

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, September 25, 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. **TRACY MUNICIPAL CODE (ZONING REGULATIONS) AMENDMENT REGARDING TIME LIMITS AND EXTENSIONS FOR DEVELOPMENT REVIEW PERMITS (TMC CHAPTER 10.08, ARTICLE 30) – APPLICATION NUMBER ZA13-0002**
 - B. **APPROVE A MINOR AMENDMENT TO THE ASPIRE (FORMERLY TRACY SIERRA DEVELOPMENT) APARTMENT PROJECT PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN AND OFF-STREET PARKING SPACE REDUCTION – THE PROJECT IS LOCATED ON APPROXIMATELY 10.8 ACRES ON THE NORTH SIDE OF PAVILION PARKWAY, NORTHEAST OF THE INTERSECTION OF PAVILION PARKWAY AND POWER ROAD – APPLICATION NUMBER PUD13-0005 – APPLICANT IS TRACY 300 L.P.**
 - C. **FIRST AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC **This item will not be heard and will be re- noticed for a later date. ****

**MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 11, 2013
7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA**

CALL TO ORDER Chair Ransom called the meeting to order at 7:01p.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 Development Services Director, Bill Sartor, Assistant City Attorney, Jolene Jauregui, Recreation Coordinator II and Jan Couturier, Recording Secretary.

MINUTES APPROVAL

Chair Ransom requested a review of the minutes as submitted and asked for comments.

Commissioner Orcutt made a motion to approve all the minutes from July 24, Special Meeting July 30, August 14 and Special Meeting August 14; Vice Chair Sangha seconded; all in favor, none opposed.

DIRECTOR'S REPORT REGARDING THIS AGENDA –

Mr. Dean introduced Jolene Jauregui Recreation Coordinator in the Recreation Division.

ITEMS FROM THE AUDIENCE – None

1. **OLD BUSINESS – None**

2. **NEW BUSINESS**

A. APPOINT A PLANNING COMMISSIONER TO THE SENIOR STEERING COMMITTEE

Chair Ransom requested the staff report. Ms. Jauregui presented the staff report. She advised that during the July 2, 2013 City Council meeting, staff presented to Council an outline of a potential formation of a Senior Advisory Commission and two additional alternatives for consideration. During those discussions Council directed staff to explore the formation of a Senior Steering Committee that would facilitate a series of community conversations with the public. At the August 20, 2013 City Council meeting, Council approved the formation of a Senior Steering Committee to include appointing one Commissioner from each of the following City of Tracy Commissions: Parks and Community Services Commission, Planning Commission, Tracy Arts Commission and Transportation Commission. Additionally three seniors at large from the Tracy community would be appointed by City Council.

The Senior Steering Committee would work together with a facilitator in a community conversation setting, to identify and discuss current and future service needs for seniors

in the Tracy community. This forum would provide the opportunity for seniors and community stakeholders, to identify issues that are of importance to the seniors in the Tracy community. The series of meetings will allow seniors to voice their opinions on issues that impact them directly. Additionally, the City of Tracy would be proactive in planning for the future needs of our local senior population. The Senior Steering Committee will determine the actual dates and times of the forums.

Ms. Jauregui concluded by stating that staff recommended that the Planning Commission appoint a Planning Commissioner to the Senior Steering Committee

Chair Ransom provided a disclaimer and advised that she presently served on the Senior advocacy committee.

Chair Ransom brought it to the commission for input.

Commissioner Orcutt asked about age 55 and work related experience requirement. He added a recommendation that the Commissioners rotate the responsibility. Ms. Jauregui indicated it needed to be one commissioner.

Commissioner Mitracos indicated he could not serve.

Mr. Sartor advised that the age requirement did not apply to the Commissioners.

Chair Ransom asked about the time commitment for this Steering Committee. Ms. Jauregui advised that it would likely run until the end of January, 2014; adding that the commitment would only be for the meetings and a meeting with the consultant once hired.

Commissioner Johnson asked if the point was to have someone from the perspective of each of the Commissions to bring their experience and perspective.

Chair Ransom suggested that the variety of Commissioners serving on the Steering Committee would lend a diversity of perspective and experience to the Steering Committee; adding that the issues facing seniors would require that type of interdisciplinary approach.

Vice Chair Sangha indicated she would volunteer and advised that she already worked with a variety of seniors. Commissioner Mitracos said no. Commissioner Orcutt advised that he would not be available due to schedule conflicts. Commissioner Johnson moved to appoint Commissioner Sangha as the Planning Commission representative to the Senior Steering Committee; Commissioner Orcutt seconded. All in favor; none opposed.

3. ITEMS FROM THE AUDIENCE - None

4. DIRECTOR'S REPORT – Mr. Dean indicated that staff is looking into funding for iPads for the Planning Commission. He added that the City Council passed the Cordes Ranch proposal.

5. ITEMS FROM THE COMMISSION

A. ELECTION OF OFFICERS –

Chair Ransom advised it was time to elect new Chair and Vice Chair. Commissioner Mitracos advised that he would like to see a rotation of Commissioners adding that Commissioner Sangha serve as Chair and Commissioner Orcutt as Vice Chair. A general discussion among the Commissioners followed.

Commissioner Mitracos moved that the Planning Commission appoint Commissioner Sangha as Chair of the Planning Commission, Commissioner Johnson seconded; all in favor none opposed.

Commissioner Mitracos moved that the Planning Commission appoint Commissioner Orcutt as Vice Chair of the Planning Commission, Commissioner Johnson seconded; all in favor none opposed.

Chair Ransom asked if there were any other items from the commission.

Commissioner Orcutt asked about the San Joaquin Planning Commission Agenda county agenda and why it was received. Mr. Dean advised that these are items that are received periodically and passed along to the Commissioners.

Vice Chair Sangha reminded everyone of the 12th anniversary of Sept 11th. She added that she was hosting a cultural event at the Grand Theatre which the City of Tracy was co-sponsoring on October 26, 2013.

6. ADJOURNMENT – Commissioner Orcutt moved to adjourn at 7:26 p.m.

CHAIR

STAFF LIAISON

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

Posted: **September 19, 2013**

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Development and Engineering Services department located at 333 Civic Center Plaza during normal business hours.

AGENDA ITEM 2A

REQUEST

**TRACY MUNICIPAL CODE (ZONING REGULATIONS) AMENDMENT
REGARDING TIME LIMITS AND EXTENSIONS FOR DEVELOPMENT
REVIEW PERMITS (TMC CHAPTER 10.08, ARTICLE 30) –
APPLICATION NUMBER ZA13-0002**

DISCUSSION

The proposal is a City-initiated request to amend the Tracy Municipal Code Development Review process to (1) create flexibility in the duration of a Development Review approval and (2) allow for extensions of time if the applicant does not obtain a building permit prior to Development Review expiration.

Development Review is the typical, discretionary process in the City of Tracy a developer follows to obtain approval of a site plan, building architecture, utility connections, and other development details. Development Review typically occurs after (or concurrent with) zoning for a site and prior to (or concurrent with) building permit approval. Attachment A is an excerpt from the Tracy Municipal Code (TMC, Chapter 10.08, Article 30) regarding the Development Review process.

TMC Section 10.08.4080 (part of Attachment A) prescribes a one-year time limit for a Development Review approval. No provisions are made for longer periods of time for an applicant to obtain a building permit or to obtain an extension of the Development Review approval.

Attachment B contains a proposed Ordinance, amending TMC Section 10.08.4080. The proposal establishes a two-year, initial time limit for Development Review approval and allows the City to grant an approval for a greater period of time, up to three years, if the size, complexity, or other characteristics of the project warrant a longer time period. For example, a project may have multiple phases, each of which may take two or more years to complete. For a project with multiple buildings or phases, the City may find it reasonable to grant an approval to last more than two years.

Secondly, the proposed amendment adds a provision for an applicant to seek an extension of their approval, in the event they have not obtained building permits prior to Development Review expiration. This provision recognizes that an applicant may not always accurately forecast the time

they need to obtain a building permit due to unforeseen circumstances such as market demand, financing, or other issues.

Finally, the proposed amendment includes a few clean-up items, such as updating the definition of "Director" and clarifying that the Director may refer Development Review applications to the Planning Commission for decision.

This minor amendment to the City's development process will increase flexibility for property owners and the City. It makes the entitlement process more predictable and is consistent with the City's on-going efforts to make Tracy more business friendly.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the proposed amendments regarding time limits and extensions for Development Review applications.

MOTION

Move that the Planning Commission recommend that the City Council approve the Ordinance (Attachment B) amending Tracy Municipal Code Chapter 10.08, Article 30, regarding time limits and extensions for Development Review applications.

Prepared by Alan Bell, Senior Planner

Reviewed by Bill Dean, Assistant Development Services Director

Approved by Andrew Malik, Development Services Director

ATTACHMENTS

Attachment A – Tracy Municipal Code Chapter 10.08, Article 30

Attachment B – Proposed Ordinance Regarding Time Limits and Extensions for
Development Review Approvals

Attachment C – Proposed Planning Commission Resolution

Tracy Municipal Code Chapter 10.08, Article 30

10.08.3920 Purpose.

There is hereby adopted a formal development review process which will combine the required environmental review with the site and architectural plan review.

(Prior code § 10-2.3000)

10.08.3930 Objective.

The objective of this article is to develop a comprehensive review process which will facilitate the efficient processing of project applications.

(Prior code § 10-2.3001)

10.08.3940 Improvements subject to development review.

(a)

Development review shall be required for each improvement for which a building permit is required, except:

(1)

Single-family and two-family residences located in a residential zone, appurtenances and accessory improvements, and additions or repairs to either;

(2)

Additions or repairs to any existing improvement if the exterior thereof is not to be altered; and

(3)

Additions, repairs, or remodeling to an existing improvement if the total value of the additions, repairs, or remodeling to such improvement does not exceed five (5%) percent of the full cash value as established by the County Assessor.

(b)

The term "improvement," as used in this article, shall be liberally interpreted and shall include the construction, alteration, and repair of all buildings, structures, and facilities permanently affixed to real property, and appurtenances thereto. No improvement subject to development review shall hereafter be constructed, located, repaired, altered, or thereafter maintained, except in accordance with a design approved as provided in this article.

(Prior code § 10-2.3002)

10.08.3950 Development review package and application form.

The formal application for development review shall be in the form required by the Community Development Department and shall include the following package of information for staff review:

- (a) The environmental initial study; and
- (b) The site and architectural plans.

(Prior code § 10-2.3003)

10.08.3960 Environmental initial studies.

The purpose of the environmental initial study is to provide the necessary environmental information and data on the proposed project.

(Prior code § 10-2.3004)

10.08.3970 Applicability of environmental initial studies.

In order to determine whether a project requires the completion of the initial study, refer to the adopted California Environmental Quality Act Guidelines for the City for assistance.

(Prior code § 10-2.3005)

10.08.3980 Site plan and architectural review.

The purpose of the site plan and architectural review is to recognize the interdependence of land values and aesthetics and to provide a method by which the following goals can be achieved:

Goal 1: The promotion of logical land use development; and

Goal 2: Assistance in the development of architectural standards and guidelines for buildings, structures, and improvements in the City.

(Prior code § 10-2.3006)

10.08.3990 Findings.

The Council hereby finds that inappropriate building and site design improvements to real property adversely affect the health, safety, and welfare of the residents of the City by creating one or more of the following:

- (a) The desirability of properties within the area for future uses is adversely affected;
- (b) The benefits of occupancy of other property in the vicinity is impaired;
- (c) Property values within the vicinity do not retain their stability;
- (d) The most appropriate development of other properties within the vicinity is impaired;
- (e) The maintenance or improvement, or both, of surrounding properties is discouraged with the result that such properties degenerate and there is an accompanying deterioration of conditions which affect the health, safety, comfort and general welfare of the inhabitants of the area and the City at large;
- (f) The proper relationship between the taxable value of real property in the vicinity and the cost of municipal services to such properties are reduced; and
- (g) Unsightliness which, if permitted to exist, causes a decrease in the value of surrounding properties.

(Prior code § 10-2.3007)

10.08.4000 Site plan and architectural review package.

The site plan and architectural package shall be in the form required by the Community Development Department and shall include ten (10) copies of the following information:

- (a) Site plans, including:
 - (1) The locations of the existing and proposed structures, including signs;
 - (2) The locations of the existing trees or natural attributes;
 - (3) The locations of the off-street parking and loading facilities;
 - (4) The locations and dimensions of the street and highway dedications;

- (5) The locations of points of entry and exits for vehicles and the internal circulation patterns;
- (6) The locations of walls and fences and the indication of their height and materials of construction;
- (7) The landscape features, if any;
- (8) The exterior lighting standards and devices; and
- (9) The grading and slopes where they affect the relationship of buildings;
- (b) Architectural or architectural-type drawings, including:
 - (1) One elevation of each side of the project, front, side, and rear, and the locations of air-conditioning units and other appurtenances shall be indicated; and
 - (2) (Optional) Perspectives, models, or other suitable graphic materials,
- (c) The landscaping plan (may be incorporated into the site plan);
- (d) The building color and material descriptions;
- (e) The site photographs (optional);
- (f) Architectural or architectural-type drawings indicating the location, size, color, shape, and type of the illumination of each proposed sign; and
- (g) Other information which is pertinent and which the Community Development Department staff may require individual applicants to furnish.

(Prior code § 10-2.3008)

10.08.4010 Processing and evaluation.

The completed development package shall be referred to all appropriate departments and agencies for review, comment, and recommendation. After the recommendations are received, the Community Development Director or his designee shall

prepare a preliminary staff report which will outline environmental, Code, and design policy requirements and staff suggestions. Such report will be delivered to the applicant prior to the meeting between the Community Development Director and the applicant.

In reviewing and evaluating the development package, the Community Development Director shall consider the suggestions, comments, and recommendations received from the departments and agencies. In addition, the Community Development Director shall examine the architectural package submitted with the application by considering the following aspects for conformance with this chapter, including the Commission's general design objectives and policies. Major categories include:

- (a) Conformity with the various zoning provisions;
- (b) General site utilization considerations as follows:
 - (1) The height, bulk, and area of buildings;
 - (2) The types of buildings and installations;
 - (3) The physical and architectural relationship with the existing and proposed structures;
 - (4) The site layout, orientation, and location of the buildings and relationships with open areas and topography;
 - (5) The height, materials, colors, and variations in boundary walls, fences, and screen plantings;
 - (6) The location and type of landscaping, including, but not limited to, off-street parking areas; and
 - (7) The appropriateness of the sign design and exterior lighting;
- (c) General landscape considerations; and
- (d) Graphics.

(Prior code § 10-2.3009)

10.08.4020 Action by the Community Development Director.

After reviewing the preliminary report with the applicant and considering the information received, the Community Development Director shall approve, conditionally approve, or deny the application.

(Prior code § 10-2.3010)

10.08.4030 Final plans and certification.

At such time as the architectural package is conditionally approved, the applicant/developer shall resubmit to the Community Development Department four (4) sets of a revised architectural package indicating the various requirements, environmental concerns, Commission design policies, and agreed-to suggestions. The Community Development Department shall then review and certify, by stamp, that the revised package is in conformance with the approved requirements. Once certification is given, a stamped set of the revised architectural package will be sent to the applicant, Public Works Department, and Building Division and be filed with the Community Development Department. The applicant may then obtain building permits if construction plans have been checked and approved by the Building Division.

(Prior code § 10-2.3011)

10.08.4040 Appeals.

Any person dissatisfied with the action taken on an application for development review, within ten (10) working days after the report of action by the Community Development Director, may file an appeal to the Commission. The action of the Commission may likewise be appealed to the Council within ten (10) days after such report of action.

(Prior code § 10-2.3012)

10.08.4050 Prohibitions.

No building permit, license, certificate, or other approval or entitlement shall be issued or given by the City, or any department or employee thereof, with respect to any improvement subject to development review until the design of the improvement has been approved as provided in this chapter. No certificate of use or occupancy or similar approval shall be issued or given for any improvement subject to site plan and architectural review unless and until the Community Development Department staff has certified that the improvement has been completed in accordance with the approved architectural package pursuant to this chapter.

(Prior code § 10-2.3013)

10.08.4060 Nuisances.

Any improvement constructed, located, repaired, altered, or maintained contrary to the provisions of this chapter is hereby declared to be unlawful and a public nuisance.

(Prior code § 10-2.3014)

10.08.4070 Effect on other laws.

Nothing in this article shall be construed to exempt any applicant from compliance with any requirement of any other law of the City or amend any such other law.

(Prior code § 10-2.3015)

10.08.4080 Time limits.

An approved architectural package shall be valid for one year.

(Prior code § 10-2.3016)

10.08.4090 Street tree planting.

The following City street tree planting standards are hereby established and shall apply to all new development and any other application process requiring the planting of street trees:

- (a) Street trees along City streets shall be planted within the City right-of-way at the intervals set forth in the Parkways Design Manual and as specified in the development application process.
- (b) Street trees shall be of the type and variety determined by the Parkways Design Manual and specified in the development application process.
- (c) Street trees shall be planted in accordance with the street tree planting standards described in section 10.08.4100 of this article.
- (d) Street trees shall be purchased, installed, and maintained at the expense of the property developer, except that the City shall accept the responsibility of trimming and pest and disease control for such trees.

(Ord. 1043 § 2 (part), 2002)

10.08.4100 Street tree standards.

- (a) Street trees shall be fifteen (15) gallons in size and conform to the Parkways Design Manual in type. "Parkways Design Manual" means a plan including the detail

documents pertaining thereto, as amended from time to time, for the planting of certain varieties of trees in public rights-of-way or planting easements within the City.

(b)

For commercial property, sidewalk planter cuts for street trees shall conform with the Parkways Design Manual and as specified in the development application process.

(c)

For residential and industrial uses not having a ten (10') foot commercial sidewalk, the street trees shall be located within the City right-of-way as specified in the development application process.

(d)

All street trees shall be staked according to the standards set forth in the Parkways Design Manual.

(Ord. 1043 § 2 (part), 2002)

10.08.4110 Development review fees.

Each project subject to site plan and architectural review and environmental review shall include the required filing fees.

(Prior code § 10-2.3019)

ORDINANCE _____

AMENDING TRACY MUNICIPAL CODE SECTIONS 10.08.4020 (ACTION BY COMMUNITY DEVELOPMENT DIRECTOR) AND 10.08.4080 (TIME LIMITS) REGARDING DEVELOPMENT REVIEW APPROVALS AND ADDING SECTION 10.08.257, DEFINITION OF DIRECTOR

The City Council of the City of Tracy ordains as follows:

SECTION 1. A new Section 10.08.257, Director, is added to the Definitions of Title 10.08 (Zoning Regulations) of the Tracy Municipal Code to read as follows:

“10.08.257 Director.

“Director” means the City’s Director of Development Services or his or her designee. It includes any former title for the position, such as community development director.”

SECTION 2. Section 10.08.4020, Action by the Community Development Director, of the Tracy Municipal Code is amended and renamed to read as follows:

“10.08.4020 ~~Action by Community Development Director~~Hearing and decision. The Director shall schedule a noticed public hearing on the extension. After reviewing the preliminary report with the applicant and considering the application and the information received at the hearing, the ~~Community Development~~ Director shall approve, conditionally approve or deny the application. The Director may instead refer the application to the Planning Commission for decision.”

SECTION 3. Section 10.08.4080, Time Limit, of the Tracy Municipal Code amended and renamed to read as follows:

10.08.4080 Time Limits; Extensions.

~~An approved architectural package shall be valid for one year.~~

(a) Time limits. A development review permit approval lapses two years after the date it became effective unless: (1) by condition of the permit a greater time is allowed, up to three years, based on the size, complexity or other project characteristics; or (2) a building permit is issued and construction is begun and diligently pursued toward completion.

Ordinance No. _____

(b) Extensions.

(1) The development review permit is automatically extended (without separate notice or public hearing) for a corresponding period of time if the Planning Commission approves extension of a conditional use permit for the same project, under Section 10.08.4250.

(2) The property owner may apply for one or more extensions before the development review permit has lapsed. Submittal of the application for extension together with the application fee suspends the expiration date until the decision on the extension, and the City will not issue a building permit during the period of suspension.

(3) The approval body for the original permit shall conduct a public hearing. If the original approval body was the Director, he or she may refer the extension request to the Planning Commission for a public hearing and decision.

(4) The Director (or Planning Commission upon referral) may approve an extension for up to three years if it finds there are no substantial changes in: (i) the project; or (ii) in the circumstances, City policies, standards, or law that affect the approval.

(5) The decision may be appealed under Section 10.08.4040.”

SECTION 4. This ordinance applies to any unexpired development review permit at the time this ordinance takes effect, automatically extending the period of initial approval to a total of two years.

SECTION 5. The City Council finds that this Tracy Municipal Code Amendment is not subject to CEQA under CEQA Guidelines Section 15061(b)(3), which applies to projects that do not have the possibility to have a significant effect on the environment.

SECTION 6. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 7: This Ordinance shall be published once in the _____, a newspaper of general circulation, within 15 days from and after its final passage and adoption.

* * * * *

The foregoing Ordinance No. _____ was introduced at a regular meeting of the Tracy City Council held on the _____ day of _____, 2013, and

Ordinance No. _____

finally passed and adopted by said Council at its regular meeting on the _____
day of _____, 2013, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Mayor

ATTEST:

City Clerk

Time Extensions Ordinance

RESOLUTION _____

RECOMMENDING THAT CITY COUNCIL AMEND TRACY MUNICIPAL CODE SECTIONS 10.08.4020 (ACTIONS BY COMMUNITY DEVELOPMENT DIRECTOR) AND 10.08.4080 (TIME LIMITS) REGARDING DEVELOPMENT REVIEW APPROVALS AND ADD SECTION 10.08.257 (DEFINITION OF DIRECTOR)

WHEREAS, Tracy Municipal Code Chapter 10.08, commencing with Section 10.08.3920, describes the process to obtain Development Review approval; and

WHEREAS, Section 10.08.4080 establishes a one-year time limit for a Development Review approval; and

WHEREAS, Some projects need a longer time period than one year from Development Review approval to obtain a building permit or need an extension(s) of time due to unforeseen circumstances; and

WHEREAS, Creating discretion in the Development Review time limit and an opportunity for extensions of Development Review permits will make the approval process more flexible for property owners and the City, it will add certainty that a property owner can apply for an extension, and is consistent with the City's on-going efforts to make Tracy more business friendly; and

WHEREAS, Each Development Review project is subject to review under the California Environmental Quality Act (CEQA) and the proposed Tracy Municipal Code Amendment is exempt from CEQA pursuant to Guidelines Section 15061(b)(3);

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the City of Tracy hereby recommends that City Council approve the amendments to Tracy Municipal Code Sections 10.08.4020 and 10.08.4080 and add Section 10.08.257 as indicated in Attachment B of the September 25, 2013 Planning Commission staff report.

* * * * *

The foregoing Resolution _____ was adopted by the Planning Commission on the 25th day of September, 2013, by the following vote:

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

Chair

ATTEST:

Staff Liaison

AGENDA ITEM 2B

REQUEST

APPROVE A MINOR AMENDMENT TO THE ASPIRE (FORMERLY TRACY SIERRA DEVELOPMENT) APARTMENT PROJECT PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN AND OFF-STREET PARKING SPACE REDUCTION – THE PROJECT IS LOCATED ON APPROXIMATELY 10.8 ACRES ON THE NORTH SIDE OF PAVILION PARKWAY, NORTHEAST OF THE INTERSECTION OF PAVILION PARKWAY AND POWER ROAD – APPLICATION NUMBER PUD13-0005 – APPLICANT IS TRACY 300 L.P.

DISCUSSION

Background

On February 19, 2013, the City Council approved the 300-unit Tracy Sierra Development apartment project, located on approximately 10.8 acres on the north side of Pavilion Parkway, directly across Pavilion Parkway from the Winco grocery store. The project included a General Plan designation amendment from Commercial to Residential High (GPA12-0002), an I-205 Corridor Specific Plan amendment from General Commercial to High Density Residential (SPA12-0004), and a Planned Unit Development Preliminary and Final Development Plan (PUD12-0001). Attachment A contains the site plan, floor plans, exterior elevations, and other details of the project approved on February 19, 2013.

Project Description

Subsequent to City Council approval, the project was purchased by a different developer who is proposing modifications to the project's site plan, floor plans, off-street parking, and other design elements. Attachment B contains the currently proposed site plan, floor plans, and exterior elevations. Attachment C contains a comparison table of project details between the February 19, 2013 approved version and the current proposal.

The proposal is consistent with the previously approved project with minor modifications to the clubhouse/pool location, layout of the buildings, building design and a requested reduction in the number of required off-street parking spaces (discussed below).

The approved project consists of seven, 4-story residential buildings, a small 2-story clubhouse, and leasing center. The majority of residential units were 1-bedroom units. Parking was provided with a combination of carports and surface parking.

The site has been modestly reconfigured with eight, 4-story residential buildings and a larger clubhouse and fitness center. Off-street parking was eliminated along Pavilion Parkway and replaced with four residential buildings to shield parking from public view, resulting in an improved presence of the project to Pavilion Parkway.

The size and configuration of each building has been modified to increase the number of 2- and 3-bedroom units. The original approval included 228, 1-bedroom units and 72, 2-bedroom units. The current proposal, by contrast, contains 66, 1-bedroom units; 205, 2-bedroom units; and 30, 3-bedroom units. The average unit size has increased from 875 square feet to 1090 square feet. The building reconfiguration results in an increase in the total number of units from 300 to 301. The increase of one residential unit increases the project's gross density from 23.6 to 23.7 dwelling units per gross acre – an insignificant change that is within the High Density Residential limit of 25 units per gross acre.

A number of individual garages and enclosed bicycle parking have also been added within the ground floor of each residential building, allowing some ground floor units to have direct access garages. Garage sizes range from single-car, double car (side-by-side), and double car (tandem).

The floor plan modifications were achieved while the overall building design aesthetic and building articulation have been maintained in the revision. Building materials consist of cement plaster, vertical board and batten cement board siding, and horizontal cement board lap siding, providing a variety of contrasting textures and colors, similar to what was previously approved.

The number of vehicle entrance/exit points will remain unchanged: one driveway each at Pavilion Parkway, Power Road, and Robertson Drive. The driveway at Robertson Drive will be relocated slightly to the east from what was previously proposed. The project maintains its two-way, internal, circular driveway to access all of the on-site parking spaces. Approximately one-half of the previous number of carports have been eliminated and replaced with individual garages within the ground floor of the residential buildings.

The developer is proposing the modifications to increase the project's function and marketability. Overall, the changes have a positive impact on the project's design. All of the project's conditions of approval, adherence to City standards, and other requirements of the February 19, 2013 City Council approval will remain unchanged.

Off-Street Parking Modifications

City parking standards require 1.5 off-street parking spaces per 1-bedroom unit, 2.0 spaces per unit with two or more bedrooms, and one guest space for every

five units. City standards also prohibit tandem spaces to be used to meet minimum parking requirements. This 301-unit project, therefore, would require 629 off-street parking spaces. The project, by contrast, proposes 604 off-street parking spaces, 58 of which are in-garage, tandem spaces. Therefore, only 546 of the spaces may be used to satisfy off-street parking requirements – 14 percent fewer than is required by City parking standards. The recommended solution is to grant a 14 percent parking space reduction in accordance with Tracy's off-street parking zoning regulations (discussed below).

The number of off-street parking spaces required for multi-family projects by the City of Tracy is higher than many other jurisdictions. Recognizing this, the City Council has adopted policies directing the City to evaluate and amend off-street parking requirements where appropriate. For example, one related General Plan Housing Element policy relates to this topic:

Policy 3.5: "Promote flexible development standards to provide for a variety of housing types."

Measure T-2 of the City's Sustainability Action Plan addresses off-street parking requirements more directly:

Sustainability Action Plan Measure T-2, in relevant part: Reduced Parking Requirement.

Amend the Zoning Ordinance to allow a reduction in parking requirements under the following circumstances:

-Actual demand lower than as required in code as demonstrated by a parking study.

Finally, General Plan Policy CC-7.1P1 states, in relevant part:

The City shall encourage high-density residential development ... uses to locate in the I-205 regional commercial area by offering development incentives to these types of projects. Incentives may include, but are not limited to, less ... parking requirements. These areas shall have direct pedestrian and bicycle access to nearby commercial and retail uses.

In 2012, the City Council adopted Tracy Municipal Code Section 10.08.3470(e) , which provides for the City to grant an off-street parking space reduction of up to 20 percent for new projects if the owner submits a parking study documenting that such off-street parking spaces will not be necessary to mitigate parking demand for the project.

For this project, the applicant prepared a parking study (Attachment D) to evaluate the number of parking spaces appropriate for this project. The parking study includes a summary of Institute of Transportation Engineers parking survey

conclusions and references the 2012 Tracy apartment survey prepared for the MacDonald Apartments project.

The parking study demonstrates that the 546 off-street parking spaces proposed for this project is more than adequate to mitigate the parking demand. Staff, therefore, is recommending approval of a 14 percent parking space reduction for the project.

CEQA Documentation

On February 19, 2013, the City Council approved an Addendum to the Winco EIR as part of the Tracy Sierra Development apartment project approval. The proposed amendment to the Project's Final Development Plan is consistent with the EIR Addendum, and therefore, no additional CEQA documentation is necessary.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the Planned Unit Development Final Development Plan amendment and 14 percent parking space reduction for the Tracy Sierra Development apartment project.

MOTION

Move that the Planning Commission recommends that the City Council approve the Planned Unit Development Final Development Plan amendment and 14 percent parking space reduction 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 – February 19, 2013 Approved Site and Other Plans (Oversized Plans)
- Attachment B – Proposed Project Plans (Oversized Plans)
- Attachment C – Comparative Summary of Proposed Project Modifications
- Attachment D – Parking Study for Aspire Apartment Project
- Attachment E – Planning Commission Resolution

AGENDA ITEM 2B
ATTACHMENT A (partial)
 2/19/13 Previously Approved Plans
 Remaining Attachment can be viewed at
 Tracy City Hall

CE
 Cynthia Erb & Associates
 ARCHITECTURE - PLANNING
 1301 Danville Blvd., Suite 210
 Alamo, California, 94507
 P 925.831.8030 F 925.831.8315
 info@cynthierb.com

CLIENT
 TRACY SIERRA
 DEVELOPMENT

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

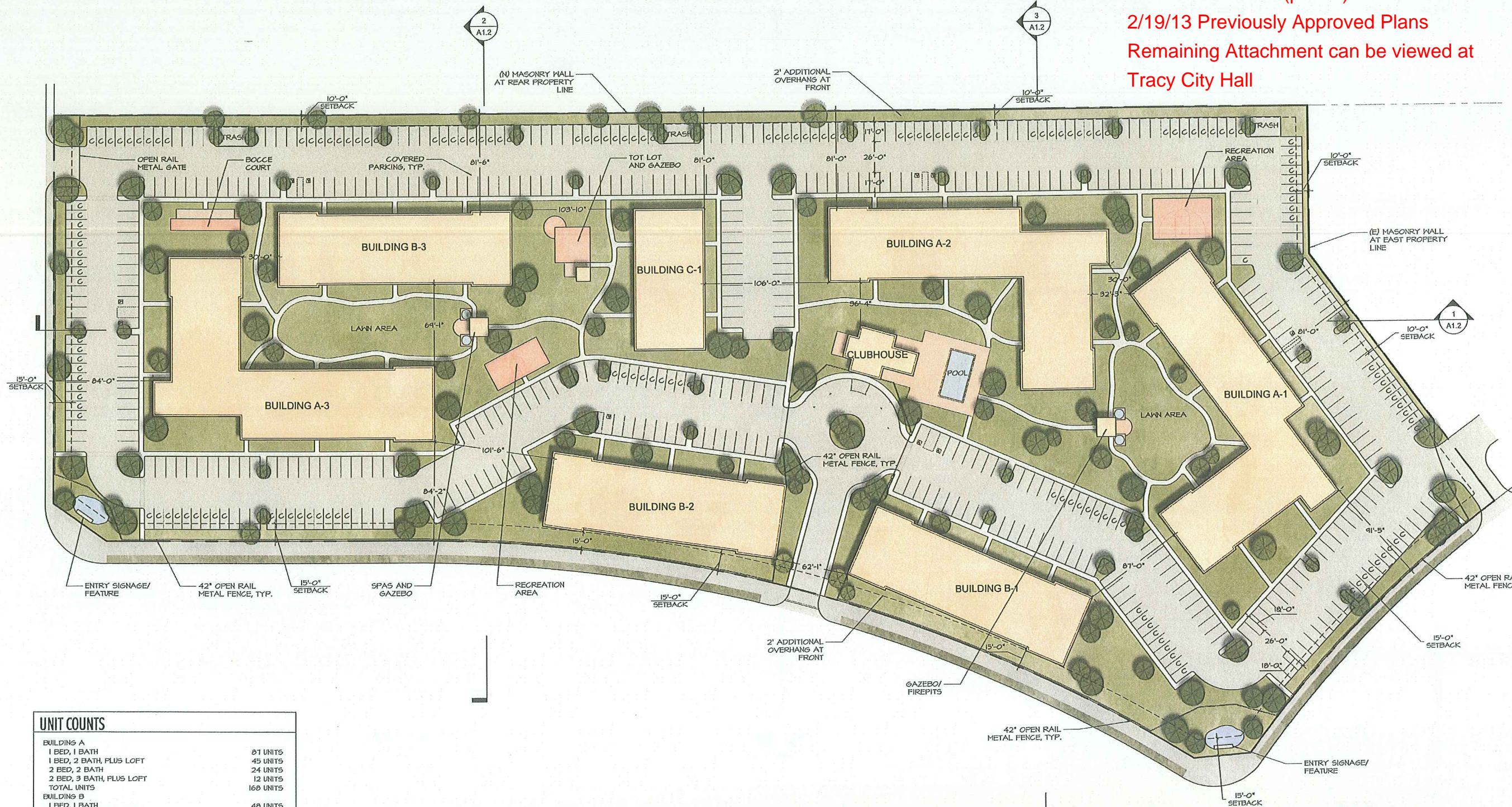
REVISIONS

DATE
 JAN. 17, 2013

SCALE
 1"=40'-0"

PROPOSED
 SITE PLAN

SHEET
 A1.1

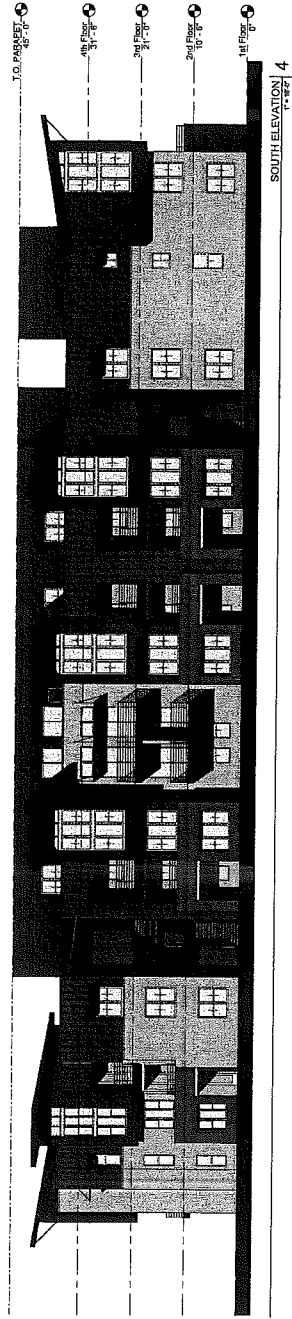
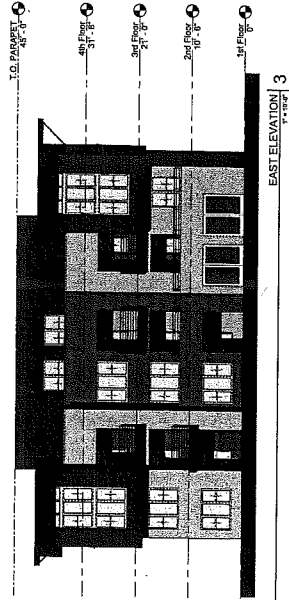
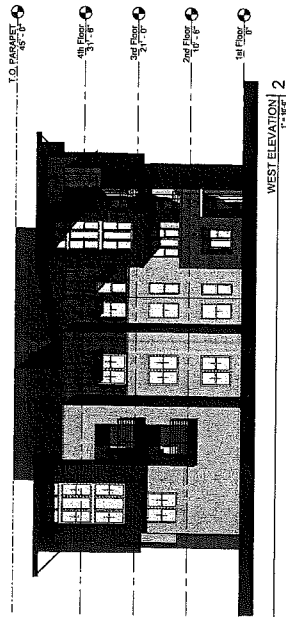
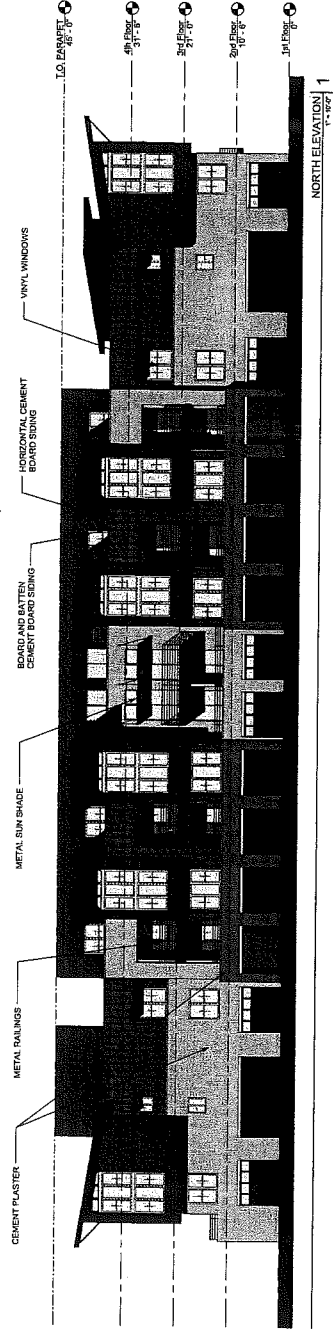


UNIT COUNTS	
BUILDING A	
1 BED, 1 BATH	81 UNITS
1 BED, 2 BATH, PLUS LOFT	45 UNITS
2 BED, 2 BATH	24 UNITS
2 BED, 3 BATH, PLUS LOFT	12 UNITS
TOTAL UNITS	168 UNITS
BUILDING B	
1 BED, 1 BATH	48 UNITS
1 BED, 2 BATH, PLUS LOFT	24 UNITS
2 BED, 2 BATH	24 UNITS
2 BED, 3 BATH, PLUS LOFT	12 UNITS
TOTAL UNITS	108 UNITS
BUILDING C	
1 BED, 1 BATH	16 UNITS
1 BED, 2 BATH, PLUS LOFT	8 UNITS
2 BED, 2 BATH	0 UNITS
2 BED, 3 BATH, PLUS LOFT	0 UNITS
TOTAL UNITS	24 UNITS
ALL BUILDINGS	
1 BED, 1 BATH	151 UNITS
1 BED, 2 BATH, PLUS LOFT	77 UNITS
2 BED, 2 BATH	48 UNITS
2 BED, 3 BATH, PLUS LOFT	24 UNITS
TOTAL UNITS	300 UNITS
PARKING REQUIREMENTS	
(15) 1 BED, 1 BATH X 1.1	256.7 SPACES
(17) 1 BED, 2 BATH, PLUS LOFT X 1.1	130.4 SPACES
(48) 2 BED, 2 BATH X 2.2	105.6 SPACES
(24) 2 BED, 3 BATH, PLUS LOFT X 2.2	52.8 SPACES
TOTAL SPACES REQUIRED	546 SPACES
TOTAL COVERED SPACES	300 SPACES
TOTAL COMPACT SPACES ALLOWED	164 SPACES
HANDICAP PARKING REQUIREMENTS	546 SPACES X .02
	11 HANDICAP SPACES

IMPERVIOUS CALCULATIONS	
LOT SIZE:	410,541 S.F.
PROPOSED COVERAGE:	
MAIN RESIDENTIAL BUILDINGS	100,307 S.F.
ACCESSORY BUILDINGS	5,038 S.F.
PARKING/DRIVEWAYS	170,450 S.F.
PATHWAYS	21,235 S.F.
PATIOS/TERRACES	3,346 S.F.
RECREATION AREAS	6,335 S.F.
TOTAL IMPERVIOUS AREA	312,711 S.F.
% IMPERVIOUS COVERAGE	66.5%
% BUILDING COVERAGE	21.5%
PROPOSED FERVIOUS SURFACES:	
LANDSCAPED AREAS	151,880 S.F.
LANDSCAPED WITHIN PARKING AREAS	72,811 S.F.
LANDSCAPED COVERAGE WITHIN PARKING	42.7%
ADDITIONAL TREES	111 MINIMUM

PROPOSED SITE PLAN
 0 20 40 80 feet





RECEIVED
AUG 05 2013
CITY OF TRACY

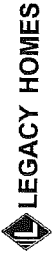
SCALE: 1" = 1'-0"

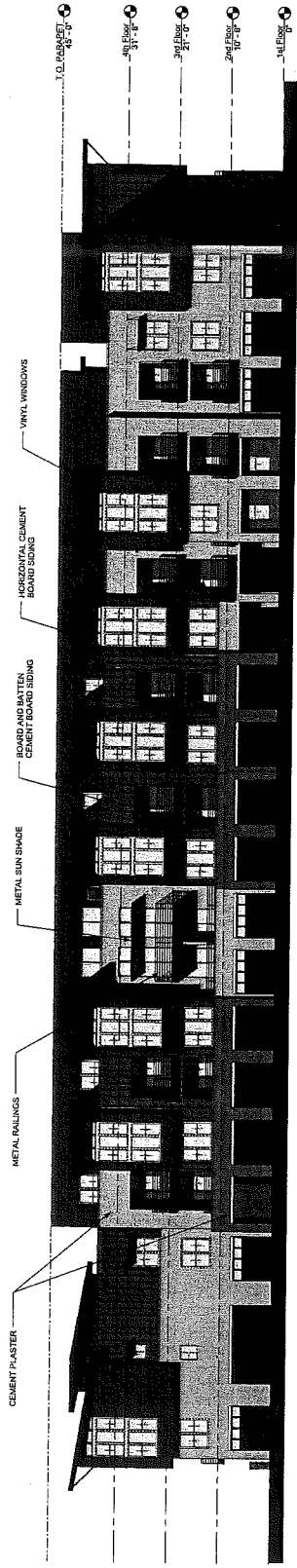
TRACY APARTMENTS

TRACY, CALIFORNIA

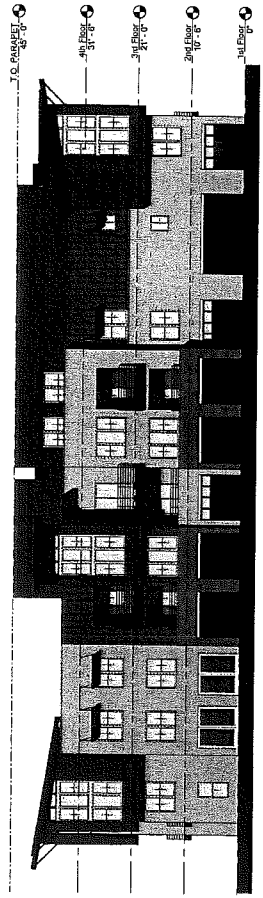
Building A Elevations

DATE: 2013.08.05
PROJECT NO: 1156-0001
SCALE: 1" = 10'-0"
SHEET: A2.4

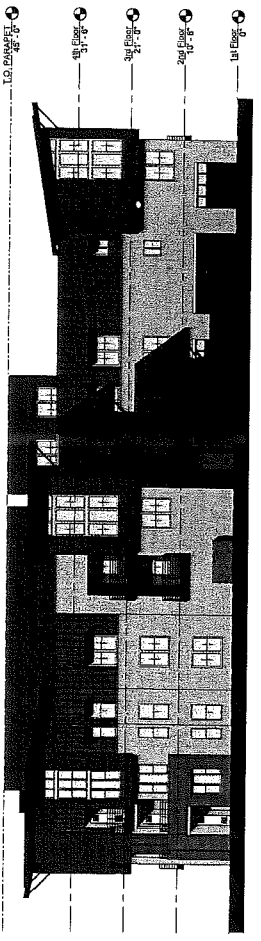




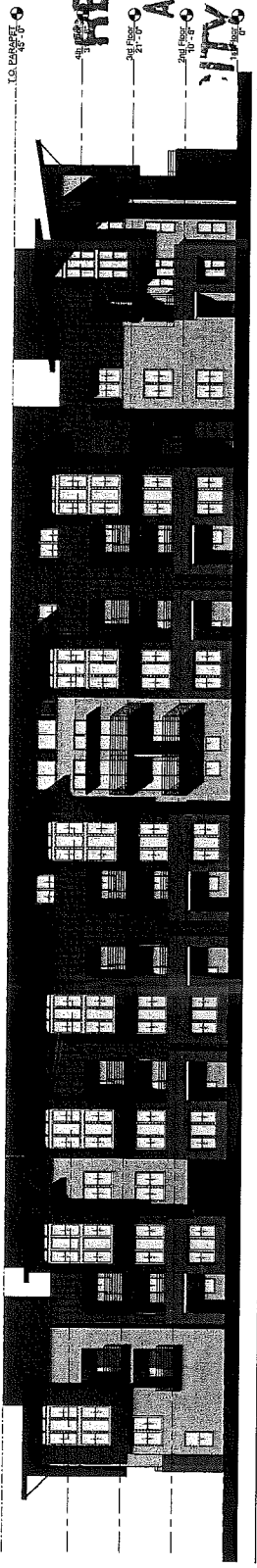
NORTH ELEVATION
1/1/2017 | 1



WEST ELEVATION
1/1/2017 | 2



EAST ELEVATION
1/1/2017 | 3



SOUTH ELEVATION
1/1/2017 | 4

RECEIVED
AUG 05 2013
CITY OF TRACY

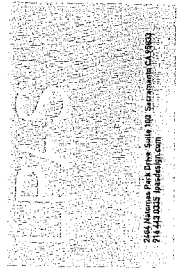
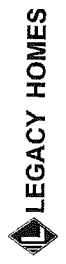
SCALE: 1" = 10'-0"

TRACY APARTMENTS

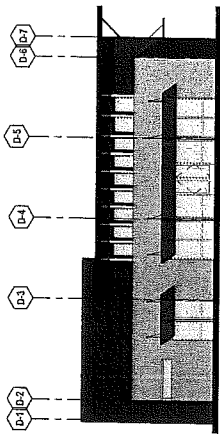
TRACY, CALIFORNIA

Building B Elevations

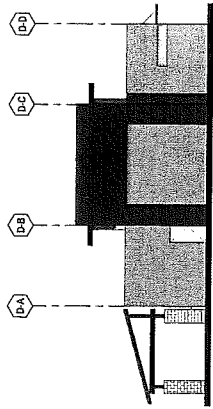
DATE: 2013.08.05
PROJECT NO: 1155-0001
SCALE: 1" = 10'-0"
SHEET: A2.5



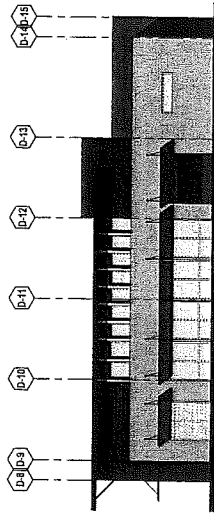
244 Madison Park Drive, Suite 100, Sacramento, CA 95833
916.443.0332 | h@h4h.com



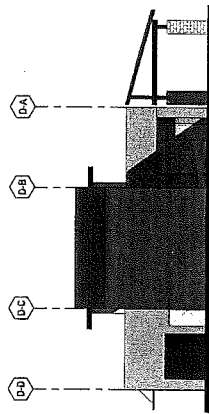
CLUBHOUSE SOUTH ELEVATION
1/16/13 1



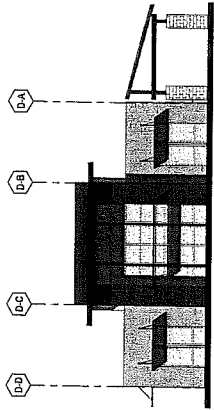
CLUBHOUSE WEST ELEVATION
1/16/13 3



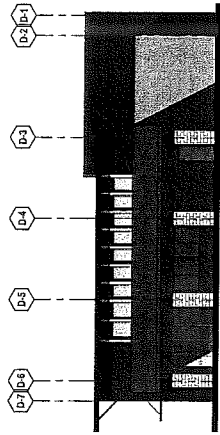
FITNESS CENTER SOUTH ELEVATION
1/16/13 5



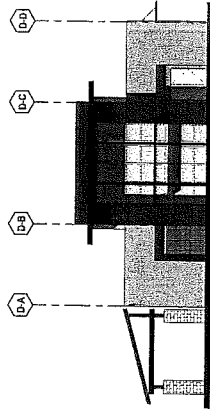
FITNESS CENTER EAST ELEVATION
1/16/13 7



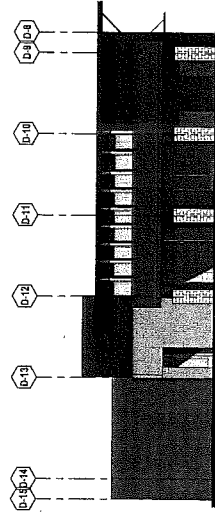
CLUBHOUSE EAST ELEVATION
1/16/13 2



CLUBHOUSE NORTH ELEVATION
1/16/13 4



FITNESS CENTER WEST ELEVATION
1/16/13 6



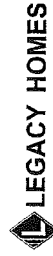
FITNESS CENTER NORTH ELEVATION
1/16/13 8

TRACY APARTMENTS

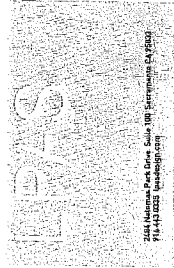
TRACY, CALIFORNIA

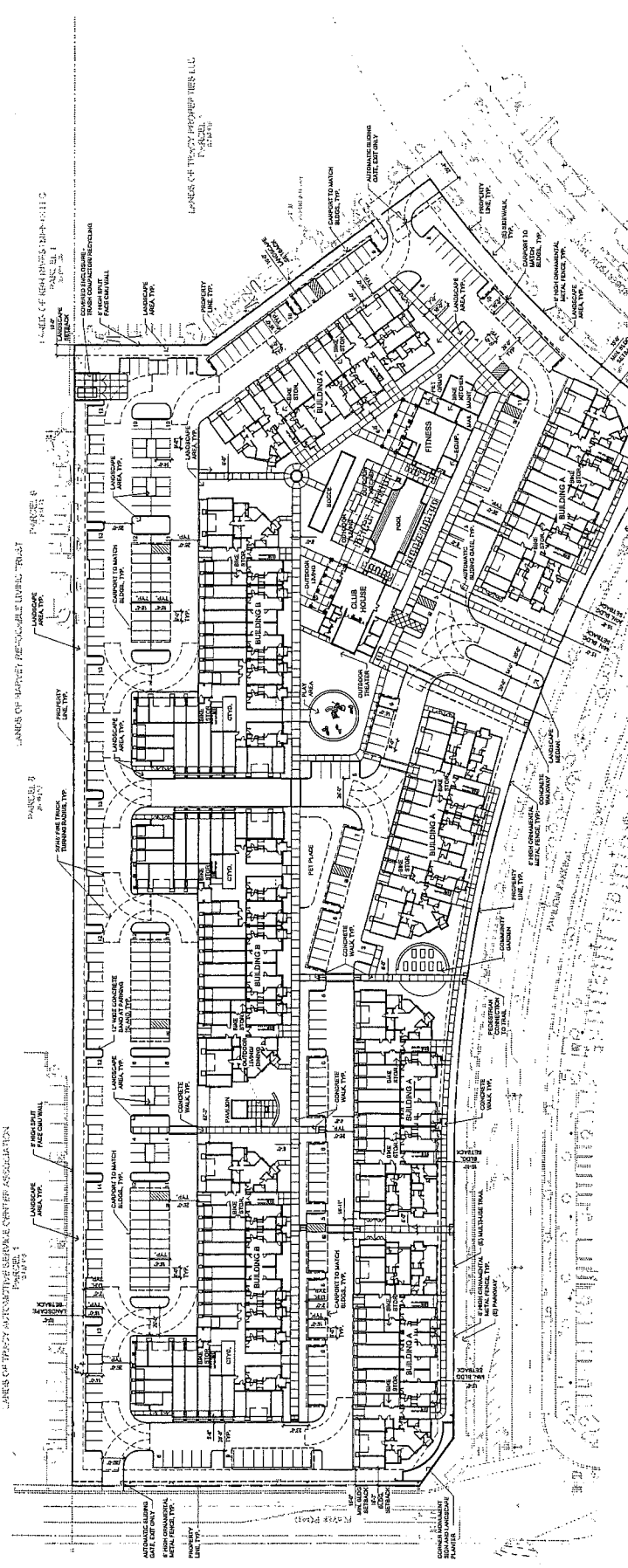
Clubhouse/Fitness Center
Elevations

DATE: 07/23/13
PROJECT NO: 1156-0001
SCALE:
SHEET: A2.6



RECEIVED
AUG 05 2013
CITY OF TRACY





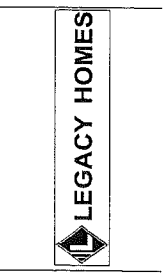
SITE DATA

ITEM	QUANTITY	REMARKS
SITE AREA	10.60 ACRES (750,000 SF)	
BUILDINGS	13	
UNIT PATIO/DECK AREAS	248	
UNIT PATIO/DECK AREAS	248	
COMMON AREAS	4,200 SF	
CLUBHOUSE	3,000 SF	
STORAGE	4,000 SF	
PAR BUILDING AREA	200,000 SF	
NUMBER OF UNITS	361	
2 BEDROOM BATH	133	
3 BEDROOM BATH	133	
3 BEDROOM BATH	95	
TOTAL	361	
FAR	27.7	
DENSITY	27.7	

ITEM	REQUIREMENTS	PROVIDED	REMARKS
PARKING REQUIRED	113 SPACES	113	
2 BEDROOM BATH	22 SPACES/UNIT	22	
3 BEDROOM BATH	22 SPACES/UNIT	22	
TOTAL	113	113	
20% PARKING REDUCTION	23 SPACES	23	
TOTAL	90	90	
PARKING PROVIDED			
CARPET	100	100	
SINGLE CAR GARAGE	77	77	
TANDEN GARAGE (1ST SPACE ONLY)	58	58	
TOTAL	235	235	
ADDITIONAL SPACES (2ND TANDEN SPACES)	58	58	
TOTAL PARKING PROVIDED	293	293	
ACCESSIBLE PARKING	8	8	
VAN	8	8	
BIKE PARKING	27	27	
5% OF AUTO SPACES	12	12	
TOTAL	307	307	

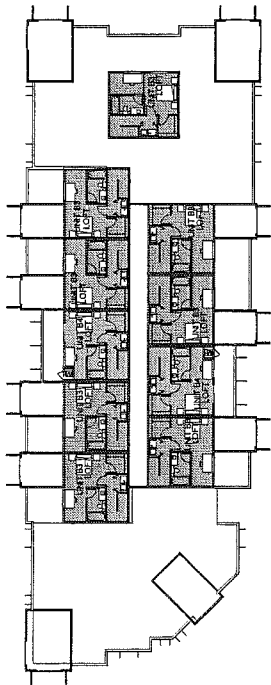
RECEIVED
AUG 05 2013
CITY OF TRACY

SCALE: 1" = 40'-0"



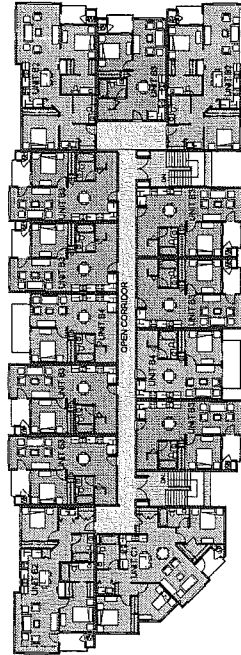
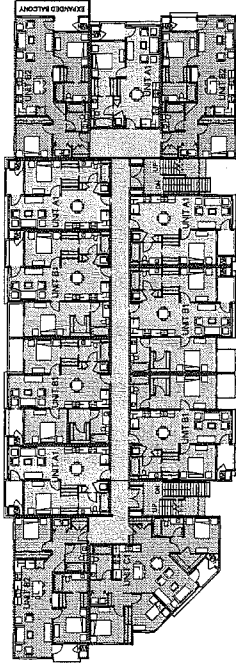
SITE PLAN
 DATE: 08-05-2013
 PROJECT NO: 1158-001
 SCALE: 1" = 40'-0"
 SHEET: A1.00

TRACY APARTMENTS
 TRACY, CALIFORNIA

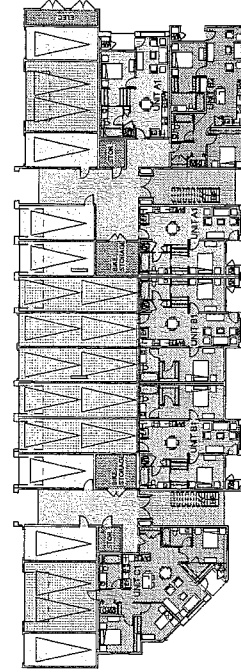


BUILDING A 4TH FLOOR PLAN
1/8" = 1'-0"

BUILDING A 2ND FLOOR PLAN
1/8" = 1'-0"



BUILDING A 3RD FLOOR PLAN
1/8" = 1'-0"



BUILDING A 1ST FLOOR PLAN
1/8" = 1'-0"

RECEIVED

AUG 05 2013

CITY OF TRACY

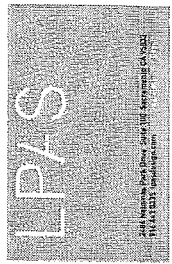
TRACY APARTMENTS

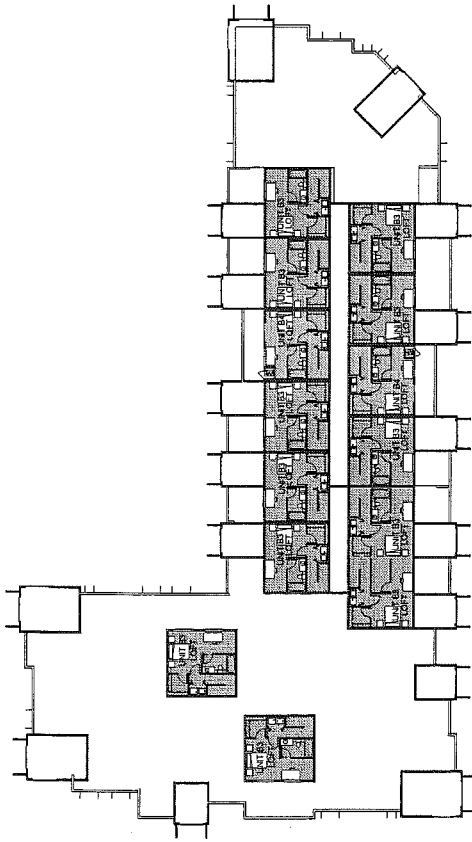
TRACY, CALIFORNIA

BUILDING A FLOOR PLANS



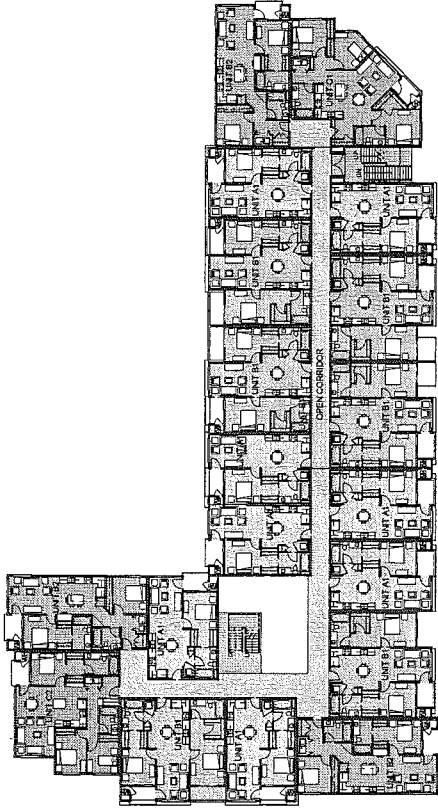
DATE: 07/11/13
PROJECT NO: 1156.0001
SCALE: 1/8" = 1'-0"
SHEET: A21





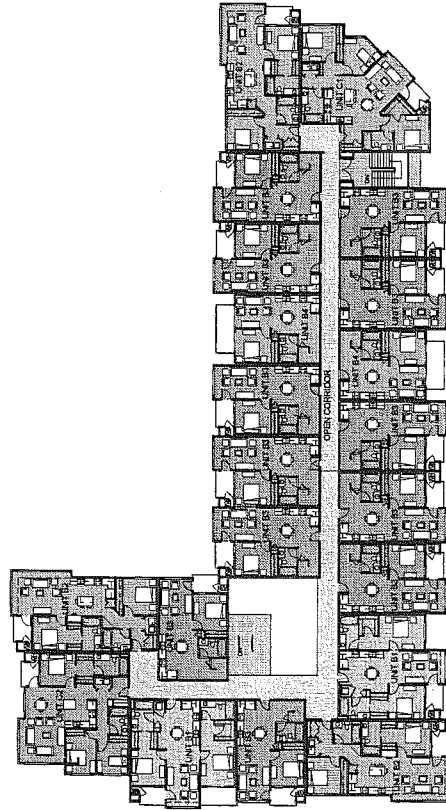
BUILDING B 4TH FLOOR PLAN
1/8" = 1'-0"

4



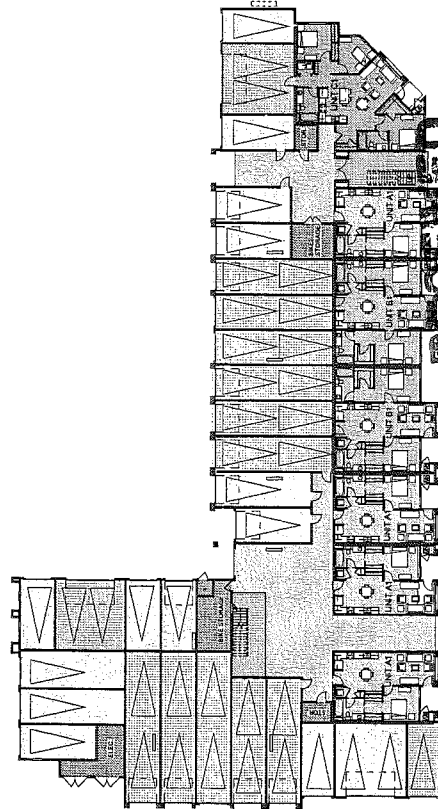
BUILDING B 2ND FLOOR PLAN
1/8" = 1'-0"

2



BUILDING B 3RD FLOOR PLAN
1/8" = 1'-0"

3



BUILDING B 1ST FLOOR PLAN
1/8" = 1'-0"

1

RECEIVED

AUG 05 2013

TRACY APARTMENTS

TRACY, CALIFORNIA

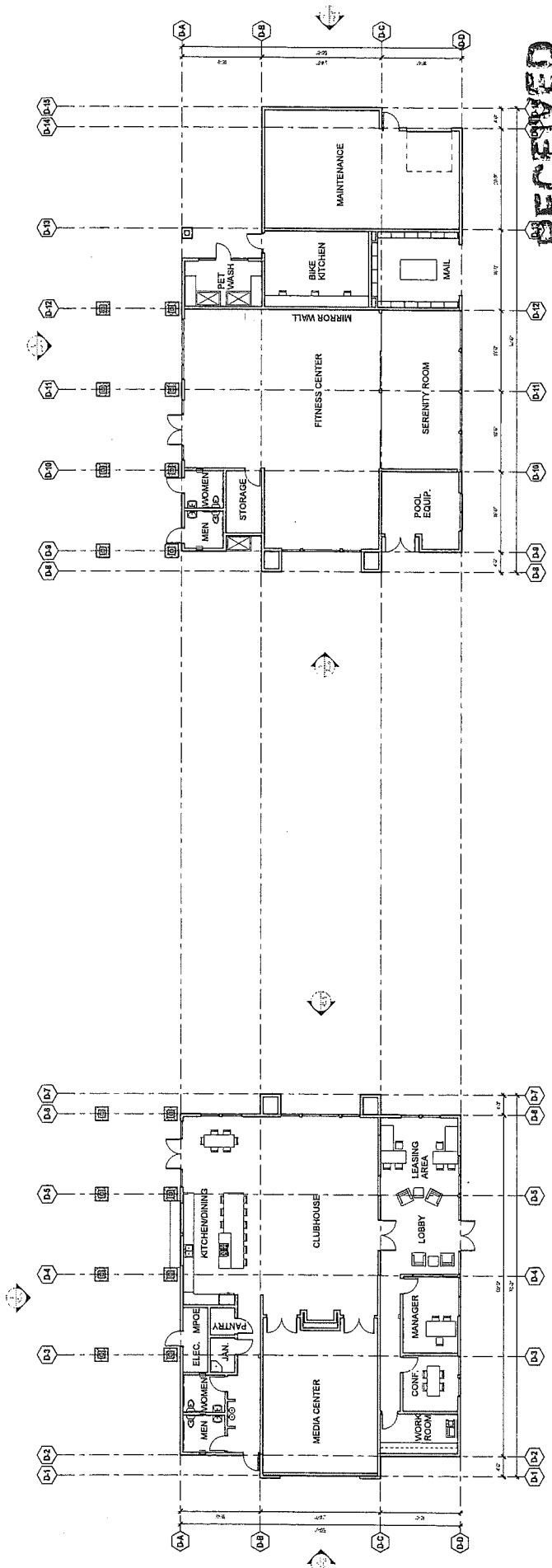
BUILDING B FLOOR PLANS

DATE: 07/11/13
PROJECT NO: 1155-0001
SCALE: 1/8" = 1'-0"
SHEET: A22



CITY OF TRACY
CPAS

1400 Norwood Park Drive, Suite 100, Tracy, CA 95376
TEL: (209) 377-1000 FAX: (209) 377-1001



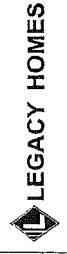
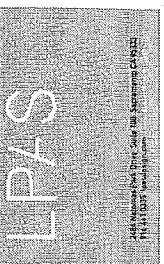
RECEIVED

AUG 05 2013

CITY OF TRACY
 CLUBHOUSE AND FITNESS CENTER FLOOR PLANS 1

Clubhouse/Fitness Center Floor
 Plans

DATE: 07/29/13
 PROJECT NO: 1156-0001
 SCALE:
 SHEET: A2.3



TRACY APARTMENTS

TRACY, CALIFORNIA

AGENDA ITEM 2B
ATTACHMENT C

RECEIVED
AUG 05 2013
CITY OF TRACY LPAS

Tracy Apartments Marketing Name: ASPIRE

Scheme 5: Revised Plan

Tracy, CA
Project No: 1156-0001

8/2/2013

PROJECT SUMMARY

Site Summary:

Site Area: 470,591 SF
10.80 Acres

	Existing/Approved Project	REVISED PROJECT: ASPIRE	Difference
Building Footprint:	102,070 SF	148,000 SF	45,930 SF
Open Space:	368,521 SF 78.3%	322,591 SF 68.6%	(45,930) SF
Building Summary:			
Building Areas:			
Net Rentable Area:	262,445 SF	328,206 SF	65,761 SF
Garages:	0 SF	62,266 SF	62,266 SF
Unit Patios / Balconies:	18,000 SF	21,672 SF	3,672 SF
Common Areas:	46,800 SF	54,360 SF	7,560 SF
Clubhouse:	2,720 SF	3,904 SF	1,184 SF
Maintenance Building:	0 SF	4,360 SF	4,360 SF
Gross Building Area:	329,965 SF	474,768 SF	144,803 SF
FAR Building Area:	265,165 SF	336,470 SF	71,305 SF
Number of Units:			
1 Bdr	1Bdr / 1 Bth 1Bdr / 2 Bth w/ Loft	151 Units 50.3% 77 Units 25.7%	66 Units 22.0% 0 Units 0.0%
2 Bdr	2 Bdr / 2 Bth 2 Bdr / 2 Bth w/ Loft 2 Bdr / 3 Bth w/ Loft	48 Units 16.0% 0 Units 0.0% 24 Units 8.0%	113 Units 37.7% 92 Units 30.7% 0 Units 0.0%
3 Bdr	3 Bdr / 2 Bth	0 Units 0.0%	30 Units 10.0%
Total	300 Units 100.0%	301 Units 100.3%	1 Units
Average Unit Size:	875 SF/Unit	1090 SF/Unit	216 SF/Unit
FAR:	0.56	0.71	0.15
Density:	27.8 Units per Acre	27.9 Units per Acre	
Parking Summary:			
Parking Required:			
1Bdr / 1 Bth	1.7 Spaces/Unit	257 Spaces	112 Spaces (145) Spaces
1Bdr / 2 Bth w/ Loft	1.7 Spaces/Unit	131 Spaces	0 Spaces (131) Spaces
2 Bdr / 2 Bth	2.2 Spaces/Unit	106 Spaces	249 Spaces 143 Spaces
2 Bdr / 2 Bth w/Loft	2.2 Spaces/Unit	0 Spaces	202 Spaces 202 Spaces
2 Bdr / 3 Bth w/ Loft	2.2 Spaces/Unit	53 Spaces	0 Spaces (53) Spaces
3 Bdr / 2 Bth	2.2 Spaces/Unit	0 Spaces	66 Spaces 66 Spaces
Total	546 Spaces	629 Spaces	83 Spaces
20% Parking Reduction Allowed		503 Spaces	
Parking Provided:			
Surface Parking	241 Spaces	222 Spaces	(19) Spaces
Carpools	300 Spaces	151 Spaces	(149) Spaces
Single Car Garage	0 Spaces	77 Spaces	77 Spaces
Double Car (Side by Side)	0 Spaces	38 Spaces	38 Spaces
Tandem Garage (1st Space Only)	0 Spaces	58 Spaces	58 Spaces
Total Spaces:	541 Spaces	546 Spaces	5 Spaces
Additional Spaces (2nd Tandem Space)	0 Spaces	58 Spaces	58 Spaces
Total Parking Provided:	541 Spaces	604 Spaces	63 Spaces
Surplus Parking (Without Tandem Spaces):	-5 Spaces	43 Spaces	48 Spaces
Surplus Parking (With Tandem Spaces):		101 Spaces	101 Spaces

**Parking Study
For
Aspire Apartment Project
(Formally Tracy Sierra Development)
NE Corner of Pavilion Parkway and Robertson Drive**

Dated: August 12, 2013

Request: Applicant is requesting an off-street parking space reduction of approximately fourteen percent (14%).

Basis for Request: City of Tracy Zoning Ordinance (Title 10 of Tracy Municipal Code), Article 26 (Off-Street Parking Requirements), Section 10.08.3470(e), Exceptions, allows for up to twenty (20) percent reduction in the number of off-street parking spaces required in section 10.08.3480.

Reason for Request:

A) Required Parking Spaces per City (Section 10.08.3480):	629
B) Parking Spaces Provided By Project (1 st tandem space counted):	546 (13.2% less of 629)
C) Parking Spaces Provided By Project (2 nd tandem space counted):	604 (4% less of 629)
D) Required Parking Spaces per City with 14% reduction:	541 (14% less of 629)

Breakdown of Project Provided Parking

Surface Spaces:	222
Carports Spaces:	151
Garage Spaces (Single Car):	77
Garage Spaces (Double Car):	38
Tandem (1 st Space Only):	<u>58</u>
Sub-Total of Project Parking:	546
Tandem (2 nd Space Only):	<u>58</u>
Total Project Parking Provided:	604

As outlined above, the project as proposed, and not taking into consideration a 14% reduction in the number of required parking space, the project is short in meeting city parking requirements by approximately 83 spaces. Should the City of Tracy approve a 14% reduction in the number of parking spaces within the proposed project, the project would meet its requirements for parking.

Justification for Parking Reduction of 14 Percent

Current Tracy Parking Standards. Planning commentators have long criticized cities for mandating too much parking for high density residential uses, thereby raising the cost of multi-family housing, wasting urban space, and forcing inefficient designs onto the project sites. As a matter of fact, the Tracy General Plan Housing Element calls for an examination of parking requirements to improve affordability, allowing credit for on-street parking, and other parking adjustments to lower costs. This parking analysis suggests that it would be possible to reduce parking requirements in Tracy on a project-by-project basis and have no adverse impact on the quality of life of the people who reside in the apartment project or the adjacent parcels (businesses and/or residents).

The current apartment parking standards for Tracy are as follows:

- Studio/1 bedroom = 1.5 spaces per unit
 - One (1) of the 1.5 Spaces Shall be a Covered Space
 - Plus, 0.2 Spaces per Unit for "Guest" Parking

- 2 bedroom, plus = 2.0 spaces per unit
 - One (1) of the 2.0 Spaces Shall be a Covered Space
 - Plus, 0.2 Spaces per Unit for "Guest" Parking

Tracy Parking Study by Others. According to a June 2012 Tracy Parking Study prepared by M.S. Urban Planning on another multi-family project site in Tracy, the Tracy parking code requires parking supply substantially in excess of parking demand, even at peak demand hours (which for apartments are on weekday nights). As noted above, Tracy requires 1.7 parking spaces for one bedroom units and 2.2 parking spaces for two bedroom and larger units. The Parking Study (June 2012) surveyed 5 apartment projects in Tracy and found underutilized parking lots at each of the apartment sites. The late evening (10 p.m.) average for surveyed projects in Tracy was 1.24 vehicles parked per unit.

Institute of Transportation Engineers (ITE) Parking Generation Manual. As part of this study, the Applicant reviewed the ITE Parking Generation Manual, 4th Edition 2010, Land Use: 221, Low/Mid-Rise Apartment (Attached). The ITE surveyed suburban apartments average peak period parking demand was 1.23 vehicles per dwelling unit.

The June 2012 Tracy Parking Study average of 1.24 vehicles per dwelling unit was conducted during the 10 p.m. hour which according to the ITE manual represents 92% of the peak period. Thus, by increasing the June 2012 results of a 1.24 average by 8% (to get to 100% of the peak period parking demand, which is 12 a.m. to 4 a.m.) shows an adjusted peak period demand of 1.34 vehicles per dwelling unit for those apartments surveyed as part of the June 2012 study.

Although the 1.34 vehicles per dwelling unit average is higher than the ITE average of 1.24 vehicles per dwelling unit, the results are not surprising given the automobile dependency of most Tracy apartment locations and the higher proportion of commuters who need a car to get to jobs outside of the City of Tracy.

In summary, the ITE results were:

Low/Midrise Apartment: Weekday Suburban Peak Period:	1.23 vehicles/unit
Low/Midrise Apartment: Weekday Urban Peak Period:	1.20 vehicles/unit
Low/Midrise Apartment: Saturday Urban (overnight):	1.03 vehicles/unit

Conclusions

- The ITE Parking Generation Manual evaluated 21 sites with an average size multi-family use of 311 dwelling units. The ITE study computed an average peak period parking demand of 1.23 vehicles per dwelling unit.
- A local Parking Survey conducted in June of 2012 by M.S. Urban Planning surveyed 5 local Tracy Apartment sites and computed an average peak period parking demand of 1.34 vehicles per dwelling unit (adjusted to demonstrate peak period parking demand).
- As currently designed, the project provides 546 spaces (1.81 vehicle spaces per dwelling unit).
- A 14% reduction in off-street parking would require the project to provide 541 spaces. As noted above, the project currently as designed provides 546 spaces.

Project's Anticipated Parking Demand Scenario: If we use the higher average from the local June 2012 Parking Study of 1.34 vehicles per dwelling unit, and to be conservative we add 0.2 vehicles per dwelling unit to accommodate for guest parking ($1.34 + 0.2 = 1.54$ vehicles per dwelling unit), the project would hypothetically need a minimum of 464 spaces to accommodate the anticipated peak parking demand. As designed, the project provides 546 spaces. This scenario results in a surplus of 82 spaces during the peak parking demand hours.

As designed and only counting one of the two tandem spaces, the project provides for an average of 1.81 vehicles per dwelling unit (546 spaces / 301 units). This number is well above the ITE Parking Generation Manual for parking demand associated with multi-family uses (1.24 vehicles per dwelling unit). Based on the number of spaces provided (not counting the 2nd space within the tandem garage) and levels of demand for similar projects as documented in the ITE Parking Generation Manual, the project will be able to meet the parking demand created by the project. Thus, the applicant request for an off-street parking space reduction of approximately fourteen percent (14%) is not anticipated to adversely impact the future residents of the project or adjoining businesses.

Other Supporting Evidence:

- A reduction in the parking will help meet planning goals and policies set by the City of Tracy in their General Plan (Housing Element 2012) and Sustainability Action Plan (2011). Both documents encourage a reduction in the city parking requirements.
- FPI Management (FPI) has been engaged to provide property management services for the Aspire 301-unit apartment project, to be constructed in the City of Tracy. FPI is an exclusive third party multifamily property management provider. FPI is ranked as the 11th largest management company in the nation, currently managing over 67,000 units in 11 states. FPI has been providing property management services for over 45 years. They have extensive

experience in the development, lease up and management of newly constructed multifamily properties. With proper management of the facility FPI would not anticipate any parking constraints as a result of the City granting the requested reduction in the required parking spaces.

- Due to the sites unique urban location near all types of commercial services, it is anticipated that some tenant dependency on the automobile will be reduced. There are no technical means to quantify this impact but the site's logistics provides for this opportunity for the future tenants to be less dependent on the automobile.

ATTACHMENT A:
INSTITUTE OF TRANSPORTATION ENGINEERS
PARKING GENERATION, 4th EDITION

Parking Generation, 4th Edition

An Informational Report of the
Institute of Transportation Engineers

The Institute of Transportation Engineers (ITE) is an international educational and scientific association of transportation professionals who are responsible for meeting mobility and safety needs. ITE facilitates the application of technology and scientific principles to research, planning, functional design, implementation, operation, policy development and management for any mode of ground transportation. Through its products and services, ITE promotes professional development of its members, supports and encourages education, stimulates research, develops public awareness programs and serves as a conduit for the exchange of professional information.

Founded in 1930, ITE is a community of transportation professionals including, but not limited to transportation engineers, transportation planners, consultants, educators and researchers. Through meetings, seminars, publications and a network of 17,000 members, working in more than 90 countries, ITE is your source for expertise, knowledge and ideas.

Parking Generation is an informational report of the Institute of Transportation Engineers. The information has been obtained from the research and experiences of transportation engineering and planning professionals. ITE informational reports are prepared for informational purposes only and do not include Institute recommendations on which is the best course of action or the preferred application of the data.



Institute of Transportation Engineers

1627 Eye Street, NW, Suite 600

Washington, DC 20006 USA

Telephone: 1 202-785-0060

Fax: 1 202-785-0609

ITE on the Web: www.ite.org

© 2010 Institute of Transportation Engineers. All rights reserved.

Publication No. IR-034C

Second Printing

1000/AGS/1011

ISBN-13: 978-1-933452-55-5

ISBN-10: 1-933452-55-2

Printed in the United States of America

Land Use: 221 Low/Mid-Rise Apartment

Description

Low/mid-rise apartments are rental dwelling units located within the same building with at least three other dwelling units: for example, quadrplexes and all types of apartment buildings. The study sites in this land use have one, two, three, or four levels. High-rise apartment (Land Use 222) is a related use.

Database Description

The database consisted of a mix of suburban and urban sites. Parking demand rates at the suburban sites differed from those at urban sites and, therefore, the data were analyzed separately.

- Average parking supply ratio: 1.4 parking spaces per dwelling unit (68 study sites). This ratio was the same at both the suburban and urban sites.
- Suburban site data: average size of the dwelling units at suburban study sites was 1.7 bedrooms, and the average parking supply ratio was 0.9 parking spaces per bedroom (three study sites).
- Urban site data: average size of the dwelling units was 1.9 bedrooms with an average parking supply ratio of 1.0 space per bedroom (11 study sites).

Saturday parking demand data were only provided at two suburban sites. One site with 1,236 dwelling units had a parking demand ratio of 1.33 vehicles per dwelling unit based on a single hourly count between 10:00 and 11:00 p.m. The other site with 55 dwelling units had a parking demand ratio of 0.92 vehicles per dwelling unit based on counts between the hours of 12:00 and 5:00 a.m.

Sunday parking demand data were only provided at two urban sites. One site with 15 dwelling units was counted during consecutive hours between 1:00 p.m. and 5:00 a.m. The peak parking demand ratio at this site was 1.00 vehicle per dwelling unit. The peak parking demand occurred between 12:00 and 5:00 a.m. The other site with 438 dwelling units had a parking demand ratio of 1.10 vehicles per dwelling unit based on a single hourly count between 11:00 p.m. and 12:00 a.m.

Four of the urban sites were identified as affordable housing.

Several of the suburban study sites provided data regarding the number of bedrooms in the apartment complex. Although these data represented only a subset of the complete database for this land use, they demonstrated a correlation between number of bedrooms and peak parking demand. Study sites with an average of less than 1.5 bedrooms per dwelling unit in the apartment complex reported peak parking demand at 92 percent of the average peak parking demand for all study sites with bedroom data. Study sites with less than 2.0 but greater than or equal to 1.5 bedrooms per dwelling unit reported peak parking demand at 98 percent of the average. Study sites with an average of 2.0 or greater bedrooms per dwelling unit reported peak parking demand at 13 percent greater than the average.

For the urban study sites, the parking demand data consisted of single or discontinuous hourly counts and therefore a time-of-day distribution was not produced. The following table presents a time-of-day distribution of parking demand at the suburban study sites.

Land Use: 221 Low/Mid-Rise Apartment

Based on Vehicles per Dwelling Unit (Suburban)	Weekday	
Hour Beginning	Percent of Peak Period	Number of Data Points*
12:00-4:00 a.m.	100	14
5:00 a.m.	96	14
6:00 a.m.	92	14
7:00 a.m.	74	1
8:00 a.m.	64	1
9:00 a.m.	-	0
10:00 a.m.	-	0
11:00 a.m.	-	0
12:00 p.m.	-	0
1:00 p.m.	-	0
2:00 p.m.	-	0
3:00 p.m.	-	0
4:00 p.m.	44	1
5:00 p.m.	59	1
6:00 p.m.	69	1
7:00 p.m.	66	9
8:00 p.m.	75	9
9:00 p.m.	77	10
10:00 p.m.	92	14
11:00 p.m.	94	14

* Subset of database

Parking studies of apartments should attempt to obtain information on occupancy rate and on the mix of apartment sizes (in other words, number of bedrooms per apartment and number of units in the complex). Future parking studies should also indicate the number of levels contained in the apartment building.

Additional Data

- Apartment occupancy can affect parking demand ratio. In the United States, successful apartment complexes commonly have a vacancy rate between 5 and 10 percent.¹

Study Sites/Years

Canada:

Central City, Not Downtown:
Brooks, AB (1998)

Puerto Rico:

Central City, Not Downtown:
Mayaguez, PR (2007)

¹ Rental and Homeowner Vacancy Rates for the United States: 1960 and 1965 to 2009, U.S. Census Bureau.
<http://www.census.gov/hhes/www/housing/hvs/qtr309/q309tab1.html>

Land Use: 221

Low/Mid-Rise Apartment

United States:

Suburban:

Skokie, IL (1964); Glendale, CA (1978); Irvine, CA (1981); Newport Beach, CA (1981); Dallas, TX (1982); Farmers Branch, TX (1982); Euless, TX (1983, 1984); Baytown, TX (1984); Syracuse, NY (1987); Devon, PA (2001); Marina del Rey, CA (2001); Milburn, NJ (2001); Parsippany, NJ (2001); Springfield, NJ (2001); Westfield, NJ (2001); Beaverton, OR (2002); Hillsboro, OR (2002); Portland, OR (2002); Vancouver, WA (2002); Goleta, CA (2008); Ventura, CA (2008); Englewood, CO (2009)

Urban:

Dallas, TX (1982, 1983); San Francisco, CA (1982); Syracuse, NY (1984, 1987); Santa Barbara, CA (1994); Long Beach, CA (2000); Santa Monica, CA (2001); San Diego, CA (2001)

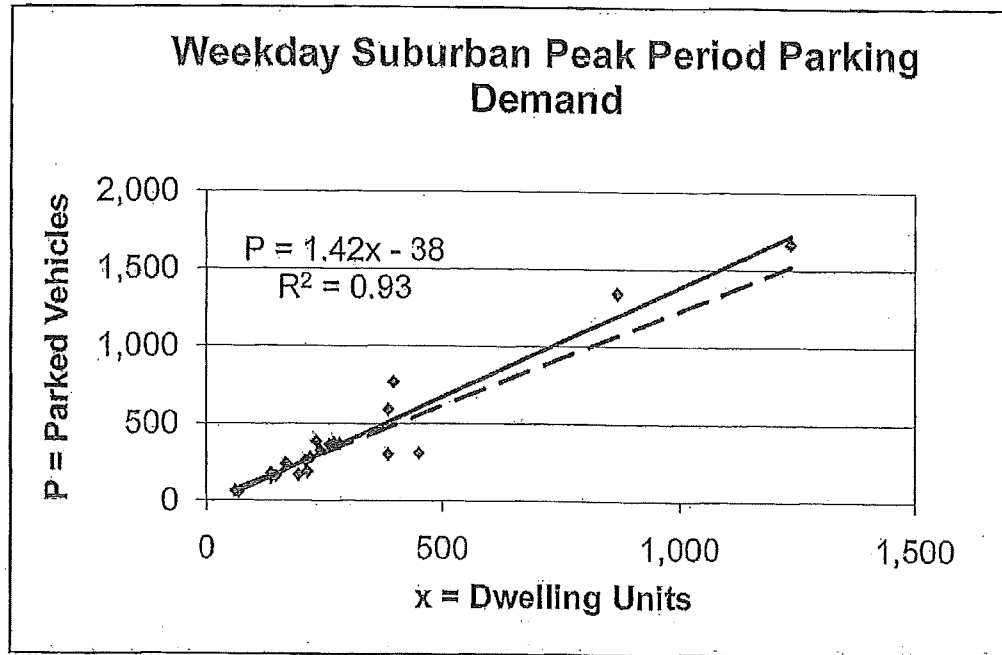
4th Edition Source Numbers

1007, 1015, 1114, 1137

Land Use: 221 Low/Mid-Rise Apartment

**Average Peak Period Parking Demand vs. Dwelling Units
On a: Weekday
Location: Suburban**

Statistic	Peak Period Demand
Peak Period	12:00–5:00 a.m.
Number of Study Sites	21
Average Size of Study Sites	311 dwelling units
Average Peak Period Parking Demand	1.23 vehicles per dwelling unit
Standard Deviation	0.32
Coefficient of Variation	21%
95% Confidence Interval	1.10–1.37 vehicles per dwelling unit
Range	0.59–1.94 vehicles per dwelling unit
85th Percentile	1.94 vehicles per dwelling unit
33rd Percentile	0.68 vehicles per dwelling unit

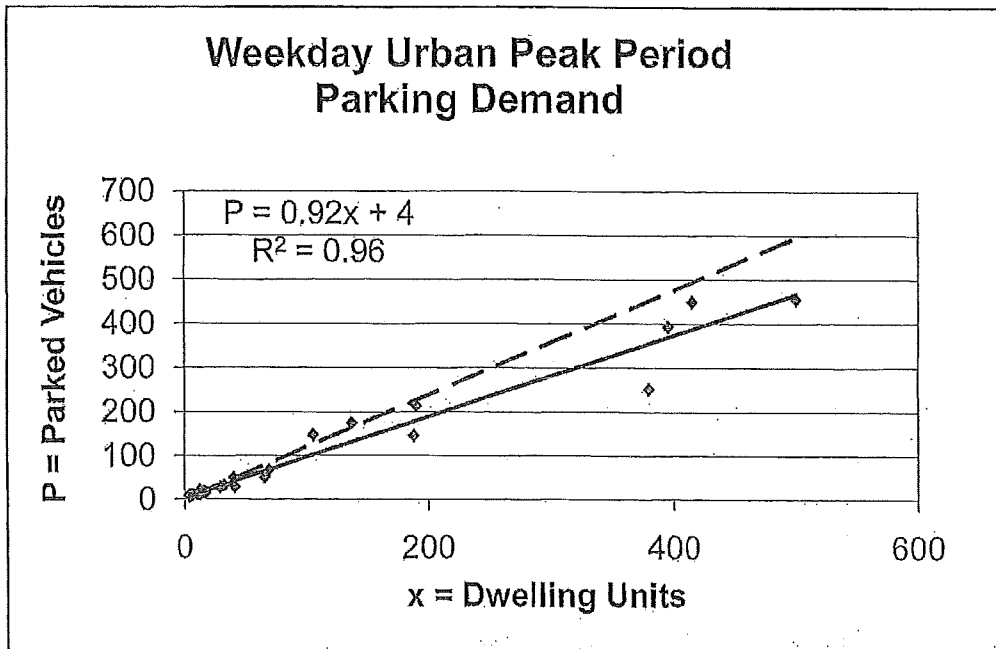


◆ Actual Data Points — Fitted Curve - - - Average Rate

Land Use: 221 Low/Mid-Rise Apartment

**Average Peak Period Parking Demand vs. Dwelling Units
On a Weekday
Location: Urban**

Statistic	Peak Period Demand
Peak Period	10:00 p.m.–5:00 a.m.
Number of Study Sites	40
Average Size of Study Sites	70 dwelling units
Average Peak Period Parking Demand	1.20 vehicles per dwelling unit
Standard Deviation	0.42
Coefficient of Variation	35%
95% Confidence Interval	1.07–1.33 vehicles per dwelling unit
Range	0.66–2.50 vehicles per dwelling unit
85th Percentile	1.61 vehicles per dwelling unit
33rd Percentile	0.93 vehicles per dwelling unit

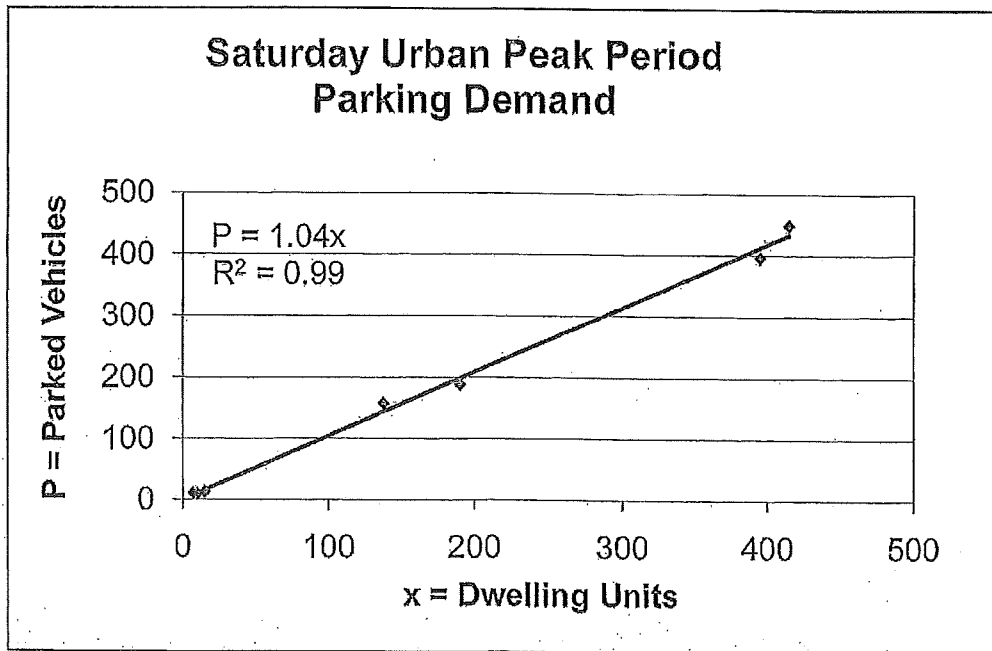


◆ Actual Data Points — Fitted Curve - - - Average Rate

Land Use: 221 Low/Mid-Rise Apartment

**Average Peak Period Parking Demand vs. Dwelling Units
On a Saturday
Location: Urban**

Statistic	Peak Period Demand
Peak Period	No clear peak period emerged from the data; likely to fall between 10:00 p.m. and 6:00 a.m.
Number of Study Sites	8
Average Size of Study Sites	147 dwelling units
Average Peak Period Parking Demand	1.03 vehicles per dwelling unit
Standard Deviation	0.19
Coefficient of Variation	19%
Range	0.80–1.43 vehicles per dwelling unit
85th Percentile	1.14 vehicles per dwelling unit
33rd Percentile	0.93 vehicles per dwelling unit



◆ Actual Data Points

— Fitted Curve/Average Rate

RESOLUTION _____

APPROVING A PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN MINOR AMENDMENT FOR THE TRACY SIERRA DEVELOPMENT APARTMENT PROJECT AND OFF-STREET PARKING SPACE REDUCTION – THE PROJECT IS LOCATED ON APPROXIMATELY 10.8 ACRES ON THE NORTH SIDE OF PAVILION PARKWAY AT THE NORTHEAST CORNER OF PAVILION PARKWAY AND POWER ROAD – APPLICATION NUMBER PUD13-0005

WHEREAS, On February 19, 2013, the City Council approved the Planned Unit Development (PUD) Preliminary and Final Development Plan (PUD12-0001) for the Tracy Sierra Development Apartment Project, and

WHEREAS, The new owner is proposing modifications to the project's site plan, floor plans, off-street parking, and other design elements, and

WHEREAS, The proposed modifications are minor and constitute a minor amendment to the PUD Final Development Plan, and

WHEREAS, In accordance with Tracy Municipal Code Section 10.08.3470(e), the property owner conducted a parking study, including evaluation of a Tracy parking survey and Institute of Transportation Engineers conclusions, finding that a 14 percent reduction in the number of required off-street parking spaces will be sufficient to mitigate off-street parking demand for the project, and

WHEREAS, All conditions of approval and other requirements of the February 19, 2013 City Council approval will remain unchanged;

NOW, THEREFORE, BE IT RESOLVED, That the Tracy Planning Commission recommends that the City Council (1) approve the PUD Final Development Plan Minor Amendment as indicated on plans received by the City on August 5, 2013, and (2) determine that 541 off-street parking spaces (a 14 percent reduction) is sufficient to mitigate off-street parking demands of the project.

* * * * *

Resolution _____
September 25, 2013

The foregoing Resolution 2013-_____ was passed and adopted by the Tracy Planning Commission on the 25th day of September, 2013, by the following vote:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

Chair

Staff Liaison