

**MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, MARCH 27, 2013
7:00 P.M.
CITY OF 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 item shall be placed on an agenda within 30 days.

CALL TO ORDER Chair Ransom called the meeting to order at 7:00 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 Alan Bell, Senior Planner, Kimberly Matlock, Assistant Planner, Bill Sartor, Assistant City Attorney and Jan Couturier, Recording Secretary.

DIRECTOR'S REPORT REGARDING THIS AGENDA Mr. Bell advised that Bill Dean, Assistant Director Development Services would not be attending this meeting due to an out of town development meeting.

ITEMS FROM THE AUDIENCE – None

MINUTES APPROVAL – Chair Ransom reviewed the minutes of the February 27, 2013 meeting of the Planning Commission. Commissioner Mitracos made a motion to approve the minutes as presented, Commissioner Johnson seconded, all in favor, none opposed

OLD BUSINESS – None

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**

Chair Ransom read the title and opened the staff report.

Kimberly Matlock, Assistant Planner, reviewed the proposed use of the 4,200 square foot space to be used as an educational/vocational training facility for United Cerebral Palsy located at 324 East Eleventh. The site is zoned professional Office Medical and Schools are a conditionally permitted use requiring Planning Commission approval of a conditional use permit. Training will take place both on site and off site, but on site will be inside. Ms. Matlock reviewed operational

details inclusive of the transport of United Cerebral Palsy clients via van; staff will use their own vehicles.

Ms. Matlock then reviewed the parking element of the staff report. She indicated that the Tracy Municipal Code does not have an off-street parking requirement for educational/vocational training facilities. She stated that it was anticipated there would be one car per each staff member and a maximum of 13 staff members and 4 transit vehicles for a total need of 17 off street parking spaces. She advised that Tracy Municipal Code authorizes the Planning Commission to determine a minimum number of parking spaces for uses not otherwise specified. The previous use of the space was office space; the standard for which is one space per 250 square feet of office space. As this location is 4,200 square feet it would require a total of 17 spaces.

Ms. Matlock summarized the staff report and requested that Planning Commission approve the Conditional Use Permit and determine off street parking for educational/vocational training facilities to be a rate of one parking space per staff person at peak times and one space for a transit vehicle that will be parked on site.

Chair Ransom opened the meeting to the commission.

Commissioner Mitracos asked about proposed tenant space as indicated on the plans attached to the staff report and the number of handicapped spaces as well as the general ADA accessibility of the space. Ms. Matlock explained that the applicant did not have benefit of an architect to prepare the plans from the property owner so they filled in the space on the plans provided. She advised there were no changes to disable access requirements proposed with the application, but they may be triggered by the building permit for the tenant improvement.

Commissioner Johnson had a question on the different entrances and the location of the parking spaces for the location. Staff advised that the applicant's staff would park in the parking lot off Eleventh Street as their primary parking.

Commissioner Johnson also asked about special events that may require extra parking by United Cerebral Palsy.

Chair Ransom opened to the public hearing.

Corinne Fielder, the representative for United Cerebral Palsy, reviewed the fact that as a vocational training facility there would not be graduations or other special events; that training is ongoing, and therefore, no additional parking would be necessary for graduations or other special events.

Commissioner Johnson asked if students currently attend school locally. Ms. Fielder indicated students may be coming from anywhere. The program is year-round and it is for adults who need help; indicating that the program is next step for them and is designed to give them more support or help. Commissioner Johnson expressed concern about the size of the space. Ms. Fielder indicated that the space is more than adequate. She advised that the staff to customer ratio is one to three. There was a general discussion of the program and outside trips.

Commissioner Johnson asked if the handicap access was adequate. Ms. Fielder indicated yes, that the customers attending will be higher functioning. Chair Ransom asked about ADA accessible vans. Staff reviewed the types of vehicles that would be used and the arrangements required. Ms. Fielder advised that any larger cut-away vans would be parked on street.

Commissioner Mitracos asked general questions about United Cerebral Palsy. Applicant explained the various services offered by United Cerebral Palsy and reviewed the types of disabilities which they serve.

Chair Ransom closed the public hearing and returned to the commissioners for comment at 7:22 p.m.

Chair Ransom requested greater clarification of the cut-away vans as to their parking outside the parking lot and requesting greater specificity. Mr. Bell indicated that additional verbiage could be added suggesting the applicant only store or otherwise park vehicles that would fit into the pre-existing spots. Ms. Matlock reviewed the Conditions of Approval Section B2 for the Commission. Chair Ransom questioned the conditions as written. Ms. Matlock suggested adding to the end of the second sentence in section B2 "and shall not park on site." Chair Ransom was in agreement

Mr. Sartor suggested that the motion to approve should include "with Condition of Approval Section B2 as revised."

Chair Ransom requested a motion.

Commissioner Orcutt moved to approve the application and the parking supplement for the Conditional Use Permit for the educational/vocational training facility as amended with section B2 being amended for the location at 324 East Eleventh Street including the minimum off street parking requirements.

Chair Ransom suggested adding the specific number of "17 parking spaces" to the motion. Ms. Matlock responded by advising that the goal of the staff-recommended parking determination was to keep the determination flexible. Commissioner Mitracos indicated the resolution seemed a bit vague.

Mr. Bell reviewed the staff's request to have the Commission approve the Conditional Use Permit. He added that the second resolution was to formalize the determination of the off street parking requirement. There was general discussion about the manner of approving the two resolutions. Mr. Sartor suggested perhaps Commissioner Orcutt would wish to re-state his motion and break it into two motions.

Commissioner Orcutt made a motion to approve the Conditional Use Permit for the educational/vocational training facility at 324 East Eleventh Street. Mr. Sartor advised that this was the resolution with the amended Conditions of Approval. Commissioner Orcutt agreed and added "with the amended sentence in Section B 2." Commissioner Johnson seconded. Chair Ransom restated the motion; all in favor, none opposed.

Prior to asking for a motion on DET13-0001, Chair Ransom raised the issue of number of parking spaces requesting that there be a firm number. Mr. Bell indicated that Planning Commission could advise the total number of spaces. He reviewed the code requirements. He added that staff was asking the Planning Commission to determine the proper allotment of parking spaces.

Commissioner Mitracos asked if by the Planning Commission approving this request would that affect all future educational vocational training facilities. Mr. Bell indicated that it would and reviewed the resolution re-stating the first recital.

Mr. Sartor advised that the final statement in the resolution read "Now, therefore be it resolved that the Planning Commission does hereby determine a minimum off-street parking requirement for 'this' educational and vocational training use..." Chair Ransom commented about the total number of occupants in the entire complex, not just this applicant's usage. There was further discussion about the appropriate number of spaces and whether it is necessary to be specific while limiting the applicant to the correct number so as to not interfere with the other businesses.

Ms. Fielder approached the podium, so Chair Ransom re-opened the public hearing at 7:40 p.m. Ms. Fielder reviewed the staffing levels and indicated they would grow proportionally to the number of customers. The proposal addressed the maximum number of staff and customers.

Mr. Bell added that United Cerebral Palsy would have the ability to manage their site to accommodate increased capacity and that they could come back to the Planning Commission for additional need. There was some general discussion about how United Cerebral Palsy would address future use.

Chair Ransom brought the issue back to the Commission.

Commissioner Orcutt asked if the resolution applied only to this applicant or to all similar uses. Mr. Bell indicated normally this recommendation would apply to all, but in this case we are suggesting an amendment that would apply only to this use.

Mr. Sartor suggested a possible amendment to the Conditional Use Permit depending on the Commission's interest in adding a square footage delimiter.

Commissioner Sangha asked if the entire complex was fully occupied. Ms. Matlock indicated that the applicant's request was the only vacant space.

Chair Ransom then asked about the other tenant parking spaces. It was determined that the entire complex would have a requirement of 51 spaces based on the current parking requirement for offices plus the 17 for the applicant's space.

Mr. Bell spoke to parking issues of the entire site. He reviewed the City Council's thought process in adopting parking requirements in 1989.

Commissioner Mitracos reviewed the motions which included discussion by the Commissioners and Mr. Sartor gave an overview suggesting that the "not to exceed one space for every 250 square feet of office" as an option. There was some additional discussion on the exact wording of the motion.

Chair Ransom asked for a motion. Commissioner Johnson moved to make the minimum off street parking requirement for this educational and vocational training use of one parking space per staff at peak times plus one parking space per transit vehicle that will be parked on site with a not to exceed cap of one parking space per every 250 square feet based on the findings and subject to the conditions as stated in the Planning Commission Resolutions dated March 27, 2013 as amended. Commissioner Sangha seconded the motion, all in favor none opposed.

ITEMS FROM THE AUDIENCE – None

DIRECTOR'S REPORT – None

ITEMS FROM THE COMMISSION Commissioner Mitracos discussed The State of the City meeting on March 27, 2013.

ADJOURNMENT Commissioner Orcutt made a motion to adjourn. Chair Ransom seconded and adjourned.

TIME 8:00 p.m.



CHAIR



STAFF LIAISON