

**MINUTES**  
**TRACY CITY PLANNING COMMISSION**  
**WEDNESDAY, SEPTEMBER 25, 2013**  
**7:00 P.M.**  
**CITY OF TRACY COUNCIL CHAMBERS**  
**333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

Chair Sangha called the meeting to order at 7:02p.m.

**PLEDGE OF ALLEGIANCE**

Chair Sangha led the pledge of allegiance

**ROLL CALL**

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

**MINUTES APPROVAL**

Chair Sangha requested a review of the minutes and asked for comments.

Vice Chair Ransom made a motion to approve the minutes from September 11, 2013; Commissioner Mitracos seconded; all in favor, none opposed.

**DIRECTOR'S REPORT REGARDING THIS AGENDA** – Mr. Dean welcomed Commissioner Sangha to her new position as chair.

**ITEMS FROM THE AUDIENCE** – None

1. **OLD BUSINESS** – None

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**

Chair Sangha presented agenda item 2A and called for the staff report. Alan Bell, Senior Planner presented the staff report referencing information on the zoning regulation and advised that the proposal was a City-initiated request to amend the Tracy Municipal Code Development Review Process which would create flexibility in the duration of a Development Review approval and allow for extensions to the project if the applicant so required.

Mr. Bell went on to say that Development Review was the typical, discretionary process in the City of Tracy for a developer to obtain approval of a site plan prior to (or concurrent with) building permit approval. He stated that the proposed amendment would establish a two-year initial time limit for Development Review approval and would allow 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 warranted a longer time period. He added that the amendment included items such as updating the definition of "Director" and clarifying that the Director may refer Development Review applications to the Planning Commission for decision.

Mr. Bell concluded by saying that staff recommended that the Planning Commission recommend that the City Council approve the proposed amendments regarding time limits and extensions for Development Review applications.

Commissioner Mitracos asked about ordinance 10.08.4020 and indicated that the existing ordinance did not refer to time in the same manner as the amended version and requested clarification. Mr. Bell indicated the city was merely codifying the present practice and Mr. Dean added that the amendment would be changed to say "application" not "extension".

Commissioner Orcutt asked if there would be a situation when a developer would want to extend a project, but not to the city's benefit. Mr. Bell indicated that a development review permit would typically be a private enterprise and suggested that it is typically not to the developer's advantage to postpone. He reviewed examples and further advised that the city retains the right to deny or grant the extensions. Mr. Dean mentioned there were times that an original approval might not apply over time due to changes to the General Plan and a review would be required.

Commissioner Ransom asked if it would be likely that developers might delay a project for an extraordinary period of time and expressed concern that this amendment might attract more delays. Mr. Dean indicated the city cannot compel a developer to build something as there is no law to that affect, but advised that it would encourage investment especially with more complicated projects. Mr. Bell commented that there is a great deal of time and effort that goes into a development review; adding that developers do not delay project trivially.

Chair Sangha asked if there should be a cap to the number of extensions allowed. Mr. Bell advised there was much discussion about that issue commenting that suggesting each extension could require a discretionary hearing for each extension; not exceed three years.

Chair Sangha opened the public comments. There were none. She then returned the meeting to the Commission for their action.

Vice Chair Orcutt made a motion 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. Commissioner Ransom seconded. All in favor; none opposed.

**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.**

Chair Sangha reviewed agenda item 2B. Alan Bell introduced the staff report stating that 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.

He reviewed a PowerPoint presentation that provided information on the history of the project to date adding that the Planned Unit Development Zone had its own development review process which differed from other zones.

Mr. Bell indicated that the title for the project was transferred to Legacy Homes which had identified improvements to the project that better reflect the market demand. He advised that this agenda item was a minor amendment to the final development plan approved by the City Council in February 2013.

Mr. Bell reviewed the minor changes to the site plan and the design elements and added there were no changes to the basic character of the project. He then provided detail on the changes, inclusive of materials, placement of the building and parking/garages.

He concluded that staff recommended that the Planning Commission recommend that the City Council approve the Planned Unit Development Final Development Plan amendment and 14% parking space reduction for the Tracy Sierra Development apartment project.

Chair Sangha invited the applicant to speak.

Trevor Smith with Tracy 300 LP introduced the other applicants with Legacy Homes who were present. He provided background on the changes to the project and advised that Tracy 300 LP would be the owner/operator of the project. He then reviewed his qualifications and the history of his involvement in the project. He discussed the efficiency of how the buildings were laid out, the unit count and the types of units, parking and the design of the fitness center. He also reviewed the layout of the buildings and the parking/garages.

Mr. Smith advised that they had met with the Tracy Arts commission to put out a Request for Proposal for an art piece that would be placed in specific locations on the property to help brand it as a part of the City of Tracy

He reviewed the specifics about a new concept in waste management which would be a Valet Service responsible for the pick up the waste and recyclables at each unit. He indicated the waste valet service would be an enhancement to the project.

Chair Sangha asked if there were any questions from the Commission.

Commissioner Johnson asked for some greater detail on the layout of the garages; which Mr. Smith provided. He then asked for more information on the valet waste service process. Mr. Smith gave specifics. Commissioner Johnson commented that he liked the fact that the developer would be staying involved with the project as the complex management team.

Commissioner Orcutt liked the improvements made in the amended version. He also asked for greater detail about bike storage. Jennifer Crowder reviewed the bike storage areas indicating it is not general storage and that the area would be secured.

Commissioner Ransom indicated that the amendments to the original plan were positive improvements. She asked for detail on the waste management process. Ms. Crowder indicated that this service is considered an amenity and an improvement and gave some history of the process.

Commissioner Ransom asked for clarification on the number of parking spaces. Ms. Crowder and Mr. Bell provided clarification.

Commissioner Mitracos mentioned that this project appeared to be denser with slightly less open space. Ms. Crowder commented that space in the previous project was more suburban with urban buildings; the intent of these changes was complementary to the urban setting.

Commissioner Mitracos noted that the mix of units had changed with more 2 bedroom and 2 bathroom units which were the majority of the types of units. Ms. Crowder advised the market calls for more 2 bedrooms/2 bathrooms units.

Chair Sangha asked for any further questions. Seeing none, she commented that she liked the project and liked the change to a greater number of 2 bedroom/2 bathroom units. She then asked for a motion from the Commissioners.

Commissioner Ransom moved that the Planning Commission recommended 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. Chair Sangha seconded. All in favor; none opposed.

**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. \*\***

**3. ITEMS FROM THE AUDIENCE**

None

**4. DIRECTOR'S REPORT –**

None

**5. ITEMS FROM THE COMMISSION**

None

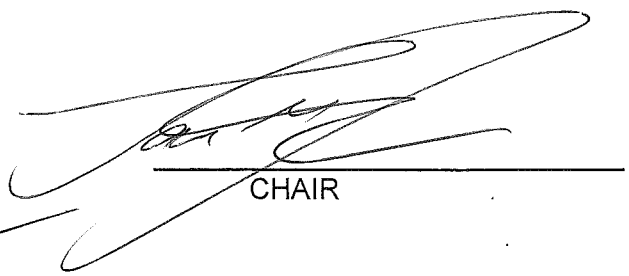
6. **ADJOURNMENT –**

Vice Chair Orcutt moved to adjourn at 8:09 p.m.



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STAFF LIAISON



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CHAIR



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