

## 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, March 27, 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 AN APPLICATION FOR A CONDITIONAL USE PERMIT APPLICATION FOR AN EDUCATIONAL AND VOCATIONAL FACILITY AT 324 E. ELEVENTH STREET AND A PLANNING COMMISSION DETERMINATION FOR MINIMUM OFF-STREET PARKING REQUIREMENTS FOR EDUCATIONAL AND VOCATIONAL USES. APPLICANT IS UNITED CEREBRAL PALSY AND PROPERTY OWNER IS TOM BLACK FOR TRACY CITY PLAZA, LLC. APPLICATION NUMBERS CUP13-0001 AND DET13-0001
3. ITEMS FROM THE AUDIENCE
4. DIRECTOR'S REPORT
5. ITEMS FROM THE COMMISSION
6. ADJOURNMENT

### **March 21, 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.

**MINUTES  
TRACY CITY PLANNING COMMISSION  
FEBRUARY 27, 2013  
7:00 P.M.  
TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA**

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

\* \* \* \* \*

**CALL TO ORDER:** Chair Ransom called the meeting to order at 7:04 p.m.

**PLEDGE OF ALLEGIANCE:** Chair Ransom led the pledge of allegiance

**ROLL CALL:** Roll Call found Chair Ransom, Vice Chair Sangha, Commissioner Johnson, Commissioner Mitracos, and Commissioner Orcutt. Also present were staff members Bill Dean Assistant Director Development Services, Bill Sartor, Assistant City Attorney, Jan Couturier Recording Secretary.

**MINUTES APPROVAL:**

Chair Ransom asked for approval of the April 11, 2012 Minutes. Commissioner Johnson recommended approval as written, Jass Sangha seconded, all in favor, none opposed with Commissioner Orcutt abstaining.

Chair Ransom asked for approval of the April 25, 2012 Minutes. Commissioner Johnson recommended approval as written, Jass Sangha seconded, all in favor, none opposed with Commissioner Orcutt abstaining.

Chair Ransom asked for approval of the May 9, 2012 Minutes. Commissioner Johnson recommended approval as written, Jass Sangha seconded, all in favor, none opposed with Commissioner Orcutt abstaining.

Chair Ransom asked for approval of the August 22, 2012 Minutes. Commissioner Johnson recommended approval as written, Jass Sangha seconded, all in favor, none opposed with Commissioner Orcutt abstaining.

Chair Ransom asked for approval of the November 14, 2012 Minutes. Commissioner Johnson recommended approval as written, Jass Sangha seconded, all in favor, none opposed with Commissioner Orcutt abstaining.

Chair Ransom asked for approval of the December 19, 2012 Minutes.

Commissioner Mitracos commented about the verbatim transcript which had been discussed at the January 23<sup>rd</sup> meeting. He added that this revision of the December 19, 2012 minutes was a better representation, but felt that he would have to abstain from approving them, referencing both the nature of the content of the meeting and comments from Mr. Jarvis which he felt were not properly represented in the revised minutes.

Chair Ransom indicated she felt the revised minutes were much improved and that as summary minutes she indicated she felt the key issues were identified. She added the fact that a transcript does exist as a contingency.

Commissioner Mitracos was specifically concerned about Mr Jarvis's statements made relative to the pending lawsuit and legal fees which he indicated were not mentioned. He too, referred to the recording of the session as an alternative source.

Commissioner Johnson asked about the timeframe for keeping records of the minutes. Bill Sartor, Assistant City Attorney advised the minutes are kept forever. There was a further question about the verbatim transcript of the December 19, 2012 meeting as well as the length of time recordings would be kept. Mr. Sartor advised there was a standard of three years after it is no longer needed and advised of the process required before anything can be destroyed. Mr. Sartor said that the City of Tracy is moving toward electronic storage which allows for increased capacity. There was a general discussion about how long documents are kept.

Chair Ransom asked if there was a general standard such as the three years mentioned. Mr. Sartor indicated that the government standard is two years, but the Tracy City Council recommended three years; which was adopted. That time begins after a document is no longer needed.

Ransom asked if there were any further questions. Commissioner Johnson suggested that with although the December 19 meeting was over four hours; he felt that the most important issues were covered in the minutes. Commissioner Johnson recommended approval as written, Jass Sangha seconded, all in favor, none opposed with Commissioners Mitracos and Orcutt abstaining.

Chair Ransom asked for approval of the January 23, 2013 Minutes. Commissioner Mitracos mentioned that he did not recall saying the second sentence at the top of page five and made a motion that the minutes be approved with the recommendation that the second sentence at the top of page five be stricken. It was seconded by Vice Chair Sangha, all in favor, none opposed with Joseph Orcutt abstaining.

Chair Ransom thanked the Planning Division for getting the minutes caught up to date.

Chair Ransom asked if there was a Directors Report.

**DIRECTOR'S REPORT REGARDING THIS AGENDA:** Mr. Dean reviewed the process of the Planning Department staff preparing the overdue minutes and that staff spent quite a bit of time auditing and reviewing all minutes to get everything up to date.

Mr. Dean welcomed Commissioner Orcutt to the Planning Commission.

**ITEMS FROM THE AUDIENCE:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**ITEMS FROM THE AUDIENCE:** None

**DIRECTORS REPORT:**

Mr. Dean updated the Commission on upcoming projects. He advised that the Cordiss Ranch project should be coming in the spring and an EIR will be forth coming in the next few weeks. He invited the Commission to spend some time during the public review period to study the project and engage in any public forums. He further mentioned the Tracy Hills project, Kagehiro Phase III, Tiburon Village and other residential and apartment complex projects. He advised that the residential market has become very active.

Commissioner Mitracos asked if Tracy Hills project would be happening this fall. Mr. Dean said that the environmental work would come this summer.

Commissioner Johnson asked about the North East Specific Plan. Mr. Dean indicated that Amazon had created a great deal of buzz with various trade shows and suggested everybody is becoming aware of what is going on in Tracy right now.

Commissioner Johnson asked about Caltrans or any road improvements timeframes and Mr. Dean indicated that would be down the road.

**ITEMS FROM THE COMMISSION**

Chair Ransom introduced Commissioner Orcutt and asked that he give a brief biography.

Commissioner Orcutt provided the Commission with information about himself, his family and his community involvement. He indicated that he looked forward to serving on the Planning Commission.

Chair Ransom mentioned the Planning Commission Journal and an interesting article about being a Planning Commissioner.

Chair Ransom asked why the Planning Commissions meetings were not televised. Mr. Dean indicated that council had decided not to have them televised.

Chair Ransom then asked if it might be helpful to have them publicized as another means to reach the public. Mr. Dean suggested that the present system of public outreach including neighborhood meetings was effective. He also advised that there would likely be a cost issue to have the meetings televised. He added that public outreach efforts are more tried and true methods and that the Commissioners could be of assistance in that area. Commissioner Mitracos said that he felt public meetings worked well.

**ADJOURNMENT**

Chair Ransom requested a motion to adjourn. Commissioner Johnson so moved, Vice Chair Sangha seconded; all in favor, none opposed.

The meeting adjourned at 7:38 p.m.

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CHAIR

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STAFF LIAISON

AGENDA ITEM 2A

REQUEST

**PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A CONDITIONAL USE PERMIT APPLICATION FOR AN EDUCATIONAL AND VOCATIONAL FACILITY AT 324 E. ELEVENTH STREET AND A PLANNING COMMISSION DETERMINATION FOR MINIMUM OFF-STREET PARKING REQUIREMENTS FOR EDUCATIONAL AND VOCATIONAL USES. APPLICANT IS UNITED CEREBRAL PALSY AND PROPERTY OWNER IS TOM BLACK FOR TRACY CITY PLAZA, LLC. APPLICATION NUMBERS CUP13-0001 AND DET13-0001**

DISCUSSION

Site Description

The subject site is the Tracy City Plaza office complex at 324 E. Eleventh Street, adjacent to Tracy City Hall. The applicant is United Cerebral Palsy, and the proposed use is an educational and vocational training facility for people with disabilities. United Cerebral Palsy has facilities nationwide and is proposing to locate its Tracy facility in the former Economic Development Department tenant space.

Project Description and Analysis

The site is zoned Professional Office Medical, in which professional offices, medical offices, and business services are principally permitted. Schools are a conditionally permitted use and would require a Conditional Use Permit granted by the Planning Commission to operate.

According to the applicant, the proposed facility would operate like a school and train customers with cerebral palsy on life and vocational skills. Examples of training include social skills, health and wellness, resume building, and job searching. Off-site training would take place at churches, food banks, animal shelters, parks, and thrift stores, for example.

The applicant estimates approximately fifteen customers and six staff at business startup and anticipates the business to grow to forty customers and thirteen staff at maximum. Typical hours of operation would be Monday through Friday; staff would be on site from 7 am to 4pm and customers would be on site between 8:30 am and 2:30 pm, spending some of that time in the community working on vocational skills. Customers do not typically drive themselves and will be transported to and from the facility by the business's vans or busses. Families and friends do not typically come to the facility, but may on occasion.

Other businesses onsite include professional and business offices operating during typical workday hours. The hours of operation of the educational and vocational training facility would be complementary with the operation of existing businesses.

Customers are primarily in wheelchairs and will be transported to and from the site by large, ADA-accessible vans that will fit in the standard parking stalls onsite. The applicant may also use ADA-accessible cutaway busses in the future. Because the busses are too large to fit in a standard parking stall, they would utilize the public bus stop on East Street and will stagger drop off and pick up times so as not to conflict with the Tracer and RTD busses that also use the stop. Additional public bus stops are within the vicinity that the applicant may also use if needed.

#### Minimum Off-Street Parking Requirement

Tracy Municipal Code (TMC) Section 10.08.3480 prescribes off-street parking requirements for specific land uses and TMC Section 10.08.3490 authorizes the Planning Commission to determine parking requirements for land uses when not specified in the TMC. Parking requirements for educational and vocational training facilities are not specified in the TMC. Therefore, the Planning Commission may determine the number of required off-street parking spaces.

Because customers do not drive and will be transported to and from the site by United Cerebral Palsy's vehicles, and because family and friends do not normally come to the site, parking is primarily needed for staff and transit vehicles. Staff recommends that the Planning Commission determine a minimum off-street parking requirement of one parking space per staff person at peak times plus one parking space per transit vehicle that will be parked on site. According to the applicant, the maximum number of staff that will be onsite at one time is thirteen, and the maximum number of transit vehicles that will be parked on site is four. Thus, the total number of needed parking spaces is seventeen.

The site is nonconforming to current off-street parking requirements for offices. However, Tracy Municipal Code Section 10.08.3460(d) states that in calculating needed spaces, it shall be assumed that adequate spaces existed for the previous legal use and only the additional demand created by the change of use need be provided. The previous legal use was an office, which credits the subject tenant space with seventeen parking spaces.

The credit of parking spaces for the tenant space equals the number required by staff and transit vehicles, and no additional parking spaces will need to be provided should Planning Commission determine the off-street parking requirement for the proposed use as described above.

#### Environmental Document

The project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, which pertains to existing facilities that involve interior partitions but no alterations to the exterior of the facility. No further environmental assessment is necessary.

#### RECOMMENDATION

Staff recommends the Planning Commission approve the application for a Conditional

Use Permit for an educational and vocational training facility at 324 E. Eleventh Street and determine a minimum off-street parking requirement for educational and vocational training uses of one parking space per staff person at peak times plus one parking space per transit vehicle that will be parked on site, based on the findings and subject to the conditions as stated in the Planning Commission Resolutions dated March 27, 2013.

#### MOTION

Move that the Planning Commission approve the application for a Conditional Use Permit for an educational and vocational training facility at 324 E. Eleventh Street and determine a minimum off-street parking requirement for educational and vocational training uses of one parking space per staff person at peak times plus one parking space per transit vehicle that will be parked on site, based on the findings and subject to the conditions as stated in the Planning Commission Resolutions dated March 27, 2013.

Prepared by Kimberly Matlock, Assistant Planner

Approved by Bill Dean, Assistant Development Services Director

#### ATTACHMENTS

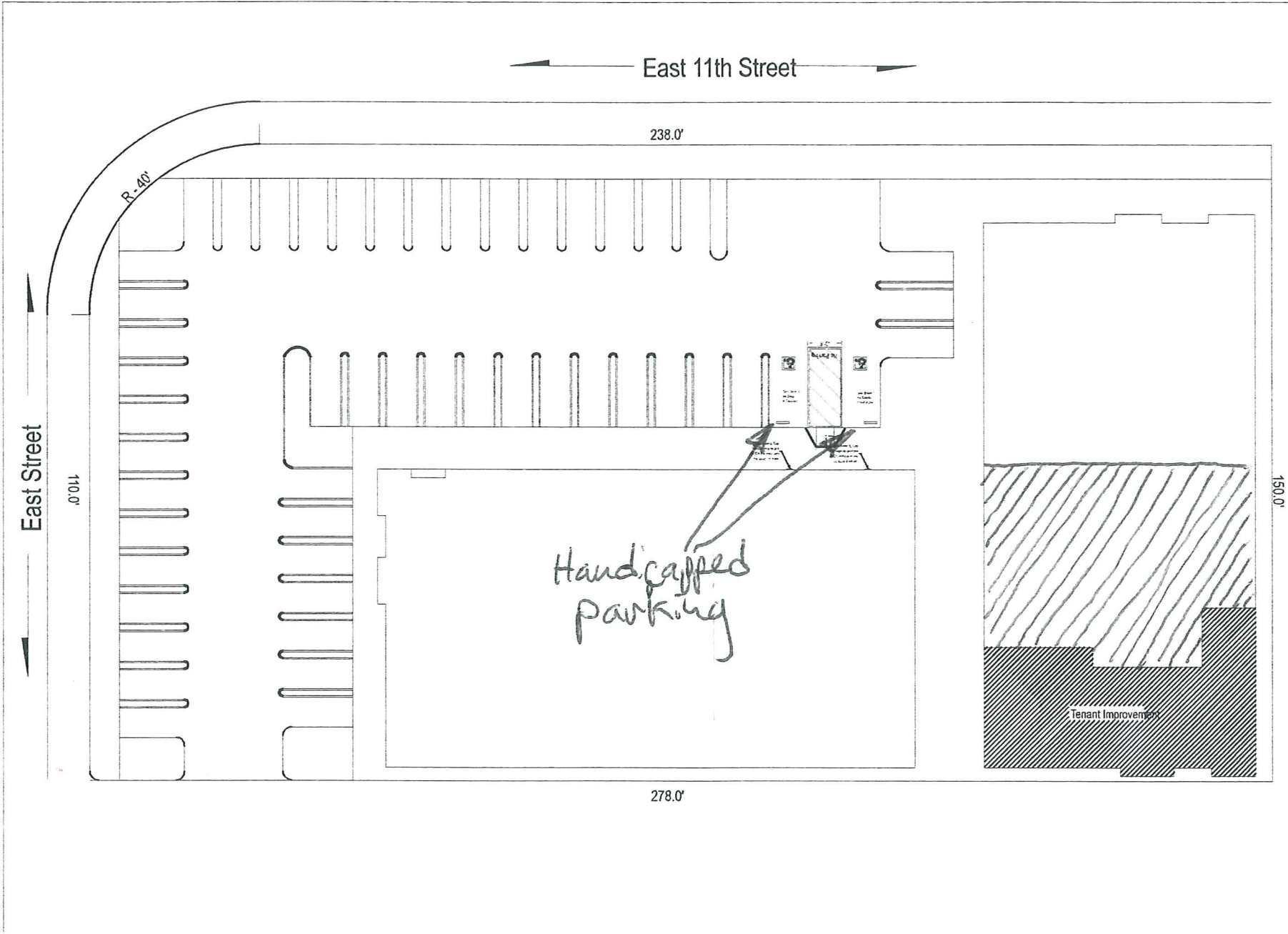
- Attachment A: Location Map
- Attachment B: Site Plan
- Attachment C: Floor Plan
- Attachment D: Planning Commission Resolution for CUP13-0001
- Attachment E: Planning Commission Resolution for DET13-0001



# Location Map







REVISION	BY

DESIGNS  
 1801 BL. OSGOOD AVE  
 TRACY, CA 95376  
 (920) 874-7000 FAX 920-874-8206  
 CELL 920-602-4715

Remodel  
 Trace Office Plaza  
 324 E. 11th Street  
 Tracy, Calif.

Plot  
 Plan

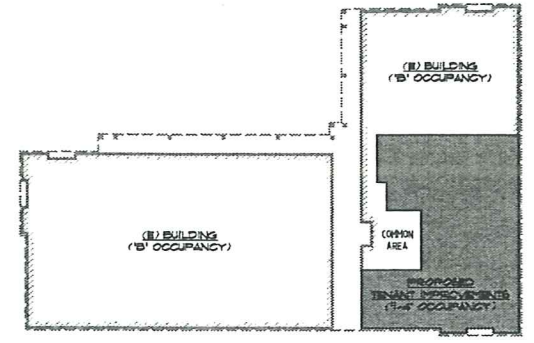
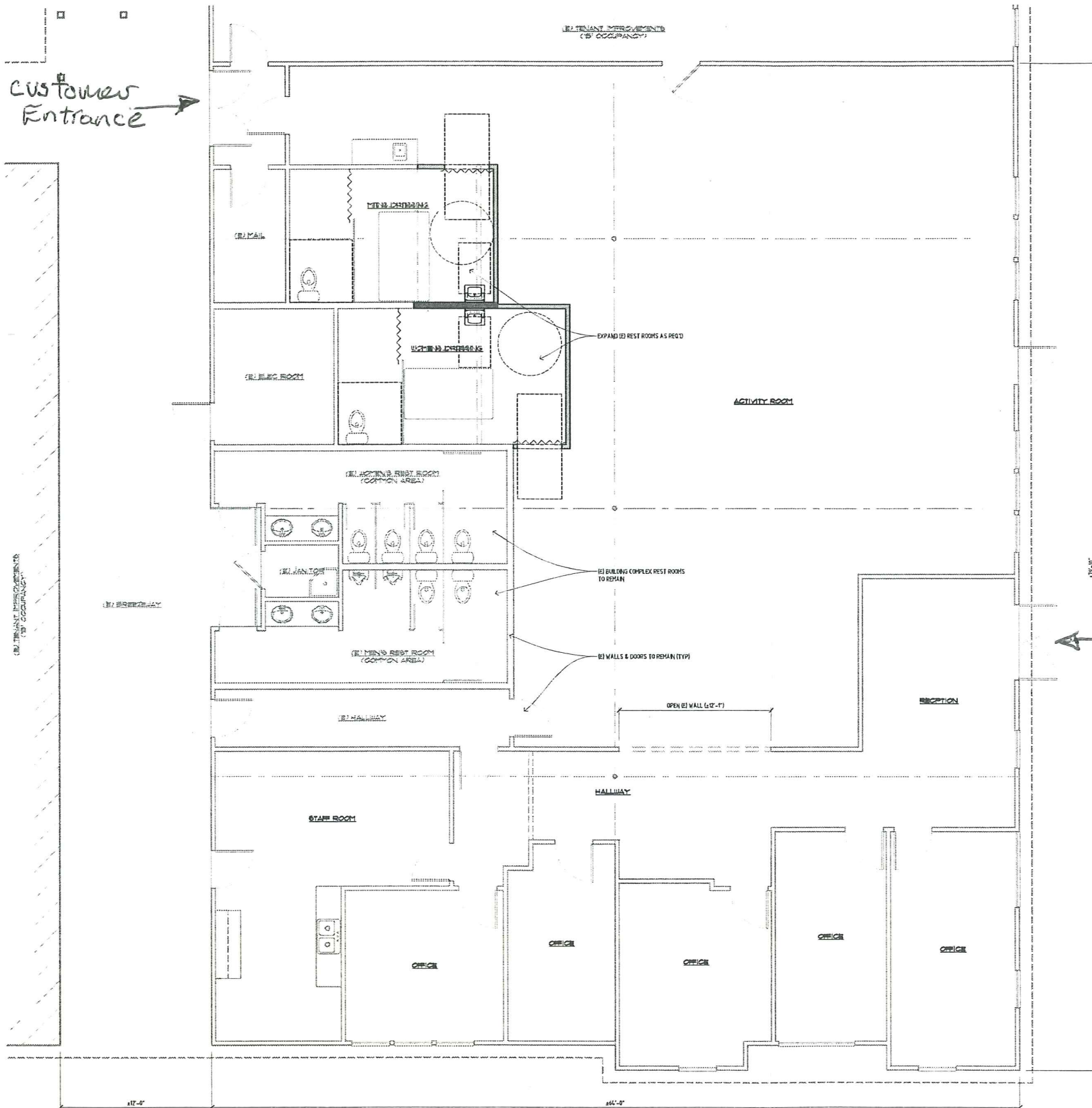
FILE NO

DESIGN: JSmith  
 CHECKED: JS  
 DATE: 02/18/09  
 SCALE: 1" = 10'-0"  
 AIR NO

SHEET  
 8  
 OF 25

MAR 13 2013

# Attachment C



BUILDING KEY  
NO SCALE

Business Entrance

MAR 13 2013

## TENANT IMPROVEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

PROJECT DATA	
CONSTRUCTION TYPE:	V-B
OCCUPANCY TYPE:	I-4 (PROPOSED TENANT SPACED) B (EXISTING & REMAINDER OF BUILDING)
BUILDING AREAS:	4,223 sf (PROPOSED TENANT SPACED) 12,753 sf (REMAINDER OF BUILDING) 16,976 sf (TOTAL BUILDING)

NOTE: THE PROPOSED I-4 TENANT IMPROVEMENT QUALIFIES FOR A NON-SEPARATED OCCUPANCY PER SEC 5413, CALIFORNIA BUILDING CODE. NO FIRE-RATED SEPARATIONS BETWEEN OCCUPANCIES WILL BE REQUIRED.

DATE	REVISIONS	BY	APP'D BY
01/16/13	OWNER REVISIONS	SFS	SFS

DRAWING RELEASE	DESCRIPTION	DATE
<input type="checkbox"/>	INITIAL PLAN REVIEW	07/17/13
<input type="checkbox"/>	PERMIT EXAMINEE	
<input type="checkbox"/>	FINAL DOCUMENTS	
<input type="checkbox"/>	FINAL CONSTRUCTION	

TENANT IMPROVEMENTS  
**Tracy Office Plaza**  
324 EAST 11th STREET  
TRACY CA. 95376

**Schack & Company, Inc.**  
Civil Engineering • Building Design • Surveying  
(909) 855-2178 • P.O. Box 359 • Tracy, California 95378 • FAX (909) 855-1488

DATE	01/11/13
DRAWN BY	SFS
CHECKED BY	SFS
JOB NO.	12.035
<b>A.1</b>	
OF 1 SHEETS	

**RESOLUTION 2013-\_\_\_\_\_**

**APPROVAL OF A CONDITIONAL USE PERMIT APPLICATION FOR AN EDUCATIONAL AND VOCATIONAL FACILITY AT 324 E. ELEVENTH STREET. APPLICANT IS UNITED CEREBRAL PALSY AND PROPERTY OWNER IS TOM BLACK FOR TRACY CITY PLAZA, LLC. APPLICATION NUMBER CUP13-0001**

WHEREAS, On January 17, 2013, Ray Call on behalf of United Cerebral Palsy, submitted an application to operate an educational and vocational training facility for people with disabilities at 324 E. Eleventh Street, and

WHEREAS, The subject property is zoned Professional Office Medical, in which educational and vocational schools are a conditionally permitted use, and a Conditional Use Permit is necessary for land use approval, and

WHEREAS, In accordance with Section 10.08.4250 of the Tracy Municipal Code, the Planning Commission is empowered to grant or to deny applications for Conditional Use Permits and to impose reasonable conditions upon the granting of use permits, and

WHEREAS, The project is categorically exempt from the California Environmental Quality Act requirements under Guidelines Section 15301, which pertains to existing facilities, and

WHEREAS, The Planning Commission held a public meeting to review and consider the Conditional Use Permit application on March 27, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission does hereby approve the Conditional Use Permit to establish an educational and vocational training facility at 324 E. Eleventh Street, subject to the conditions as stated in Exhibit "1" attached and made part hereof, based on the following findings:

1. There are circumstances applicable to the use which makes the granting of a use permit necessary for the preservation and enjoyment of substantial property right, because an educational and vocational training facility cannot be established without a Conditional Use Permit. The building was previously occupied by an office use and is designed for uses that function in an office-like setting.
2. The establishment, maintenance, and/or operation of the project will not adversely affect or impair the benefits of occupancy, most appropriate development, property value stability, or the desirability of property in the vicinity because the nature of the land use, as conditioned, will conform to the requirements and intent of the City of Tracy General Plan and Tracy Municipal Code. The training facility will be compatible with existing offices in adjacent tenant spaces, operate during typical workday hours, and will not engage in activities resulting in noise, odors, or vibration. The facility will be wholly indoors and no outdoor activities or improvements are proposed with the use.
3. The project will not be detrimental to the public health, safety, or welfare or materially injurious to or inharmonious with properties in the vicinity or to the general welfare of the City, because the project, as conditioned, will meet all applicable City regulations, such as provision of required parking for the use as determined by the Planning Commission. Customer drop-off by van will occur from within the parking lot and drop-off by busses will occur at public bus stops so that they do not block vehicular or pedestrian circulation

within the parking area on site. Travel paths to the building from the drop-off areas are ADA accessible and will accommodate the customers in wheelchairs.

\* \* \* \* \*

The foregoing Resolution 2013-\_\_\_\_\_ of the Planning Commission was adopted by the Planning Commission on the 27<sup>th</sup> day of March, 2013, by the following vote:

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

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Staff Liaison

**City of Tracy**  
**Conditions of Approval**  
Educational and Vocational Training Facility  
(United Cerebral Palsy)  
Application Number CUP13-0001  
March 27, 2013

**A. General Provisions and Definitions.**

A.1. General. These Conditions of Approval apply to:

The Project: An Educational and Vocational Training Facility  
(Application Number CUP13-0001)

The Property: 324 E. Eleventh Street, Assessor's Parcel Number 235-190-40

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer."
- b. "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.
- c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
- d. "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 and Engineering Services Director to perform the duties set forth herein.
- e. "Conditions of Approval" shall mean the conditions of approval applicable to the educational and vocational training facility located at 234 E. Eleventh Street, Application Number CUP13-0001. The Conditions of Approval shall specifically include all Development Services Department conditions set forth herein.
- f. "Developer" 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. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the site and floor plans received by the Development Services Department on March 13, 2013.



- A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, building permit fees, plan check fees, or any other City or other agency fees or deposits that may be applicable to the project.
- A.5. Compliance with laws. 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 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 1500, et seq., "CEQA Guidelines").
- A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and Design Goals and Standards.
- A.7. Protest of fees, dedications, reservations, or other exactions. 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.

## **B. Development Services Planning Division Conditions**

Contact: Kimberly Matlock (209) 831-6430 kimberly.matlock@ci.tracy.ca.us

- B.1. Project Expiration. The Conditional Use Permit approval shall expire six months from the project approval date, unless occupancy is established or a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion or unless an extension is granted by the Planning Commission in accordance with TMC Sections 10.08.4350 and 10.08.4360.
- B.2. Transit and circulation. Parking areas, travel lanes, and public streets shall be kept clear for traffic circulation not shall be obstructed. Cutaway busses and other large vehicles which do not fit within a parking stall may utilize public bus stops or other areas that do not obstruct circulation for customer drop-off and pick-up. Use of the public bus stops shall not conflict with other users of the bus stops, including Tracer and RTD.
- B.3. Activities indoors. The use shall be conducted wholly within the building unless a Temporary Use Permit is approved or an amendment to the Conditional Use Permit is granted by the Planning Commission.

B.4. Signs.

B.4.1. The applicant shall obtain sign and building permits, as applicable, for any new or reconstructed signs in compliance with the Tracy Municipal Code.

B.4.2. Temporary signs, including banners, flags, pennants, balloons, and similar devices, shall comply with the Tracy Municipal Code standards for temporary signs.

B.5. Amplification of sound. There shall be no exterior amplification of sound, noise, or music without City approval.

**C. Development Services Building and Fire Safety Division Conditions**

Contact: Kevin Jorgensen      (209) 831-6415      kevin.jorgensen@ci.tracy.ca.us

C.1. Building permits. Before occupancy of the building, the applicant shall obtain all applicable building permits required to modify the structure to change its use from a B occupancy designation to an I-4 occupancy designation to the satisfaction of the Building Official.

C.2. Fire prevention. Before occupancy of the building, the applicant shall demonstrate to the satisfaction of the Building Official a full fire sprinkler system, a manual fire alarm system with an occupant notification system, fire extinguishers, and Knox Box in accordance with the California Fire Code.

**RESOLUTION 2013-\_\_\_\_\_**

**PLANNING COMMISSION DETERMINATION FOR MINIMUM OFF-STREET PARKING REQUIREMENTS FOR EDUCATIONAL AND VOCATIONAL USES. APPLICANT IS UNITED CEREBRAL PALSY AND PROPERTY OWNER IS TOM BLACK FOR TRACY CITY PLAZA, LLC. APPLICATION NUMBER DET13-0001**

WHEREAS, On January 17, 2013, Ray Call on behalf of United Cerebral Palsy, submitted an application to operate an educational and vocational training facility for people with disabilities at 324 E. Eleventh Street, and

WHEREAS, The Tracy Municipal Code does not specify minimum off-street parking requirements for educational and vocational training facilities, and

WHEREAS, The Tracy Municipal Code authorizes the Planning Commission to determine parking requirements for land uses when not specified, and

WHEREAS, The operations of the proposed educational and vocational training facility will require parking for staff and company transit vehicles. Customers will be transported to and from the site by company transit vehicles and will not require parking for personal vehicles, and

WHEREAS, Off-street parking spaces provided at the rate of one parking space per staff person at peak times plus one parking space per transit vehicle that will be parked on site is the minimum needed for such educational and vocational facilities, and

WHEREAS, The project is categorically exempt from the California Environmental Quality Act requirements under Guidelines Section 15301, which pertains to existing facilities, and

WHEREAS, The Planning Commission held a public meeting to review and discuss the appropriate parking requirement for educational and vocational uses on March 27, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission does hereby determine a minimum off-street parking requirement for educational and vocational training uses of one parking space per staff person at peak times plus one parking space per transit vehicle that will be parked on site.

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The foregoing Resolution 2013-\_\_\_\_\_ of the Planning Commission was adopted by the Planning Commission on the 27<sup>th</sup> day of March, 2013, by the following vote:

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

ATTEST: \_\_\_\_\_  
Chair

\_\_\_\_\_  
Staff Liaison