

## 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, November 6, 2013  
7:00 P.M. (or as soon thereafter as possible)

**Location:** City of Tracy Council Chambers  
333 Civic Center Plaza

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

### REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES APPROVAL

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2008-140, any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the item shall be placed on an agenda within 30 days*

1. OLD BUSINESS
2. NEW BUSINESS

- A. **PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A VESTING TENTATIVE SUBDIVISION MAP FOR THE DEVELOPMENT OF 60 DUET UNITS (30 BUILDINGS ON 60 LOTS) ON AN 4.32-ACRE PARCEL, AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN AMENDMENT TO ALLOW FOR THE CONSTRUCTION OF 60 DUET UNITS LOCATED WITHIN THE 4.32-ACRE SITE. APPLICATION NUMBERS TSM13-0004, PUD13-0004: APPLICANT IS VALLEY OAK PARTNERS AND OWNER IS TRACY WESTGATE APARTMENTS, LLC – 3251 FETEIRA WAY.**

\*\* This agenda item was erroneously noticed in the newspaper for this evening's agenda. The item will be re-noticed for a future agenda. \*\*

- B. **PUBLIC HEARING TO CONSIDER APPLICATIONS TO AMEND THE CONCEPT DEVELOPMENT PLAN FOR THE EASTLAKE AND ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENTS FROM A SCHOOL SITE TO A 47-LOT RESIDENTIAL SUBDIVISION KNOWN AS ELISSAGARAY INFILL; APPROVAL OF THE CONCEPT, PRELIMINARY AND**

**FINAL DEVELOPMENT PLANS, FOR THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT; AND APPROVAL OF A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE THE 10-ACRE PARCEL INTO 47 RESIDENTIAL LOTS. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBERS PUD12-0003 AND TSM12-0002**

**C. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION TO ALLOW AN INDOOR RECREATIONAL FACILITY AT 1325 N. MACARTHUR DRIVE. APPLICANT IS RAJ CHELLANI. PROPERTY OWNER IS GIANT PROPERTIES, LLC. APPLICATION NUMBER CUP13-0006**

**D. CONDUCT A SCOPING MEETING TO OBTAIN COMMENTS FROM PUBLIC AGENCIES OR OTHER INTERESTED PARTIES REGARDING ISSUES TO BE ANALYZED IN THE TRACY HILLS SPECIFIC PLAN AMENDMENT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT**

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

Posted: **October 31, 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.

**MINUTES  
TRACY CITY PLANNING COMMISSION  
WEDNESDAY, OCTOBER 23, 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 7:0p.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, Victoria Lombardo, 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. Commissioner Ransom made a motion to approve the minutes from September 25, 2013; Commissioner Mitracos seconded; all in favor, none opposed.

**DIRECTOR'S REPORT REGARDING THIS AGENDA – None**

**ITEMS FROM THE AUDIENCE –**

1. **OLD BUSINESS – None**

2. **NEW BUSINESS**

A. **MINOR AMENDMENT TO THE BARNES & NOBLE/SPORTS AUTHORITY FINAL DEVELOPMENT PLAN TO MODIFY THE FAÇADE AND ADD A LOADING DOCK AT 3150 NAGLEE ROAD - APPLICANT IS NAOS DESIGN GROUP FOR ROUSE PROPERTIES, INC.**

Chair Sangha reviewed Agenda Item 2A and called for a staff report. Victoria Lombardo, Senior Planner, presented the item and advised that it did not require a public hearing due to the fact that it was a minor amendment to the original building plan. She indicated that the tenant planned to do both internal and external improvements, but that this item focused primarily on the outside improvements consisting of changing the color and signage of the façade and adding a larger loading dock. She reviewed the details for the commissioners.

She also commented that because the nature of their business, Sport Authority would need to expand the loading dock which would require the removal of some landscaping which the applicant would add elsewhere in the Mall area. She concluded by indicating that staff recommended that the Planning Commission recommend that the City Council approve the minor amendment to the Barnes & Noble/Sports Authority Final Development Plan.

Chair Sangha brought the meeting back to the Commissioners for comment. Commissioner Orcutt asked about the delivery schedule and if the plans provided an appropriate turning radius for the entrance and exit of trucks. Ms. Lombardo indicated that the turning radius should be acceptable as JC Penney loading dock is configured similarly. She added that most deliveries would likely take place in the early morning.

Commissioner Mitracos asked about one of the items to be used in the façade. Ms. Lombardo advised that it was similar to other signs in town.

Commissioner Johnson expressed surprise that the applicant was not present as he wished to commend them on the design. He then asked if there was a cost involved in relocating the trees. Ms. Lombardo indicated the applicant would absorb the entire cost.

Commissioner Johnson suggested there would be a need for a sanitary sewer clean out. Ms. Lombardo advised that would be a part of the building permit process.

Commissioner Johnson asked about the timeline of the project. Ms. Lombardo advised that it was her understanding that Barnes & Noble would continue in that space until the end of December of this year.

Commissioner Orcutt moved that the Planning Commission recommend that the City Council approve the minor amendment to the Barnes & Noble/Sports Authority Final Development Plan to reface the façade at the western entry of the building and add a large loading dock with screening at the southeast corner of the building, based on the findings contained in the Planning Commission Resolution dated October 23, 2013 (Attachment D).

Mr. Sartor advised that Chair Sangha might wish to open the Public Hearing; she did so at 7:09 p.m. There were no comments from the attendees.

Chair Sangha then asked for a second; Commissioner Ransom seconded the motion; all in favor – none opposed.

3. ITEMS FROM THE AUDIENCE - None
4. DIRECTOR'S REPORT – Mr. Dean discussed the difference between a public hearing and the Brown Act requirements in general. He then provided the distinction between the City Council business and Planning Commission. Mr. Sartor indicated the main difference was the publication requirement.

Commissioner Mitracos asked why this was the case. Mr. Dean advised that it was largely because of PUD requirements.

5. ITEMS FROM THE COMMISSION - Commissioner Mitracos asked about the size of some of the attachments hoping to receive them in an electronic version. Commissioner Ransom commented on the time required to pick up the packets and was advised by Commissioner Orcutt that his has been mailed and arrived in a timely fashion.
6. ADJOURNMENT – Commissioner Ransom moved to adjourn at 7:16 p.m.

DRAFT

AGENDA ITEM 2 B

REQUEST

**PUBLIC HEARING TO CONSIDER APPLICATIONS TO AMEND THE EASTLAKE AND ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENTS TO REMOVE A 10-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL; TO APPROVE THE CONCEPT, PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT; AND TO APPROVE A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE THE 10-ACRE SITE INTO 47 RESIDENTIAL LOTS. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBERS PUD12-0003 AND TSM12-0002**

BACKGROUND

Last year, the City Council amended the General Plan for a vacant 10-acre site located in the center of the Eastlake and Elissagaray Ranch subdivisions in anticipation of future development applications for single-family homes (Application Number GPA10-0004). Prior to that amendment, the site was identified for a public school within the Tracy Unified School District. According to the Tracy Unified School District, a school is no longer needed at that location.

PROJECT LOCATION AND DESCRIPTION

The subject site is located on Dominique Drive between Eastlake Circle and Basque Drive. The westerly 5 acres of the site is contained within the Eastlake Planned Unit Development (PUD), and the easterly 5 acres is in the Elissagaray Ranch PUD (Attachment A: Location Map), both of which were approved in the late 1990's.

The property owner has submitted an application to amend the Eastlake and Elissagaray Ranch PUDs to remove the school site from those PUD areas. The application includes a new PUD called Elissagaray Infill and a Vesting Tentative Subdivision Map for 47 lots.

DISCUSSION

Amendment to the Eastlake and Elissagaray Ranch PUDs

As discussed above, the Eastlake and Elissagaray Ranch PUDs designate the subject site comprised of two 5-acre parcels for a school, which is no longer needed by Tracy Unified School District. The proposed amendment would remove each 5-acre parcel from each respective PUD. Zoning guidelines for the subject site are proposed to be established in a separate PUD known as Elissagaray Infill.

### Establishment of the Elissagaray Infill PUD

The proposed Elissagaray Infill PUD is comprised of a Concept Development Plan (CDP), Preliminary Development Plan (PDP), and a Final Development Plan (FDP) to establish the land use and development standards for the Elissagaray Infill subdivision. Neighborhood input sought during the General Plan amendment process revealed that the primary interests of neighbors residing in Eastlake and Elissagaray Ranch are that the homes be similar in size, design, and quality to the existing homes. These considerations were taken by the applicant in the project proposal, as outlined below.

### Development Plan and Architecture

The proposed development plan consists of 47 detached single-family residential homes on a 10-acre infill parcel. The proposed PUD is consistent with the General Plan designation of Residential Low. The proposed project would be consistent with the density allowed, which ranges from 2.1 to 5.8 units per gross acre. The average density of the proposed Elissagaray Infill subdivision is 4.7 dwelling units per gross acre.

The proposed architecture is consistent with the City's Design Goals and Standards for residential development. The proposal includes one single-story plan and three two-story plans with sizes ranging between approximately 2,300 and 3,500 square feet. Each of the four plan types would have three distinct elevation styles, giving the subdivision 12 different exterior house designs (Attachment B: Concept, Preliminary, and Final Development Plan). The proposed architectural styles took inspiration from Spanish (elevation A), Craftsman (elevation B), English Country (elevation C), and Farmhouse (elevation D) styles. The architectural styles utilize differing building planes, various roof lines, a variety of siding materials, decorative doors and windows, covered entries, front porches, and decorative details carried around on all four sides of each house.

Through the use of the design techniques described above, the proposed architecture would be consistent with the quality and design of existing homes in the Eastlake and Elissagaray Ranch neighborhoods. Furthermore, the color palettes proposed are warm and cool tones, complementary to those used on homes in the adjacent neighborhoods. A conceptual development plan (Attachment D) demonstrates how the housing mix goals established in the Design Goals and Standards can be achieved by the proposed number of floor plans and elevation styles, and Condition of Approval B.5 is recommended to ensure these goals are achieved prior to construction of the homes.

### Zoning Standards

The proposed PUD zoning regulations are intended to complement those of the Eastlake and Elissagaray Ranch subdivisions. Setbacks and other development standards are similar to those in the adjacent subdivisions and the Low Density Residential Zone (Attachment C: Concept, Preliminary, and Final Development Plan). Three of the plans include two-car garages and one plan includes a three-car garage, which meets and exceeds Tracy's standard parking requirement for each single-family dwelling to have a

two-car garage. Though it is not required, on-street parking is also available along the proposed and existing streets.

#### Vesting Tentative Subdivision Map

The proposed subdivision complements the adjacent residential neighborhoods. The proposed density is similar to the average density of 4.13 units per gross acre in Eastlake. The average density in Elissagaray Ranch is lower at 2.9 units per acre. The proposed lots range between approximately 6,600 to approximately 12,200 square feet (Attachment C: Vesting Tentative Subdivision Map). The lots are sized to be similar to the surrounding subdivisions, with particular attention to lots adjacent to existing homes. Typical lots in the Eastlake subdivision adjacent to the proposed project site are 60 feet in width by 100 feet in depth. Typical lots in the Elissagaray Ranch subdivision adjacent to the proposed project site are 65 feet by 100 feet and 80 feet by 120 feet. Similarly, the Elissagaray Infill subdivision proposes minimum lot sizes of 60 feet in width by 100 feet in depth. In consideration of the homes that back up to the proposed subdivision, the applicant proposes deeper rear yards than typical to provide greater privacy to the existing homes. These lots are between approximately 134 feet and 164 feet in depth, which is significantly deeper than most residential lots in the city. There are no reverse corner lots, resulting in greater efficiency in siting the houses, maximizing on-street parking, maximizing usable yard areas, and improving sight distances for vehicles backing out of driveways.

The subdivision would have its primary access from MacArthur Drive, Valpico Road, and Chrisman Road through existing residential streets crossing through the Eastlake and Elissagaray Ranch neighborhoods. The project proposes one through street connecting Eastlake Circle to Dominique Drive. The new street will allow for efficient circulation by giving vehicles and pedestrians two options to exit the subdivision. The street connection to Dominique Drive will also help slow down the speed of traffic on Dominique Drive, an issue on which residents have voiced concerns. The street is also strategically designed for the underground utility infrastructure that enters the subdivision from Eastlake Circle. The right-of-way will be 56 feet in width with a monolithic sidewalk to match the existing streets throughout the Eastlake and Elissagaray Ranch subdivisions.

#### Residential Growth Allotments

The project will require 47 RGAs for the construction of the 47 proposed residential units. The project will be eligible to apply for and receive RGAs per the regulations set forth in the Growth Management Ordinance and Growth Management Ordinance Guidelines after a Tentative Subdivision Map is approved. The RGAs will be required prior to the issuance of any building permits.

#### Schools

The proposed project is located within the Tracy Unified School District. As stated above, the project site was originally planned for a school but the Tracy Unified School District has informed the City and the property owner that it no longer desires to locate a



school on this site, which grants development opportunity back to the property owner. In order to mitigate the proposed developments' impacts on school facilities, Memorandums of Understanding (MOU) were executed with the Tracy Unified School District when the Eastlake and Elissagaray Ranch subdivisions were developed, which included this 10-acre site. Per the MOUs, a per-unit fee to be charged for each of the 47 units constructed.

### Parks

Parks are required to be established within residential neighborhoods to serve the residents of the homes that are established in Tracy. In order to meet the need for park land, projects are either required to build their own park or pay park in-lieu fees. The City's requirement for park land is 3 acres of Neighborhood Park and 1 acre of Community Park, for a total of 4 acres of park land per 1,000 residents.

In this case, staff has determined that no dedication of park acreage is desired within the proposed project because the adjacent Eastlake and Elissagaray Ranch subdivision already exceeds the City's requirement for park land. Eastlake contains a 3.9-acre park and Elissagaray Ranch contains a 4-acre park, both of which are within a quarter mile of the proposed subdivision. In lieu of providing park land, the applicant would be required to pay the park in-lieu fees. These fees would provide funds for the creation of parks and recreation facilities consistent with the Parks Master Plan and the City's General Plan.

### Neighborhood Concerns

As stated earlier, during General Plan Amendment public hearing process in 2012, residents in the Eastlake and Elissagaray Ranch subdivisions expressed interest and concern about future residential development and its fit within the existing neighborhoods. The applicant conducted several private meetings and one larger neighborhood meeting on September 26, 2013 at the Community Center to introduce his proposed project to the neighbors and collect their feedback. According to the applicant, the primary interests of the neighbors in attendance are related to density, lot sizes, architecture, and traffic. According to the applicant, neighbors were receptive to the proposed density, lot sizes, and architecture.

Concerns related to vehicular speeding on Dominique were raised. Dominique Drive is a long, straight, 74-foot right-of-way with little cross-traffic bordered by homes, some of which back up to the street with a soundwall, and the subject site, which is currently undeveloped. When the new subdivision is constructed, twelve homes will face onto Dominique Drive, and the future through-street will intersect Dominique Drive. These improvements will increase cross-traffic and encourage more careful driving that will cause traffic to naturally slow.

Increased traffic congestion on Eastlake Circle was is another concern raised. The proposed 47-lot single family subdivision will generate fewer trips per day than the elementary school previously planned for the site. These figures were derived using the data in *Trip Generation, 7th Edition* by the Institute of Transportation Engineers. In

conclusion, the traffic generated by the proposed subdivision will be less than that generated by the school that was originally planned to be built.

Some residents voiced their disappointment in the cancellation of the school. As stated above, the Tracy Unified School District no longer desires this site for a public school.

#### Environmental Document

The project is exempt from the California Environmental Quality Act per Section 15162 pertaining to projects with a certified Environmental Impact Report (EIR) where the project does not propose substantial changes that will result in a major revision of the previous EIR. On February 1, 2011, the City of Tracy adopted the General Plan. The associated EIR (SCH# 1992 122 069) was certified February 1, 2011. The project does not propose new significant changes to the environment that was not analyzed in the General Plan EIR, including the areas of traffic, air quality, and aesthetics. Therefore, no further documentation is needed.

#### RECOMMENDATION

Staff recommends that the Planning Commission do the following:

1. Recommend that the City Council introduce an Ordinance that does the following contained in the Planning Commission Resolution dated November 6, 2013:
  - a. Amends the Eastlake Planned Unit Development to remove the five-acre site that was previously designated for a school,
  - b. Amends the Elissagaray Ranch Planned Unit Development to remove the five-acre site that was previously designated for a school, and
  - c. Creates a new Planned Unit Development called Elissagaray Infill and approves the Concept Development Plan for the Elissagaray Infill Planned Unit Development for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01 (application number PUD12-0003).
2. Recommend that the City Council approve application number PUD12-0003 and application number TSM12-0002 contained in the Planning Commission Resolution dated November 6, 2013 and subject to the conditions attached as Exhibit "1", which include the following:
  - a. Approval of the Preliminary Development Plan and Final Development Plan for the Elissagaray Infill Planned Unit Development, and
  - b. Approval of the Vesting Tentative Subdivision Map to subdivide the total ten-acre site into 47 residential lots for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01.

#### MOTION

Move that the Planning Commission recommend that the City Council do the following:

1. Recommend that the City Council introduce an Ordinance that does the following contained in the Planning Commission Resolution dated November 6, 2013:
  - a. Amends the Eastlake Planned Unit Development to remove the five-acre site that was previously designated for a school,
  - b. Amends the Elissagaray Ranch Planned Unit Development to remove the five-acre site that was previously designated for a school, and
  - c. Creates a new Planned Unit Development called Elissagaray Infill and approves the Concept Development Plan for the Elissagaray Infill Planned Unit Development for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01 (application number PUD12-0003).
  
2. Recommend that the City Council approve application number PUD12-0003 and application number TSM12-0002 contained in the Planning Commission Resolution dated November 6, 2013 and subject to the conditions attached as Exhibit "1", which include the following:
  - a. Approval of the Preliminary Development Plan and Final Development Plan for the Elissagaray Infill Planned Unit Development, and
  - b. Approval of the Vesting Tentative Subdivision Map to subdivide the total ten-acre site into 47 residential lots for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01.

Prepared by: Kimberly Matlock, Assistant Planner

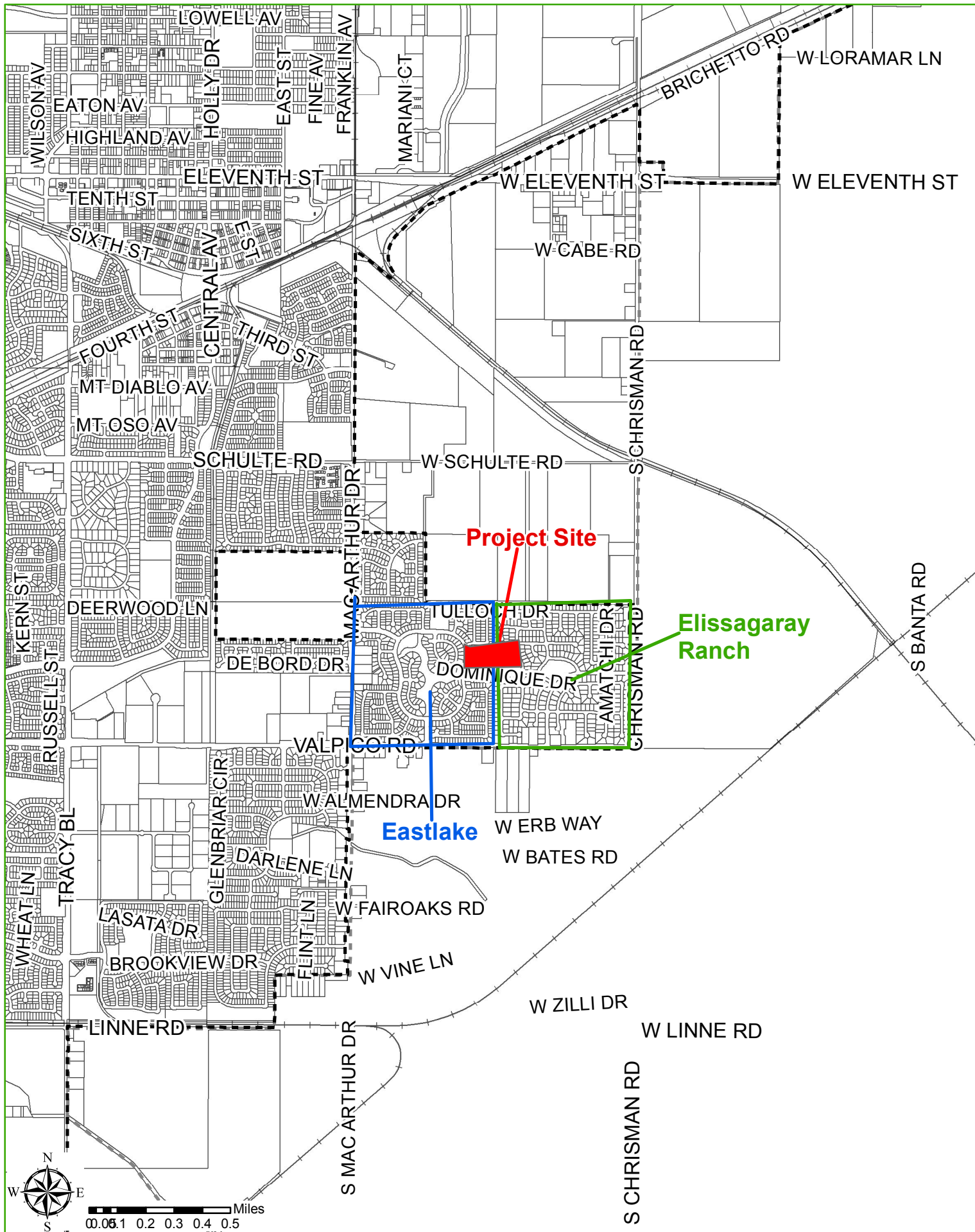
Reviewed by: Victoria Lombardo, Senior Planner

Approved by: Bill Dean, Assistant Development Services Department Director

#### ATTACHMENTS

- A: Location Map
- B: Concept, Preliminary, and Final Development Plan
- C: Vesting Tentative Map
- D: Conceptual Development Plan
- E: Planning Commission Resolution for the amendments of the Eastlake PUD and the Elissagaray Ranch PUD and creation and approval of the Elissagaray Infill PUD and CDP
- F: Planning Commission Resolution for the approval of the Elissagaray Infill PDP and FDP and Vesting Tentative Subdivision Map

# Location Map



ATTACHMENT B

CONCEPT, PRELIMINARY AND FINAL DEVELOPMENT PLAN

ITEM TOO LARGE TO INCLUDE IN PACKET

COPIES AVAILABLE AT CITY OF TRACY CITY HALL

ATTACHMENT C

VESTING TENTATIVE MAP

ITEM TOO LARGE TO INCLUDE IN PACKET

COPIES AVAILABLE AT CITY OF TRACY CITY HALL

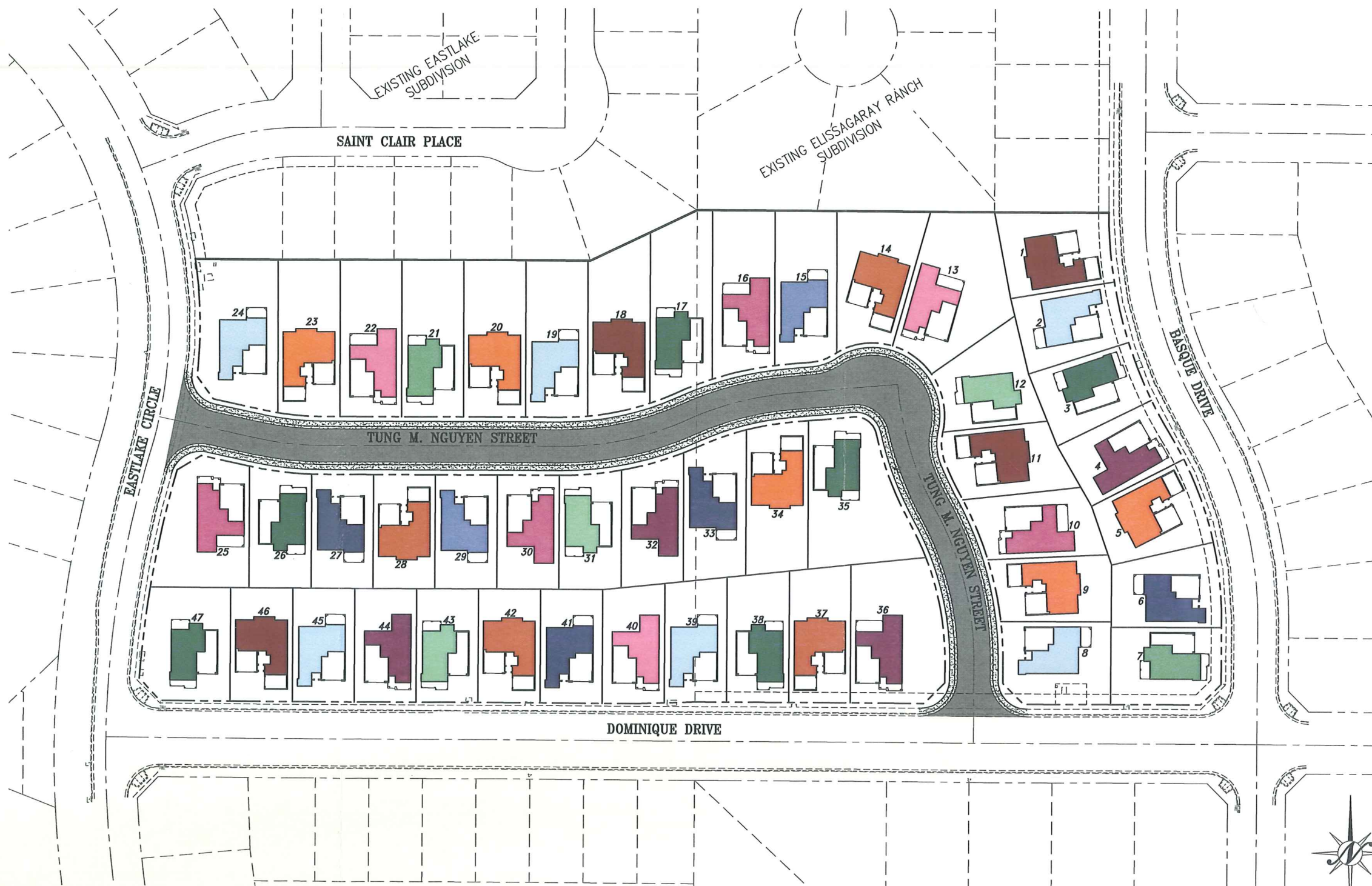


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OCT 25 2013  
CITY OF TRACY

# ELISSAGARAY INFILL

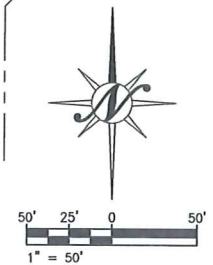
## NEIGHBORHOOD PLAN - BY PRODUCT

TRACY, SAN JOAQUIN COUNTY, CALIFORNIA



### UNIT DISTRIBUTION

<b>PLAN 1A</b> 5 UNITS	<b>PLAN 1B</b> 4 UNITS	<b>PLAN 1C</b> 4 UNITS
<b>PLAN 2A</b> 3 UNITS	<b>PLAN 2C</b> 2 UNITS	<b>PLAN 2D</b> 6 UNITS
<b>PLAN 3B</b> 6 UNITS	<b>PLAN 3C</b> 2 UNITS	<b>PLAN 3D</b> 4 UNITS
<b>PLAN 4A</b> 3 UNITS	<b>PLAN 4B</b> 4 UNITS	<b>PLAN 4C</b> 4 UNITS



RESOLUTION \_\_\_\_\_

RECOMMENDING THAT THE CITY COUNCIL INTRODUCE AN ORDINANCE TO AMEND THE EASTLAKE PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AMEND THE ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AND CREATE A NEW PLANNED UNIT DEVELOPMENT FOR THE TOTAL TEN-ACRE SITE KNOWN AS THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER PUD12-0003

WHEREAS, TVC Tracy Holdco, LLC submitted an application to amend the Eastlake and the Elissagaray Ranch Planned Unit Developments to remove a ten-acre site previously designated for a school from the Planned Unit Development project areas, and

WHEREAS, Five acres of the ten-acre site is contained within the Eastlake Planned Unit Development and the remaining five acres is contained within the Elissagaray Ranch Planned Unit Development, and

WHEREAS, The total ten-acre property was designated for a school site within each Planned Unit Development at the request of the Tracy Unified School District, and

WHEREAS, The Tracy Unified School District informed the property owner and the City that it no longer desires to locate a school on this site and released all interest in the property, and

WHEREAS, On May 1, 2012, the City Council amended the General Plan to designate the subject site as Residential Low, and

WHEREAS, The applicant proposes a new Planned Unit Development called Elissagaray Infill and proposes a Concept Development Plan to establish a land use of low density residential with a proposed density of 4.7 units per gross acre on the subject site, and

WHEREAS, The proposed project is consistent with the General Plan land use designation of Residential Low, and

WHEREAS, The project does not propose substantial changes that will result in a major revision of the previous Environmental Impact Report that analyzed the project site and is exempt from the California Environmental Quality Act per Section 15162, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on November 6, 2013;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council introduce the attached Ordinance that does the following:

1. Amend the Eastlake Planned Unit Development to remove the five-acre site that was previously designated for a school;



2. Amend the Elissagaray Ranch Planned Unit Development to remove the five-acre site that was previously designated for a school;
3. Create a new Planned Unit Development called Elissagaray Infill and approve the Concept Development Plan for the Elissagaray Infill Planned Unit Development for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 AND 252-260-01, Application Number PUD12-0003.

\* \* \* \* \*

The foregoing Resolution 2013-\_\_\_\_\_ of the Planning Commission was adopted by the Planning Commission on the 6<sup>th</sup> day of November, 2013, by the following vote:

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

\_\_\_\_\_  
Chair

ATTEST:

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

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY AMENDING THE EASTLAKE PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AMENDING THE ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AND CREATING A NEW PLANNED UNIT DEVELOPMENT FOR THE TOTAL TEN-ACRE SITE KNOWN AS THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER PUD12-0003

The city council of the City of Tracy does ordain as follows:

SECTION 1: The 5.02-gross acre site designated as a school, Assessor's Parcel Number 252-050-24, is removed from the Eastlake Planned Unit Development.

The 5.02-gross acre site designated as a school, Assessor's Parcel Number 252-260-01, is removed from the Elissagaray Ranch Planned Unit Development.

The Concept Development Plan for the Elissagaray Infill Planned Unit Development located on the 10.04-gross acre property located on Dominique Drive between Eastlake Circle and Basque Drive is approved as discussed and conditioned in the City Council staff report and its attachments.

SECTION 2: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 3: This Ordinance shall be published once in the Tri-Valley Herald, a newspaper of general circulation, within fifteen (15) days from and after its final passage and adoption.

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the \_\_\_ day of \_\_\_\_\_, 2013, and finally adopted 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

RESOLUTION \_\_\_\_\_

RECOMMENDING THAT THE CITY COUNCIL TO APPROVE THE PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT AND TO APPROVE A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE THE SITE INTO 47 RESIDENTIAL LOTS. THE PROJECT IS ON A TEN-ACRE SITE LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBERS PUD12-0003 AND TSM12-0002

WHEREAS, TVC Tracy Holdco, LLC submitted applications for a Preliminary Development Plan and a Final Development Plan for the Elissagaray Infill Planned Unit Development and a Vesting Tentative Subdivision Map to subdivide the site into 47 lots, and

A. WHEREAS, The following findings address the approval of the Elissagaray Infill Preliminary Development Plan and Final Development Plan:

WHEREAS, The applicant submitted an application for the creation of the Elissagaray Ranch Planned Unit Development, a single-family residential subdivision proposed on a ten-acre site, and

WHEREAS, The proposed subdivision consists of 47 lots, which is consistent with the General Plan designation of Residential Low and the proposed Concept Development Plan for the Elissagaray Infill Planned Unit Development, and

WHEREAS, The proposed development and architecture meets the General Plan community character policies for a variety of residential building styles and sizes that provide visual interest to the streetscape, and

WHEREAS, The proposed development plan complements the existing surrounding neighborhoods with lots similarly sized to match adjacent lots, lots with deeper rear yards adjacent to existing residences, and a streetscape designed to match the existing surrounding neighborhoods, and

WHEREAS, The architectural renderings are in compliance with Tracy's Design Goals and Standards and complement the surrounding neighborhoods because they have incorporated substantial variation between floor plans and elevations, building projections, varied rooflines, architectural features on all four sides of each house, and recessed garages so they do not dominate the street.

B. WHEREAS, The following findings address the Vesting Tentative Subdivision Map:

WHEREAS, The project is consistent with the General Plan and Title 12, the Subdivision Ordinance, of the Tracy Municipal Code, in terms of density, circulation, and land use, and

WHEREAS, The site is physically suitable for the type of development, as the site is virtually flat, and

WHEREAS, The site is physically suitable for the proposed density of development, which is below the maximum density allowed by the General Plan designation of Residential Low, and

WHEREAS, Traffic circulation is designed in accordance with City standards for the proposed density to ensure adequate traffic service levels are met and to match existing adjacent street improvements, and

WHEREAS, The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and

WHEREAS, The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, and

WHEREAS, The project complies with all other applicable ordinances, regulations and guidelines of the City, including but not limited to, the local floodplain ordinance. The subject property is not located within any floodplain and the project, with conditions, will meet all applicable City design and improvement standards, and

WHEREAS, All the public facilities necessary to serve the subdivision will be in place prior to the issuance of building permits. All the public facilities necessary to serve the subdivision or mitigate the impacts created by the subdivision will be assured through a subdivision improvement agreement prior to the approval of a final map.

WHEREAS, The project does not propose substantial changes that will result in a major revision of the previous Environmental Impact Report that analyzed the project site and is exempt from the California Environmental Quality Act per Section 15162, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on November 6, 2013;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council do the following:

1. Approve the Preliminary Development Plan and Final Development Plan for the Elissagaray Infill Planned Unit Development, and
2. Approve the Vesting Tentative Subdivision Map to subdivide the total ten-acre site into 47 residential lots for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 AND 252-260-01, Application Numbers PUD12-0003 and TSM12-0002, subject to conditions stated in Exhibit "1," attached and made part hereof.

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Resolution Number \_\_\_\_\_  
Elissagaray Infill PUD  
Application Nos. PUD12-0003 AND TSM12-0002  
Page 3

The foregoing Resolution 2013-\_\_\_\_\_ of the Planning Commission was adopted by the Planning Commission on the 6<sup>th</sup> day of November, 2013, by the following vote:

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

\_\_\_\_\_  
Chair

ATTEST:

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

**City of Tracy**  
**Conditions of Approval**  
Elissagaray Infill Subdivision  
Application Numbers PUD12-0003 and TSM12-0002  
November 6, 2013

**A. General Provisions and Definitions.**

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

The Project: Concept, Preliminary, and Final Development Plan for the Elissagaray Infill PUD and the Elissagaray Infill Vesting Tentative Subdivision Map

The Property: 10-acre parcel located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer."
- b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
- c. "City Regulations" means all written laws, rules and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design documents (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).
- d. "Development Services Director" means the Development Services Department Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
- e. "Conditions of Approval" shall mean the conditions of approval applicable to the Project (Application Numbers PUD12-0003 and TSM12-0002). The Conditions of Approval shall specifically include all Development Services Department conditions set forth herein.
- f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The Developer may be the property owner or the leasee, where responsibilities for improvements are distributed among each party. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the Concept, Preliminary and Final Development Plan, which includes development standards, floor plans, and

architectural elevations, received by the Development Services Department on October 7, 2013. The Final Map shall be consistent with the Vesting Tentative Subdivision Map received by the Development Services Department on September 30, 2013, unless modified herein.

- A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.
- A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:
- the Planning and Zoning Law (Government Code sections 65000, et seq.)
  - the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
  - the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").
- A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and Design Goals and Standards.
- A.7. Protest of fees, dedications, reservations, or other exactions. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.

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

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

- B.1. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all applicable mitigation measures identified in the General Plan Environmental Impact Report, dated February 11, 2011.
- B.2. Prior to the issuance of a building permit, the Developer shall document compliance with all applicable school mitigation requirements consistent with City Council standards and obtain certificate of compliance from Tracy Unified School District for each new residential building permit.
- B.3. Prior to approval of the Final Map, the Developer shall obtain approval of all street names from the Development Services Department. At least one street shall be

named after a deceased veteran in accordance with City Council Resolution Number 87-041.

- B.4. Prior to the issuance of the first building permit, the Developer shall submit a development plan that specifies the house type (i.e. floor plan type and elevation type) for each particular lot in a manner that achieves a sufficient mix and variety in the streetscape outlined in the Design Goals and Standards as follows:
  - B.5.1. The floor plan shall be used on not less than 17% of the lots nor on more than 30% of the lots.
  - B.5.2. Each elevation style shall be used at least twice per floor plan.
  - B.5.3. No exact plan and elevation shall be located on consecutive lots (side-by side or directly across), and elevations 3B and 4B shall not be used on side-by-side lots.
  - B.5.4. At least 20% of the houses shall have garage doors which are setback a minimum of thirty feet from the back of sidewalk.
- B.5. Prior to the issuance of the first building permit, the Developer shall submit a building permit application that demonstrates the shingle siding used on the front elevation of Elevation 4B wraps around the "left" elevation to a logical stopping point to the satisfaction of the Development Services Director.
- B.6. Prior to approval of each Final Map, the Developer shall submit improvement plans that demonstrate driveway locations and widths which do not exceed 20 feet and curb cuts which do not exceed 18 feet.
- B.7. The Developer shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), including District Rule 9510, Regulation VIII, and payment of all applicable fees.
- B.8. The Developer shall comply with all applicable provisions of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, including Incidental Take Minimization Measures applicable at the time of permit, a pre-construction survey prior to ground disturbance and payment of all applicable fees, to the satisfaction of San Joaquin Council of Governments.

### **C. Development Services Engineering Division Conditions**

Contact: Criseldo S. Mina, P. E      (209) 831-6425      [cris.mina@ci.tracy.ca.us](mailto:cris.mina@ci.tracy.ca.us)

#### **C.1 Tentative Subdivision Map**

Prior to signature of the Tentative Subdivision Map by the City Engineer, the Subdivider shall comply with the requirements set forth in this section, to the satisfaction of the City Engineer.

- C.1.1      Revise the Tentative Subdivision Map to include statement and signature block for the Secretary of the Planning Commission.



- C.1.2 Revise the Tentative Subdivision Map to show restricted access to Eastlake Circle for Lots 24, 25, and 47, to Tung M. Nguyen Street along the eastern side of Lots 35 and 36, and to Dominique Drive for Lots 7 and 8.
- C.1.2 Submit one (1) reproducible copy of the approved tentative subdivision map for the Project within ten (10) days after Subdivider's receipt of a notification of approval of the tentative subdivision map. The owner of the Property must consent to the preparation of the Tentative Subdivision Map, and the proposed subdivision of the Property.

C.2 Final Map

No final map within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

- C.2.1 The Subdivider has completed all the requirements set forth in this section, and Condition C.1., above.
- C.2.2 The Final Map prepared in accordance with the applicable requirements of the Tracy Municipal Code, the City Design Documents, and in substantial conformance with the Tentative Subdivision Map for the Project.
- C.2.3 The Final Map shall include dedications or offers of dedication of all right(s)-of-way and/or easement(s) required to serve the Project described by the Final Map, in accordance with City Regulations and these Conditions of Approval.
- C.2.4 Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the final map. The final map shall also identify surveyed ties from two of the horizontal control points to a minimum of two (2) separate points adjacent to or within the Property described by the Final Map.
- C.2.5 A construction cost estimate of subdivision improvements and for all required public facilities, prepared in accordance with City Regulations to be used for calculating engineering review fees and for bonding purposes. In determining the total construction cost, add ten percent (10%) for construction contingencies.
- C.2.6 All the required improvement agreements are executed, improvement security is submitted and documentation of insurance are provided, as required by these Conditions of Approval. The amounts of improvement security shall be approved by the City and the type and form of improvement security shall be in accordance with the Tracy Municipal Code.
- C.2.7 All infrastructure or public facilities that are required to serve the proposed development within the final map boundaries, including water distribution, sewer conveyance, and water and wastewater treatment plant including

water supply have been evaluated and the City has determined that capacities are available for this Project.

C.2.8 Payment of final map checking fees and all fees required by these Conditions of Approval and City Regulations.

C.3 Grading and Encroachment Permit

No applications for grading permit and encroachment permit within the Project boundaries will be accepted by the City as complete until the Subdivider provides all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.3.1 The Subdivider has completed all requirements set forth in this section.

C.3.2 The Subdivider has obtained the approval of all other public agencies with jurisdiction over the required public facilities.

C.3.3 The Subdivider has executed all the agreements, posted all improvement security, and provided documentation of insurance, as required by these Conditions of Approval.

C.3.4 The Improvement Plans including the Grading and Drainage Plans prepared in accordance with the Subdivision Ordinance and the City Design Documents. The improvement plans for all improvements (in-tract and off-site) required to serve the Project in accordance with the City Design Documents, and these Conditions of Approval. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

C.3.4.1 All existing and proposed utilities including the size and location of the pipes.

C.3.4.2 All supporting engineering calculations, technical or materials specifications, cost estimate, and technical reports related to the design of streets and utilities improvements.

C.3.4.3 The Project's on-site drainage connections to City's storm drainage system as approved by the City Engineer. Improvement Plans to be submitted with the hydrology and storm drainage calculations for the sizing of the on-site storm drainage system.

C.3.4.4 Improvement Plans prepared on a 24" x 36" size polyester film (mylar) with the City Engineer and Fire Safety Officer approval and signature blocks. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

C.3.5 Joint Trench Plans and Composite Utility Plans, prepared on a 24" x 36" size mylar, and signed and stamped by a Registered Civil Engineer, for the

- installation of dry utilities such as electric, gas, TV cable, telephone, and others that will be located within the 10 feet wide Public Utility Easement or to be installed to serve the residential lots or the Project, as required Condition C.5, below.
- C.3.6 Three (3) copies of the Project's Geo-technical /Soils Report, prepared or signed and stamped by a Geo-technical Engineer and copy of recorded slope easements (if applicable), as required in Condition C.6.2, below.
- C.3.7 Three (3) sets of the Project's Storm Water Pollution Prevention Plan (SWPPP), Best Management Practices (BMPs) and a copy of the Notice of Intent (NOI) with the State-issued Wastewater Discharge Identification number (WDID#), as required in Conditions C.6.1, C.6.4, and D.1, below.
- C.3.8 Payment of applicable fees required by these Conditions of Approval and City Regulations, including but not limited to, plan checking, grading and encroachment permits and agreement processing, construction inspection, and testing fees.
- C.3.9 Tracy's Fire Marshall's signature on the Improvement Plans indicating their approval of the location and construction detail of the Project's fire service connection(s), and the location and spacing of street fire hydrants, as required in Condition C-9.5, below.
- C.3.10 Signed and notarized Subdivision Improvement Agreement with the fully executed improvement security for faithful performance, labor and materials, and warranty, for the construction of subdivision improvements including the Project's domestic, irrigation and fire service connections, storm drainage connection, and the permanent sanitary sewer connection, asphalt concrete overlay work on Eastlake Circle, Dominique Drive, and Basque Drive as required in Conditions C.7, C.8, C.9, and C.10, below.
- C.3.11 All streets and utilities improvements within City right-of-way shall be designed and constructed in accordance with City Regulations, and City's Design documents including the City's Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, or as otherwise specifically approved by the City.
- C.3.12 All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well(s) including the cost of permit(s) and inspection. The Subdivider shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.

C.4 Building Permit

No building permit within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

C.4.1 The Subdivider has completed all requirements set forth in Condition C.3, above.

C.4.2 Lots 1 through 16 and Lots 33 through 38 are within Category C Pay Zone B and is classified as Agricultural Habitat Land/ Open Spaces per the San Joaquin County of Governments (SJCOG) Compensation Plan Map and is subject to applicable habitat mitigation fees ("SJMSCP Development Fees") per the adopted San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ("SJMSCP").

Lots 17 through 32 and Lots 39 through 47 are within Category B Pay Zone A and is classified as Other Open Spaces per the SJMSCP. In accordance with the amended SJMSCP that was approved by the City Council on October 18, 2011, pursuant to Resolution 2011-196 and the update to the SJMSCP Development Fees approved by the City Council on October 2, 2012, per Resolution 2012-203, the SJMSCP Development Fee applicable to the Project for the two (2) pay zones identified above is \$12,711 per acre.

The estimated SJMSCP Development Fees that are due at the time of issuance of the building permit is \$127,618.44, assuming that the Subdivider will grade the entire Project site at one time.

C.4.3 Lots 1 through 16 (16 Single Family Dwelling Units or SFDUs, and Lots 33 through 38 (6 SFDUs) are within the South MacArthur Planning Area (SMPA) and are subject to SMPA Development Impact Fees. Lots 17 through 32 (16 SFDUs) and Lots 39 through 47 (9 SFDUs) are within the Plan C development area and are subject to Plan C Development Impact Fees. Subdivider is required to pay Plan C and SMPA Development Impact Fees required by these Conditions of Approval and City Regulations that are in effect at the time of issuance of the building permit.

C.5 Undergrounding of Overhead Utilities

The Subdivider shall prepare improvement plans, and design and construct the subdivision improvements in accordance with the following requirements.

C.5.1 All private utility services to serve Project such as electric, telephone and cable TV to the building must be installed underground, and to be installed at the location approved by the respective owner(s) of the utilities. The Subdivider shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are to be installed on the existing 10 feet wide Public Utility Easement along Eastlake Circle, Dominique Drive, Tung M Nguyen Lane, and Basque Drive.

C.5.2 Pavement cuts or utility trench(s) on existing street(s) for the installation of electric, gas, cable TV, and telephone will require the application of 2" asphalt concrete overlay and replacement of pavement striping and marking. The limits of asphalt concrete overlay shall be 25 feet from the trench and a travel lane width or up to the street centerline. If the utility trench extends beyond the street centerline, the asphalt concrete overlay shall be applied over the entire width of the street (to the lip of gutter).

C.6 Site Grading

The Subdivider shall prepare improvement plans, and design and construct the subdivision improvements in accordance with the following requirements.

C.6.1 All grading work (on-site and off-site) shall require a Grading Permit. Erosion control measures shall be implemented in accordance with Grading Plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall specify all erosion control methods to be employed and materials to be used.

C.6.2 Submit a Grading and Drainage Plan prepared by a Registered Civil Engineer and accompanied by Soils Engineering report. The report shall provide recommendations regarding adequacy of the site relative to the stability of soils such as soil types and classification, percolation rate, soil bearing capacity, highest observed ground water elevation, and others.

C.6.3 Reinforced or engineered masonry block retaining wall is the preferred method of retaining soil at property lines when the grade differential between the project site and adjacent property(s) exceeds 12 inches. The Subdivider is required to submit improvement plans, construction details and structural calculations of the retaining wall or masonry wall. Slope easements may be accepted subject to approval by the City Engineer and if permission is granted from owner(s) of the adjacent and affected property(s). Slope easements is an acceptable option as a substitute to engineered wall, where cuts or fills do not match existing ground or final grade with the adjacent property or public right of way, up to a maximum grade differential of two (2) feet, subject to approval by the City Engineer. Slope easements shall be recorded, prior to the issuance of the Grading Permit. The Subdivider shall be responsible to obtain and record slope easement(s) on private properties, where it is needed to protect private improvements constructed within and outside the Project, and a copy of the recorded easement document must be provided to the City, prior to the issuance of the Grading Permit.

C.6.4 Prior to the issuance of the Grading Permit, the Subdivider shall submit three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) identical to the reports submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB including a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID). After the completion of the Project, the Subdivider is responsible for filing the Notice of Termination (NOT) required

by SWQCB, and shall provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Subdivider. The Subdivider shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the Storm Water Regulations adopted by the City in 2008 and any subsequent amendment(s).

- C.6.5 The Subdivider shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Subdivider will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider.

C.7 Storm Drainage

The Subdivider shall prepare improvement plans, and design and construct the subdivision improvements in accordance with the following requirements.

- C.7.1 Storm drainage release point is a location at the boundary of the Project adjacent a City right-of-way or public street where storm water leaves the Property, in the event of a storm event and when the Property's on-site storm drainage system fails to function or it is clogged. Site grading shall be designed such that the Project's storm drainage overland release point will be directly to a public street with functional storm drainage system and the storm drainage line on the street has adequate capacity to drain storm water from the Property. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.

- C.7.2 The Project's permanent storm drainage connection(s) shall be designed and constructed meet City Regulations. The design of the permanent storm drainage connection shall be shown on the Grading and Drainage Plans with calculations for the sizing of the storm drain pipe(s), and shall comply with the applicable requirements of the City's storm water regulations adopted by the City Council in 2008 and any subsequent amendments.

C.8 Sanitary Sewer

The Subdivider shall prepare improvement plans, and design and construct the subdivision improvements in accordance with the following requirements.

- C.8.1 It is the Subdivider's responsibility to design and construct the Project's permanent sanitary sewer connection to Eastlake Circle and Dominique Drive in accordance with City Regulations. The Subdivider shall submit

improvement plans that include the design of the sanitary sewer line from the Property to the point of connection. The Subdivider is responsible for the cost of installing the Project's permanent sanitary sewer connection including but not limited to, replacing asphalt concrete pavement, reconstructing curb, gutter and sidewalk, restoring pavement marking and striping, and other streets and utilities improvements that are disturbed as a result of installing the Project's permanent sanitary sewer connection.

Prior to starting the work described in this section, the Subdivider shall submit a Traffic Control Plan, to show the method and type of construction signs to be used for regulating traffic during the installation of the sanitary sewer main on Dominique Drive. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California.

- C.8.3 The Subdivider is hereby notified that the City will not provide maintenance of the sewer lateral within the public right-of-way unless the sewer cleanout is located and constructed in conformance with Standard Plan No. 203. The City's responsibility to maintain on the sewer lateral is from the wye fitting to the point of connection with the sewer main.

C.9 Water System

The Subdivider shall prepare improvement plans, and design and construct the subdivision improvements in accordance with the following requirements.

- C.9.1 The Project's permanent water connection points will be at Eastlake Circle and Dominique Drive. Three (3) gate valves will be required at each connection point. All water connections that are bigger than 2 inches in diameter shall be Ductile Iron Pipe (DIP).
- C.9.2 Domestic water service with a remote read (radio-read) water meter shall be installed in accordance with City Regulations and at the location approved by the City Engineer. City's responsibility to maintain water lines shall be from the water main on the street to the back of the water meter (inclusive) only. Repair and maintenance of all on-site water lines, laterals, valves, and fittings shall be the responsibility of the Subdivider or the individual lot owner(s).
- C.9.3 All costs associated with the installation of the Project's permanent water connection(s) including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings on existing street that may be disturbed with the installation of the permanent water connection(s), domestic water service for each lot, and other improvements shall be paid by the Subdivider.
- C.9.4 If a water main shut down is necessary, the City will allow a maximum of 4 hours water supply shutdown. The Subdivider shall be responsible for notifying residents or property owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or property owner(s) at least 72 hours before the planned water main shutdown. Prior to starting the work described in this section, the

Subdivider shall submit a Traffic Control Plan, to show the method and type of construction signs to be used for regulating traffic during the installation of the water main. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California.

- C.9.5 The Subdivider shall design and install fire hydrants at the locations approved by the City's Building Division and Fire Department. Location and construction details of the fire service line shall be approved by the Chief Building Official and Fire Safety Officer. Prior to the approval of the Improvement Plans by the City Engineer, the Subdivider shall obtain written approval from the Chief Building Official and Fire Safety Officer, for the design, location and construction details of the individual lot fire service, and for the location and spacing of fire hydrants that are to be installed to serve the Project.

C.10 Street Improvements

The Subdivider shall prepare improvement plans, and design and construct the subdivision improvements in accordance with the following requirements.

- C.10.1 The Subdivider shall design and construct street and utilities improvements on Tung M. Nguyen Street in accordance with City Regulations and approved Improvement Plans. The street and utilities improvements include but not limited to, concrete curb, gutter, and sidewalk, residential driveway, water main, domestic and fire sprinkler service, sanitary sewer main, sewer lateral and cleanout, storm drain line, catch basin, storm drainage drop inlet, street tree, pavement marking and striping, and traffic sign, and other improvements that are required to serve the Project.

- C.10.2 Installation of domestic and fire sprinkler services for Lots 1 through 7 on Basque Drive and for Lots 36 through 47 on Dominique Drive will require street or pavement cut and the construction of utility trenches that extends beyond the centerline of these two streets. In order to hide pavement excavation or trench marks, the application of 2 inches thick asphalt concrete overlay will be required over the entire width of these two streets within the limits described below. The City Engineer may extend the limits of the asphalt concrete overlay, if determined to be necessary.

C.10.2.1 Basque Drive from the curb-return on Dominique Drive to the projected northern property line of Lot 1

C.10.2.2 Dominique Drive from the curb-return on Eastlake Circle to the curb-return on Tung Nguyen Street

Installation of the Project's storm drain, water, and sanitary sewer connections will require cutting of existing pavement. The application of asphalt concrete overlay will be required at the following location within the limits described below.



C.10.2.3 Eastlake Circle (entire width of the pavement) from the two curb-returns of Tung M. Nguyen Street

Grinding the existing asphalt concrete pavement 2 inches deep (uniform thickness) is required in order to maintain existing pavement grades, and cross and longitudinal slopes.

The Subdivider shall replace all existing improvements including but not limited to, concrete curb, gutter, and sidewalk, pavement marking and striping that are disturbed as result of the installation of the Project's water main connections, domestic and fire sprinkler services, permanent sewer connections, and sewer laterals as part of the asphalt concrete overlay work. The work described under this section must be completed, prior to City's acceptance of the subdivision improvements or performing final building inspection, all at the Subdivider's sole cost and expense, with no reimbursement from the City.

- C.10.4 All work to be performed and improvements to be constructed within City's right-of-way including the installation of the Project's water main and sanitary sewer main on Eastlake Circle and Dominique Drive and the storm drain connection on Eastlake Circle will require an Encroachment Permit from the City, prior to starting the work. The Subdivider or its authorized representative shall submit all documents that are required to process the Encroachment Permit including but not limited to, approved Improvement Plans, Traffic Control Plan that is prepared by and signed and stamped by a Civil Engineer or Traffic Engineer registered to practice in the State of California, payment of engineering review fees, copy of the Contractor's license, Contractor's Tracy business license, and certificate of insurance naming the City of Tracy as additional insured or as a certificate holder.

C.11 Agreements, Improvement Security, and Insurance

- C.11.1. Inspection Improvement Agreement - Prior to City approval of a final map, the Subdivider may request to proceed with construction of the public facilities required to serve the real property described by the final map only if the Subdivider satisfies all of the following requirements to the satisfaction of the City Engineer:

- C.11.1.1 The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the improvement plans have been approved by the City Engineer.
- C.11.1.2 The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map is in the process of being reviewed by the City.
- C.11.1.3 The Subdivider has paid all required processing fees including plan check and inspection fees.

- C.11.1.4 The Subdivider executes an Inspection Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all required improvements, and the Subdivider agrees to assume the risk that the proposed final map may not be approved by the City.
- C.11.1.5 The Subdivider posts all required improvement security and provides required evidence of insurance.
- C.11.2. Subdivision Improvement Agreement - Concurrently with the City's processing of a final map, and prior to the City's approval of the final map, the Subdivider shall execute a Subdivision Improvement Agreement (for the public facilities required to serve the real property described by the final map), which includes the Subdivider's responsibility to complete all of the following requirements to the satisfaction of the City Engineer:
  - C.11.2.1 The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the improvement plans have been approved by the City Engineer.
  - C.11.2.2 The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map has been approved by the City Engineer.
  - C.11.2.3 The Subdivider has paid all required processing fees including plan check and inspection fees.
  - C.11.2.4 The Subdivider executes a Subdivision Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all required improvements.
  - C.11.2.5 The Subdivider posts all required improvement security and evidence of insurance.
- C.11.3. Deferred Improvement Agreement - Prior to the City's approval of the first final map within the Project, the Subdivider shall execute a Deferred Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all remaining public facilities (to the extent the public facilities are not included in the Subdivision Improvement Agreement) which are required by these Conditions of Approval. The Deferred Improvement Agreement shall identify timing requirements for construction of all remaining public facilities, in conformance with the phasing plan submitted by the Subdivider and approved by the City Engineer.

- C.11.4. Improvement Security - The Subdivider shall provide improvement security for all public facilities, as required by an Inspection Improvement Agreement or a Subdivision Improvement Agreement. The form of the improvement security may be a bond, or other form in accordance with City Regulations. The amount of the improvement security shall be in accordance with City Regulations, generally, as follows:
- C.11.4.1 Faithful Performance (100% of the approved estimates of the construction costs of public facilities),
  - C.11.4.2 Labor & Material (100% of the approved estimates of the construction costs of public facilities), and
  - C.11.4.3 Warranty (10% of the approved estimates of the construction costs of public facilities)
- C.11.5 Insurance - For each Inspection Improvement Agreement and Subdivision Improvement Agreement, the Subdivider shall provide the City with evidence of insurance, as follows:
- C.11.5.1 General. The Subdivider shall, throughout the duration of the Agreement, maintain insurance to cover Subdivider, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under the Agreement at the minimum levels set forth below.
  - C.11.5.2 Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an amount not less than \$3,000,000 general aggregate and \$1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
  - C.11.5.3 Automobile Liability (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") coverage shall be maintained in an amount not less than \$1,000,000 per accident for bodily injury and property damage.
  - C.11.5.4 Workers' Compensation coverage shall be maintained as required by the State of California.
  - C.11.5.5 Endorsements Subdivider shall obtain endorsements to the automobile and commercial general liability with the following provisions:
    - C.11.5.5.1 The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

- C.11.5.5.2 For any claims related to this Agreement, Subdivider's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Subdivider's insurance and shall not contribute with it.
- C.11.5.6 Notice of Cancellation Subdivider shall obtain endorsements to all insurance policies by which each insurer is required to provide thirty (30) days prior written notice to the City should the policy be cancelled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.
- C.11.5.7 Authorized Insurers All insurance companies providing coverage to Subdivider shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.
- C.11.5.8 Insurance Certificate Subdivider shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City.
- C.11.5.9 Substitute Certificates No later than thirty (30) days prior to the policy expiration date of any insurance policy required by the Agreement, Subdivider shall provide a substitute certificate of insurance.
- C.11.5.10 Subdivider's Obligation Maintenance of insurance by the Subdivider as specified in the Agreement shall in no way be interpreted as relieving the Subdivider of any responsibility whatsoever (including indemnity obligations under the Agreement), and the Subdivider may carry, at its own expense, such additional insurance as it deems necessary.
- C.11.6. Release of Improvement Security – Release of improvement security shall be in accordance with the requirements of the Tracy Municipal Code. The City shall not release any improvement security until after the Subdivider provides as-built plans, to the satisfaction of the City Engineer. Within twenty (20) days after the City's approval of the final map, the City shall provide the Subdivider one (1) set of reproducible duplicates on polyester film of all approved Improvement Plans. Upon completion of the construction by the Subdivider, the City shall temporarily release the originals to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements. The Subdivider shall submit these As-Built Plans (or Record Drawings) to the City Engineer within 30 days after City Council acceptance of the public improvements.

C.12 Final Building Inspection

No Final building inspection will be performed by the City until after the Subdivider provides documentation which demonstrates, to the satisfaction of the City Engineer, that:

- C.12.1 The Subdivider has completed all requirements set forth in this section, and Conditions C.1, C.2, C.3, C.4, C.5, C.6, C.7, C.8, C.9, and C.10, above.
- C.12.2 The Subdivider has completed construction of all public facilities required to serve the building for which a certificate of occupancy is requested. Unless specifically provided in these Conditions of Approval, or some other City Regulation, the Subdivider shall take all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).

**C.13 Special Conditions**

Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the final subdivision map, improvement agreement, and improvement plans, prior to the City Engineer's signature on the final subdivision map and improvement plans, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Subdivider shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.

**D. Public Works Department Conditions**

Contact: Stephanie Hiestand                      (209) 831-4333                      stephanie.hiestand@ci.tracy.ca.us

- D.1. Prior to issuance of a grading permit, the Developer shall provide proof of compliance with the Construction General Permit through a Waste Discharge ID number or Notice of Intent submittal; and provide proof of compliance with the City of Tracy Manual of Stormwater Quality Control Standards for New Development and Redevelopment (Manual), which includes the requirements for Site Design, Source and Treatment Control Measures, in a project Stormwater Quality Control Plan (SWQCP), to the satisfaction of the Public Works Director or his/her designee.
- D.2. Prior to the issuance of a building permit, the Developer shall prepare a detailed landscape and irrigation plan for all landscape areas (e.g. back yards, front yards, and public right of way) consistent with City standards and shall show compliance with adopted Water Efficient Landscape Ordinance and mandatory CalGreen Building Standards for Residential Properties through submittal and approval of the required Landscape Package, which includes project information, a water efficient landscape worksheet, a soil management report and Landscape, Irrigation, Drainage and Grading Plans, to the satisfaction of the Public Works Director or his/her designee.

- D.3. Prior to building permit final inspection, a Storm Water Treatment Device Access and Maintenance Agreement must be approved and notarized between the Developer and the City, to the satisfaction of the Public Works Director or his/her designee.

November 6, 2013

AGENDA ITEM 2C

REQUEST

**PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION TO ALLOW AN INDOOR RECREATIONAL FACILITY AT 1325 N. MACARTHUR DRIVE. APPLICANT IS RAJ CHELLANI. PROPERTY OWNER IS GIANT PROPERTIES, LLC. APPLICATION NUMBER CUP13-0006**

DISCUSSION

Site and Project Description

The proposal is to operate a children's indoor recreational facility, known as Pump It Up, at 1325 North MacArthur Drive at the southwest corner of Stonebridge Drive and MacArthur Drive (Attachment A: Location Map). The site is approximately 1-acre and includes a single building of approximately 16,000 square feet (Attachment B: Site Plan).

The proposed use would be an indoor recreational facility to serve the needs of private parties and special occasions, primarily birthday parties for children. It would be a destination business with parties and special occasion events scheduled by reservation only. The proposed use would feature two arenas equipped with large, inflatable equipment upon which children could bounce, slide, climb, and tumble. Following approximately 90 minutes of inflatable playtime, guests would move to a private party room where they could enjoy additional party activities.

The proposed floor plan consists of approximately 12,000 square feet with a future expansion area of approximately 4,000 square feet for potential arcade games or other party activities (Attachment C: Floor Plan). The facility could accommodate a maximum of two parties at a time, with each party having up to 20 to 25 children. There would be six to eight employees per shift.

The site is zoned Light Industrial (M1) and designated General Industrial by the City's Industrial Areas Specific Plan (ISP). The General Plan designation is Industrial (I). The surrounding areas are zoned Light Industrial (M1) and General Industrial by the ISP. The requested use is allowed in the General Industrial designation of the ISA with approval of a Conditional Use Permit.

Parking

The Tracy Municipal Code does not state specific off-street parking requirements for the proposed use. However, as is permitted by the Tracy Municipal Code, the Planning Commission has made the determination in previous years that the minimum parking requirements should be one space per employee and one space per every four non-driving age students for similar recreational and instructional uses, such as dance studios, karate studios, gymnastic studios, and children's jumpy places. This parking requirement is consistent with the applicant's expectation that most children will be dropped-off for the parties.

The existing site contains a total of 26 parking spaces, all of which will need to be restriped because the paint has faded. Based on the parking requirement stated above and the proposed project description, the number of required parking spaces would be 21 (given 8 employees and two parties of 25 children each). Therefore, the existing number of parking spaces on the site exceeds the minimum requirements for the proposed use. The proposed future expansion area would not increase the number of parties at any one time (maximum of two) or the maximum party size (20 to 25 children per party) and would therefore not increase the minimum parking requirement.

#### Recommended Conditions of Approval

The Planning Commission has previously approved many other recreational and instructional uses in similar industrial areas. The proposed site for this application is particularly advantageous because it's a stand-alone building that's well-landscaped with a dedicated parking area immediately adjacent to MacArthur Drive and Stonebridge Drive. There would be minimal to no interaction between the proposed facility's guests and neighboring industrial businesses.

Recommended conditions of approval include restriping the parking area and installing additional exterior lighting to better illuminate the site for public safety.

#### Environmental Document

The proposed project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303. This exemption pertains to the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

### RECOMMENDATION

Staff recommends that the Planning Commission approve a Conditional Use Permit to allow an indoor recreational facility at 1325 North MacArthur Drive, Application Number CUP13-0006, based on the findings and subject to the conditions contained in the Planning Commission Resolution (Attachment D: Planning Commission Resolution) dated November 6, 2013.

### MOTION

Move that the Planning Commission approve a Conditional Use Permit to allow an indoor recreational facility at 1325 North MacArthur Drive, Application Number CUP13-0006, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated November 6, 2013.

Prepared by: Scott Claar, Associate Planner

Reviewed by: Bill Dean, Assistant Development Services Director

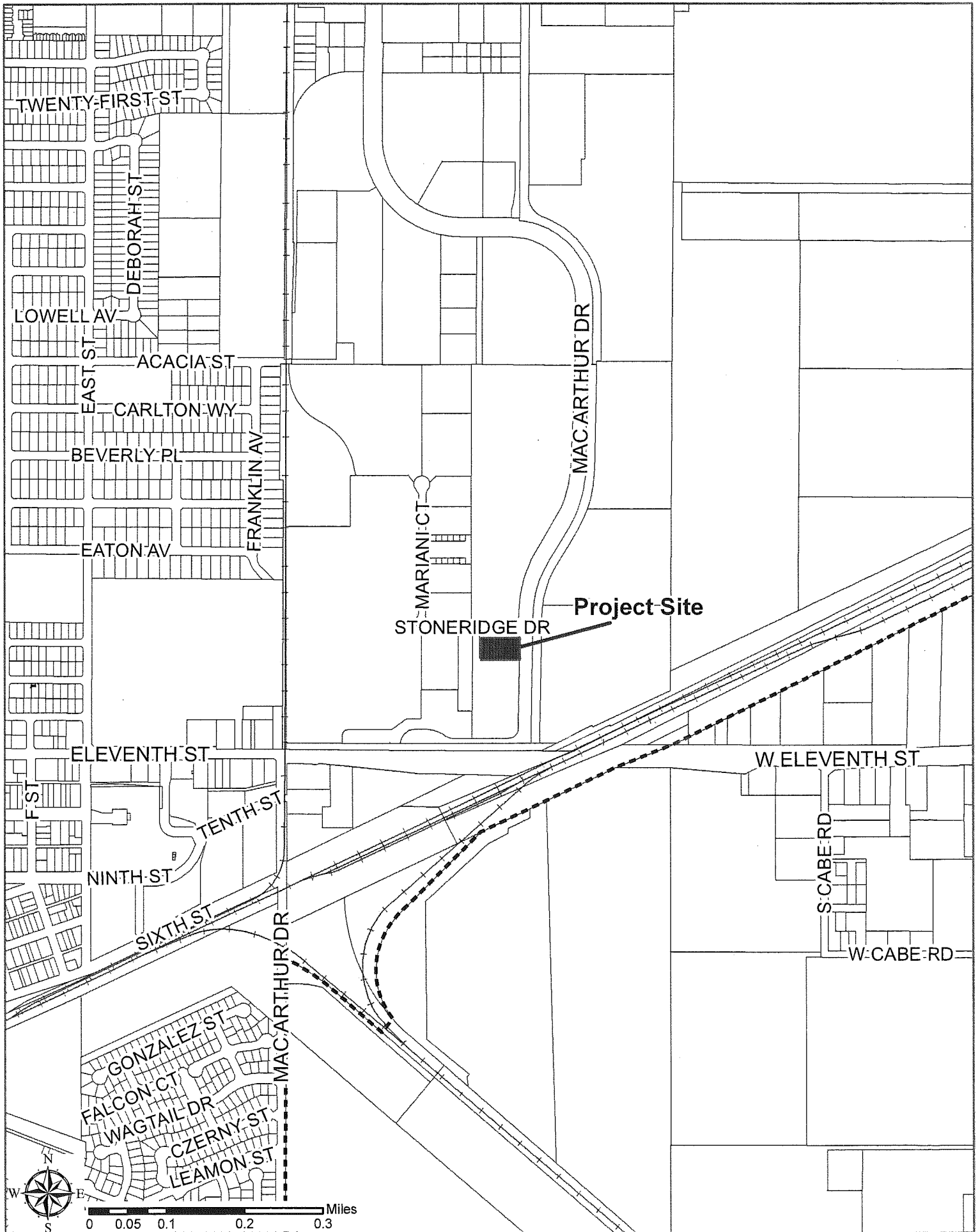
Approved by: Andrew Malik, Development Services Director



ATTACHMENTS

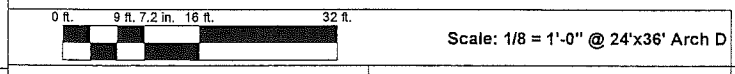
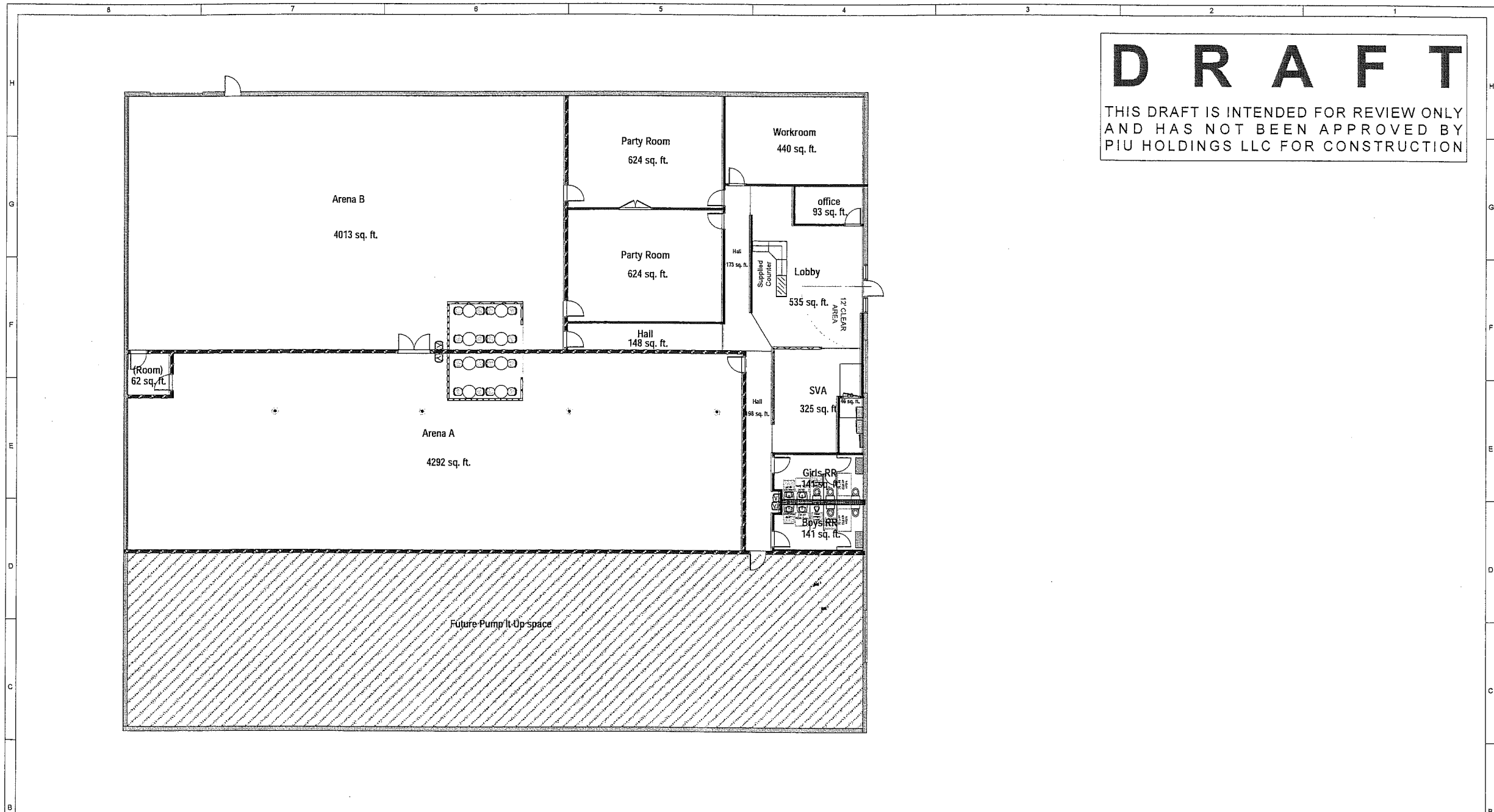
- A: Location Map
- B: Site Plan
- C: Floor Plan
- D: Planning Commission Resolution

# Location Map



**D R A F T**

THIS DRAFT IS INTENDED FOR REVIEW ONLY AND HAS NOT BEEN APPROVED BY PIU HOLDINGS LLC FOR CONSTRUCTION

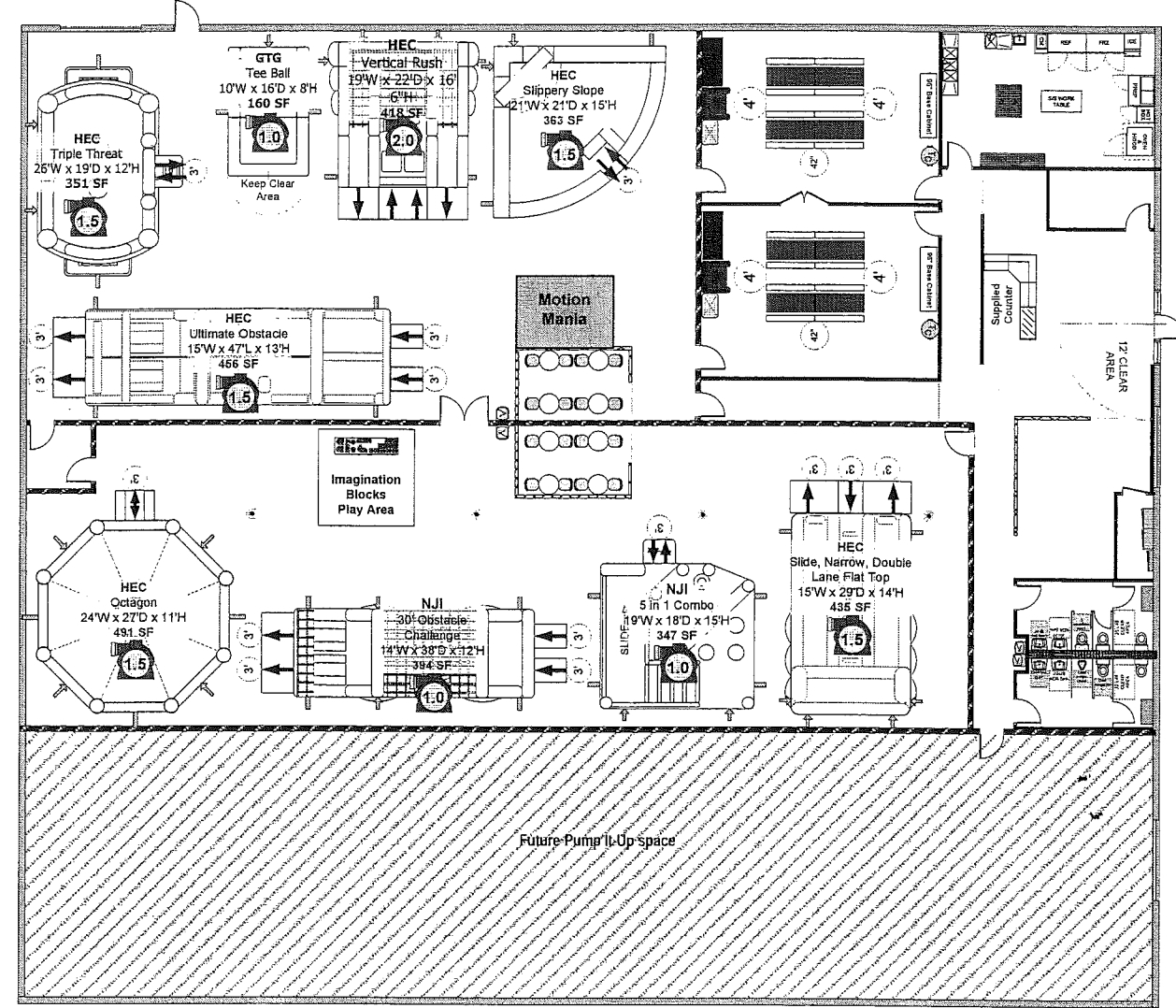


Annotations Page

<b>Applicable Area By Area Specifications:</b> <b>13-01-01</b>	<b>Proposed Drop Ceiling Height:</b> <b>9' Ft. AFF</b>	<b>Proposed Arena Deck CLEAR HEIGHT:</b> <b>18' Ft. AFF</b>	<b>Designed, Drawn, or Converted by:</b> <b>TC</b>	<b>Property of:</b> <b>PIU Holdings LLC</b> 1860 W University Dr Suite 108 Tempe, AZ 85281 All Rights Reserved	<b>File Name:</b> CA_Tracy_MacArther_102213	Revision #: <b>07</b>
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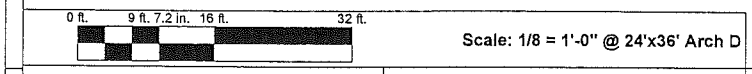
# DRAFT

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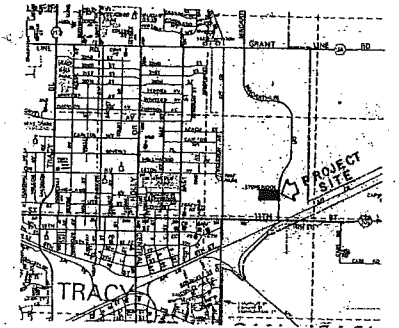
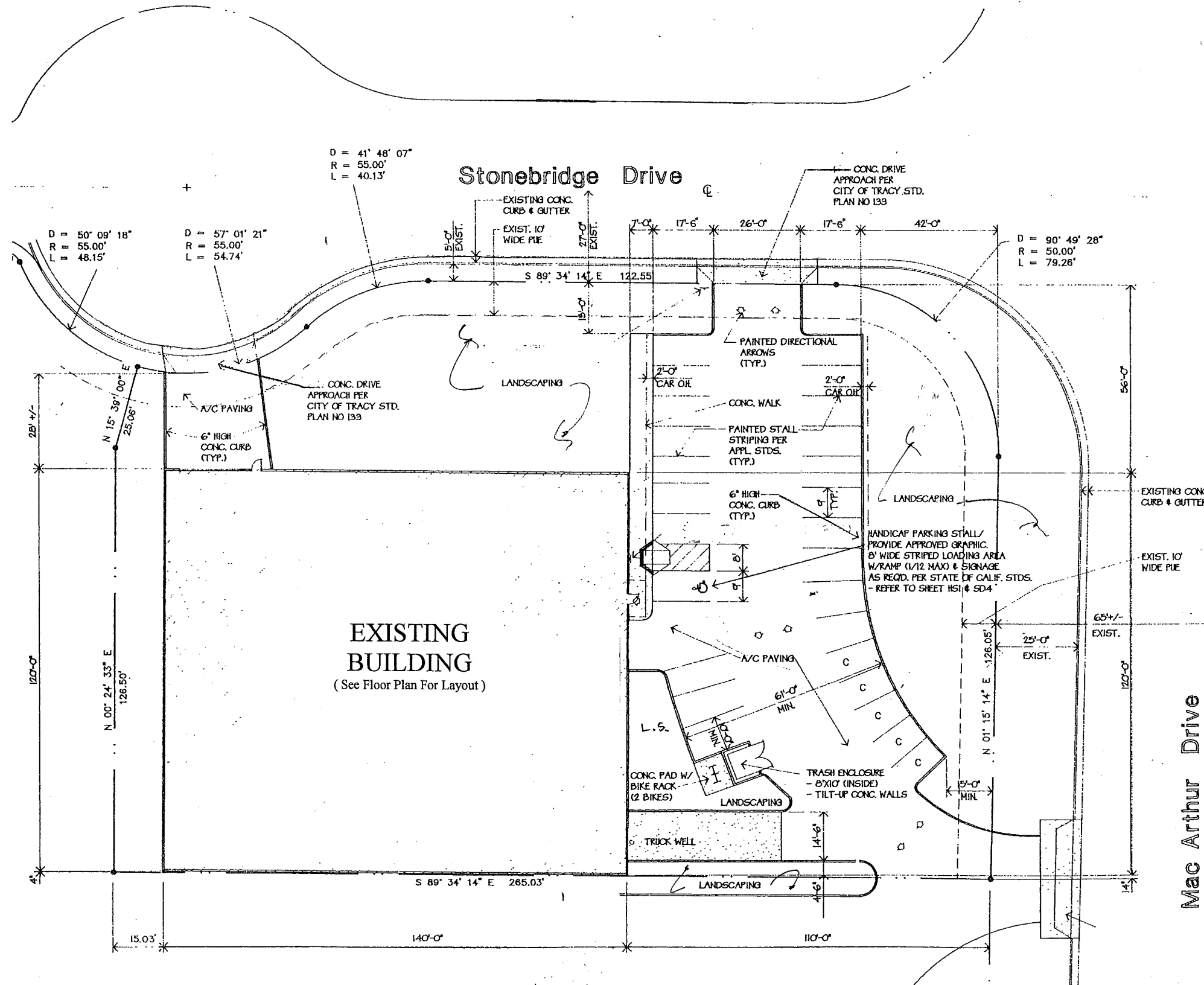


## SAMPLE INFLATABLE LAYOUT

The Inflatable & Arcade Layout shown here is **not approved for use**. It is a proposed layout for spatial review only. An approved Inflatable Layout will follow after all options and concerns have been addressed.



Applicable Area By Area Specifications: <b>13-01-01</b>	Proposed Drop Ceiling Height: <b>9' Ft. AFF</b>	Proposed Arena Deck CLEAR HEIGHT: <b>18' Ft. AFF</b>	Designed, Drawn, or Converted by: <b>TC</b>	Property of: <b>PIU Holdings LLC</b> 1860 W University Dr Suite 108 Tempe, AZ 85281 All Rights Reserved	File Name: <b>CA_Tracy_MacArther_102213</b>	Revision #: <b>07</b>
<p><b>CONFIDENTIALITY NOTICE:</b> This Space Plan Design document, and all information contained herein, is the sole property of PIU Holdings LLC. It is produced solely for use by a licensed Pump It Up franchisee. It may not be disseminated or disclosed, in whole or in part, without the expressed written consent of PIU Holdings LLC.</p>			<p>This Space Plan design is provided for design purposes only. No warranty or guarantee is promised, implied or inferred by PIU Holdings LLC regarding the accuracy of this design as it relates to wall measurements and/or deck clear height. It is strongly recommended that all afore mentioned measurements be field verified prior to use for construction bids, wall construction, or product ordering.</p>		<p>1325 N MacArthur Dr. Tracy, CA, 120' x 140' ~ 16,800 (12,087 PIU)SF</p>	



VICINITY MAP

SITE DATA:

BUILDING AREA = 16,800 SQ. FT.  
 PAVING AREA = 10,484 SQ. FT.  
 LOT AREA = 44,850 +/- SQ. FT.  
 26 PARKING STALLS INCLUDING 5 COMPACT

 SITE PLAN

November 6, 2013

**RESOLUTION \_\_\_\_\_**

**PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW AN  
INDOOR RECREATIONAL FACILITY AT 1325 N. MACARTHUR DRIVE APPLICATION  
NUMBER CUP13-0006**

WHEREAS, On September 19, 2013, Raj Chellani submitted an application to the Development Services Department for a Conditional Use Permit to allow an indoor recreational facility at 1325 North MacArthur Drive Permit (Application Number CUP13-0006); and

WHEREAS, The subject property is located within an area designated General Industrial by the City's Industrial Areas Specific Plan, and as such, the proposed use is a conditionally permitted use, and

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

WHEREAS, The project is categorically exempt from the California Environmental Quality Act requirements under Guidelines Section 15303; and

WHEREAS, The Planning Commission held a public hearing to review and consider the Conditional Use Permit application on November 6, 2013;

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission does hereby approve a Conditional Use Permit to allow an indoor recreational facility at 1325 North MacArthur Drive. The approval of Conditional Use Permit Application Number CUP13-0006 is based on the following findings and subject to the conditions as stated in Exhibit "1" attached and made part hereof:

1. There are circumstances or conditions applicable to the land, structure, or use that make the granting of a use permit necessary for the preservation and enjoyment of a substantial property right because the proposed use is not allowed unless the Planning Commission grants approval of a Conditional Use Permit.
2. The proposed location of the conditional use is in accordance with the objectives of Tracy Municipal Code Chapter 10.08 and the purposes of the zone in which the site is located because the proposed use is allowed in the areas designated General Industrial by the City's Industrial Areas Specific Plan if the Planning Commission approves a Conditional Use Permit.
3. The proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to, or inharmonious with, properties or improvements in the vicinity because the proposed use will comply with the City of Tracy General Plan, the Industrial Areas Specific Plan, and applicable requirements of Chapter 10.08 of the Tracy Municipal Code.

- 4. The proposed use will comply with each of the applicable provisions of Chapter 10.08 of the Tracy Municipal Code, Zoning Ordinance because subject to approval by the Planning Commission for a Conditional Use Permit, the proposed project will be required to comply with all applicable provisions including, but not limited to, the Tracy Municipal Code, the California Building Code, the City of Tracy Standard Plans, and the Uniform Fire Code.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the Planning Commission on the 6th day of November 2013, by the following vote:

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

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
STAFF LIAISON

AGENDA ITEM 2D

REQUEST

**CONDUCT A SCOPING MEETING TO OBTAIN COMMENTS FROM PUBLIC AGENCIES OR OTHER INTERESTED PARTIES REGARDING ISSUES TO BE ANALYZED IN TRACY HILLS SPECIFIC PLAN AMENDMENT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT – APPLICATION NUMBERS GPA13-0001, SPA13-0001, TSM13-0005, and ZA13-0003**

DISCUSSION

The Tracy Hills Specific Plan was approved and annexed into the City in 1998. During the past 15 years, the project has been affected by growth-related ballot measures, ownership changes, and City General Plan updates. No construction on site has taken place since annexation into the City.

The proposed project is to amend the Specific Plan, primarily rearranging and updating land uses within the Specific Plan, modifying parts of the public infrastructure (to be consistent with the City's recently adopted Infrastructure Master Plans), and consideration of a Development Agreement. The current applications include a Tentative Subdivision Map for the first 1,172 houses in Phase 1, a General Plan Amendment, and a Specific Plan Amendment. A zoning text amendment would add the Tracy Hills Specific Plan to the list of zone districts in the Tracy Municipal Code.

The boundaries of the approximately 6,175-acre Specific Plan area remain unchanged and the estimated total amount of development at build out remains unchanged. The Specific Plan proposes approximately 5,500 homes, close to 600 acres of commercial and industrial development, plus public land uses, such as open space, parks, and schools. Significant public infrastructure (such as arterial roadways, interchange improvements, sewer and water systems) will be part of project build out.

In accordance with California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (EIR) is required to analyze the potential environmental effects of the Project. Kimley-Horn and Associates was chosen by the City to prepare the EIR.

The Notice of Preparation (NOP) for this Project EIR was published on October 24, 2013 (Attachment B). Through the NOP, public agencies and other parties are asked to provide input with respect to areas or issues that should be analyzed in the EIR. These areas or issues will be evaluated and addressed in the Draft EIR or otherwise brought back to the Planning Commission.



CEQA Guidelines require a scoping meeting for EIR projects that meet one or more of the criteria to become a project of “statewide, regional, or areawide significance.” The characteristics of this project triggering that designation are (1) an amendment to the General Plan, and (2) the Project includes more than 500 dwelling units. The purpose of this scoping meeting is to provide an opportunity for the lead agency to consult directly with public agencies or other interested parties who may be concerned about the environmental effects of a project. Scoping may help identify project alternatives, mitigation measures, or significant effects to be analyzed in the EIR. A list of probable environmental effects anticipated to be analyzed in the EIR is contained in the attached NOP.

The NOP, including notice of tonight’s scoping meeting, was sent to a variety of public and private agencies and property owners within over 300 feet of the Project site.

After tonight’s scoping meeting, the Draft EIR will be prepared and, along with the project, presented to the Planning Commission for review and recommendation to the City Council. No action by the Planning Commission is requested at this time.

### RECOMMENDATION

Staff recommends that the Planning Commission receive input from any interested parties regarding issues or alternatives that should be evaluated in the EIR.

### MOTION

(No motion is prepared because no action is necessary by the Planning Commission.)

Prepared by: Alan Bell, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director

Approved by: Andrew Malik, Development Services Director

### ATTACHMENTS

Attachment A – CEQA Notice of Preparation and Initial Study

## Notice of Preparation

<b>TO:</b>	California State Clearinghouse	<b>FROM:</b>	City of Tracy
	1400 Tenth Street Sacramento, CA 95814		Development Services Department
			333 Civic Center Plaza Tracy, CA 95376
			Attn.: William Dean, Assistant Director

**Subject: Notice of Preparation of an Environmental Impact Report**

The City of Tracy (City) will be the lead agency and will prepare a subsequent environmental impact report (SEIR) for the Tracy Hills Specific Plan Amendment Project (Project). This Notice of Preparation is sent pursuant to Section 15082 of the California Environmental Quality Act (CEQA) Guidelines (Title 14, Chapter 3 of the California Code of Regulations (Section 15000 *et seq.*) to announce the initiation of the EIR process and to solicit comments from responsible and trustee agencies, utility providers, organizations, neighboring property owners, and interested parties concerning the scope of issues to be addressed in the EIR. Refer to the Probable Environmental Effects listed in the attached Initial Study to determine whether your concerns have already been identified. Please focus your comments on the project's potential environmental impacts and recommendations for methods of avoiding, reducing, or otherwise mitigating those impacts. If you are a governmental agency with discretionary authority over initial or subsequent aspects of this project, describe that authority and provide comments regarding potential environmental effects that are germane to your agency's area of responsibility.

**Project Title:** Tracy Hills Specific Plan Amendment Project

**Project Applicant:** The Tracy Hills Project Owner, LLC  
672 W. 11<sup>th</sup> Street, Suite 104  
Tracy, CA 95376  
(209)-229-7760

The attached Initial Study identifies the project location and includes a description of the project, as well as the potential environmental effects and those effects found not to be significant.

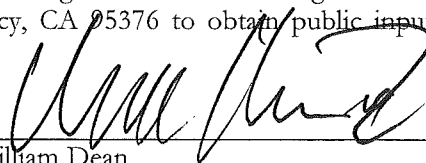
Due to the time limits mandated by State law, your response should be sent at the earliest possible date, **but no later than 30 days after receipt of this notice.** This notice will be available from October 25, 2013 through November 25, 2013. Please send your response to Alan Bell, Senior Planner, Development Services Department, City of Tracy, at the address shown on the top of the page. If you are a public or private organization or agency, we respectfully request the name of a contact person.

A scoping meeting will be held during the regular scheduled Planning Commission meeting on November 6, 2013 at City Council Chambers, 333 Civic Center Plaza, Tracy, CA 95376 to obtain public input on the proposed project.

Date:

10-23-13

Signature:



Title:

William Dean  
Assistant Director, Development and Engineering  
Services Department, City of Tracy

Telephone:

209-831-6400

Reference:

California Code of Regulations, Title 14, (State CEQA Guidelines) Sections 15082(A), 15103, 15375

## Environmental Checklist

### A. SUMMARY INFORMATION

**1. Project Title:**

Tracy Hills Specific Plan Amendment

**2. Lead Agency Name and Address:**

City of Tracy  
Department of Development Services  
333 Civic Center Drive  
Tracy, CA 95376

**3. Contact Person and Phone Number:**

William Dean, Assistant Director, Development Services Department  
(209) 831-6000

**4. Project Location:**

The proposed Project includes an amendment to the previously adopted Tracy Hills Specific Plan, which establishes land use and development standards for an approximately 6,175 acre area located near the existing interchange around Corral Hollow Road and the proposed Lammers Road interchange on Interstate 580 in the City of Tracy, California. Refer to Exhibits 1 & 2, Regional Location and Vicinity Map. The property is bordered by the Delta Mendota Canal to the northeast, the Union Pacific Railroad to the northwest, undeveloped hillside to the west and southwest, South Corral Hollow Road to the southeast, and the Tracy Municipal Airport and privately owned lands designated and zoned for aggregate extraction to the east.

**5. General Plan Designation and Zoning Classification:**

General Plan designation: Residential Low; Residential Medium; Residential High; Commercial; and Village Center

Zoning classification: Tracy Hills Specific Plan

**6. Existing and Surrounding Land Uses:**

**Existing Land Uses**

The subject property is primarily undeveloped and has been utilized for grazing and other agricultural purposes. The portion of the site southwest of I-580 is utilized for grazing land. The portion between I-580 and the Union Pacific Rail Road Line/California Aqueduct is vacant except for an abandoned structure formerly used in the on-site livestock operation. The portion of the site bounded by the California Aqueduct, Union Pacific Rail Road, Delta-Mendota Canal, and Corral Hollow Road is utilized for agricultural crops and also contains several homes. The commercial property east of Corral Hollow Road is the site of an abandoned truck stop.

A number of linear features also bisect the site. These include a Union Pacific Railroad line, the California and Delta Mendota Canals, a major electrical transmission line, multiple underground pipelines and the Interstate 580 corridor.

### **Surrounding Land Uses**

The recently adopted Ellis Specific Plan and Urban Reserve 10 area of the General Plan represent the majority of the land to the northeast of the Project, and, if developed as anticipated, would be made up of low density residential uses, with limited commercial and industrial components. The area northwest of the project site is characterized by sparse rural residential development. The Union Pacific Rail Road Line and the Delta-Mendota Canal both serve as portions of the northern border of the Project site, and the California Aqueduct also traverses the property. Currently, most of the property to the north of the site is in agricultural production.

The land to the west and south of the Project area is designated as Open Space in the General Plan and is primarily utilized for agricultural and grazing purposes. Site 300, which is an experimental test facility that supports Livermore Laboratory's national security mission, is also located to the southwest of the Project area along Coral Hollow Road. The Corral Hollow Landfill which closed in 1995 borders the southeast side of the site at the intersection of Interstate 580 and Corral Hollow Road. A portion of the land to the east of the Project site is designated by the County of San Joaquin General Plan for Aggregate production. In addition, the Tracy Municipal Airport is located to the east of the Project area. A portion of the site is located within the airport Area of Influence which contains restrictions to ensure compatibility and safety between adjacent land uses.

## **B. STATUTORY AUTHORITY AND REQUIREMENTS**

As noted below, under the description of the project characteristics, the Tracy Hills Specific Plan Amendment proposes land use modifications to the previously adopted Tracy Hills Specific Plan. Based on the nature of changes being proposed and the analysis presented herein, it is anticipated that the proposed Amendment will require a Subsequent EIR (SEIR) to identify and assess the environmental impacts associated with the proposed modifications to the land use plan, updated infrastructure plans, and adoption of a General Plan Amendment. In addition, the SEIR will provide an update of regulatory requirements, potential construction impacts associated with revised phasing and impacts of the build-out community.

This Initial Study will assist in the preparation of the SEIR by focusing on the effects determined to be potentially significant, identifying the effects determined not to be significant, and outlining the reasons for determining that potentially significant effects would not be significant. This Initial Study tiers off and incorporates by reference the previously certified Specific Plan EIR regarding descriptions of environmental settings, history of the site, future development-related growth, and cumulative impacts. Further, the City's recently adopted (2011) General Plan EIR has been referenced throughout this Initial Study.

## **C. BACKGROUND AND HISTORY**

The Tracy Hills Specific Plan ("THSP") was approved by the City Council and the Specific Plan area was annexed to the City in 1998. In addition to the approval of the Tracy Hills Specific Plan, the "Project" that was examined in the Tracy Hills Environmental Impact Report (SCH No. 95122045) also included corresponding amendments to the City's General Plan and Zoning Ordinance. Various circumstances, including the City's voter initiated Growth Management Ordinance amendment in 2000 (Measure A), have precluded on-site improvements of the Project to date. The original 1998 THSP area included 6,175 acres, of which approximately 3,552 acres were designated to remain in conservation open space and were not annexed into the City. The 1998 THSP provided for development of 5,499 residential units in a mix of low, medium

and high density neighborhoods, and over five million square feet of non-residential land uses including office, commercial, and light industrial uses, in addition to parks, schools, a golf course and additional open space (refer to Table 1, Adopted (1998) Specific Plan Area Land Use Distribution).

Development within the THSP area is intended to be implemented in phases. The first phase of development (Phase 1) has been identified as the area bordered by the Union Pacific Railroad Line to the northwest, the California Aqueduct to the north, Corral Hollow Road to the southeast and Interstate 580 to the south (refer to Exhibit 3, Phasing Map). Phase 1 also includes two sub phases; Phase 1a and Phase 1b. The THSP amendment only proposes land use changes to the THSP Phase 1 area, and does not propose land use modifications within any other future phases of development. The THSP amendment also includes a Vesting Tentative Subdivision Map for Phase 1a to allow for the subdivision of the portion of Phase 1 denoted in Exhibit 3: Phasing Map. Subsequent phases of development within the THSP area have not been defined at this time.

Section 15152 of the *CEQA Guidelines* indicates that “tiering” of environmental documents is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site specific EIR or negative declaration if additional analysis is necessary. The later EIR or negative declaration incorporates by reference the general discussions from the broader EIR and concentrates on the issues specific only to the later project.

**Table 1: Adopted (1998) Specific Plan Land Use Distribution**

Land Use Category	Acreage	DU/Acre or FAR (avg. density)	DU or Sq. Ft.
Residential Estate (0.5 to 2.0 DU's/Ac.)	82.6	1.47 du/ac	121
Low Density Residential (2.1 to 5.4 DU's/Ac.)	539.3	3.50 du/ac	1,888
Medium Density Residential (5.5 to 12.0 DU's/Ac.)	557.3	5.50 du/ac	3,065
High Density Residential (12.1 to 25.0 DU's/Ac.)	35.4	12.00 du/ac	425
Professional Office & Medical	96.7	0.20 FAR	842,450 s.f.
Neighborhood Shopping	18.2	0.20 FAR	158,558 s.f.
Highway Commercial	71.5	0.20 FAR	622,908 s.f.
Village Centers	21.8	0.20 FAR	189,922 s.f.
Light Industrial	383.7	0.25 FAR	4.18 mil. s.f.
Open Space, Parks	81.8	N/A	N/A
Wildlife Habitats/Corridors	3,552.1	N/A	N/A
Recreation (Golf Course and Lake)	215.4	N/A	N/A
Schools (Elementary & High)	80.0	N/A	N/A
Public Facilities & Infrastructure	438.1	N/A	N/A
Site Totals	6,174.9 ac.		5,499 d.u.

Source: 1998 Tracy Hills Specific Plan

## D. PROJECT CHARACTERISTICS

The Project Applicant is requesting an amendment to the 1998 Tracy Hills Specific Plan (the proposed "Project"), an area generally located between I-580 and the California Aqueduct. The proposed Project is anticipated to include the following actions:

- An update of the 1998 Tracy Hills Land Use Plan and related text throughout the Plan
- Implementation of Tracy Hills Business Park designation (new designation)
- Update of the Tracy Hills infrastructure consistent with the Citywide Infrastructure Master Plans adopted in 2012 and 2013
- Phasing of Improvements to align with the current schedule for Phase 1 (Phase 1a and 1b) development
- Amendment to the Tracy Hills Storm Drainage Master Plan
- Update the Tracy Hills Phasing Plan
- Amend General Plan Land Use Map (to reflect proposed Land Use designation revisions)
- Phase 1a Vesting Tentative Subdivision Map and/or various other subdivision maps
- Development Agreements
- Elementary School in Phase 1a
- Potential Public Safety Communication Tower

In short, the goal of the THSP Amendment is to implement Tracy Hills Phase 1, update the Specific Plan to reflect the City's 2011 General Plan and Infrastructure Master Plans (IMP's), remove unnecessary or irrelevant sections, and update the plan to reflect the current legislative and/or regulatory environment governing the project area and/or project's environmental resources. Phase 1a would include a Tentative Subdivision Map that allows for the development of up to 1,200 residential lots, approximately 50 acres of Business Park, and an elementary school in an area that lies between I-580 and the California Aqueduct and between Coral Hollow Road and the future Lammers Road extension (refer to Exhibit 4, Tracy Hills Specific Plan Land Use Diagram). Phase 1b includes land use changes that replace the Light Industrial designation with a new Business Park designation (121.8 acres), increases the High Density residential acreage from approximately 17 acres to 26.5 acres, removes the Elementary School designation, and changes the Neighborhood Shopping and Professional Office designations to General Highway Commercial (23.2 acres). Further, the Village Center designation is eliminated (refer to Exhibit 4, Tracy Hills Specific Plan Land Use Diagram). There is no current application for a Tentative Subdivision Map on Phase 1b. There are no changes in Project boundaries or the overall development footprint of the Tracy Hills Specific Plan, and no proposed changes to the land plan south of I-580. The proposed amendment is not anticipated to exceed the maximum dwelling units or non-residential square footage previously approved in 1998 (refer to Table 2, THSP Phase 1 Area – Approved (1998) and Proposed Land Use Summary).

Given the amount of time that has transpired since preparation of the previously adopted Specific Plan and certified EIR, and given the nature and extent of changes proposed to the Tracy Hills Specific Plan, a Subsequent EIR (SEIR) will be prepared to address any potentially significant impacts that could result from proposed amendments to the Tracy Hills Specific Plan and Storm Drainage Master Plan. The Subsequent EIR would also address pertinent changes to the governing regulatory environment subsequent to certification of the 1998 EIR.

The Project is also expected to include a public safety communication tower. Upgrades to the City of Tracy's Police Department communication system and facilities will be necessary to provide service to the Project area. The system may include services for multiple law enforcement, emergency response, and other public agencies. New facilities may include a 150 foot tall or taller tower on or near the Tracy Hills Project site, supporting multiple antennae along with equipment buildings and related ground-mounted facilities.

It is anticipated that the Tracy Hills Specific Plan will be substantially reformatted with an updated cover, cover page format and font style, graphic layout and other presentation and/or user-friendly improvements as part of the Specific Plan amendment process. While this repackaging effort will achieve a more contemporary organizational presentation and layout, other than the areas noted in the Project Characteristics above, the content of the Specific Plan will remain the same as the Specific Plan adopted by City Council in 1998.

**Table 2: THSP Phase 1 Area – Approved (1998) and Proposed Land Use Summary**

Land Use	Approved 1998 THSP				Proposed THSP Amendment			
	LU	Acreage	Average DU/AC Or FAR	Dwelling Units	LU	Acreage	Target Density Or FAR	Estimated Units
Low Density Residential	LDR	0.0	3.5	0	LDR-TH	249.8	3.5	995
Medium Density Residential	MDR	241.7	5.5	1,329	MDR-TH	63.2	5.9	355
High Density Residential	HDR	35.8	12	430	HDR-TH	26.5	12	318
Business Park	N/A	N/A	N/A	N/A	BP-TH	169.8	0.20 FAR	N/A

Light Industrial	M-1	91.8	0.25 FAR	N/A	M-1	0.0	0.0 FAR	N/A
Professional Office and Medical	POM	78.4	0.20 FAR	N/A	POM-TH	N/A	0.20 FAR	N/A
Highway Commercial	GHC	8.4	0.20 FAR	N/A	GHC-TH	23.2	0.20 FAR	N/A
Neighborhood Shopping	NS	17.4	0.20 FAR	N/A	N/A	N/A	N/A	N/A
Neighborhood Parks	NP	32.1	N/A	N/A	NP	17.0	N/A	N/A
Open Space / Greenways Wildlife Habitats / Corridors	OS	78.9	N/A	N/A	OS	84.8	N/A	N/A
Village Centers	VC	17.3	0.20 FAR	N/A	VC-TH	0.0	0.0 FAR	N/A
Elementary Schools (4)	E	30.0	N/A	N/A	E	14.0	N/A	N/A
Road ROWs	N/A	63.0	N/A	N/A	N/A	45.0	N/A	N/A
Interstate 580 Interchange	N/A	4.8	N/A	N/A	N/A	4.9	N/A	N/A
<b>SITE TOTALS</b>	<b>N/A</b>	<b>700</b>	<b>N/A</b>	<b>1,759</b>	<b>N/A</b>	<b>698</b>	<b>N/A</b>	<b>1,566</b>
<b>Source: Tracy Hills Project Owner, LLC, 2013.</b>								

## E. PROJECT OBJECTIVES

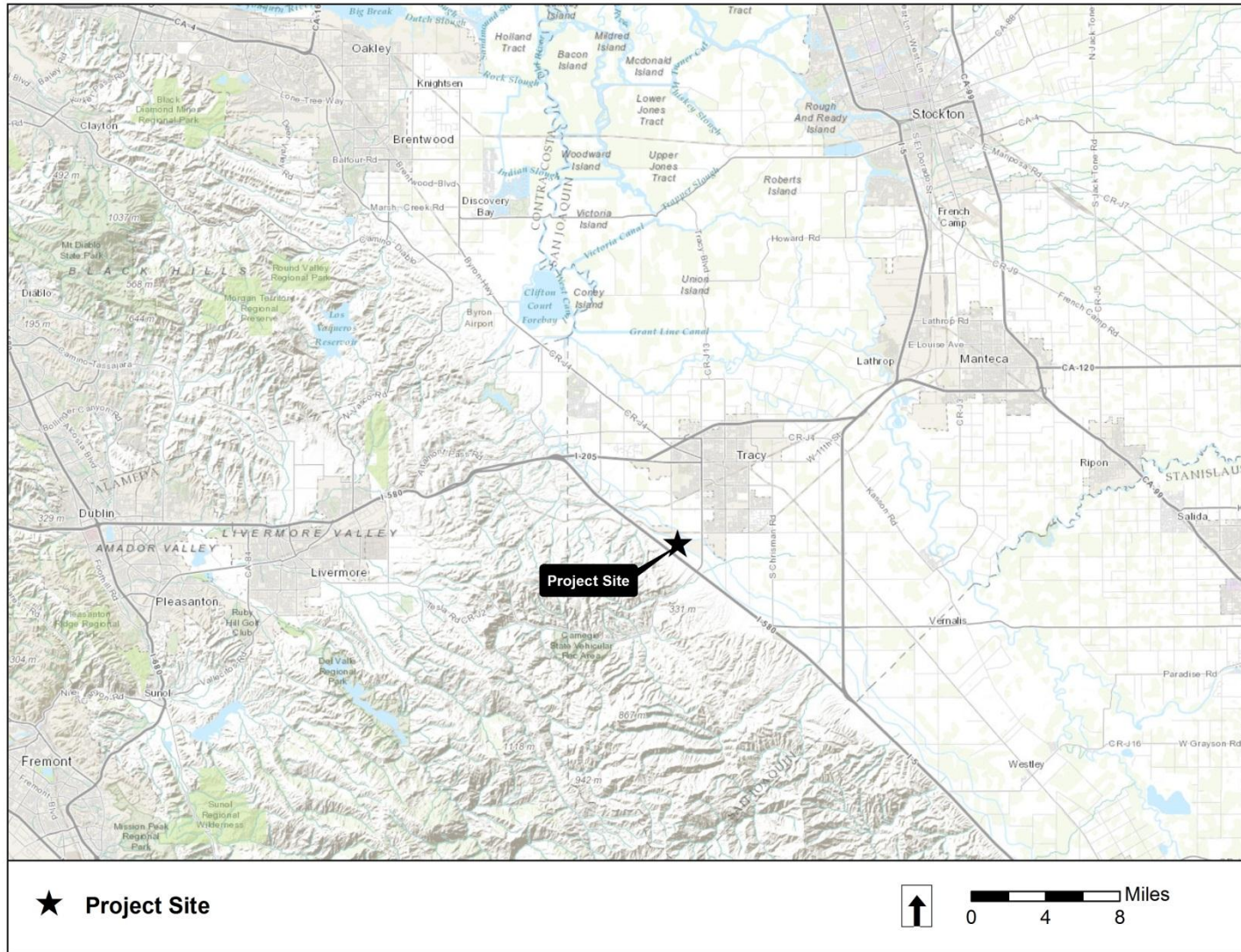
The following provides a summary of the Project Objectives associated with submittal of the proposed Specific Plan Amendment:

- To implement the City of Tracy General Plan.
- To implement and facilitate development of Tracy Hills Phase 1 (Phase 1a and 1b).
- To facilitate development through efficient and phased infrastructure design.
- To provide a range of housing options including single family (detached and attached) housing and multi-family housing neighborhoods that are financially self-supporting and contribute to the City's economic base.
- To create new public recreational and open spaces.
- To protect and enhance environmental features and wildlife habitats of the Specific Plan Area through the preservation of large tracts of contiguous open space lands.
- To create a Tracy Hills Business Park capable of accommodating a wide range of land uses contributing to jobs-housing balance, including general commercial, general office, educational, and business park industrial uses.
- To create a range of job and economic development opportunities for local individuals and businesses.
- To develop a master planned area that has a unique character and quality with a commitment to sustainability, flexible planning, high-quality architecture and site design, and the provision of attractive on-site open space, public spaces, recreational facilities, trail network, and landscaping design.



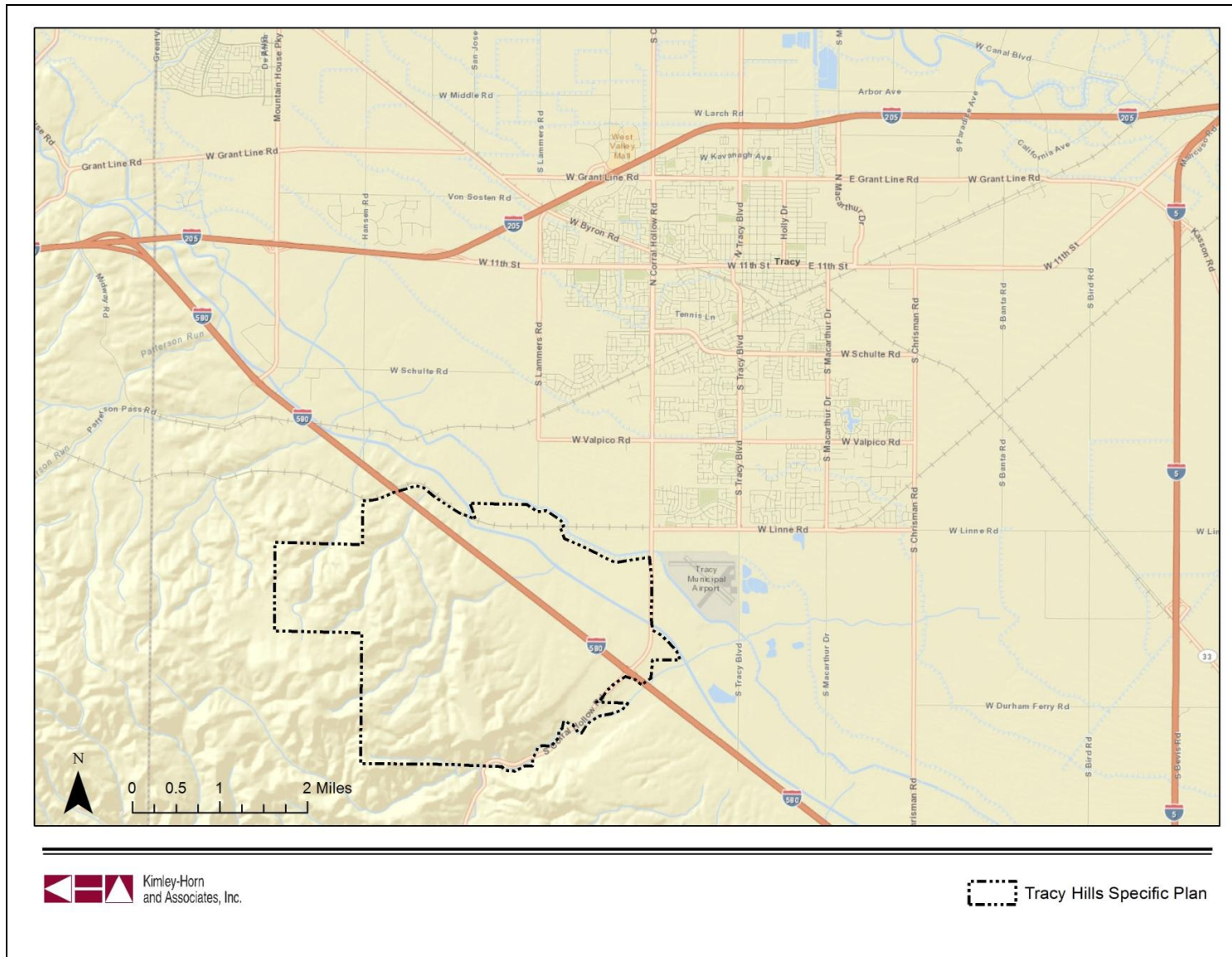
- To create an integrated trail network that creates significant pedestrian and bicycle amenities, enhances connectivity within the Specific Plan Area and provides alternatives to automobile use.
- To enhance the character and quality of the I-580 freeway corridor and edge.

Exhibit 1 (Regional Location Map)



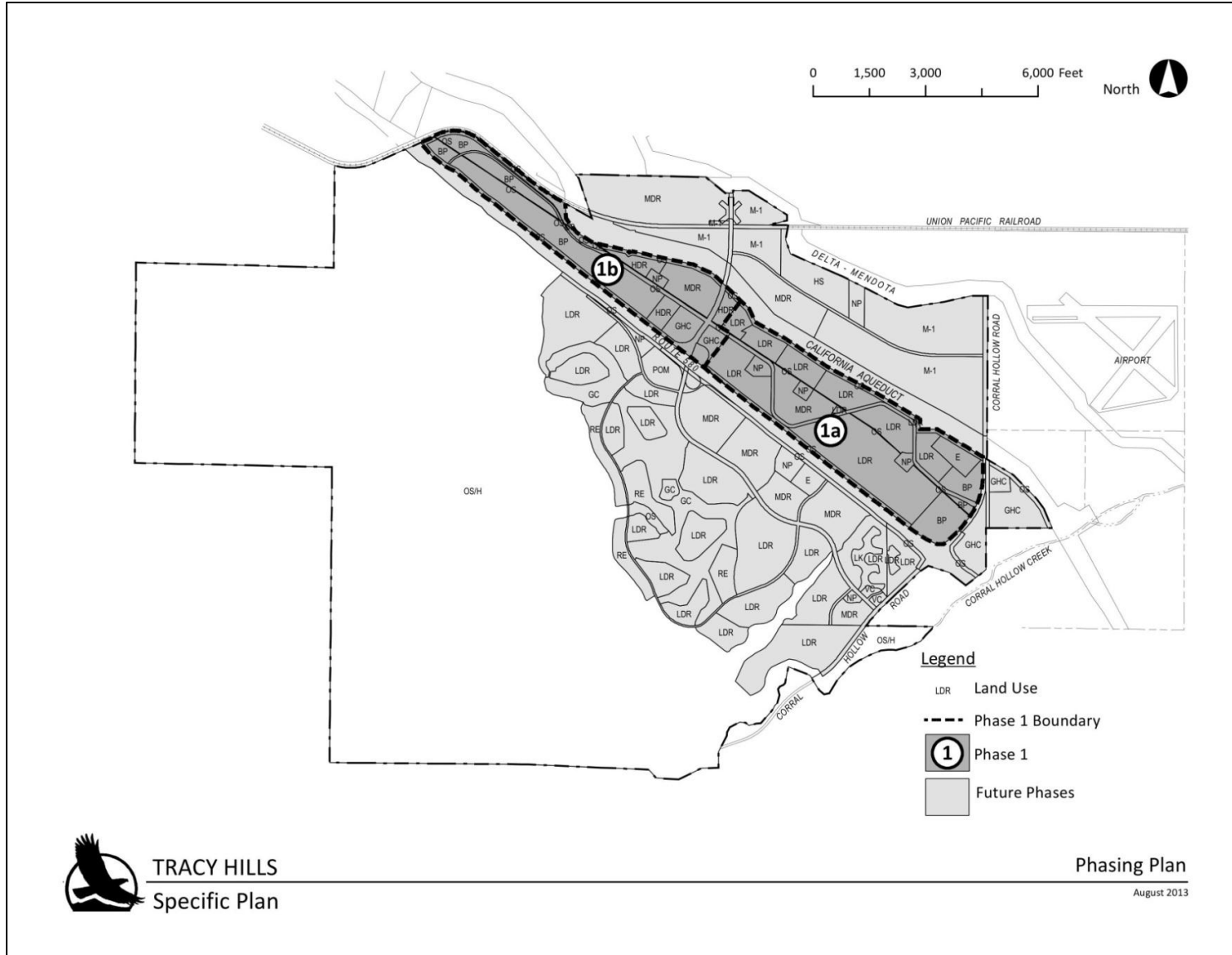
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Exhibit 2 (Vicinity Map)



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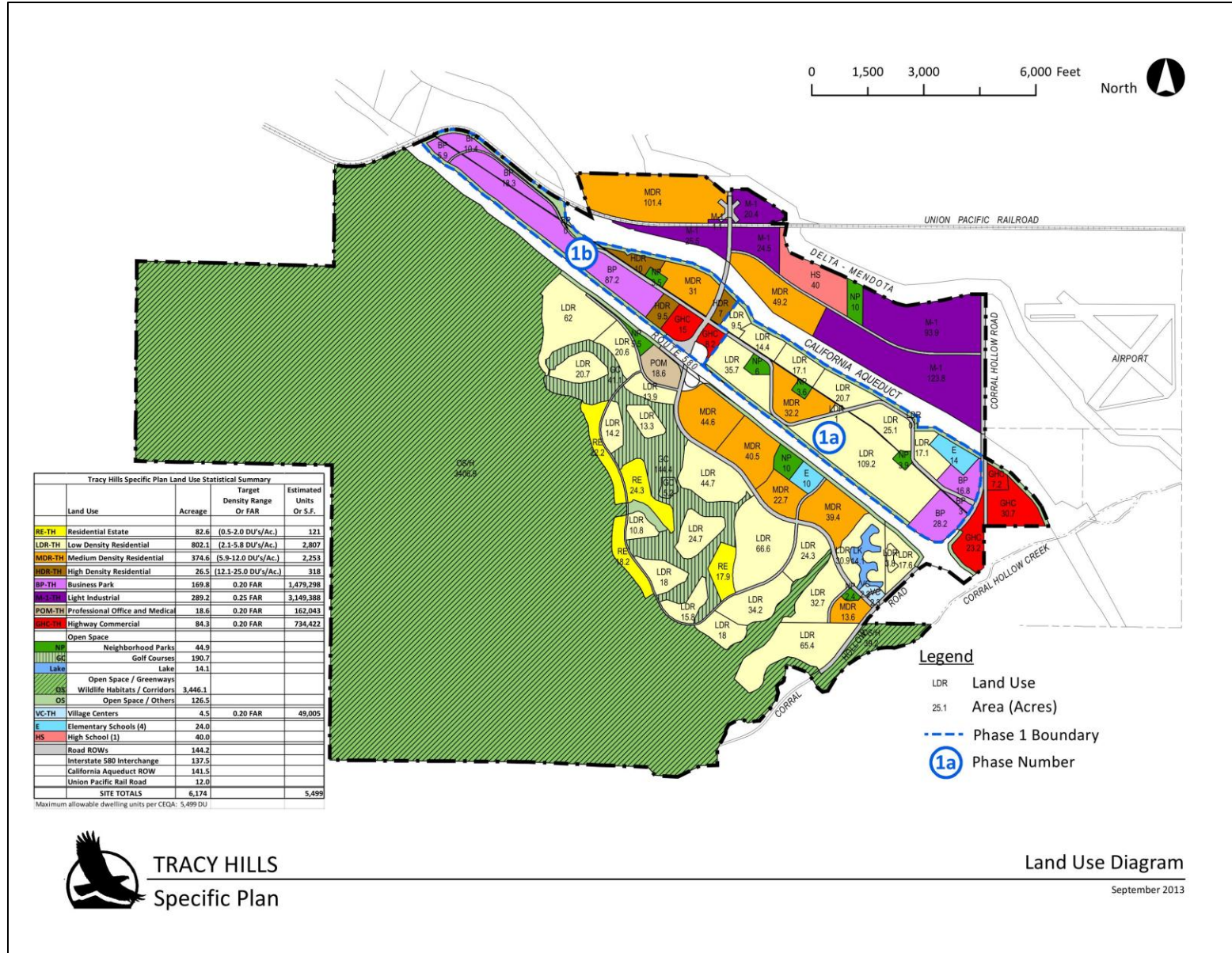
Exhibit 3 (Phasing Map)



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Exhibit 4 (Tracy Hills Specific Plan Land Use Diagram)



Land Use Diagram

September 2013



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**E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**


The environmental factors checked below would be potentially affected by the Tracy Hills Specific Plan Amendment, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/>	Aesthetics	<input checked="" type="checkbox"/>	Agriculture & Forest Resources	<input checked="" type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology and Soils
<input checked="" type="checkbox"/>	Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	Hazards & Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology & Water Quality
<input checked="" type="checkbox"/>	Land Use & Planning	<input type="checkbox"/>	Mineral Resources	<input checked="" type="checkbox"/>	Noise
<input type="checkbox"/>	Population & Housing	<input checked="" type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input checked="" type="checkbox"/>	Transportation/Traffic	<input checked="" type="checkbox"/>	Utilities & Service Systems	<input checked="" type="checkbox"/>	Mandatory Findings of Significance

**F. DETERMINATION**

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input checked="" type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


10-23-13  
 \_\_\_\_\_  
 Signature Date

## G. EVALUATION OF ENVIRONMENTAL IMPACTS

The environmental issues evaluated in this Initial Study include the following:

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

The environmental analysis in this Initial Study is patterned after the Environmental Checklist recommended by the State CEQA Guidelines, as amended on January 4, 2013. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the Project's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the proposed Project. To each question, there are four possible responses:

- **No Impact.** The project will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The project will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Less Than Significant With Mitigation Incorporated.** The project will have the potential to generate impacts, which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact.** The project could have impacts, which may be considered significant, and therefore additional analysis is required to identify mitigation measures to reduce the severity of potentially significant impacts to the extent feasible.

**H. ENVIRONMENTAL ANALYSIS**

This section analyzes the potential environmental impacts that may result from the proposed Project. For the evaluation of potential impacts, the questions in the Environmental Checklist are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the Project’s short-term impacts (construction-related), and long-term impacts (operational-related).

**I. AESTHETICS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

***Would the Project:***

*a-b) Have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? **Determination: Potentially Significant Impact.***

***Discussion***

Due to the highly visible hillside location of some portions of the Project area and the designation of Interstate 580 and Corral Hollow Road as scenic routes, impacts to scenic vistas and scenic resources were considered significant and unavoidable in the 1998 Tracy Hills Specific Plan EIR. Mitigation for impacts to scenic vistas and scenic resources were included as a condition of the 1998 Specific Plan project approval and would be required as part of the previously certified EIR. No substantive changes to the Design Guidelines would result from the proposed amendments, however the potential siting of a communications tower within or near the Tracy Hills Specific Plan site and the possible addition of entryway features will require further analysis in the SEIR to determine whether additional impacts would result from the proposed Project.

*c) Substantially degrade the existing visual character or quality of the site and its surroundings? **Determination: Potentially Significant Impact.***

**Discussion**

As proposed, the amendments to the Specific Plan would modify the existing rural agricultural character of the site. The Specific Plan clusters future development in the lower elevations with over half of the project area remaining as open space. Ridge lines are protected within the proposed open space designation. However, since future development would be clustered around I-580 and other access routes and the majority of open space land would not be visible from these access points, the impression of a substantial change in character to the area would remain. Impacts to the existing visual character were considered significant and unavoidable in the 1998 Specific Plan EIR and mitigation was required as a condition of the 1998 Specific Plan project approval. The potential siting of a communications tower within or near the Specific Plan area and the possible addition of entryway features has the potential to create additional impacts from what was previously analyzed in the certified 1998 Specific Plan EIR. Therefore, further analysis in the SEIR will be required to determine whether additional visual impacts would result from the proposed Project.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*  
**Determination: Potentially Significant Impact.**

**Discussion**

Implementation of improvements identified in the 1998 Specific Plan would result in an increase of light and glare from the addition of street lights, structural lights within residential and commercial buildings and an increase in automobile headlights due to an increase in automobile traffic. Increase in nighttime illumination and decrease in night sky visibility invariably accompany urbanization and were considered significant and unavoidable in the 1998 Specific Plan EIR. Mitigation Measures were established to minimize glare and lighting impacts in the project area, and were required as a condition of the 1998 Specific Plan project approval.

The potential siting of a communications tower within or near the Specific Plan Area and the possible addition of entryway features has the potential to create additional impacts from what was previously analyzed in the certified 1998 Specific Plan EIR. Therefore, further analysis in the SEIR will be required to determine whether additional light or glare impacts would result from the proposed Project.

II. AGRICULTURE RESOURCES

AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

agricultural use, or a Williamson Act contract?

- |  |                                     |                          |                          |                                     |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**Would the Project:**

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? **Determination: Significant and Unavoidable.***

**Discussion**

There were 2,581 total acres of land identified as either Prime Farmland, Farmland of Statewide Importance and Unique Farmland in the City of Tracy at the time of certification of the 2011 General Plan EIR. As such, the General Plan EIR analyzed the impacts to prime farmland areas within the Tracy Planning Area. The impacts related to agricultural resources within the Tracy Hills Specific Plan area were considered in the impact analysis and mitigation measures were identified in the 1998 Specific Plan EIR. The conversion of prime farmland in the Tracy Hills Specific Plan area was also previously addressed in the 2011 General Plan EIR.

In order to implement the goals and objectives of the City’s General Plan and to mitigate impacts caused by future development on agricultural lands within the City, an agricultural mitigation fee was established. The purpose of the agricultural mitigation fee is to mitigate the loss of productive agricultural lands converted for urban uses within the City by permanently protecting agricultural lands planned for agricultural use and by working with farmers who voluntarily wish to sell or restrict their land in exchange for fair compensation. The Tracy Hills project (unless it receives any San Joaquin County Irrigation District water) is exempt from the mitigation fee pursuant to a settlement agreement entered into on August 16, 2001 between Sierra Club, Delta Keeper and California Sport Fishing Protection Alliance, the cities of Manteca, Tracy, Lathrop and Escalon, and the South San Joaquin Irrigation District, in settlement of a writ of mandate filed in San Joaquin County Superior Court on June 30, 2000, Case No. CV 011090.

Since there are no additional lands being proposed for agricultural conversion than what has already been addressed in the previously certified Specific Plan EIR, no additional impacts would result from the proposed Project. Impacts remain significant and unavoidable in regards to converting prime agricultural land to a non-agricultural use. An updated Statement of Overriding Conditions will be adopted for this impact, and this topic will not require further analysis in the SEIR.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract? **Determination: Significant and Unavoidable.***

**Discussion**

Conflicts with existing zoning for agricultural use or a Williamson Act contract were considered during the preparation of the 2011 General Plan EIR and adoption of the 1998 Specific Plan. The project applicant is not requesting a change in the overall acreage or Specific Plan Area boundary, therefore no new impacts related to existing zoning for agricultural use or Williamson Act contract would result from the proposed Project. However, impacts related to a conflict with existing zoning for agricultural use or a Williamson Act contract were considered significant and unavoidable in the 1998 Specific Plan EIR, therefore impacts remain significant and unavoidable. An updated Statement of Overriding Conditions will be adopted and this topic will not be discussed further in the SEIR.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?* **Determination: No Impact.**

**Discussion**

No land located within the Specific Plan Area is currently classified as forest land, timberland, or timberland zoned for production. Therefore, improvements planned as part of the proposed Project would not conflict with existing zoning or cause rezoning of any such land. Therefore, no impact would result.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?* **Determination: No Impact.**

**Discussion**

Refer to Response II(c), above. No impact would result.

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?* **Determination: Significant and Unavoidable.**

**Discussion**

Refer to Response II(a), above. Impacts remain significant and unavoidable, and no additional impacts would result from the proposed Project. This topic will not be discussed further in the SEIR.

III. AIR QUALITY

AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

exceed quantitative thresholds for ozone precursors)?

- |   |                                     |                          |                          |                          |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Would the Project:**

- a) *Conflict with or obstruct implementation of the applicable air quality plan (San Joaquin Valley Air Pollution Control District)?* **Determination: Potentially Significant Impact.**

**Discussion**

The Project lies within the central portion of the San Joaquin Valley Air Basin (SJVAB). The San Joaquin Valley Air Pollution Control District (SJVAPCD) has jurisdiction over most air quality matters in the Basin and is tasked with implementing programs and regulations required by the federal and state Clean Air Acts.

If a project is found to interfere with the region’s ability to comply with federal and state air quality standards, local governments then need to consider project modifications or provide mitigation measures to eliminate the inconsistency of the project plans. In order for a project to be considered “consistent” with the latest Air Quality Plan (AQP), the proposed project must be consistent with the goals, objectives, and assumptions in the respective plan to achieve federal and state air quality standards. Additionally, both construction related and long-term emissions are required to be quantified and compared to the SJVAPCD significance thresholds.

Although the previously certified Specific Plan EIR includes an air quality analysis, it does not evaluate whether the Project would conflict with or obstruct implementation of SJVAPCD AQPs. Proposed amendments also include changes to land use which may result in changes to traffic circulation and distribution. Finally, significant regulatory changes related to air quality have been made since the previously certified Specific Plan EIR was certified. Thus, the proposed Project could result in a conflict with SJVAPCD AQPs and a potentially significant air quality impact could occur. For this reason, potentially significant air quality impacts will be assessed in the SEIR.

Further, the SEIR will include a peer review of the Health Risk Assessment prepared for the proposed Specific Plan Amendment and will be included in the air quality analysis section of the SEIR.

- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?* **Determination: Potentially Significant Impact.**

**Discussion**

As explained in Response III(a) above, significant regulatory changes related to air quality have been made since the adoption of the previously certified Specific Plan EIR. Therefore, the proposed amendments to the Specific Plan could violate an air quality standard or contribute substantially to an existing or projected air quality violation, resulting in potentially significant air quality impacts that will be analyzed in the SEIR.

- c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* **Determination: Potentially Significant Impact.**



**Discussion**

Refer to Response III(b), above. The proposed Project could result in potentially significant air quality impacts that will be analyzed in the SEIR. Additionally, an energy conservation analysis will be undertaken in the SEIR to evaluate opportunities for decreasing air quality impacts via energy conservation measures.

d) *Expose sensitive receptors to substantial pollutant concentrations?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response III(a), above. The proposed Project could result in potentially significant air quality impacts that will be analyzed in the SEIR.

e) *Create objectionable odors affecting a substantial number of people?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response III(a), above. The proposed Project could result in potentially significant air quality impacts that will be analyzed in the SEIR.

IV. BIOLOGICAL RESOURCES

BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**Would the Project:**

a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* **Determination: Potentially Significant Impact.**

**Discussion**

The previously certified Specific Plan EIR identified sensitive or special status species within the project site and identified mitigation measures for the San Joaquin Kit Fox, Burrowing Owl, and the Red-legged Frog. Since the previous Specific Plan was adopted and the corresponding EIR was certified, a portion of the Tracy Hills Specific Plan area (Phase 1) has entered into the San Joaquin Multi-Species Habitat Conservation and Open Space Plan, and the regulatory environment for habitat conservation has changed. Therefore, an updated biological assessment would be required to reevaluate the impacts of the proposed Project and build-out of the Specific Plan to biological resources. Impacts to biological resources could be potentially significant and will be analyzed further in the SEIR.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IV(a), above. The proposed Project would require further analysis in the SEIR to determine whether a potentially significant impact will result.

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IV(a), above. The proposed Project would require further analysis in the SEIR to determine whether a potentially significant impact will result.

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IV(a), above. The proposed Project would require further analysis in the SEIR to determine whether a potentially significant impact will result.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*  
**Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IV(a), above. The proposed Project would require further analysis in the SEIR to determine whether a potentially significant impact will result.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IV(a), above. The proposed Project would require further analysis in the SEIR to determine whether a potentially significant impact will result.

V. CULTURAL RESOURCES

CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Would the Project:**

- a) *Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?*  
**Determination: Less Than Significant Impact.**

**Discussion**

Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or represent a historically significant style, design, or achievement. Damage to or demolition of such resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and through indirect impacts, such as a change in the setting of a historic resource. No development is proposed in areas that currently contain known historic resources. However, during construction, unknown and/or undocumented

historic resources may be uncovered. Impacts to historical resources were considered to be less than significant with mitigation in the previously certified 1998 Specific Plan EIR. Mitigation for impacts to historical resources were included as a condition of the 1998 Specific Plan project approval and would be required as part of the previously certified EIR. No substantive changes to the disposition of impacts would result from the proposed amendments, thus impacts would remain less than significant and no further environmental analysis would be required in regards to historical resources.

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5? **Determination: Less Than Significant Impact.***

***Discussion***

Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains. The cultural report prepared for the previously certified Specific Plan EIR did not identify any eligible archaeological sites within the project area. Impacts were evaluated and considered less than significant with mitigation in the previously certified Specific Plan EIR. Mitigation for impacts to archaeological resources were included as a condition of the 1998 Specific Plan project approval and would be required as part of the previously certified EIR. No substantive changes to the disposition of impacts would result from the proposed amendments, thus impacts would remain less than significant and no further environmental analysis would be required in regards to archaeological resources.

- c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Determination: Less Than Significant Impact.***

***Discussion***

Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium-grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils (paleosols). They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion. In contrast, archaeological and historic resources are often recognized by surface evidence of their presence.

The City of Tracy and the proposed Project Area have the potential to contain undiscovered paleontological sites, including human remains. Implementation of the proposed Project would result in the development of undeveloped land, and would include grading, ground removal and other disturbances. These actions could result in a potentially significant impact to paleontological resources. At the time the 1998 Specific Plan EIR was certified, paleontological resources were not considered in the CEQA standards of significance. However, impacts to paleontological resources were addressed in the 2011 General Plan EIR. The General Plan EIR outlines mitigation measures to reduce potentially significant impacts to paleontological resources to a less than significant level. With implementation of mitigation measures outlined in the General Plan EIR, impacts to paleontological resources associated with the proposed Specific Plan Amendment would be less than significant. This topic will not be discussed further in the SEIR.

- d) *Disturb any human remains, including those interred outside of formal cemeteries? **Determination: Less Than Significant Impact.***

**Discussion**

Ground-disturbing activities, such as grading or excavation, have the potential to disturb human remains. If human remains are found, those remains would require proper treatment, in accordance with applicable laws. As discussed in response V(c), above, The General Plan EIR outlines mitigation measures to reduce potentially significant impacts to paleontological resources, including human remains, to a less than significant level. With implementation of mitigation measures outlined in the General Plan, impacts to undiscovered human remains associated with the proposed Specific Plan Amendment would be less than significant. This topic will not be discussed further in the SEIR.

## VI. GEOLOGY AND SOILS

GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2010), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Would the Project:**

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. **Determination: Less Than Significant Impact.***

**Discussion**

Based upon known inactive faults located within the Project area and active faults in the surrounding region, the Project area has the potential to experience groundshaking due to its proximity to active faults. The impact of groundshaking to people or property, caused by seismic activity or nearby faults, would be increased as a result of site development. Impacts related to groundshaking, landslides, liquefaction, expansive soil, lateral spreading and loss of topsoil were analyzed and were considered less than significant with mitigation in the previously certified 1998 Specific Plan EIR. The Project does not propose changes to the Specific Plan boundary and does not exceed the maximum dwelling units or non-residential square footage previously approved. Mitigation measures for geological and soil impacts from the 1998 Specific Plan EIR were included as a condition of the 1998 Specific Plan project approval. Therefore, no additional impacts to geological or soil impacts would occur as a result of the proposed Specific Plan Amendment; impacts would be considered less than significant and this topic will not be discussed further in the SEIR.

- ii) *Strong seismic ground shaking? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response VI(a)(i), above. Less than significant impacts would result.

- iii) *Seismic-related ground failure, including liquefaction? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response VI(a)(i), above. Less than significant impacts would result.

- iv) *Landslides? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response VI(a)(i), above. Less than significant impacts would result.

- b) *Result in substantial soil erosion or the loss of topsoil? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response VI(a)(i), above. Less than significant impacts would result.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response VI(a)(i), above. Less than significant impacts would result.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2010), creating substantial risks to life or property? **Determination: Less than Significant Impact.***

**Discussion**

Refer to Response VI(a)(i), above. Less than significant impacts would result.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* **Determination: No Impact.**

**Discussion**

The updated Citywide Wastewater Master Plan includes provisions to serve the Tracy Hills Specific Plan area via sewer mains in Corral Hollow Road, with treatment at the City's existing wastewater treatment facility. Neither the 1998 Tracy Hills Specific Plan, nor the proposed Specific Plan Amendment proposes the use of septic tanks or alternative wastewater disposal systems. Thus, no impact would result in this regard.

## VII. GREENHOUSE GAS EMISSIONS

GREENHOUSE GAS EMISSIONS - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Would the Project:**

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*  
**Determination: Potentially Significant Impact.**

**Discussion**

Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation. The greenhouse effect traps heat in the troposphere through a three-fold process, summarized as follows: short wave radiation emitted by the Sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long wave radiation; and GHGs in the upper atmosphere absorb this long wave radiation and emit this long wave radiation into space and toward the Earth. This "trapping" of the long wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect. The main GHGs in the Earth's atmosphere are water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>).

Direct GHG emissions include emissions from construction activities, area sources, and mobile (vehicle) sources. Typically, mobile sources make up the majority of direct emissions. Indirect GHG emissions are generated by incremental electricity consumption and waste generation. Electricity consumption is responsible for the majority of indirect emissions.

Regulatory Environment

In June 2005, California established GHG emissions reduction targets in Executive Order S-3-05. The

Executive Order established the following goals: GHG emissions should be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80 percent below 1990 levels by 2050. In 2007, California further solidified its dedication to reducing GHGs by setting a new Low Carbon Fuel Standard for transportation fuels sold within the state with Executive Order S-1-07. Executive Order S-1-07 sets a declining standard for GHG emissions measured in CO<sub>2</sub> equivalent gram per unit of fuel energy sold in California.

In response to the transportation sector accounting for more than half of California’s CO<sub>2</sub> emissions, Assembly Bill (AB) 1493 (AB 1493, Pavley) was enacted on July 22, 2002. AB 1493 required the California Air Resources Board (CARB) to set GHG emission standards for passenger vehicles, light duty trucks, and other vehicles whose primary use is noncommercial personal transportation in the state. Additionally, the California legislature enacted AB 32 (AB 32, Nuñez) in 2006 to further the goals of Executive Order S-3-05. AB 32 represents the first enforceable statewide program to limit GHG emissions from all major industries, with penalties for noncompliance.

CARB adopted the *AB 32 Climate Change Scoping Plan* (Scoping Plan) in December 2008 to achieve reductions in GHG emissions in California pursuant to the requirements of AB 32. The Scoping Plan contains the main strategies California will use to reduce GHG emissions. AB 32 requires California to reduce its GHG emissions by approximately 28 to 33 percent below business as usual (BAU). CARB has identified reduction measures to achieve this goal as set forth in the Scoping Plan.

The THSP Specific Plan EIR was certified in 1998, prior to the establishment of any GHG regulations in California. As such, the EIR did not analyze the potential impacts from potential greenhouse gas emissions. Therefore, this issue will be analyzed in more detail in the SEIR.

b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*  
**Determination: Potentially Significant Impact.**

**Discussion**

On February 1, 2011, the City adopted a Sustainability Action Plan in response to AB 32. Consistent with the recommendations of the CARB Scoping Plan, the City’s Sustainability Action Plan establishes a GHG reduction goal of 29 percent of community and municipal GHG emissions from 2020 BAU projected levels. To achieve the reduction goal, the Sustainability Action Plan provides various goals and best practices that focus on energy, transportation and land use, solid waste, water use, agriculture and open space, biological resources, air quality, public health, and economic development. The Sustainability Action Plan goals and best practices are incorporated in the General Plan. GHG emissions associated with the Project will be analyzed in the SEIR in the context of the Sustainability Action Plan and General Plan to determine the significance of potential impacts.

**VIII. HAZARDS AND HAZARDOUS MATERIALS**

HAZARDS AND HAZARDOUS MATERIALS - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- |  |                                     |                          |                                     |                                     |
|--|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

***Would the project:***

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* ***Determination: Potentially Significant Impact.***

***Discussion***

The proposed Project includes the preparation of an updated Phase I Environmental Site Assessment (ESA) to evaluate the impacts related to hazards and hazardous materials consistent with the proposed land use plan and the 2011 General Plan EIR.

Although it is expected that future development facilitated by the proposed Project would use relatively small quantities of hazardous materials, such as household cleaners, pesticides, and fertilizers – impacts related to routine transport, use, or disposal of hazardous materials will require further assessment in the SEIR.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* **Determination: Potentially Significant Impact.**

**Discussion**

The proposed Project may include construction of a proposed Elementary School. If the school site is confirmed for proposed construction in Phase 1a, the SEIR will include an analysis of reasonably foreseeable accidents related to the presence of underground pipelines that traverse the project site. Thus, potential impacts related to the release of hazardous materials into the environment will require further assessment in the SEIR.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Responses VIII(a)(b), above. Potential impacts related to hazardous emissions or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school will require further assessment in the SEIR.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response VIII(a), above. Potential impacts related to being located on a site which is included on a list of hazardous materials sites will require further assessment in the SEIR.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* **Determination: Less Than Significant Impact.**

**Discussion**

The Tracy Municipal Airport (TMA) is located immediately east of the Project area. The airport is a general aviation airport owned by the City and managed by the Public Works Department. Future development identified in the proposed Project would be constructed within two miles of the TMA. Although there would be an incremental increase in risk of upset conditions resulting from future development within the Tracy Municipal Airport flight path, the low accident rate for commercial aircraft, the existing protocol governing the transport of explosive materials in conjunction with implementation of the previously certified EIR mitigation measures reduce this risk to less than significant as it relates to the Tracy Hills Specific Plan. Further, the Project does not propose changes to the project boundary and does not exceed the maximum dwelling units or non-residential square footage previously approved. Mitigation measures for hazards and hazardous materials from the 1998 Specific Plan EIR were included as a condition of the 1998 Specific Plan project approval. Therefore, no additional impacts to hazards or hazardous materials related to this topical area would occur as a result of the proposed Specific Plan Amendment; impacts would therefore be considered less than significant and this topic will not be discussed further in the SEIR.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? **Determination: No Impact.**

**Discussion**

The Project area is not located in the vicinity of a private airstrip. Therefore, no impacts would occur as a result of the proposed Project.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? **Determination: Potentially Significant Impact.**

**Discussion**

Implementation of the proposed amended land plan and building configurations has the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Further analysis is required in the SEIR to evaluate the proposed Project’s potential impact on emergency response and emergency evacuation plans.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? **Determination: Less Than Significant.**

**Discussion**

Although the proposed Project is located in an area with a moderate wildland fire potential according to the California Department of Forestry, the General Plan policies mitigate risk to health and safety by requiring that new private and public development projects in areas of potential wildland fire hazards employ certain safety measures, including the use of fire-resistant plants, ground cover, and roofing materials, and clearing areas around structures of potential fuel. New development would also be required to satisfy fire flow and hydrant standards established by the City to facilitate fire-fighting in the event of a fire. The implementation of these General Plan policies would reduce the potential impacts to less than significant. Therefore, further analysis will not be required in the SEIR.

**IX. HYDROLOGY AND WATER QUALITY**

HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Would the Project:**

a) *Violate any water quality standards or waste discharge requirements?* **Determination: Potentially Significant Impact.**

**Discussion**

The proposed Project would result in the conversion of existing agricultural or open space lands to urban uses, thereby potentially increasing the generation of typical urban water contaminants from the area. Additionally, the Project could result in greater vehicular use of nearby roadways, which could potentially increase contaminants that would be carried in runoff and discharged into receiving waters. Moreover, grading, and excavation associated with future development facilitated by the Project could result in deposition of sediment on street surfaces.

Impacts to water quality standards were considered in the previously certified Specific Plan EIR. However, proposed amendments to the land use plan will require additional assessment to ensure that waste discharge

would not exceed water quality standards. Therefore, impacts to water quality are considered potentially significant and will be analyzed in the SEIR.

- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

**Determination: Potentially Significant Impact.**

**Discussion**

The proposed Project includes the preparation of a Water Supply Assessment to update existing conditions, water demand, water storage and pumping requirements consistent with the proposed land use plan, and the Citywide Water System Master Plan. Therefore, the potential for the development intensity facilitated by the Project to impact groundwater supplies will be evaluated in the SEIR.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?* **Determination:**

**Potentially Significant Impact.**

**Discussion**

The proposed Project includes an update to the Tracy Hills Storm Drainage Master Plan consistent with the proposed land use plan. The complete update to the Storm Drainage Master Plan includes information on the physical characteristics of the area including existing drainage, floodplains, soils and permeability, groundwater and proposed retention basins. Therefore, the potential of the Project to alter the existing drainage pattern of the area will be assessed in the SEIR.

- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on or off-site?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IX(c), above. The potential of the proposed Project to alter the course of a stream or river or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site will be assessed in the SEIR.

- e) *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Response IX(c), above. Potentially significant impacts will be further assessed in the SEIR.

- f) *Otherwise substantially degrade water quality?* **Determination: Potentially Significant Impact.**

**Discussion**

Refer to Responses IX(c), above. The potential of the Project to substantially degrade water quality will be assessed in the SEIR.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? **Determination: Less Than Significant Impact.***

**Discussion**

Impacts related to 100-year flood hazards were assessed in the previously certified Specific Plan EIR. Approximately 25 acres of land area along the Tracy Hills Specific Plan southern boundary is traversed by Corral Hollow Creek. The location of Corral Hollow Creek floodway and floodplain upon this site results in episodes of inundation as a result of localized flooding and 100 year occurrences. However, this portion of the site is designated as open space/wildlife habitat land and as such would not be developed in any manner. Therefore, impacts related to 100-year flood hazards are less than significant and will not be discussed further in the SEIR.

- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response IX (g), above. Impacts are less than significant.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? **Determination: No Impact.***

**Discussion**

The Specific Plan area is not located within a dam or levee inundation area. Therefore, no impacts would result in regards to failure of a levee or dam. This topic will not be discussed further in the SEIR.

- j) *Inundation by seiche, tsunami, or mudflow? **Determination: Less Than Significant Impact.***

**Discussion**

A tsunami is a large sea wave generated by earthquakes. These waves travel across the ocean at hundreds of miles an hour and are capable of causing waves cresting tens of feet high. Since Tracy has no ocean frontage and is located inland across several mountain ranges from the ocean, the risk of a tsunami is very low. A seiche is a wave generated in a bay or lake, which can be compared to the back-and-forth sloshing of water in a bath tub. Seiches can be caused by winds, changes in atmospheric pressure, underwater earthquakes, or landslides into the water. Portions of San Joaquin County could be subject to flooding due to tsunamis or seiches resulting in levee failure, however Tracy is not in close proximity to the areas that are most likely to be affected. Impacts associated with tsunamis, seiches, and mudflows are addressed in the previously certified Specific Plan EIR and 2011 General Plan EIR. No changes to the project boundaries are being proposed as part of the Specific Plan Amendment, thus no greater impacts would result than what was previously analyzed and impacts would be less than significant in this regard. This topic will not be discussed further in the SEIR.

**X. LAND USE AND RELEVANT PLANNING**

LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

***Would the Project:***

- a) *Physically divide an established community?* **Determination: No Impact.**

***Discussion***

An example of a project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Tracy Hills Specific Plan proposes development in the southwest area of the City of Tracy, abutting the Altamont Mountain Pass. The project area is south of the Ellis Specific Plan area which is proposed as a mix of residential, commercial, office/professional, retail and recreational uses. The Tracy Hills Specific Plan will complement the uses within the Ellis Specific Plan area, and will not physically divide an established community. Therefore, no impacts would result and this topic will not be discussed further in the SEIR.

- b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* **Determination: Potentially Significant Impact.**

***Discussion***

Portions of the Specific Plan area lie within the airport runway approach zones for the Tracy Municipal Airport in the 2009 San Joaquin County Airport Land Use Compatibility Plan (ALUCP). New land uses are subject to restrictions in these areas, while existing land uses are not subject to ALUCP restrictions. At the time the previously approved Specific Plan was prepared, the Specific Plan was in conformance with the adopted 1993 Airport Land Use Plan (ALUP). The previously certified Specific Plan EIR included mitigation in order to maintain compliance during the tentative and final map phases of the Project.

Although the 1998 Specific Plan EIR previously analyzed impacts related to airport compatibility, the SEIR will provide an updated assessment of the project's consistency with the recently adopted 2009 Airport Land Use Compatibility Plan, and the proposed land use plan (including the addition of the Elementary School). Additionally, an updated (2011) General Plan has been adopted since the time the 1998 Specific Plan EIR was certified. The Project's consistency with the current General Plan and related plans/policies will also be analyzed further in the SEIR.

- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* **Determination: Potentially Significant Impact.**

***Discussion***

Refer to Response IV(f), above. The proposed Project could conflict with an applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES

MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Would the Project:**

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **Determination: Less than Significant Impact.***

**Discussion**

The main mineral resources found in San Joaquin County, and the Tracy Planning Area are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. The City of Tracy has an adopted Aggregate Mining Overlay zone, which has been approved by the State Division of Mines and Geology (Resolution 2000-12 of State Division of Mines and Geology). In order to protect aggregate land and mitigate conflicts between mining activities and urban uses, the Tracy General Plan designates lands with production quality mineral reserves as Aggregate in the southern portion of Tracy. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the City has designated the bulk of this area as Aggregate in the General Plan. Some additional areas identified as having potentially significant aggregate deposits are designated as Industrial in the General Plan. The City and State have agreed to protect identified areas south of Linne Road for aggregate uses and allow for urban development north of Linne Road (much of which has already occurred).

There is a small Aggregate area south of the California Aqueduct, along Corral Hollow Road that falls within the project area. Impacts to mineral resources were evaluated and considered less than significant in the previously certified 1998 Specific Plan EIR. No amendments to the Project boundary are being proposed as part of the Specific Plan Amendment, therefore no additional impacts would occur and this topic will not be discussed further in the SEIR.

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? **Determination: Less than Significant Impact.***

**Discussion**

Refer to Response XI(a), above. Impacts are less than significant.



## XII. NOISE

NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Would the Project result in:**

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* **Determination: Potentially Significant Impact.**

**Discussion**

Future development within the proposed Project area would be exposed to traffic noise from I-580, Corral Hollow Road, and Lammers Road. Other potential sources of noise include Union Pacific Railroad lines, as well as small aircraft and helicopters traveling to and from the Tracy Municipal Airport. Potential exposure to noise levels in excess of standards adopted by the Tracy General Plan is a potentially significant impact. The General Plan has been updated since the adoption of the previously certified Specific Plan EIR, and there are changes proposed to the land plan (including the addition of an Elementary School in Phase 1a) as part of the Specific Plan Amendment. Therefore, the SEIR will analyze the potential noise impacts on the Project, and determine whether Project generated noise will exceed established noise standards.

- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* **Determination: Potentially Significant Impact.**

**Discussion**

Groundborne vibration would occur during grading and construction, and would expose adjacent uses to increased noise/vibration levels. Additionally, the proposed Project would place residential structures adjacent to Union Pacific Railroad Lines, I-580 and near the Tracy Municipal Airport. Thus, future residential uses could be exposed to noise and vibration from rail, air and truck traffic. The General Plan has been updated since the adoption of the previously adopted Specific Plan EIR, and there have been changes made to the land plan (including the addition of an Elementary School in Phase 1a) as part of the proposed Specific Plan Amendment. Therefore, additional analysis is required in the EIR to evaluate potential groundborne vibration impacts.

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*  
**Determination: Potentially Significant Impact.**

**Discussion**

The proposed Project would facilitate new housing, commercial, and industrial uses in an area that presently contains primarily agricultural fields and open space. Potential increases in ambient noise levels may be detected by residents in the communities nearby. Since the General Plan has been updated subsequent to the adoption of the previously certified Specific Plan EIR, and there have been changes made to the land plan (including the addition of an Elementary School in Phase 1a) as part of the proposed Specific Plan Amendment, additional analysis is required in the SEIR to evaluate potential increases in ambient noise level impacts.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* **Determination: Potentially Significant Impact.**

**Discussion**

Implementation of the proposed Project could result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity over the long-term buildout of the proposed area. Potential impacts related to temporary or periodic increases in ambient noise levels will be assessed in the SEIR in accordance with current General Plan policies and the proposed amendment to the previously adopted land plan.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* **Determination: Potentially Significant Impact.**

**Discussion**

The Tracy Municipal Airport (TMA) is a general aviation airport owned by the City and managed by the Public Works Department. The Project area is located within the San Joaquin County Council of Governments' 2009 Airport Land Use Plan (ALUP) for the Tracy Municipal Airport. Potential exposure to noise levels in excess of standards adopted by the San Joaquin County Council of Governments' 2009 ALUP is a potentially significant impact. The SEIR will analyze the potential noise impacts on the Project in accordance with the 2009 ALUP and the proposed amendments to the land plan (including the addition of an Elementary School in Phase 1a).

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* **Determination: No Impact.**

**Discussion**

The proposed Project is not located within the vicinity of a private airstrip. Therefore, there would be no related impact and this topic will not be discussed in the SEIR.

## XIII. POPULATION AND HOUSING

POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Would the Project:**

- a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* **Determination: Less Than Significant Impact.**

**Discussion**

The proposed Project would serve existing and planned development consistent with the General Plan. The proposed Specific Plan Amendment does not exceed the maximum dwelling units or non-residential square footage previously approved in the certified 2011 General Plan EIR. Therefore, the proposed Project would not induce population growth, either directly or indirectly, not already anticipated in the 2011 General Plan EIR. Additionally, the 2011 General Plan EIR did not find any significant impacts related to population, employment or housing. Therefore, impacts related to population and housing would be less than significant and this topic will not be discussed further in the SEIR.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* **Determination: No Impact.**

**Discussion**

The proposed Project area does not presently contain housing, therefore no construction of replacement housing would be necessary. No impacts would occur and this topic will not be discussed in the SEIR.

- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* **Determination: No Impact.**

**Discussion**

Refer to Response XIII(b), above. No impacts would result.

XIV. PUBLIC SERVICES

PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

1) *Fire protection? **Determination: Less Than Significant Impact.***

**Discussion**

The previously certified Specific Plan EIR analyzed impacts to police and fire protection services and determined that impacts were considered less than significant. Mitigation for impacts to police and fire protection services has been included as a condition of project approval as part of the previously certified EIR. No substantive changes are being proposed to modify overall dwelling units or non-residential square footage previously approved. Therefore, impacts would remain less than significant in this regard and further analysis will not be required in the SEIR.

2) *Police protection? **Determination: Less Than Significant Impact.***

**Discussion**

Refer to Response XIV(a)(1), above. Less than significant impacts would result.

3) *Schools? **Determination: Potentially Significant Impact.***

**Discussion**

The proposed Project includes the construction of an Elementary School, which will require further analysis as part of the Tracy Hills Specific Plan Amendment Subsequent EIR. Therefore, potential impacts to the proposed Elementary School are considered potentially significant and will be assessed in the SEIR.

4) *Parks? Determination: Less Than Significant Impact.*

**Discussion**

The previously certified Specific Plan EIR analyzed impacts to parks and other public facilities and determined that impacts were considered less than significant. No substantive changes are being proposed to modify overall dwelling units or non-residential square footage previously approved. Therefore, impacts would remain less than significant in this regard and further analysis will not be required in the SEIR.

5) *Other public facilities? Determination: Less Than Significant Impact.*

**Discussion**

Refer to Response XIV(a)(4), above. Less than significant impacts would result.

XV. RECREATION

RECREATION --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Would the proposed project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Determination: Less Than Significant Impact.*

**Discussion**

Refer to Response XIV(a)(4), above. Less than significant impacts would result.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? Determination: Less than Significant Impact.*

**Discussion**

The previously certified Specific Plan EIR analyzed impacts related to recreational facilities. Impacts were considered less than significant in the previously certified Specific Plan EIR. No changes to recreational

facilities have been proposed as part of the Specific Plan amendment, therefore impacts related to the expansion of recreational facilities are less than significant and will not require further analysis in the SEIR.

XVI. TRANSPORTATION/TRAFFIC

TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads and highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Would the Project:**

a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?* **Determination: Potentially Significant Impact.**

***Discussion***

Future development resulting from implementation of the proposed Project could result in a potentially significant conflict with applicable plans, ordinances or policies establishing measures of effectiveness for the performance of intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit. Since the certification of the 1998 Specific Plan EIR, an updated (2011) General Plan EIR has been certified, and new regulatory standards related to transportation have been implemented in the State of California. Further, the City has approved and adopted a Citywide Transportation Master Plan as part of its General Plan implementation process, and the addition of an Elementary School has been included as part of the Project. Therefore, the SEIR will evaluate how the proposed amendments to the Specific Plan would comply with these updated plans, programs, policies and regulations.

- b) *Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?* **Determination: Potentially Significant Impact.**

***Discussion***

Refer to response XVI (a), above. The proposed Project will require further analysis in the SEIR to determine whether a conflict with an applicable congestion management program will result.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?* **Determination: No Impact.**

***Discussion***

The Project does not propose any land uses or a change in location that would cause an increase in air traffic levels or result in substantial safety risks. Therefore, there are no potential impacts to air traffic.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* **Determination: Potentially Significant Impact.**

***Discussion***

Refer to response XVI (a), above. New internal roadways would be required to serve and access proposed on-site uses. The roads would have to meet specific design standards to ensure that there would be no safety hazards such as sharp curves and dangerous intersections. Therefore, design features will require further analysis in the SEIR.

- e) *Result in inadequate emergency access?* **Determination: Potentially Significant Impact.**

***Discussion***

Refer to Response XVI (a), above. Future development identified in the proposed Specific Plan Amendment could delay emergency response times due to roadblocks, construction delays, and detours of various facilities. The Project includes an updated circulation plan consistent with the proposed land use plan amendments and Citywide Roadway & Transportation Master Plan. Evaluating the updated circulation plan in the context of emergency access will be required as part of the SEIR.

- f) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?* **Determination: Potentially Significant Impact.**

***Discussion***

Refer to Response XVI (a), above. Further analysis would be required in the SEIR to ensure the Project does not conflict with adopted plans and/or policies supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS

UTILITIES AND SERVICE SYSTEMS B Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Would the Project:**

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* **Potentially Significant Impact.**

**Discussion**

The proposed Specific Plan Amendment includes an update to the wastewater system consistent with the proposed land use plan and the Tracy Wastewater Master Plan. An update of the plan provides that Tracy Hills would be served by the City's wastewater treatment plant (WWTP) consistent with the Tracy Wastewater Master Plan. Future development facilitated by the proposed Project has the potential to cause an exceedance of existing plant capacity and result in the necessity of constructing new facilities, which would be considered a potentially significant impact. As such, impacts to wastewater treatment requirements will be evaluated based on the revisions to the Tracy Wastewater Master Plan in the SEIR.



- b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? **Determination: Potentially Significant Impact.***

**Discussion**

See Response XVII (a), above, in regards to construction or expansion of wastewater treatment facilities. Additionally, the proposed Specific Plan Amendment includes an update of existing conditions and water demand to reflect the use of Byron-Bethany Irrigation District (BBID) water. An update of water storage and pumping requirements is provided consistent with the proposed land use plan, and the Citywide Water System Master Plan. Revisions to the Citywide Water System Master Plan and their effect on infrastructure required for project implementation will require further analysis in the SEIR.

- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? **Determination: Potentially Significant Impact.***

**Discussion**

The proposed Specific Plan Amendment includes an update to the storm drainage system consistent with the proposed land use plan and updated Tracy Hills Storm Drainage Master Plan. The updated storm drainage system includes a general update of information and data and provides that urban runoff would be retained on-site within retention basins. Revision to the Tracy Hills Storm Drainage Master Plan and their effect on storm water drainage facilities required for project implementation will require further analysis in the SIER.

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? **Determination: Potentially Significant Impact.***

**Discussion**

Refer to Response XVII (b), above. Further analysis in the SEIR would be necessary to determine if impacts to water supplies would be significant.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? **Determination: Potentially Significant Impact.***

**Discussion**

Refer to Response XVII (b), above. Further analysis in the SEIR would be necessary to determine if impacts related to wastewater treatment would be significant.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? **Determination: Less Than Significant Impact.***

**Discussion**

The proposed Project would facilitate development of new housing units, office, industrial and commercial development that would generate additional solid waste. However, impacts to solid waste facilities and landfill capacity were analyzed in the previously certified 1998 Specific Plan EIR. Impacts to solid waste facilities and landfill capacity were considered less than significant with mitigation. Mitigation for impacts to solid waste facilities has been included as a condition of project approval as part of the previously certified EIR. No substantive changes are being proposed to modify overall dwelling units or non-residential square footage

previously approved. Therefore, impacts would remain less than significant in this regard and further analysis will not be required in the SEIR.

g) *Comply with federal, state, and local statutes and regulations related to solid waste?* **Determination: Less Than Significant Impact.**

**Discussion**

Refer to Response XVII (f), above. Impacts related to compliance with federal, state and local statutes are less than significant and no further analysis is required in the SEIR.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following findings have been made, regarding the mandatory findings of significance set forth in Section 15065 of the CEQA Guidelines, based on the results of this environmental assessment:

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?* **Determination: Potentially Significant Impact.**

***Discussion***

As discussed in Section IV (Biological Resources) and Section V (Cultural Resources) of this Initial Study, the proposed Project has the potential to result in potentially significant impacts on the environment. Therefore, further analysis is required.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?* **Determination: Potentially Significant Impact.**

***Discussion***

As discussed in sections I through XVII, future development facilitated by the proposed Project has the potential to result in a variety of impacts. As such, further analysis of cumulative impacts is required in the SEIR.

- c) *Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?* **Determination: Potentially Significant Impact.**

***Discussion***

As stated in various sections of this Initial Study, the proposed Project has the potential to result in significant impacts on the environment. As such, further analysis of these impacts is required in the SEIR.

## H. REFERENCES

The following references were utilized during preparation of this Initial Study.

California Department of Conservation, California Geological Survey website, [www.consrv.ca.gov](http://www.consrv.ca.gov).

*California Environmental Quality Act (CEQA) Guidelines*, 2013.

City of Tracy, *General Plan*, February 2011.

City of Tracy, *General Plan Final Supplemental EIR*, February 2011.

City of Tracy, *Draft Citywide Transportation Master Plan*, August 2011.

City of Tracy, *Recycled Water Distribution System Master Plan*, December 2000.

City of Tracy, *Storm Drainage Master Plan*, December 2000.

City of Tracy, *Tracy Hills Specific Plan*, amended 2013.

City of Tracy, *Tracy Hills Specific Plan*, June 1998.

City of Tracy, *Tracy Hills Specific Plan Final Environmental Impact Report*, August 1998.

City of Tracy, *Wastewater Collection Master Plan*, December 2000.

City of Tracy, *Wastewater Master Plan*, December 2000.

City of Tracy, *Water Master Plan*, December 2000.

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