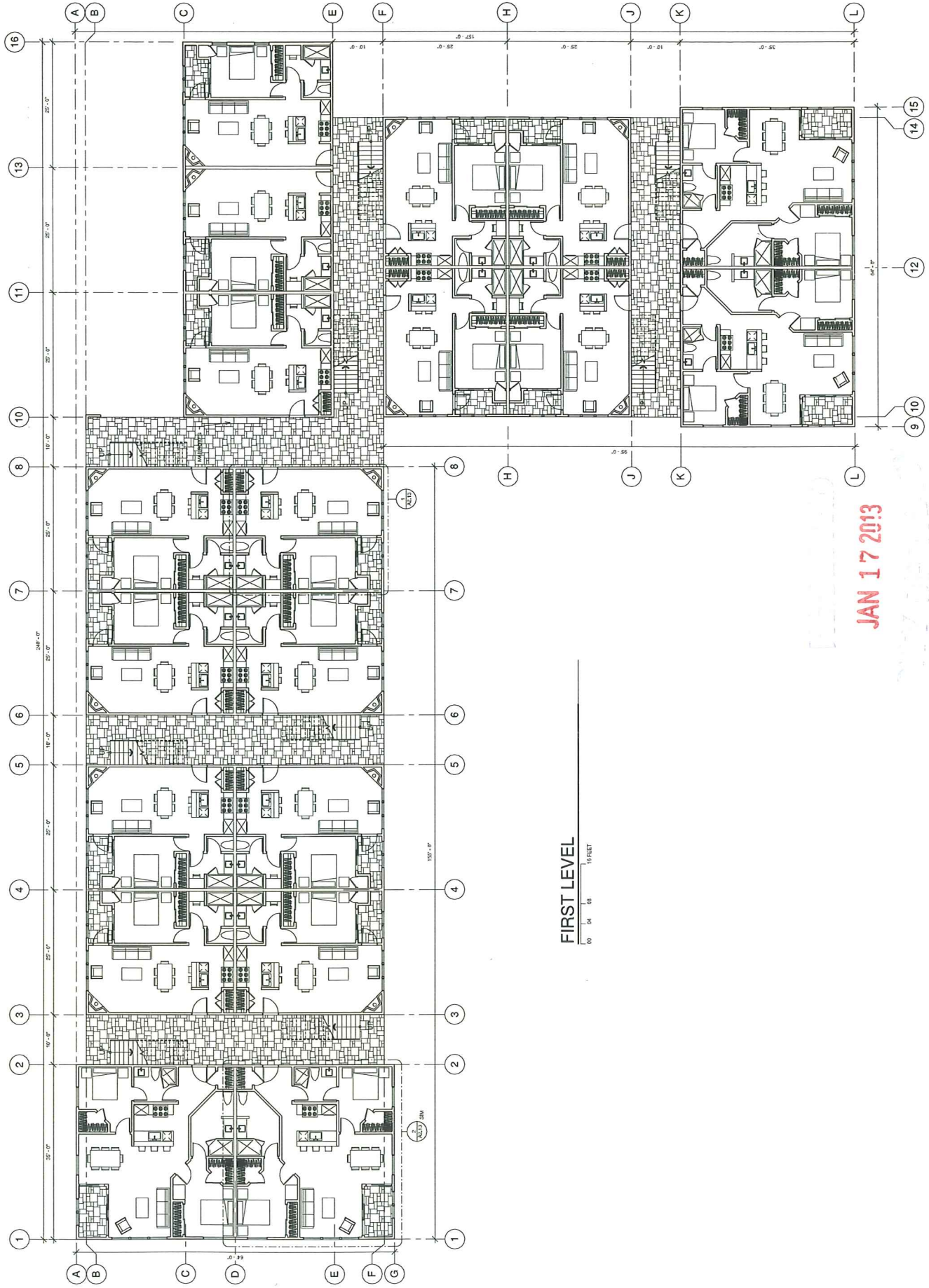
REVISIONS

DATE
JANUARY 17, 2013

SCALE
1/8" = 1'-0"

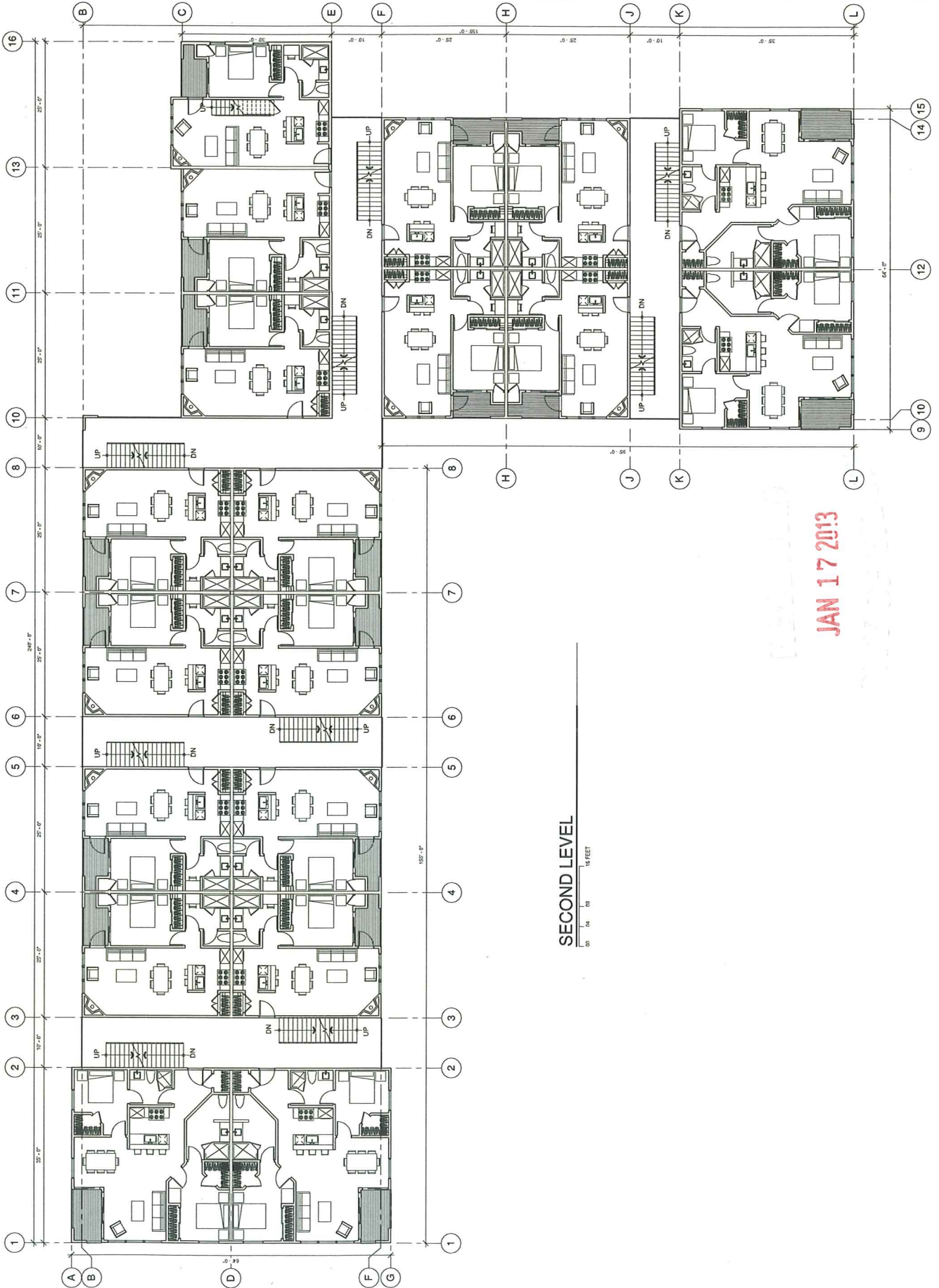
BUILDING A -
FIRST LEVEL
FLOOR PLAN

SHEET
A2.1



FIRST LEVEL
0' 0" 10' 0" 20' 0" 30' 0" 40' 0" 50' 0" 60' 0" 70' 0" 80' 0" 90' 0" 100' 0" 110' 0" 120' 0" 130' 0" 140' 0" 150' 0" 160' 0" 170' 0" 180' 0" 190' 0" 200' 0"

JAN 17 2013



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 DEVELOPMENT
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 AND ROBERTSON DR.
 TRACY, CA 95304

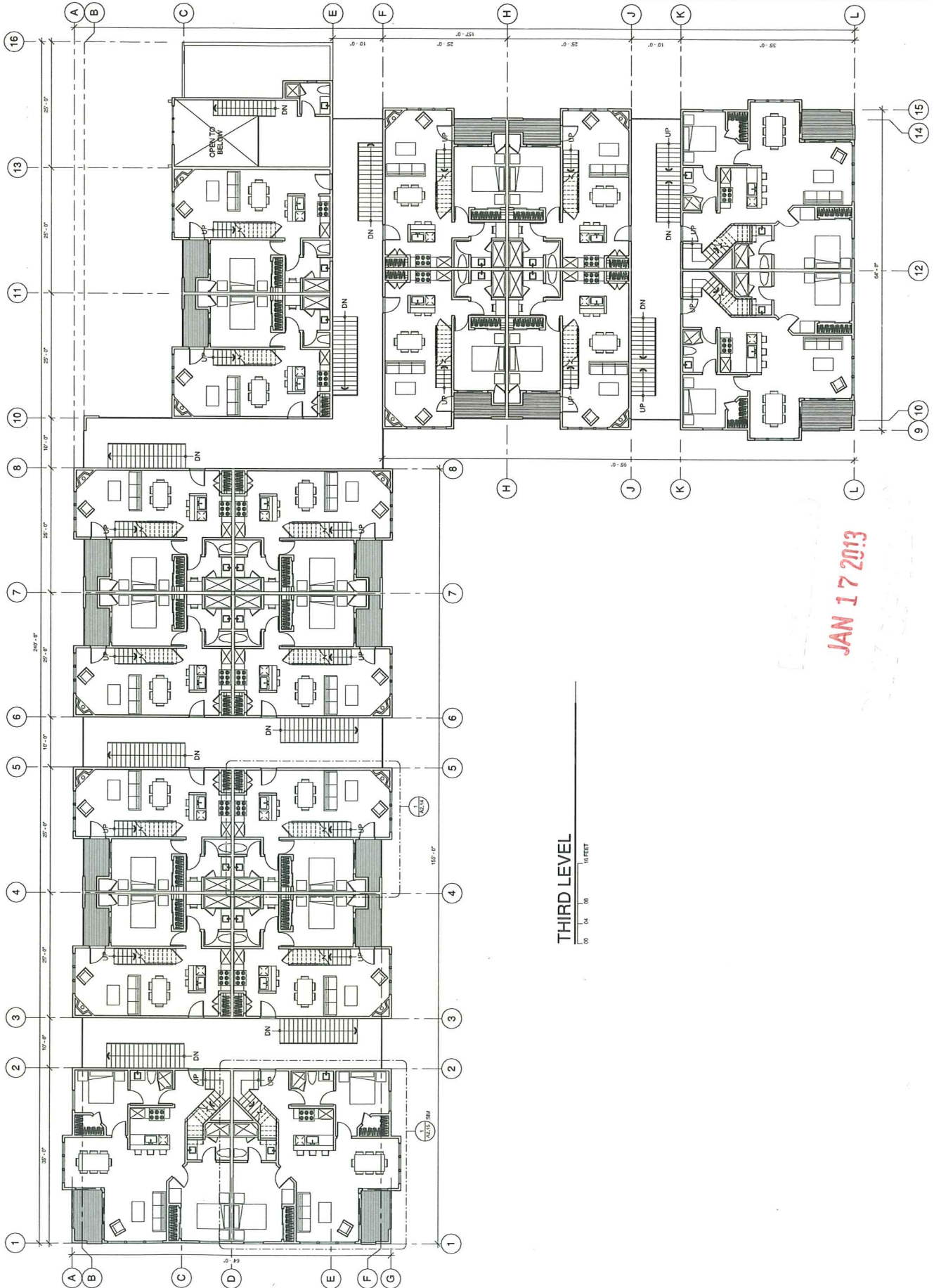
REVISIONS

DATE
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SCALE
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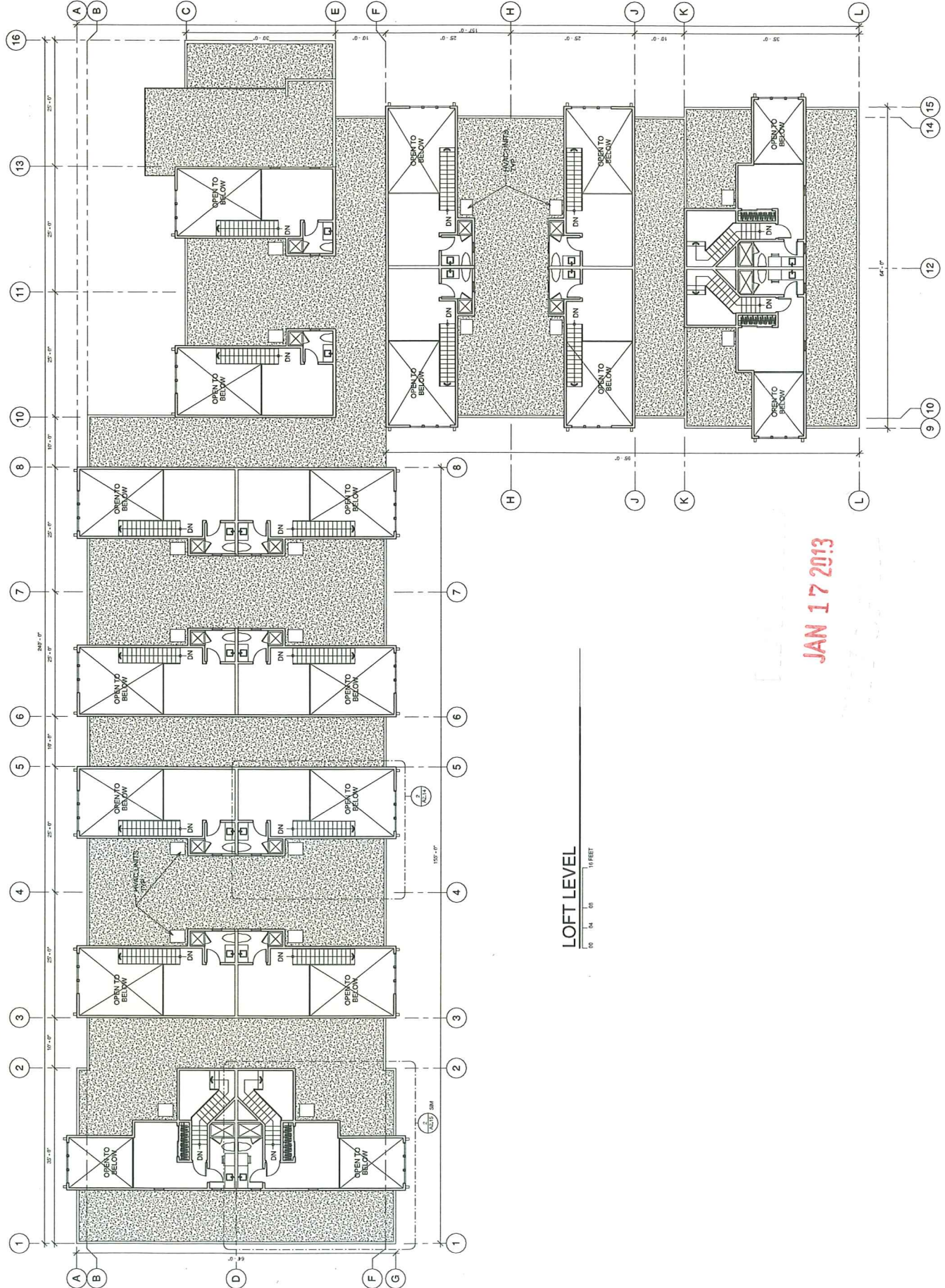
**BUILDING A -
 THIRD LEVEL
 FLOOR PLAN**

SHEET
A2.3



THIRD LEVEL
 1/8" = 1'-0"

JAN 17 2013



JAN 17 2013



Cynthia Fick & Associates
ARCHITECTURE - INTERIOR DESIGN
3281 Dowdville Blvd., Suite 210
Marina del Rey, CA 90292
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info@cynthiafick.com

CLIENT
TRACY SIERRA
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TRACY, CA 95304

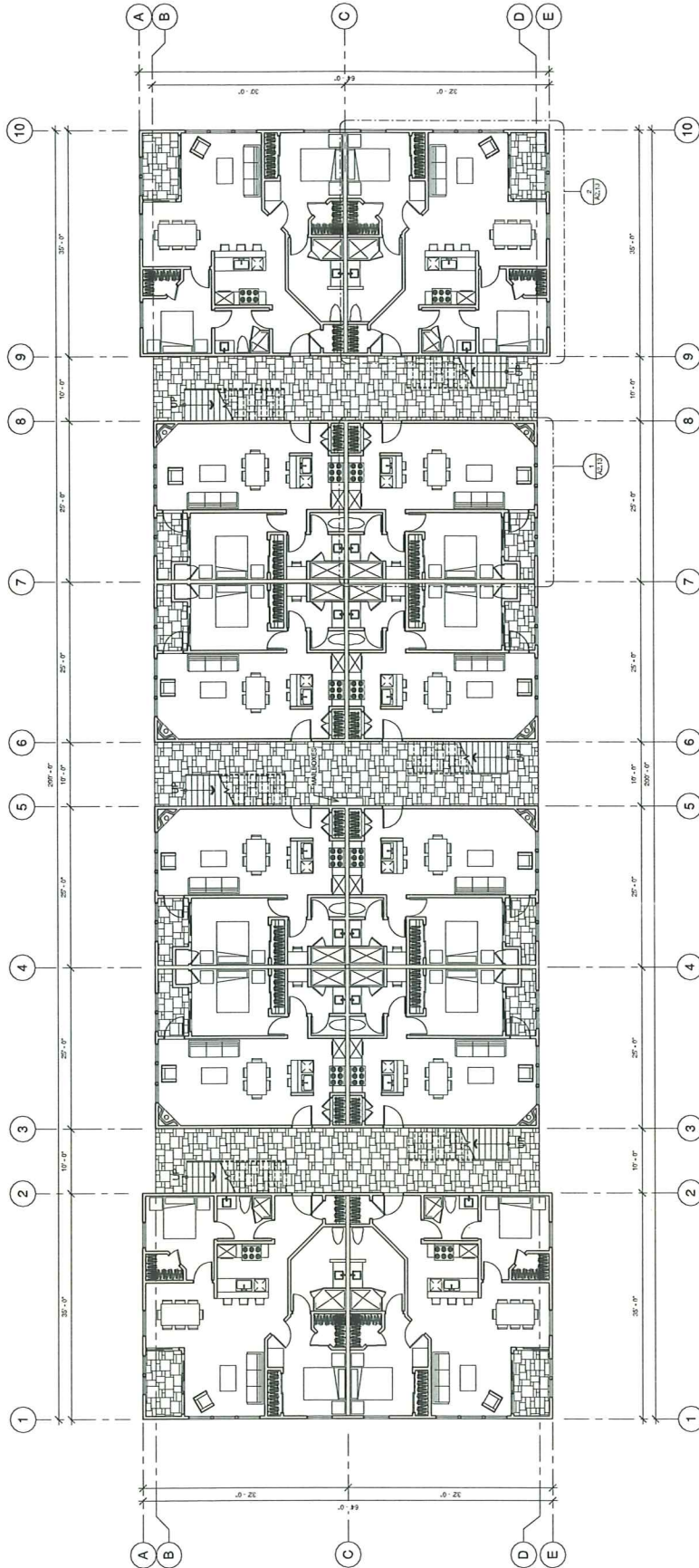
REVISIONS

DATE
JANUARY 17, 2013

SCALE
1/8" = 1'-0"

BUILDING B -
FIRST LEVEL
FLOOR PLAN

SHEET
A2.5



JAN 17 2013

FIRST LEVEL
1" = 8' 0"
1/4" = 6' 0"
1/8" = 3' 0"



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 Tracy, CA 95376
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 TRACY, CA 95304

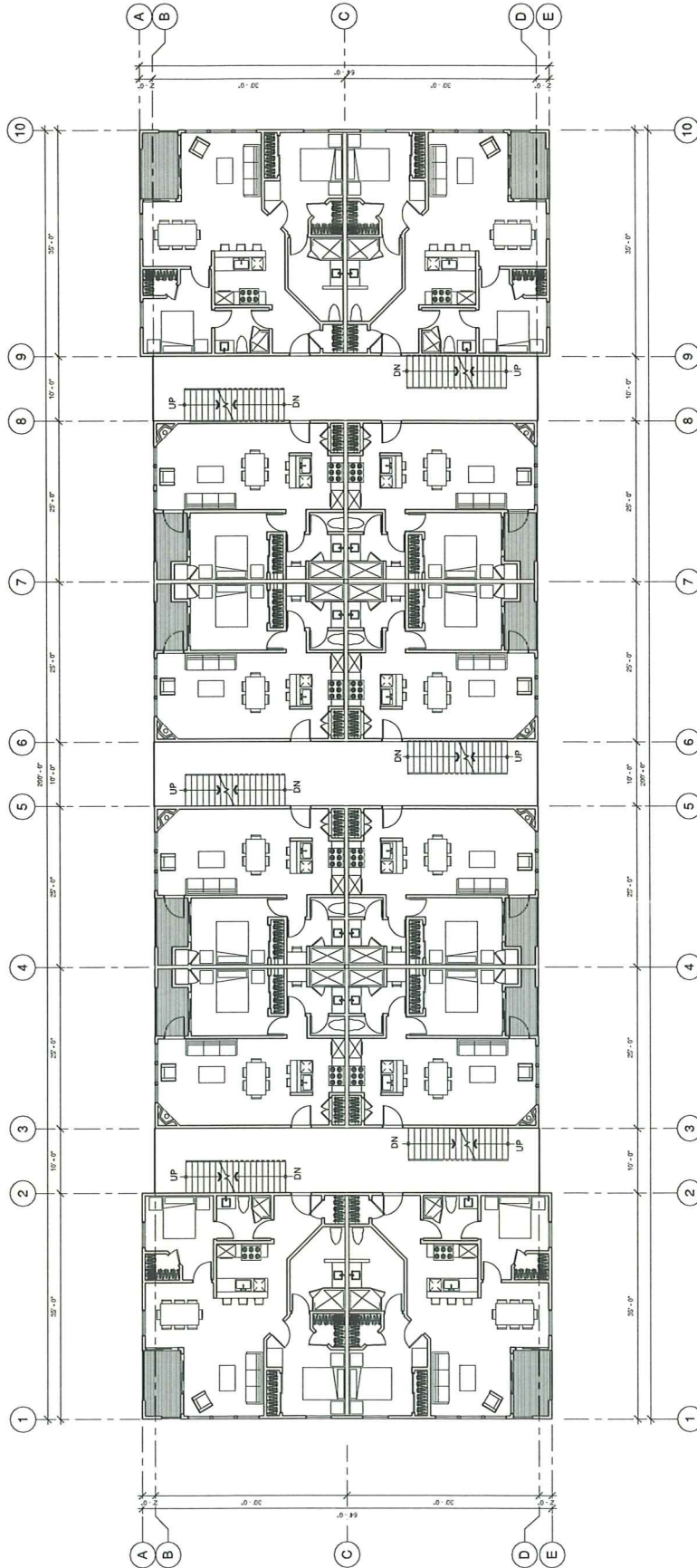
REVISIONS

DATE
 JANUARY 17, 2013

SCALE
 1/8" = 1'-0"

BUILDING B -
 SECOND LEVEL
 FLOOR PLAN

SHEET
A2.6



SECOND LEVEL



JAN 17 2013



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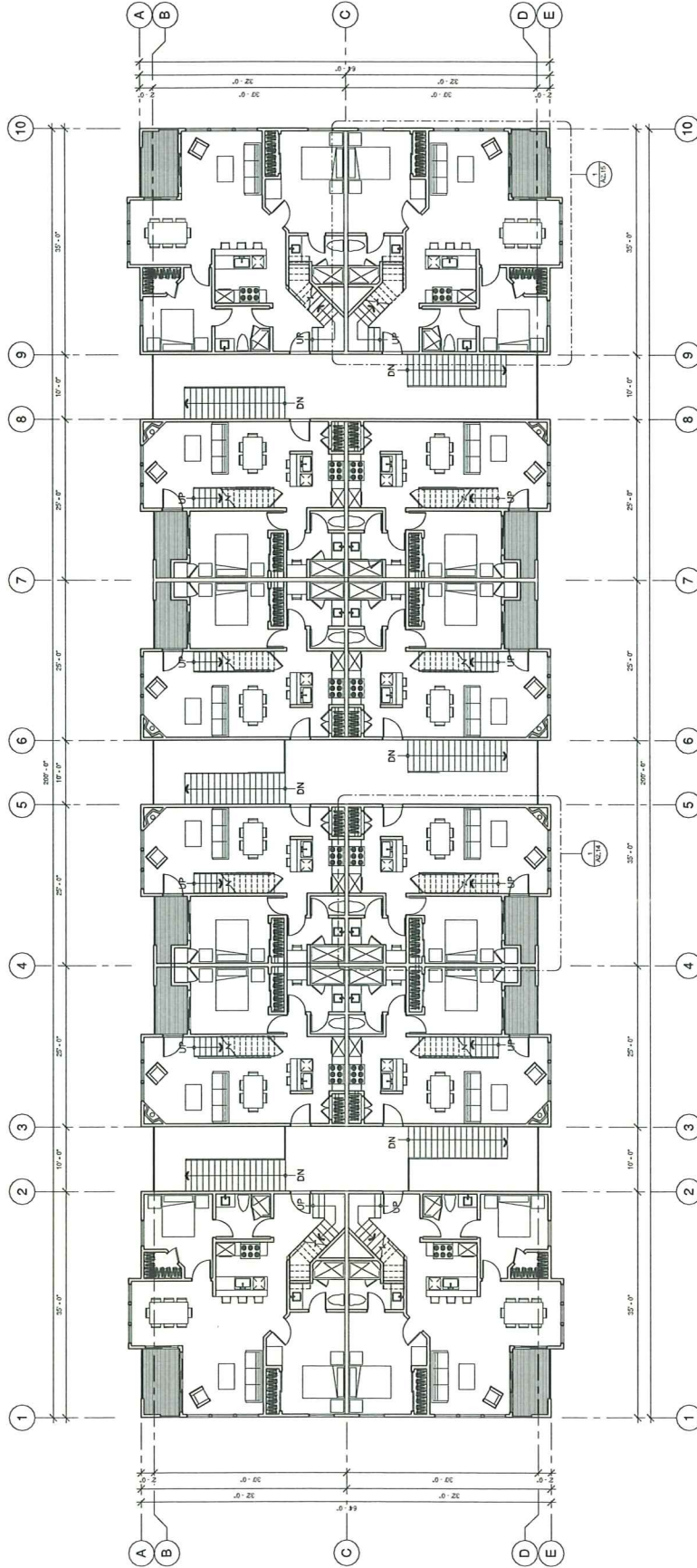
REVISIONS

DATE
 JANUARY 17, 2013

SCALE
 1/8" = 1'-0"

BUILDING B -
 THIRD LEVEL
 FLOOR PLAN

SHEET
A2.7



JAN 17 2013

THIRD LEVEL
 00 14 06
 1/4 FEET

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

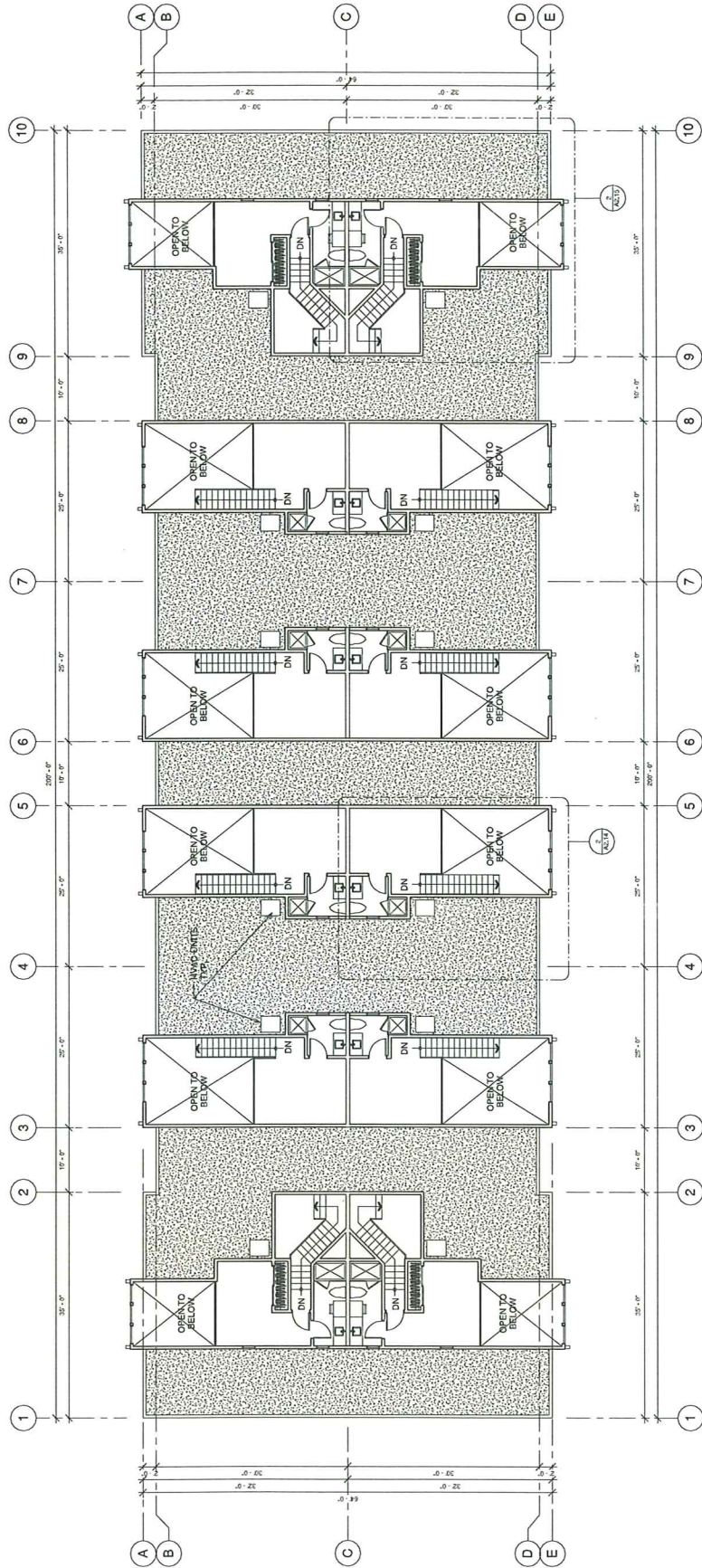
REVISIONS

DATE
 JANUARY 17, 2013

SCALE
 1/8" = 1'-0"

**BUILDING B -
 LOFT LEVEL
 FLOOR PLAN**

SHEET
A2.8



LOFT LEVEL
 0' 0" 0' 0" 1/4" 0' 0" 1/2" 0' 0" 3/4" 1" 0' 0" 1 1/2" 0' 0" 2" 0' 0" 2 1/2" 0' 0" 3" 0' 0" 3 1/2" 0' 0" 4" 0' 0" 4 1/2" 0' 0" 5" 0' 0" 5 1/2" 0' 0" 6" 0' 0" 6 1/2" 0' 0" 7" 0' 0" 7 1/2" 0' 0" 8" 0' 0" 8 1/2" 0' 0" 9" 0' 0" 9 1/2" 0' 0" 10" 0' 0"

JAN 17 2013

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

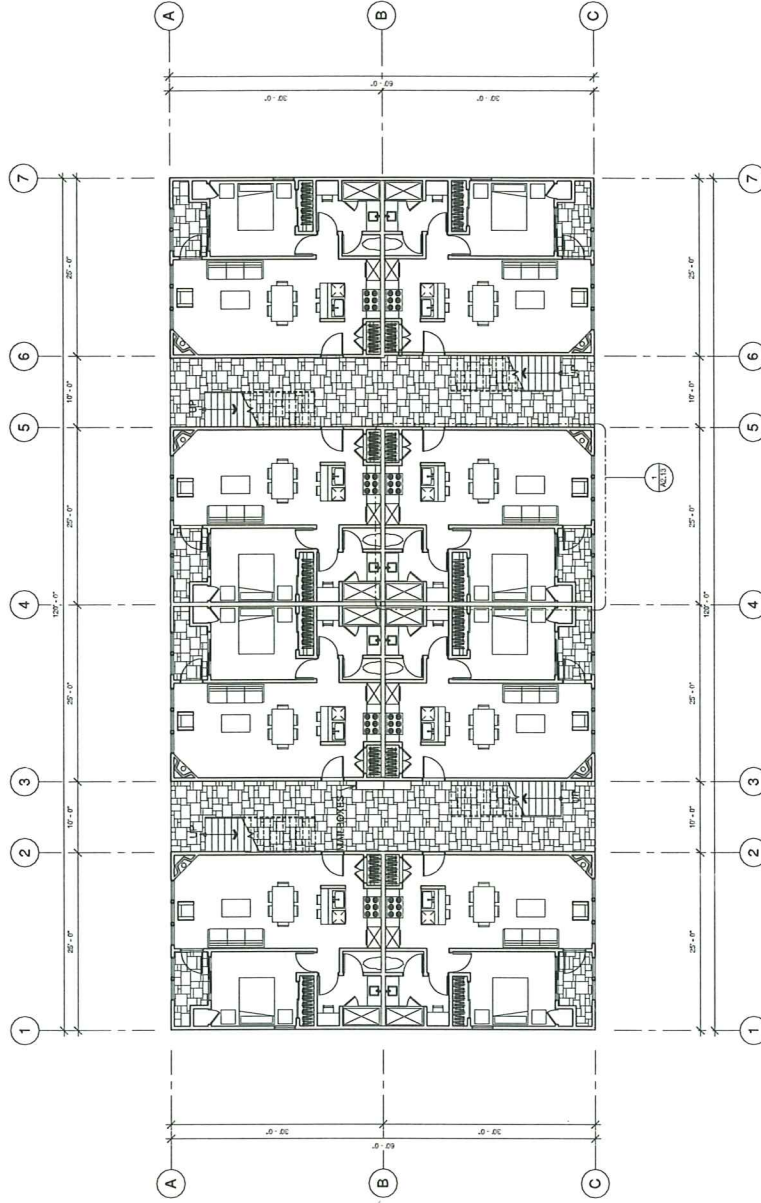
REVISIONS

DATE
 JANUARY 17, 2013

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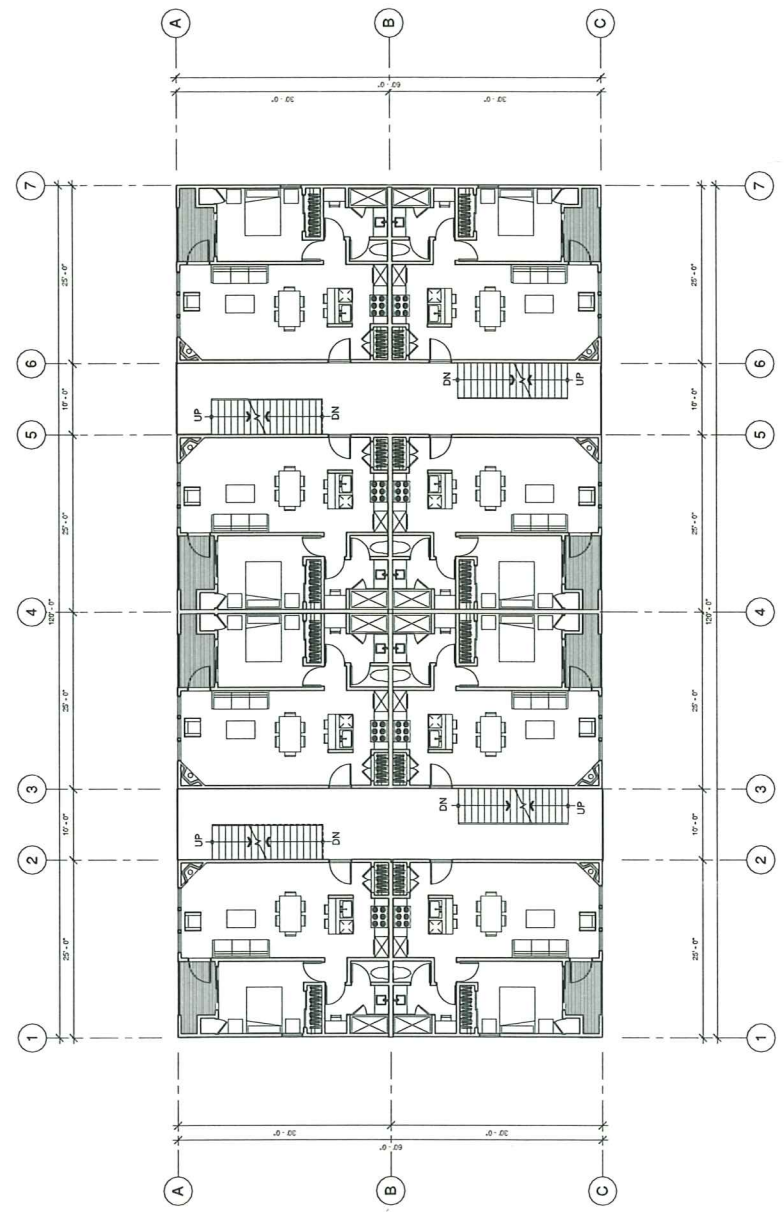
**BUILDING C -
 FIRST LEVEL
 FLOOR PLAN**

SHEET
A2.9



FIRST LEVEL
 0' 6" 1' 0" 1 1/2 FEET

JAN 17 2013



JAN 17 2013

SECOND LEVEL
 0' 0" 0' 08" 1/8" FEET

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

REVISIONS

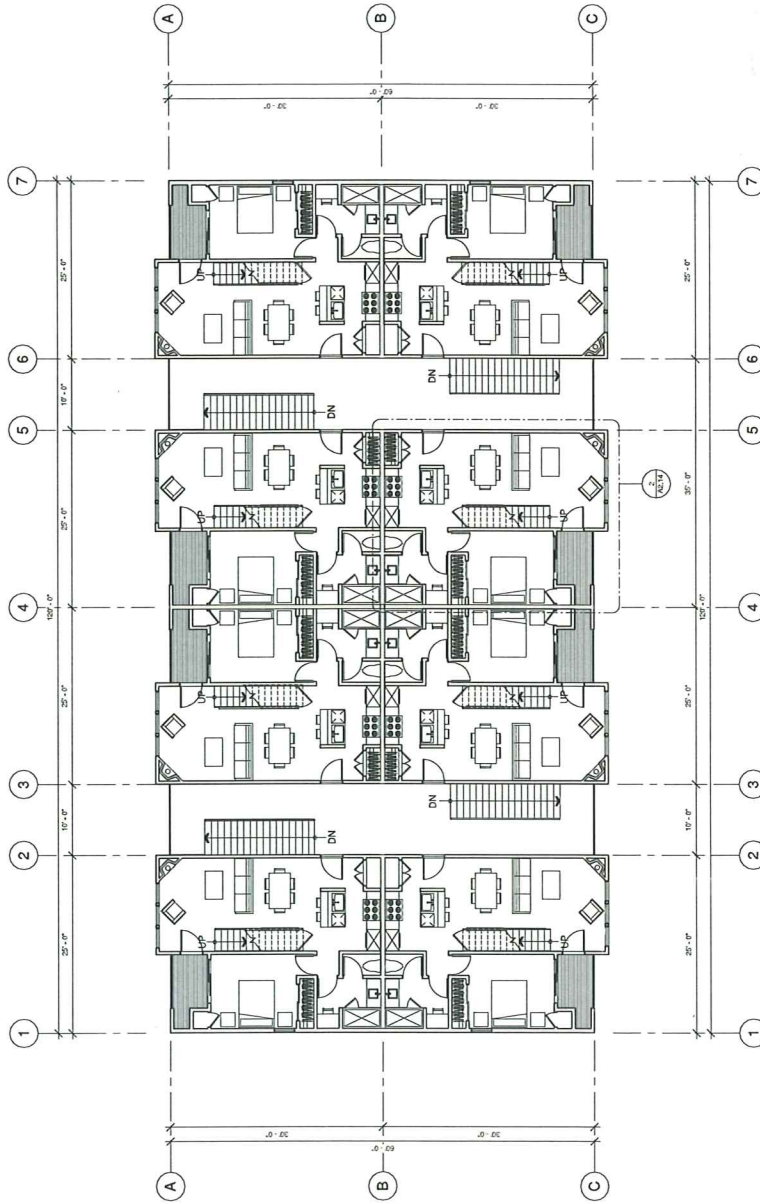
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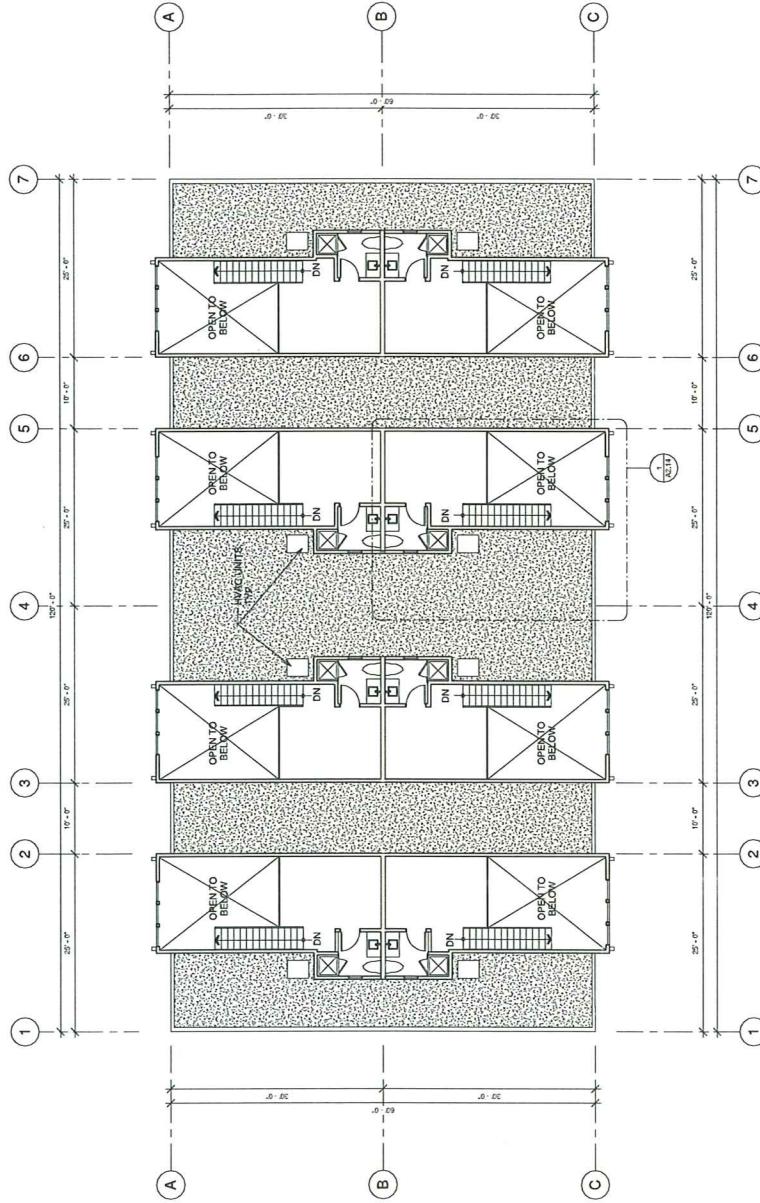
**BUILDING C -
 THIRD LEVEL
 FLOOR PLAN**

SHEET
A2.11

JAN 17 2013



THIRD LEVEL
 0' 6" 12" 18" 24" 30" 36" 42" 48" 54" 60" 66" 72" 78" 84" 90" 96" 102" 108" 114" 120" FEET



JAN 17 2013

LOFT LEVEL
 00 04 08 12 FEET

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

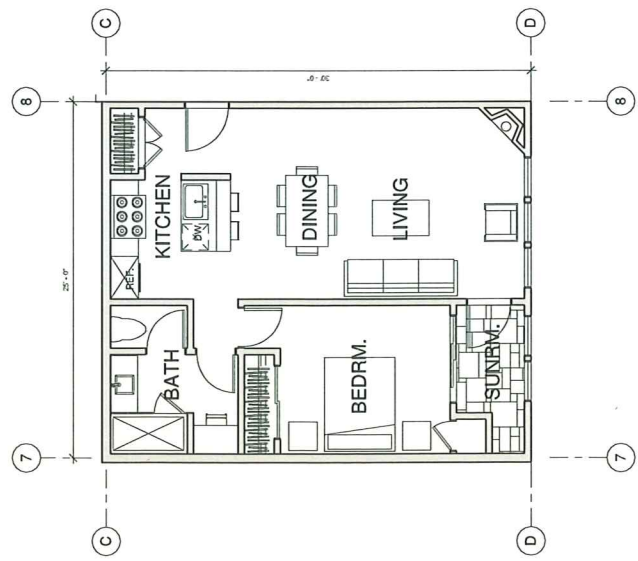
REVISIONS

DATE
 JANUARY 17, 2013

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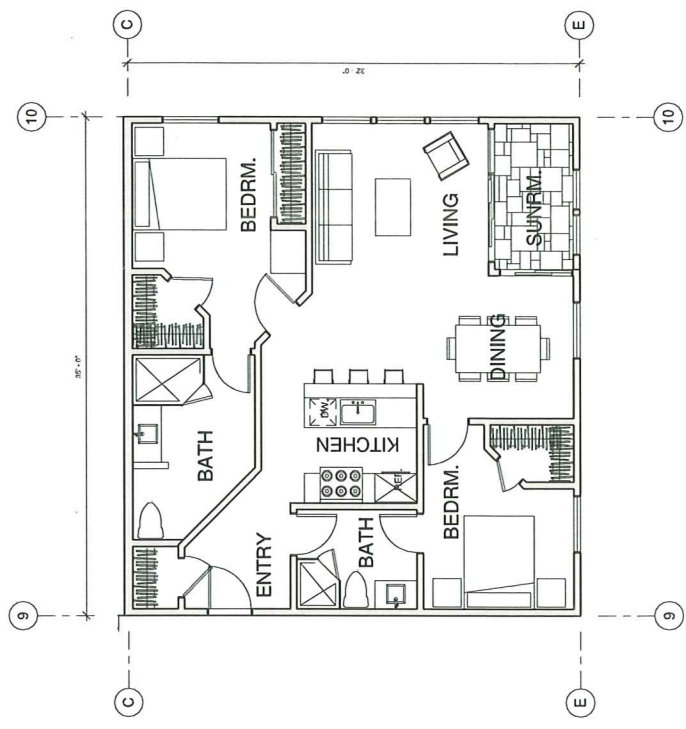
**ENLARGED UNIT
 PLANS**

SHEET
A2.13



TYPICAL ONE BEDROOM UNIT

0 2 4 8 FEET



TYPICAL TWO BEDROOM UNIT

0 2 4 8 FEET

JAN 17 2013

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

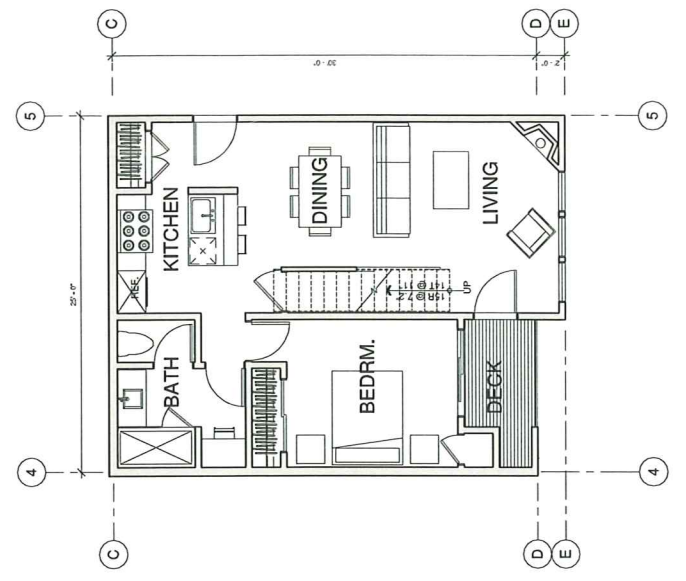
REVISIONS

DATE
 JANUARY 17, 2013

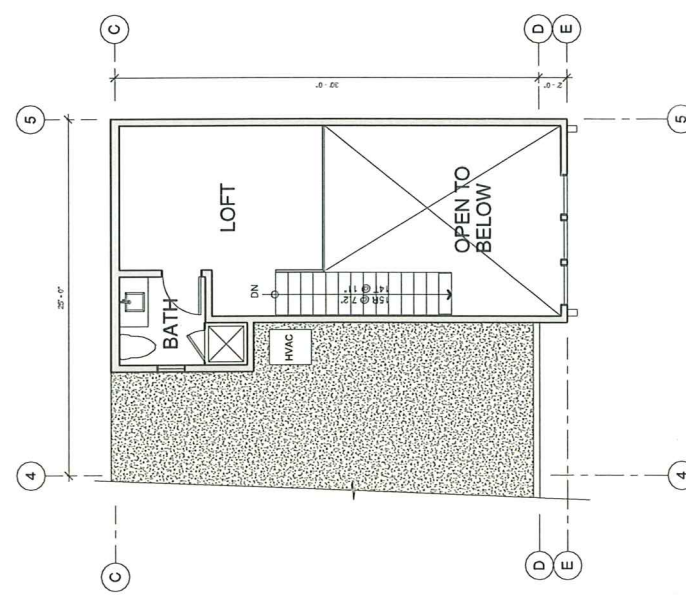
SCALE
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**ENLARGED UNIT
 PLANS**

SHEET
A2.14



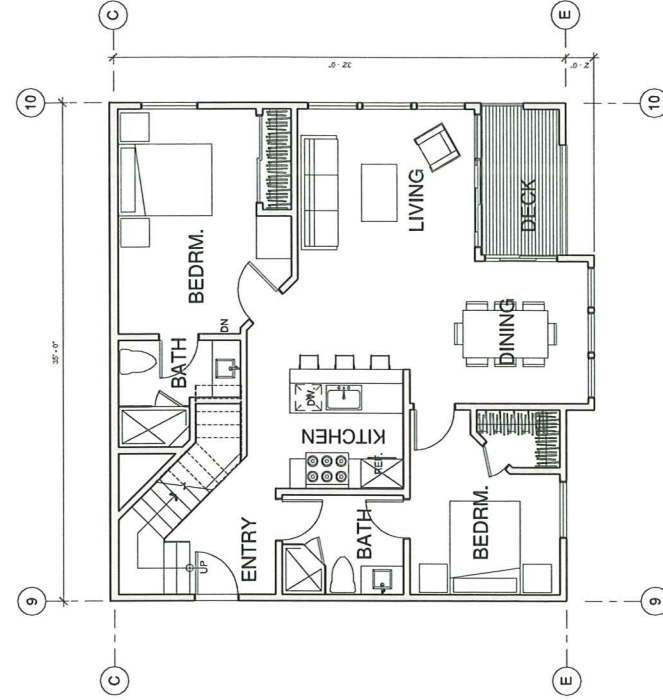
TYPICAL ONE BEDROOM W/LOFT -
 MAIN LEVEL
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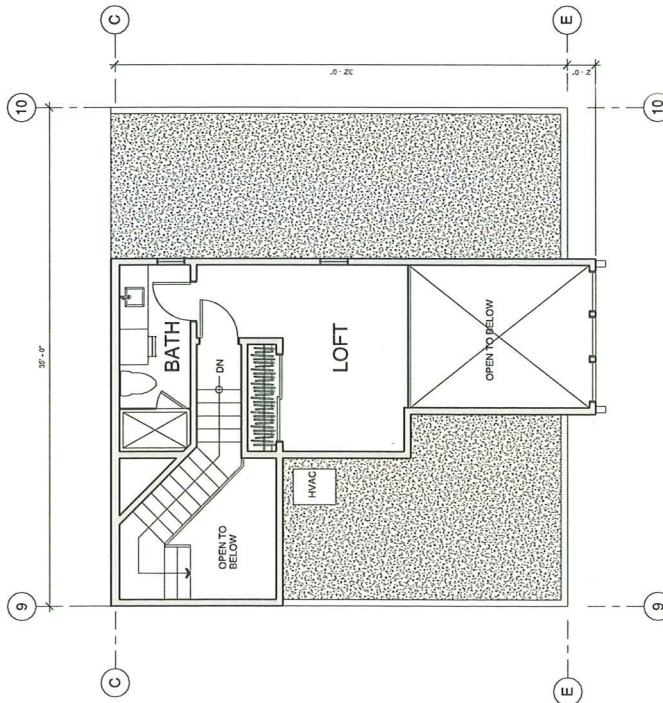
TYPICAL ONE BEDROOM W/ LOFT -
 LOFT LEVEL
 0' 0" 1' 0" 2' 0" 3' 0" 4' 0" 5' 0" 6' 0" 7' 0" 8' 0" 9' 0" 10' 0" FEET

JAN 17 2013

JAN 17 2013



TYPICAL TWO BEDROOM W/LOFT -
MAIN LEVEL



TYPICAL TWO BEDROOM W/LOFT -
LOFT LEVEL

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 PARK DESIGN DR.
 TRACY, CA 95394

JAN 17 2013



SOUTHEAST CORNER PERSPECTIVE



SOUTHWEST CORNER PERSPECTIVE

REVISIONS

DATE
 JAN. 17, 2013

SCALE
 N.T.S.

**PROPOSED
 EXTERIOR
 PERSPECTIVES**

**SHEET
 A4.1**



CLUBHOUSE PERSPECTIVE



CARPORT PERSPECTIVE



POOLSIDE PERSPECTIVE

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

REVISIONS

DATE
 JAN. 17, 2013

SCALE
 N.T.S.

PROPOSED
 EXTERIOR
 PERSPECTIVES

SHEET
 A4.2

JAN 17 2013

Cynthia Erb & Associates
 ARCHITECTURAL - INTERIOR DESIGN
 320 Dunsmuir Blvd., Suite 210
 San Francisco, CA 94104
 P: 415.774.8700 F: 415.774.8501
 info@cynthiaerb.com

CLIENT
 TRACY SIERRA
 DEVELOPMENT

PROJECT
 TRACY SIERRA
 DEVELOPMENT
 PAVILION PARKWAY
 AND ROBERTSON DR.
 TRACY, CA 95304

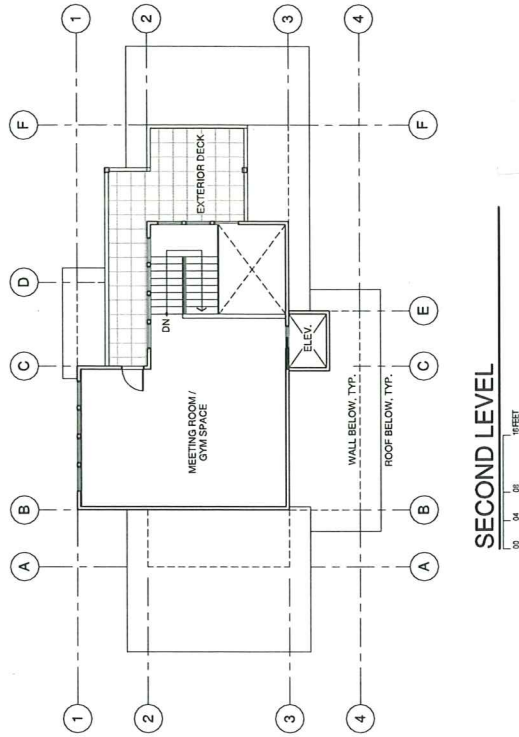
REVISIONS

DATE
 JANUARY 17, 2013

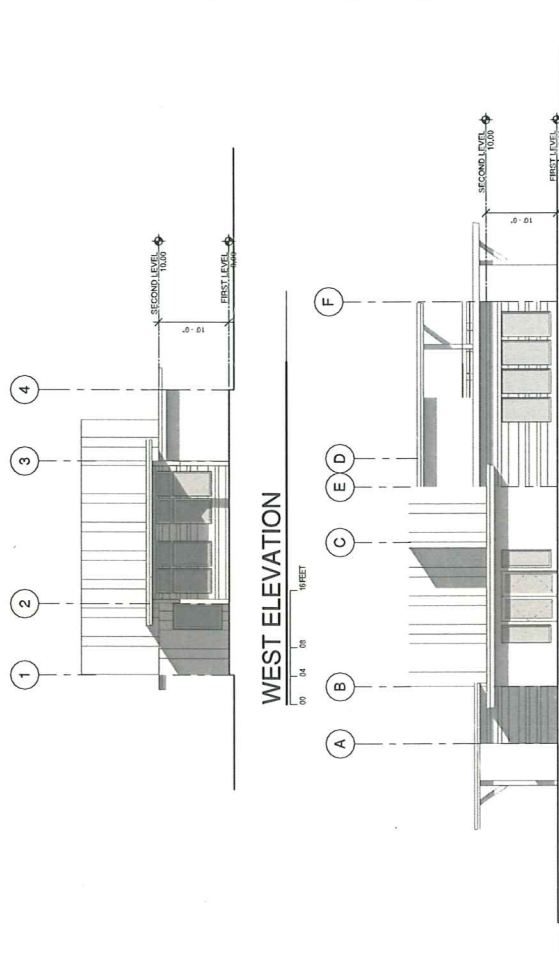
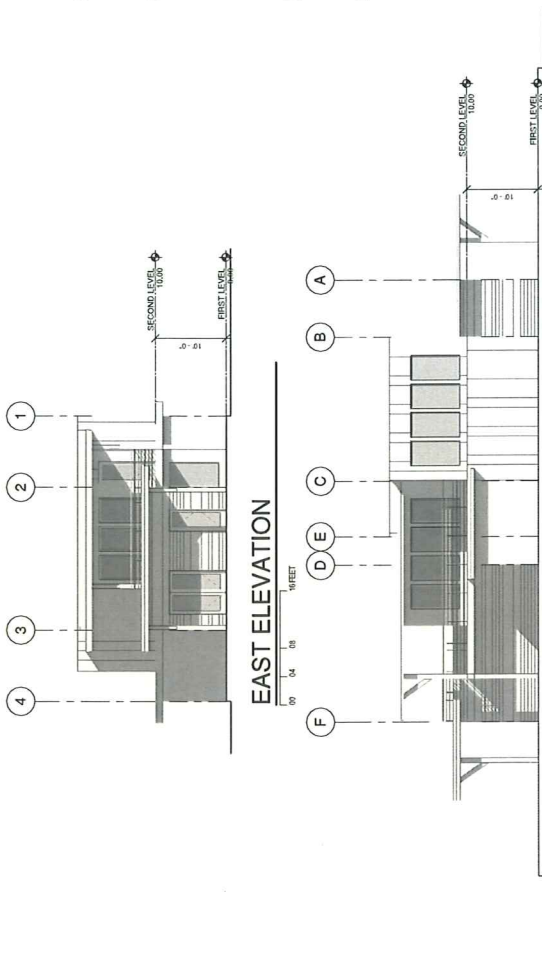
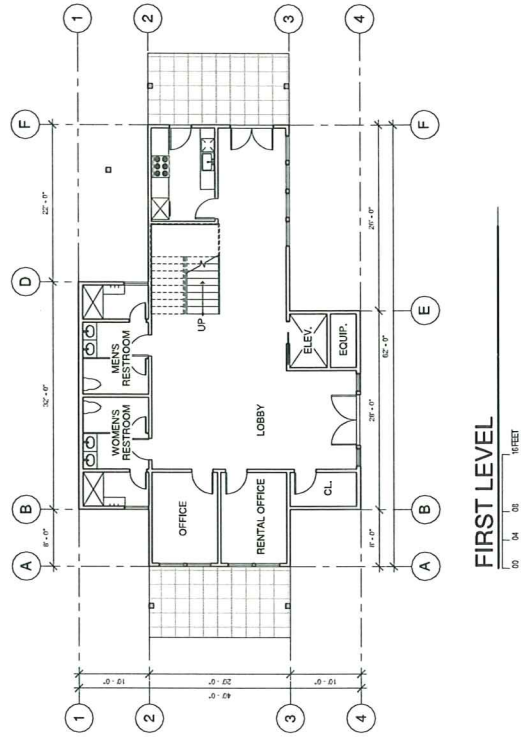
SCALE
 1/8" = 1'-0"

**CLUBHOUSE
 PLANS**

SHEET
A2.16



JAN 17 2013



RESOLUTION NO. 2013 - _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TRACY
RECOMMENDING APPROVAL OF A GENERAL PLAN AMENDMENT (GPA12-0002),
APPROVAL OF I-205 CORRIDOR SPECIFIC PLAN AMENDMENTS (SPA12-0004),
APPROVAL OF A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL
DEVELOPMENT PLAN (PUD12-0001),
AND APPROVAL OF AN ADDENDUM TO THE WINCO ENVIRONMENTAL IMPACT REPORT
FOR THE TRACY SIERRA DEVELOPMENT APARTMENTS

WHEREAS, Applications have been filed or initiated for a General Plan Amendment to re-designate approximately 10.8 acres from Commercial to Residential High; amend the I-205 Corridor Specific Plan designation from General Commercial to High Density Residential (HDR) and amend the maximum allowable density in the HDR designation from 19 dwelling units per acre to 25 dwelling units per acre; and approve a Planned Unit Development Preliminary and Final Development Plan for the 300-unit, residential apartment complex, collectively, the "Project", and

WHEREAS, The subject property is located on the north side of Pavilion Parkway, northwest of the intersection of Pavilion Parkway and Robertson Drive, Assessor's Parcel Numbers 212-280-02 and 15, and

WHEREAS, In 2007, the City Council amended the General Plan designation of this site to Commercial in anticipation of potential commercial development of the site, and

WHEREAS, In addition to retail, office, and other commercial land uses, the Commercial land use designation provides for residential development in the density ranges permitted in the Residential High designation (12.1 to 25 dwelling units per gross acre), and

WHEREAS, The Project includes a request to amend the General Plan designation of the site to Residential High in order for the General Plan map to more specifically reflect the residential land use of this Project, and

WHEREAS, The subject property is well suited for high density residential development because of its close proximity to a grocery store, retail and consumer services, recreational opportunities, employment, and access to I-205, and

WHEREAS, The Project represents an infill site in the City, promotes a compact development pattern, minimizes consumption of open space lands and resources, and provides for high-density housing opportunities which assist the City in achieving housing goals established in the City's General Plan Housing Element, and

WHEREAS, The Project is consistent with General Plan Housing Element Goals and Policies, including Policy 3.1 ("Provide for a range of residential densities and products, including ... higher-density apartments."), and

WHEREAS, The Project is a revision to the Winco and Environmental Impact Report (EIR) project and therefore, an Addendum to the Winco EIR has been prepared in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164 and is proposed for approval, and

WHEREAS, The Planning Commission conducted a public hearing to receive public input and review the Project on January 23, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

1. Addendum to the Winco EIR

a. The Winco EIR, which addressed environmental impacts from development of the Project site, was certified by the City Council on April 3, 2007.

b. In accordance with CEQA Guidelines Section 15164, a lead agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Guidelines Section 15162 calling for the preparation of a Subsequent EIR (summarized in the attached Addendum, Exhibit 1) have occurred.

c. The Winco EIR Addendum (Exhibit 1) concludes that no new significant impacts would result, and no substantial increase in the severity of impacts from those previously identified in the EIR would occur.

d. The Planning Commission recommends that the City Council approve the Winco EIR Addendum, Exhibit 1.

2. General Plan Amendment (Application Number GPA12-0001)

The Planning Commission recommends that the City Council approve the General Plan Amendment to re-designate the site from Commercial to Residential High.

3. I-205 Corridor Specific Plan Amendment (Application Number SPA12-0004)

a. The Specific Plan amendment is consistent with the General Plan, because the permitted uses of the Specific Plan's High Density Residential designation are allowed within the General Plan designation of Residential High and are consistent with goals and policies of the Housing Element. Also, the Specific Plan's Design Standards and Guidelines, particularly related to siting requirements (site planning, architecture, and parking) and design standards (transitions/edges, commercial interface, auxiliary site features, fencing and walls) are consistent with Land Use and Community Character Element goals and policies.

b. The General Plan identifies apartments, specifically, among the "characteristic housing" for property designated Residential High, in the density range from 12.1 to 25 units per gross acre. The Specific Plan is consistent with the General Plan in that it, too, identifies apartments (and other similar uses as the General Plan) as permitted uses in the High Density Residential Designation. The amendment to the permitted density (from a maximum of 19 units per acre to 25 units per acre), therefore, is consistent with the General Plan.

c. The project site is part of the I-205 Corridor Specific Plan Finance and Implementation Plan (FIP), originally adopted in 1990 and subsequently amended. The project site is subject to the FIP's development impact fees and other infrastructure mitigation requirements to mitigate the Project's fair share of infrastructure costs required by the City's infrastructure master plans.

d. The Planning Commission recommends that the City Council approve the Specific Plan amendment to change the designation of the site from General Commercial to High Density Residential.

e. The Planning Commission recommends that the City Council approve the Specific Plan amendment to Section 4.1.1.3.B.2. to change the maximum density in the High Density Residential designation from 19.0 units per gross acre to 25 units per gross acre.

5. Planned Unit Development Preliminary and Final Development Plan (Application Number PUD12-0001)

a. The Project includes site plan and design elements consistent with City design goals and standards, such as placement of buildings close to the public street to create an inviting, pedestrian-oriented environment; and compliance with all City standards, including number and design of parking spaces, circulation, land use, and landscaping.

b. The Project is consistent with Specific Plan architecture Design Standards and Guidelines. The architecture incorporates elements such as variation in texture, materials, and the building facades include relief to avoid monotonous appearance. Building elevations facing streets have windows and other architectural features. Stairwells are covered and integrated into overall building design and private spaces (patios and balconies) are included for each unit.

c. The Planning Commission recommends that the City Council approve the Project Planned Unit Development Preliminary and Final Development Plan.

* * * * *

The foregoing Resolution 2013-_____ was adopted by the Planning Commission on the 23rd day of January, 2013, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

ADDENDUM TO THE WINCO ENVIRONMENTAL IMPACT REPORT

SCH# 2003102045

FOR THE **TRACY SIERRA DEVELOPMENT APARTMENTS**

January 23, 2013

A. INTRODUCTION

This California Environmental Quality Act (CEQA) document is an Addendum to the Winco Environmental Impact Report (EIR), SCH# 2003102045 (Application Numbers 1-02-GPA, 1-02-SPA, 13-03-CUP/2-06-APL, and 30-03-D). The project was approved and the EIR was certified by the Tracy City Council on April 3, 2007. Since certification of the EIR, the project plans have been modified, requiring the need for further environmental analysis, as contained in this document.

B. BACKGROUND

The Winco EIR evaluated potential impacts associated with construction and operation of a Winco grocery store (which was subsequently constructed) on approximately ten acres and development of the subject 10.8-acre site. The Winco EIR project included a General Plan Amendment from Industrial to Commercial, an I-205 Corridor Specific Plan Amendment from Light Industrial to General Commercial, and other specific entitlements related to the Winco store. The EIR addressed land use and economics; community services; traffic and circulation; infrastructure; hazardous materials; aesthetics; cultural resources; geology, seismicity and soils; hydrology and flooding; biological resources; air quality; noise; and energy conservation.

All environmental impacts addressed in the EIR have been mitigated to below a level of significance through implementation of mitigation measures, except specific impacts related to traffic and air quality, for which overriding considerations were adopted.

Since certification of the EIR and approval of the project on April 3, 2007, revisions have been proposed affecting the land use on the northern 10.8-acre parcel covered by the EIR. These revisions are described below and are the subject of this Addendum.

C. PURPOSE OF THE ADDENDUM

When a proposed project is changed after approval and certification of an EIR, a determination must be made by the Lead Agency (in this case, the City of Tracy) as to whether an Addendum or a Subsequent EIR is prepared. Criteria, as set forth in CEQA Guidelines Section 15162, are used to assess which environmental document is appropriate. The criteria for determining whether an Addendum or Subsequent EIR is

prepared are outlined below. If the criteria below are true and applicable to the project, then an Addendum is the appropriate environmental document.

1. No new significant impacts will result from the project or from new mitigation measures.
2. No substantial increase in the severity of an environmental impact will occur.
3. No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact, been found to be feasible.

Based upon the information provided below, the proposed revisions to the previously approved project will not result in new significant impacts or substantially increase the severity of impacts previously identified in the EIR, and there are no previously infeasible alternatives that are now feasible. Therefore, an Addendum is appropriate, and this Addendum has been prepared to address the environmental effects of the revisions to the project.

D. CONCLUSIONS

This Addendum addresses the environmental effects associated with the revisions to the Winco EIR project that have occurred since certification of the EIR and approval of the project on April 3, 2007. The conclusions of the analysis in this Addendum are not substantially different than those made in the EIR. The impacts identified in the EIR have been mitigated to a less-than-significant level, as identified in the EIR. No new significant impacts would result, and no substantial increase in the severity of impacts from those previously identified in the EIR would occur. This Addendum has been prepared consistent with the requirements of CEQA Guidelines Sections 15162 and 15164.

E. PROJECT DESCRIPTION

The location and setting of the project have not changed. The project site consists of approximately 21.3 acres located on the east side of Power Road, bisected by Pavilion Parkway, Assessor's Parcel Numbers 212-280-02, 15 and 18.

The project description for the EIR included an amendment to the General Plan designation of the site from Industrial to Commercial and the construction of a Winco store on the southern half of the site. No specific development was proposed for the northern half of the site. For the purposes of the CEQA analysis, the EIR analyzed impacts as if retail commercial development was proposed on the northern half of the site (the "northern parcel").

The current proposal is to construct a 300-unit residential apartment project on the northern parcel. And although the City's Commercial General Plan land use designation allows residential development ("in the density ranges permitted in Residential High"), the revised project includes a General Plan amendment (Application

Number GPA12-0002) in order for the General Plan map to more specifically reflect the residential land use of this project.

The revised project also includes an amendment to the I-205 Specific Plan designation from General Commercial to High Density Residential and to amend the maximum density allowed in the Specific Plan from 19 dwelling units per acre to 25 dwelling units per acre (Application Number SPA12-0004); and a Planned Unit Development Preliminary and Final Development Plan (Application Number PUD12-0001) which serves as the permit to allow construction of the project.

F. ENVIRONMENTAL ANALYSIS

As explained above, this comparative analysis has been undertaken to determine whether any changes to the project, any changes in circumstance, or any new information since the EIR was certified require additional environmental review or preparation of a subsequent EIR. The environmental analysis and mitigation measures provided in the EIR remain current and applicable to the proposed project in areas and aspects of the project unaffected by the project revisions.

Land Use and Economics. The Winco EIR project amended the General Plan designation of the site from Industrial to Commercial. The Winco EIR project contemplated a Winco grocery store on the southern parcel and analyzed the type of retail development that would be allowed under the Commercial General Plan designation because no specific development application was proposed at the time the Winco EIR was certified. Although the Commercial land use designation provides for retail, consumer service activities, and offices, it also provides for “residential development in the density ranges permitted in Residential High.” Residential High provides for residential development in the range of 12.1 to 25 units per gross acre. The density proposed with the revised project is approximately 23.7 units per gross acre, consistent with the allowed land use and density of both the existing Commercial General Plan designation and the proposed Residential High General Plan designation. The revised project would be subject to the City’s Growth Management Ordinance which limits residential construction to an average of 600 dwelling units per year. The revised project would not affect this residential construction limit and therefore, would not have a significant effect on population and housing in the City.

The economics portion of the EIR analysis focused on the potential for “urban decay” due to a new, large grocery store competing with existing grocery stores, causing one or more stores to close, and result in urban decay due to a shopping center’s anchor tenant going out of business. The revised project would not add potential competition to existing grocery stores or other commercial businesses, and in fact, may add a small number of customers (future project residents) to area grocery stores or other retail businesses. Therefore, no significant impacts are foreseen related to urban decay and no new mitigation measures are required for the project revisions.

Community Services.

As described in the EIR, the project would not result in any significant impacts related to public services, including police, fire, schools, parks or other public facilities. The City and the Tracy Unified School District collect development impact fees to off-set impacts on capital facilities as a result of new development. Operational impacts are addressed annually in the City's budget and agency budgets. The proposed revisions to the project would not result in new public services impacts or increase the severity of any impacts related to public services. Impacts related to this topic would remain unchanged from the analysis in the EIR. No new mitigation requirements are required for the project revisions.

Traffic and Circulation.

As described in the EIR, the project would result in significant impacts to traffic transportation facilities. Transportation mitigation measures are required through the EIR and overriding considerations were adopted due to significant and unavoidable traffic impacts of the project. Based on I-205 Specific Plan traffic generation rate assumptions, development of the site with 300 residential apartment units (0.53 trips per unit) will generate approximately 41.5 percent of the traffic that would be generated through commercial development (30.25 trips per acre) of the site. Nevertheless, the project will participate in all transportation mitigation measures of the project to ensure the area's designed transportation system is completed. No new mitigation measures are required for the revised project.

Infrastructure.

As described in the EIR, the project would not result in any significant impacts related to water, wastewater, storm water, or solid waste. Water and wastewater impacts of the revised project will be greater than identified in the EIR, however, the City's existing and proposed systems are adequate to meet the demands of the revised project. As part of the revised project, the developer will pay development impact fees to mitigate impacts on the City's systems. Impacts related to this topic would remain unchanged from the analysis in the EIR. No new mitigation measures are required for the project revisions.

Hazardous Materials.

The EIR identified no significant hazardous materials impacts with the project. The revised project (which includes the construction and operation of 300 residential apartment units), similarly, will not increase impacts related to hazardous materials. No new mitigation measures are required for the project revisions.

Aesthetics.

The proposed project revisions would not result in any new or altered impacts with respect to aesthetics and visual resources. The project will meet all architectural and other design requirements of the City. No new mitigation measures are required for the project revisions.

Cultural Resources.

The footprint of the project and the areas proposed for disturbance would not change from the conditions addressed in the EIR. As such, no changes to potential impacts to cultural resources would occur as a result of the proposed project revisions compared to the potential impacts described in the EIR. The EIR requires the project to implement Mitigation Measures CUL-1a and CUL-1b, which include standard measures that must be implemented if a previously unknown cultural or historical resource is encountered during site grading and construction activities. These mitigation measures would be required by the project revisions and would reduce potential impacts to a less than significant level, as described in the EIR. No new mitigation measures are required for the project revisions.

Geology, Seismicity and Soils.

The footprint of the project and the area proposed for disturbance would not change from the conditions addressed in the EIR. As such, no changes to potential impacts to geology and soils would occur as a result of the proposed project revisions compared to the potential impacts described in the EIR. The EIR requires the project to implement Mitigation Measures GEO-1a, GEO-1b, GEO-1c, GEO-2, and GEO-3, which require the project to implement site-specific geotechnical engineering measures in order to comply with the California Building Code to ensure that structures and foundations are designed to meet stability and safety standards and to employ Best Management Practices with respect to erosion control. These mitigation measures would be required by the project revisions and would reduce potential impacts to a less than significant level, as described in the EIR. No new mitigation measures are required for the project revisions.

Hydrology and Flooding.

The proposed project revisions would result in the same area of disturbance and grading/drainage improvements as what was addressed in the EIR. There would be no changes when compared to the originally proposed project. No significant impacts were identified in the EIR and no new mitigation measures are required for the project revisions.

Biological Resources.

The footprint of the project and the areas proposed for disturbance would not change from the conditions addressed in the EIR. As such, no changes to potential impacts to biological resources would occur as a result of the proposed project revisions compared to the potential impacts described in the EIR. The EIR requires the project to implement Mitigation Measure BIO-1, which requires the project to consult with the California Department of Fish and Game and follow prescribed measures regarding burrowing owls on the site. This mitigation measure would be required by the project revisions and would reduce potential impacts to a less than significant level, as described in the EIR. No new mitigation measures are required for the project revisions.

Air Quality.

Construction-related emissions would not change when compared to the project addressed in the EIR. Operational emissions will be less than identified in the EIR due to the significantly reduced traffic trips of the revised project compared with the original project. The revised project would be subject to the requirements of Mitigation Measures AQ-1 and AQ-2. No new mitigation measures are required for the project revisions.

Noise.

There are no existing noise-sensitive land uses adjacent to the project site. The project site is located in a commercial and agricultural area that generally has a relatively high level of ambient background noise throughout the day. The generation of noise on the project site from the proposed residential apartments is considered negligible in the project setting. The City's noise ordinance establishes general sound level limits of 60 decibels at a residential property boundary to which the revised project must comply (in accordance with the noise ordinance). There would be no increase in the severity of impacts related to noise beyond those addressed in the EIR, and no new mitigation measures are required for the project revisions.

Energy Conservation.

As described in the EIR, the project would have a significant energy impact if it would result in wasteful, inefficient and unnecessary usage of energy; or placement of a significant demand on regional energy supply or requirement of substantial additional capacity. The revised project will comply in all respects with the California Building Codes, including the applicable California Green Building Standards. The EIR determined that the project would not result in significant impacts related to energy consumption. No new mitigation measures are required for the project revisions.

Tracy Sierra Development Apartments Conditions of Approval
Application Number PUD12-0001
January 23, 2013

These Conditions of Approval shall apply to the real property described as the Tracy Sierra Development Apartments Project; proposed 300 multi-family residential units on approximately 10.8 acres located on the north side of Pavilion Parkway, northwest of the intersection of Pavilion Parkway and Power Road, Assessor's Parcel Numbers 212-280-02 and 15; Application Number PUD12-0001.

A. The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
3. "City Regulations" means all written laws, rules and policies established by the City, including those set forth in the City of Tracy General Plan (also known as Urban Management Plan), the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design documents (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).
4. "Conditions of Approval" shall mean the conditions of approval applicable to the Tracy Sierra Development Apartments Project, proposed 300 multi-family residential units on approximately 10.8 acres located on the north side of Pavilion Parkway, northwest of the intersection of Pavilion Parkway and Robertson Drive, Assessor's Parcel Numbers 212-280-02 and 15, Application Number PUD12-0001. The Conditions of Approval shall specifically include all Development Services Department conditions, including Planning Division and Engineering Division conditions set forth herein.
5. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
6. "Project" means the real property consisting of approximately 10.8 acres located on the north side of Pavilion Parkway, northwest of the intersection of Pavilion Parkway and Robertson Drive, Assessor's Parcel Numbers 212-280-02 and 15, Application Number PUD12-0001.
7. "Property" means the real property generally located on the north side of Pavilion Parkway, northwest of the intersection of Pavilion Parkway and Robertson Drive, Assessor's Parcel Numbers 212-280-02 and 15.

8. "Subdivider" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. "Subdivider" also means Developer. The term "Developer" shall include all successors in interest.

B. Planning Division Conditions of Approval:

1. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to: the Planning and Zoning Law (Government Code sections 65000, et seq.), the Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").
2. Unless specifically modified by these Conditions of Approval, the Project shall comply with all City Regulations.
3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all mitigation measures identified in the General Plan Environmental Impact Report, dated February 1, 2011 and the Winco Environmental Impact Report certified by the City Council on April 3, 2007.
4. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
5. Except as otherwise modified herein, all construction shall be consistent with the plans received by the Development and Engineering Services Department on January 17, 2013.
6. Prior to the issuance of a building permit, the applicant shall provide a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code Section 10.08.3560, the City's Design Goals and Standards, and the applicable Department of Water Resources Model Efficient Landscape Ordinance on private property, and the Parks and Parkways Design Manual for public property, to the satisfaction of the Development Services Director. Said landscape plans shall include documentation which demonstrates there is no less than 20 percent of the parking area in landscaping, and 40 percent canopy tree coverage at tree maturity in accordance with City Regulations. Newly planted, on-site trees shall be a minimum size of 24-inch box and shrubs shall be a minimum size of five gallons.

7. Where landscape planters are parallel and adjacent to vehicular parking spaces, the planter areas shall incorporate a 12-inch wide concrete curb along their perimeter that is adjacent to the parking space in order to allow access to vehicles without stepping into landscape planters.
8. Prior to the issuance of a building permit, an Agreement for Maintenance of Landscape and Irrigation Improvements shall be executed and financial security submitted to the Development Services Department. The Agreement shall ensure maintenance of the on-site landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the on-site landscape and irrigation improvements, or \$2.50 per square foot of on-site landscape area.
9. No roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes whether proposed as part of this application, potential future equipment, or any portion thereof, shall be visible from Power Road, Pavilion Parkway, Robertson Drive, or any other public right-of-way. All roof-mounted equipment shall be contained within the roof well or screened from view from the public rights-of-way by the roof of the building, to the satisfaction of the Development Services Director.
10. All vents, gutters, downspouts, flashing, electrical conduit, and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.
11. The "entry signage/fountains" shown near the southeast and southwest corners of the site shall include a permanent, fountain, sculpture, landscaping, decorative monument or artistic presentation (and may include a sign – under separate permit) of an appropriate scale consistent with the project size and arterial streets intersections at which they will be located. The design of such features shall be consistent with City standards to the satisfaction of the Development Services Director, shall receive approval concurrently with the issuance of a building permit for the project and be constructed or installed prior to project final inspection.
12. Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way, to the satisfaction of the Development Services Director.
13. Prior to the issuance of a building permit, bicycle parking spaces shall be provided in accordance with Tracy Municipal Code Section 10.08.3510 to the satisfaction of the Development Services Director.
14. All PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development Services Director.

15. Prior to the issuance of a building permit, a lot line adjustment or other instrument shall be approved by the City and recorded to effectively merge the two lots of the Project site into one lot.
16. No signs are approved as a part of this development application. Prior to the installation of any signs, the applicant shall submit a sign permit application and receive approval from the Development Services Director in accordance with City Regulations.
17. Prior to the issuance of a building permit, the Developer shall submit detailed trash and recycling enclosure plans which include the following, to the satisfaction of the Development Services Director: the walls shall be of masonry construction, at least eight feet in height, include solid metal doors, a solid roof, and an interior perimeter concrete curb. The enclosures shall include exterior color and material compatible with the adjacent or nearby building exterior.
18. Prior to the issuance of a building permit, the developer shall design a recycling program consistent with State Assembly Bill 341, to the satisfaction of the Public Works Director. The program shall include enclosures with adequate space for both refuse and recycling and shall be incorporated with the trash and recycling enclosures described in Planning Division Condition of Approval Number 17, above. Each enclosure shall have signs that clearly indicate refuse and recycling locations as well as prohibition of scavenging. The program shall include recycling options or elements at the pool area and other common areas for the tenants.
19. Prior to final inspection for any residential unit of the project, the Developer shall construct an eight-foot tall masonry wall (as measured from the taller grade on either side of the wall) along the project's north and east property lines. The wall shall be designed with materials and colors compatible with the on-site building exterior to the satisfaction of the Development Services Director.
20. Prior to the issuance of a building permit, the developer shall document compliance with the City of Tracy Manual of Stormwater Quality Control Standards for New Development and Redevelopment (Manual) to the satisfaction of the Public Works Director, which includes the requirement for Site Design Control Measures, Source Control Measures and Treatment Control Measures under the guidelines in a project Stormwater Quality Control Plan (SWQCP). Compliance with the Manual includes, but is not limited to, addressing outdoor storage areas, loading and unloading areas, trash enclosures, parking areas, any wash areas and maintenance areas. The SWQCP must conform to the content and format requirements indicated in Appendix D of the Manual and must be approved by the Public Works Director prior to issuance of grading or building permits.
21. The project shall comply with all applicable provisions of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, including Incidental Take Minimization Measures applicable at the time of permit and a pre-construction survey prior to ground disturbance, to the satisfaction of San Joaquin Council of Governments.

22. The developer shall design the carports and the clubhouse in substantial conformance with the design received by the Development Services Department on January 17, 2013 to the satisfaction of the Development Services Director.
23. The developer shall design and construct all buildings with fire sprinklers in accordance with City Regulations to the satisfaction of the Chief Building Official.
24. The project's on-site, usable open space areas contain proposed improvements such as a "pool", "recreation areas", "gazebo/fire pits", "tot lot and gazebo", and other improvements. Recognizing that such amenities may change from time to time over the life of the project, all usable open space area improvements shall be designed and improved consistent with City standards to the satisfaction of the Development Services Director.
25. The "metal fence" and gates identified adjacent to the public streets, if constructed, shall be designed and constructed in accordance with City standards and, while providing site security, shall be of a decorative nature, such as wrought iron or tube steel construction, such that spaces in the fence elements result in the fence being predominantly "see through" and do not create a visual barrier. The color, material, and other design elements of the fence shall be compatible with the on-site building architecture, and the height shall be the minimum necessary to provide reasonable security but not over 72 inches tall, to the mutual satisfaction of the Developer and the Development Services Director. Any gates at project entries shall be designed to provide reasonable access by emergency vehicles and located such that vehicle stacking or queuing does not occur in the public right-of-way, to the satisfaction of the Development Services Director.
26. All exterior building colors shall be consistent with City standards and obtain approval by the Development Services Director prior to issuance of a building permit for the project.

C. Engineering Division Conditions of Approval

1. Conditions of Approval Prior to Approval of Grading and Encroachment Permit Applications: No application for grading permit and encroachment permit within the Project boundaries will be accepted by the City as complete until the Developer provides all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
 - a. The Developer has completed all requirements set forth in this section.
 - b. The Developer has obtained the approval of all other public agencies with jurisdiction over the required public facilities.
 - c. Execution of all agreements, posting of all improvement security, and providing documentation of insurance, as required by these Conditions of Approval.
 - d. The Grading and Improvement Plans prepared in accordance with the Subdivision Ordinance and the City Design Documents. The improvement plans

for all improvements (on-site and off-site) required to serve the development project in accordance with the City Design Documents, and these Conditions of Approval. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

- i. All existing and proposed utilities.
 - ii. All supporting calculations, specifications, cost estimate, and reports related to the design of streets and utilities improvements.
 - iii. The Project's on-site drainage connections to City's storm drainage system as approved by the City Engineer. Improvement Plans to be submitted with the storm drainage calculations for the sizing of the on-site storm drainage system and project's storm drainage connection.
 - iv. Improvement Plans prepared on a 24" x 36" size polyester film (mylar) with the City Engineer and Fire Marshall approval and signature blocks. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.
 - v. Grading and Storm Drainage Plan in accordance with the requirements of Tracy Municipal Code, Subdivision Ordinance and City Regulations. Grading and Drainage Plans to be submitted on 24" x 36" size polyester film (mylar).
 - vi. Joint Trench Plans and Composite Utility Plans for the installation of dry utilities such as electric, gas, TV cable and others that will be located within the 10 feet wide Public Utility Easement or to be installed to serve the Project, as required Condition C-4(a), below.
- e. Two (2) copies of the Project's Geo-technical /Soils Report prepared by Geo-technical Engineer and a copy of recorded slope easements (if applicable), as required in Conditions C-5(b) and C-5(c), below.
 - f. Three (3) sets of the Project's Storm Water Pollution Prevention Plan (SWPPP), Best Management Practices (BMPs) and a copy of the Notice of Intent (NOI) with the State-issued Wastewater Discharge Identification number, as required in Condition C-5(d), below.
 - g. Copy of the improvement plans and structural calculations for all on-site retaining walls, signed and stamped by the Design Engineer and approved by the City's Building Division, as required in Condition C-5(c), below.
 - h. A construction cost estimate for all required public facilities, prepared in accordance with City Regulations. In calculating the total cost of public improvements or Offsite Improvements, add 15% of the construction cost for construction contingencies.

- i. Payment of applicable fees required by these Conditions of Approval and City Regulation, including but not limited to, plan checking, grading and encroachment permit processing, construction inspection, testing, and agreement processing fees.
 - j. Tracy's Fire Marshall's signature on the Improvement Plans indicating their approval of the location and construction detail of the fire service connection and the location and spacing of fire hydrants that are required to serve the Project, as required in Conditions C-9(d), and C-10(c), below.
 - k. Signed and notarized Offsite Improvement Agreement with the fully executed improvement security for faithful performance, labor and materials, and warranty, for the construction of Offsite Improvements including the Project's domestic, irrigation and fire service connections, storm drainage connection(s), and the permanent sanitary sewer connection to the Hansen Sewer Collection System on Pavilion Parkway, as required in Conditions C-6(a), C-6(b), C-6(c), C-7(b) C-8(b), C-9(a), and C-9(b), below.
2. Conditions of Approval Prior to Approval of Building Permit. No building permit within the Project boundaries will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
 - a. The Developer has completed all requirements set forth in Condition C-1, above.
 - b. Payment of all applicable and adopted I-205 Development Impact Fees required by these Conditions of Approval and City Regulations, that are in effect at the time of issuance of the building permit. The I-205 Development Impact Fees described above will also include the additional development impact fees for water supply and treatment and wastewater treatment as required in Condition C-9(e) and C-8(d), below.
 - c. Documentation evidencing that the Property has been annexed to an existing Landscape Maintenance District (LMD), as required in Condition C-10(c), below.
 - d. In-lieu payment in the amount of \$21,000.00, for the Project's estimated share of cost of the installing water line upgrade improvements, as required in Condition C-9(a), below.
3. Conditions of Approval Prior to Certificate of Occupancy or Final Building Inspection. No certificate of occupancy within the Project boundaries will be approved by the City or final building inspection will be performed until the Developer provides documentation which demonstrates, to the satisfaction of the City Engineer, that:
 - a. The Developer has completed all requirements set forth in Condition C-2, above and this section.

- b. The Developer has completed construction of all public facilities required to serve the building for which a certificate of occupancy is requested. Unless specifically provided in these Conditions of Approval, or some other City Regulation, the Developer shall take all actions necessary to construct all public facilities required to serve the Project, and the Developer shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).

4. Undergrounding of Overhead Utilities:

- a. All private utility services to serve Project such as electric, telephone and cable TV to the building must be installed underground, and to be installed at the location approved by the respective owner(s) of the utilities. The Developer shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are to be installed on the existing 10 feet wide Public Utility Easement along Power Road, Pavilion Parkway and Robertson Drive.

5. Grading:

- a. All grading work (on-site and off-site) shall require a Grading Permit. Erosion control measures shall be implemented in accordance with Grading Plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall specify all erosion control methods to be employed and materials to be used.
- b. A Grading Plan prepared by a Registered Civil Engineer and accompanied by Soils Engineering report shall be submitted to the City with the Grading and Storm Drainage Plans. The report shall provide recommendations regarding adequacy of sites and also information relative to the stability of soils such as soil types and classification, percolation rate, soil bearing capacity, highest observed ground water elevation, and others.
- c. Reinforced or engineered masonry block retaining wall is the preferred structure and method of retaining soil at property lines when the grade differential between the project site and adjacent property(s) exceeds 12 inches. The Developer is required to submit improvement plans, construction details and structural calculations of the retaining wall or masonry wall. Slope easements may be accepted subject to City Engineer approval and permission from owner(s) of the adjacent property(s). Slope easements shall be dedicated to the City where cuts or fills do not match existing ground or final grade adjacent to public right of way (up to a maximum grade differential of two feet only). Slope easements shall be recorded, prior to the issuance of the Grading Permit. The Developer shall be responsible to obtain and record slope easement(s) on private properties, where it is needed to protect private improvements constructed within and outside the Project, and a copy of the recorded easement document must be provided to the City, prior to the issuance of the Grading Permit.

- d. Prior to the issuance of the Grading Permit, the Developer shall submit three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) that were submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB including a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID). After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Developer. The Developer shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the Storm Water Regulations adopted by the City in 2008 and any subsequent amendment(s).

6. Street Improvements:

- a. The Developer shall replace all pavement marking and striping that are disturbed as part of the asphalt concrete overlay where street cuts are made for installation of utilities connection(s) on Power Road, Pavilion Parkway and Robertson Drive. The work required under this section must be completed prior to the issuance of certificate of occupancy of the first building to be constructed on the Property.
- b. To provide additional safety measures on pedestrian access to the Project, the Developer is required to install an audible pedestrian warning device on the existing traffic signal at the intersection of Pavilion Parkway and Robertson Drive and other traffic signs as determined by the City Engineer. Cost of these improvements will be paid by the Developer.
- c. Offsite improvements are streets and utilities improvements that will be constructed within City's right-of-way on Power Road, Pavilion Parkway and Robertson Drive. If the cost of Offsite Improvements exceeds \$50,000, the Developer will be required to sign an improvement agreement (Offsite Improvement Agreement) and post security, to guarantee completion of the Offsite Improvements within the specified time. The Offsite Improvement Agreement (OIA) requires approval from the City Council. Prior to the approval of the OIA, the Developer is required to submit Improvement Plans, Technical Specifications and Cost Estimates, prepared in a 24" x 36" size polyester film or known as mylar, signed and stamped by the Design Engineer, for City's approval and signature. All engineering calculations for the design of the improvements must be submitted. The Developer will be required to pay Engineering Review Fees which include plan checking, agreement and permit processing, testing, engineering inspection, and program management fees, estimated to be 11 to 13% of the cost of public improvements, prior to the approval of the OIA.
- d. All work to be performed and improvements to be constructed within City's right-of-way will require an Encroachment Permit from the City, prior to starting the work. The Developer or its authorized representative shall submit all documents that are required to process the Encroachment Permit including but not limited

to, approved Improvement Plans, Traffic Control Plan that is prepared by and signed and stamped by a Civil Engineer or Traffic Engineer registered to practice in the State of California, payment of Engineering Review Fees, copy of the Contractor's license, Contractor's Tracy business license, and certificate of insurance with the insurance coverage specified in the OIA and naming the City of Tracy as additional insured or as a certificate holder.

7. Storm Drainage:

- a. Storm drainage release point is a location at the boundary of the Project adjacent a City right-of-way or public street where storm water leaves the Property, in the event of a storm event and when the Property's on-site storm drainage system fails to function or it is clogged. The Property's on-site storm drainage system and grading shall be designed such that the Project's storm drainage overland release point will be directly to a public street with functional storm drainage system and the storm drainage line on the street has adequate capacity to drain the storm water. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.
- b. The Project's permanent storm drainage connection(s) shall be designed and constructed meet City Regulations. The design of the permanent storm drainage connection shall be shown on the Grading and Drainage Plans with calculations for the sizing of the storm drain pipe(s), and shall comply with the applicable requirements of the City's storm water regulations adopted by the City Council in 2008 and any subsequent amendments.

8. Sanitary Sewer:

- a. A sanitary sewer capacity analysis was performed by CH2MHill of Sacramento (the City's Sewer Consultant) to evaluate wastewater conveyance capacity of the City's Hansen Sewer Collection System and the City's ability to provide wastewater treatment plant capacity to serve the proposed high density residential project. The technical report dated January 2013 prepared by the City's Sewer Consultant titled "Wastewater System Fee for Tracy Sierra Apartments" is on file with the Office of the City Engineer.
- b. It is the Developer's responsibility to design and construct the Project's permanent sanitary sewer connection from the Property to the Hansen Sewer Collection System. The Developer shall submit improvement plans that include the design of the sanitary sewer line from the Property to the point of connection. The Developer is responsible for the cost of installing the Project's permanent sanitary sewer connection including but not limited to, replacing asphalt concrete pavement, reconstructing curb, gutter and sidewalk, restoring pavement marking and striping, and other streets and utilities improvements that are disturbed as a result of installing the Project's permanent sanitary sewer connection.

When street cuts are made, the Developer is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street.

- c. All the work required under this section shall be completed by the Developer, all at the Developer's sole cost and expense, without any reimbursement from the City, prior to the issuance of certificate of occupancy for the first building to be constructed on the Property.
- d. Due to additional sewage that will be generated from the Project, the Project is subject to additional sewer development impact fees for wastewater treatment. The City Engineer has determined that the additional sewer impact fees to pay for wastewater treatment is \$565,150, which is payable at the time of issuance of the building permit.

9. Water System:

- a. A hydraulic evaluation was performed by West Yost & Associates of Pleasanton, California (the City's water consultant), to verify adequacy of capacity of the City's existing water distribution lines and treatment plant to serve the Project and to ensure that the Project's permanent water line connection and on-site water system meets the Project's water flow and pressure demand in a scenario when the combined amount of domestic, fire and irrigation water has to be provided to the Project site at the same time.

The City's Water Consultant has completed the hydraulic evaluation and provided the results on a Technical Memorandum dated January 8, 2013 to the City titled "Hydraulic Evaluation of Sierra Hills Development Project". The Developer is required to comply with all the recommendations in the technical report including the upsizing of the Project's permanent water connection(s) as described on the technical report. All water connections that are bigger than 2 inches in diameter shall be Ductile Iron Pipe (DIP).

The Developer shall obtain an Encroachment Permit, prior to starting the work. The Developer shall pay permit processing fees including plan checking, testing, and inspection fees at the issuance of the Encroachment Permit. All the Project's permanent water connections shall be completed by the Developer, prior to final inspection of the first building to be constructed on the Property.

The technical report required the replacement of existing 12-inch diameter on Sixth Street and Tracy Boulevard with an 18-inch diameter DIP and upsizing of an existing 12-inch diameter pipeline located on Eleventh Street, east of Tracy Boulevard with a 16-inch diameter DIP pipe. The City will be responsible for

constructing these water line upgrade improvements. The City has determined that the Project's share towards the cost of water line upgrade improvements is \$21,000 (In Lieu Fee). The Developer is required to pay the In Lieu Fee, prior to the issuance of the Encroachment Permit.

- b. All costs associated with the installation of the Project's permanent water connection(s) including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings, replacing traffic detecting loops, conduits, and wires, relocating existing utilities that may be in conflict with the water connection(s), and other improvements shall be paid by the Developer. When street cuts are made, the Developer is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street.

If water main shut down is necessary, the City will allow a maximum of 4 hours water supply shutdown. The Developer shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Developer shall submit a Traffic Control Plan, to show the method and type of construction signs to be used for regulating traffic during the installation of the offsite water main upgrade. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California.

- c. The Developer shall design and install domestic and irrigation water service connection, including a remote-read master water meter (the water meter to be located within City's right-of-way) and an R/P Type back-flow protection device in accordance with City Regulations. The City will allow one remote-read master water meter for each building. The domestic and irrigation water service connection must be completed before the final inspection of the building. Sub-metering will be allowed within private property. The City will not perform water consumption reading on sub-meters. The Developer will be responsible for relocating or reinstalling water sub-meters. The City's responsibility to maintain water lines shall be from the water main on the street to the master water meter (inclusive) only. Maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer.
- d. The Developer shall design and install fire hydrants at the locations approved by the City's Building Division and Fire Department. Location and construction details of the fire service line shall be approved by the Building Division and Fire

Department. Prior to the approval of the Improvement Plans, the Developer shall obtain written approval from the Building Division and Fire Department for the design, location and construction details of the fire service connection to the Project, and for the location and spacing of fire hydrants that are to be installed to serve the Project.

- e. The City Engineer has determined that there is an increase on the amount of domestic water to be supplied through the City's water distribution system and treated at the water treatment plant for the Project. The Project is subject to an additional water development impact fees in the amount of \$80,000, to pay for water supply and treatment which is payable to the City at the time of issuance of the building permit.

10. Special Conditions:

- a. All streets and utilities improvements within City right-of-way shall be designed and constructed in accordance with City Regulations, and City's Design documents including the City's Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, or as otherwise specifically approved by the City.
- b. All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Developer shall be responsible for all costs associated with the abandonment or removal of the existing well(s) including the cost of permit(s) and inspection. The Developer shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.
- c. The Developer shall obtain approval and signature from the Building and Safety Division for the location, design and construction of fire prevention and protection related facilities including fire truck access to the Property and other improvements that are required to serve the Project, prior to the approval of the Improvement Plans for the Offsite Improvements.
- d. Developer, and/or owner of record, is responsible for assuring the maintenance of the public improvements installed in the right-of-way. The public improvements include, but are not limited to, street landscaping, sidewalk, and improvements as defined in California Streets and Highway Code Sections 22525 et. seq. Developer shall be responsible for all formation costs. To comply with this obligation, Developer, and/or owner of record, shall evidence one of the following prior to City's acceptance of the public landscape improvements: (i) participation in an existing Landscape Maintenance District (LMD), or (ii) formation of a new Landscape Maintenance District. If the Property is not annexed to an existing or new LMD and the collection of assessment have not started prior to City's acceptance of the public landscape improvements, the Developer shall submit a cash deposit, to pay for cost of services and expenses

incurred by the City in maintaining the landscape improvements. The amount of cash deposit shall be determined by the City's Public Works Department at the time of review of improvement plans. City will return any unused portion of the cash deposit, after the Developer submits documentation evidencing that assessments have been levied on the Property and that collection of assessments have started. City will not accept the public landscape improvements until all the requirements in this section are satisfied to the satisfaction of Director of Engineering and Development Services. The Developer is still required to contribute towards cost of maintaining public landscaping that are away from the Project, that are located within the Landscape Maintenance District zone for which the Property is responsible to pay for.

- e. The Developer shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Developer will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.

Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction. This condition of approval does not preclude the City from requesting additional revisions and requirements to the final parcel map and improvement plans, prior to the City Engineer's signature and approval of the proposed final parcel map and improvement plans, if the City deems it necessary. The Developer shall bear the all cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.