

**MINUTES**  
**TRACY CITY PLANNING COMMISSION**  
**WEDNESDAY, NOVEMBER 6, 2013**  
**7:00 P.M.**  
**CITY OF TRACY COUNCIL CHAMBERS**  
**333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

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

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

Chair Sangha led the pledge of allegiance

**MINUTES APPROVAL**

Chair Sangha requested a review of the October 23, 2013 minutes and asked for comments. Commissioner Johnson made a motion to approve the minutes dated October 23, 2013; Commissioner Ransom seconded; all in favor, none opposed.

**DIRECTOR'S REPORT REGARDING THIS AGENDA** – Mr. Dean advised of the cancellation of agenda item 2A.

**ITEMS FROM THE AUDIENCE** – None

1. **OLD BUSINESS** – None
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**

Chair Sangha presented agenda item 2B and called for the staff report. Kimberly Matlock, Assistant Planner, presented the report. She advised that this item had been before the commission the prior year. She added that preceding 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.

Ms. Matlock indicated that the property owner was proposing a 47-lot single family home subdivision on the site and the location of the site. The westerly 5 acres of the site is contained within the Eastlake Planned Unit Development, also known as a PUD, and the easterly 5 acres is in the Elissagaray Ranch PUD. Both PUDs, whose subdivisions are comprised of single-family detached homes, were approved in the late 1990's.

Ms. Matlock indicated that the development of a residential subdivision on the site, rather than a public school, required several permit approvals, which the applicant decided to obtain in phases. She then reviewed the steps in the permitting process.

Ms. Matlock advised that the applicant proposed removing the site from the previously mentioned PUD areas and create a new PUD called Elissagaray Infill, which would consist of a Concept Development Plan establishing the zoning and development standards, and a Preliminary and Final Development Plan establishing the development plan and approved architecture. She further advised that the applicant proposed a Vesting Tentative Subdivision Map for 47 lots. The lots will be sized to be similar to or larger than lots in the surrounding subdivisions in response to neighbor concerns. She stated that the proposed density of 4.7 units per gross acre was consistent with the density allowed in the General Plan and would be 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.

Ms. Matlock reviewed concerns voiced by nearby residents relative to the speed of traffic on Dominique Drive. The proposed street connection to Dominique Drive would help slow down the speed of traffic on Dominique Drive. She added a third concern regarding increased traffic congestion and vehicle trips and requested that Criseldo Mina, Senior Civil Engineer, address this item.

Criseldo Mina, Senior Civil Engineer, provided a detailed overview of the traffic concerns that staff received regarding the Elissagary development from area residents. He stated that neighbors were concerned that the development would generate more cars on area

streets, that the streets would not be wide enough, that there would be issues with speeding, and finally that a stop sign would be needed at East Lake Circle.

Because the school will no longer be a part of this project, Mr. Mina began by indicating that issue would reduce the traffic through the area. He provided specific trip generation data and reviewed the design of streets and the amount of traffic which they were designed to handle. He repeated that the streets were designed to handle the greater volume of traffic assuming the school was to be a part of the project.

Mr. Mina also reviewed the details from a traffic study that was performed every hour, 24 hours a day, for over a 7 day period on East Lake Drive, Lakeview Drive and Dominique Drive. He advised that the carrying capacity of Eastlake Drive, as a major collector street, could carry up to 5,000 cars per day and the traffic count was 3,800. He reviewed all of the streets in question in this same manner and concluded that the streets were adequate.

Mr. Mina then commented that the speeding issue would be addressed by the speed limit signs and ultimately would be an enforcement issue for the Tracy Police Department. He then discussed the request for speed humps adding that Dominique Drive would not qualify for them adding that a request to put a stop sign at that location was not warranted at this time. He mentioned that the inclusion of a bike lane might be possible. He concluded by saying that the City would continue to address the traffic patterns to determine if additional modifications would be needed in future.

Ms. Matlock then summarized the architecture which included 1 single-story plan and 3 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. She commented that the proposed architecture is consistent with the City's Design Goals and Standards for residential development.

She concluded by stating that staff recommended that the Planning Commission recommend that the City Council introduce an Ordinance that amends the Eastlake Planned Unit Development to remove the five-acre site that was previously designated for a school, amends the Elissagaray Ranch Planned Unit Development to remove the five-acre site that was previously designated for a school and creates a new Planned Unit Development called Elissagaray Infill. She also stated that staff also recommended that Planning Commission recommend that City Council approve Preliminary and Final Development Plan for the Elissagaray Infill Planned Unit Development and the Vesting Tentative Subdivision Map.

Chair Sangha asked the Commissioners for any comments or questions.

Vice Chair Orcutt asked about whether the applicant planned to build to market demand or meet the City's requirement. Ms. Matlock advised applicant would respond.

Commissioner Mitracos asked about the average density for this project. Ms. Matlock advised that the project conformed to the low density residential. Commissioner Mitracos asked for greater detail on the density to which Ms. Matlock responded, indicating that the developer matched the existing surrounding developments.

Commissioner Mitracos also asked if a Home Owner's Association (HOA) for Elissagary the infill would join in the Hidden Lakes HOA. Ms. Matlock advised that she was not aware that either Elissagaray Ranch PUD or Infill would have an HOA.

Vice Chair Orcutt asked for clarification on the decision by Tracy Unified School District not to build a school in the development. Ms. Matlock advised she had received verbal confirmation from Bonnie Carter that of that decision

The applicant, Chris Tyler addressed the Commission, providing information about his background and the history of his involvement with the project. He advised that the project had originally been considered for an apartment complex, but that after meeting with many of the neighboring community members who indicated they were concerned that the value of the new development would not match that of the existing homes. It was then decided that any new project should match the lot sizes to the existing area and have architecture that would meet or exceed the area standards.

Commissioner Orcutt asked about the market demand and how that would affect the range of floor plans and elevations. The applicant advised that although the market will demand certain types, they would have to meet the City requirements for a mix of elements.

Chair Sangha opened the public hearing at 7:29 p.m.

Bill Hopple, Tracy resident, addressed the Commission and advised he was a fire alarm contractor and protection engineer. He indicated he had some questions and he would want to see the plans for the project. He commented about Mr. Mina's report asking about ingress and egress to this subdivision due to trips to area schools. He asked if the units would be sprinklered. He also wanted to see the distance between structures. He wanted to be sure that Fire and Police protection had been addressed. Commissioner Mitracos suggested that the new code required sprinklers.

Dan Olden, Tracy resident, advised he had lived in the area for 12 years and that he approved of the plan. He also appreciated Mr. Mina's help.

Gail Reiger lived in East Lake asked how the residents were advised of the meeting. Ms. Matlock responded that notices were sent to every property owner in local developments; over 1,000 mailers were sent.

Bob Ott addressed the Commission and questioned Mr. Mina's traffic figures. He indicated that they were promised a school when they first moved to the area. He expressed that he was disappointed there would not be a school.

Judy Forth, a Hidden Lake resident, asked whether this project would be controlled by the Hidden Lake HOA. Ms. Matlock advised that it would not.

Mr. Sartor asked that Chair Sangha close the public hearing which she did at 7:54 p.m.

Commissioner Ransom commented that many of the issues raised by both the public and the Commissioners would likely be addressed during the permitting process.

Commissioner Ransom then made a motion that 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.

Commissioner Orcutt seconded. All in favor; none opposed.

**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**

Chair Sangha reviewed agenda item 2C and requested the staff report. Scott Claar indicated that the proposal was 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. He stated that the site was approximately 1-acre and includes a single building of approximately 16,000 square feet. He added that the site was zoned Light Industrial and designated General Industrial by the City's Industrial Areas Specific Plan which was why the agenda item was before the Commission.

Mr. Claar stated that the proposed use would be an indoor recreational facility to serve the needs of private parties and special occasions, primarily birthday parties for children. 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 facility could accommodate a maximum of two parties at a time, with each party having up to 20 to 25 children. Most activity would occur on the weekends. There would be six to eight employees per shift.

Mr. Claar concluded by saying that staff recommended that the Planning Commission approve the proposal with the recommended conditions of approval to include restriping the parking area and installing additional exterior lighting to better illuminate the site for public safety.

Chair Sangha asked for the applicant. Raj Chellani addressed the Commission. He reviewed the proposal indicating that Pump It Up was a national chain with 155 locations throughout the United States. He indicated that the facility would be open evenings and weekends for school age children ages 3 – 14 years of age. He added that their facility caters only to closed and private events which require a reservation. No food would be prepared on site; food would be through caterers provided by the renters. He said the parties would be 2 hours and tightly regulated. He suggested they would hire between 8 to 10 staff; the owner would be on site.

Commissioner Ransom asked about the “by appointment only”; asking if that was the standard model. Mr. Chellani advised that was correct.

Chair Sangha asked when they might open. Mr. Chellani indicated it would be about 3 – 4 months to build out.

Mr. Sartor advised that Chair Sangha open the public hearing at 8:06 p.m. which she did. There were no questions. The public hearing was closed thereafter.

Commissioner Orcutt moved 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. Chair Sangha seconded. All in favor none opposed.

**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**

Chair Sangha presented Agenda Item 2D and requested a staff report. Alan Bell, Senior Planner indicated that this agenda item was to receive comments from the public and other interested parties on the Tracy Hills Specific Plan (THSP) Amendment Environmental Impact Report (EIR).

He then provided a presentation that reviewed the agenda which included an overview of the proposed project, the purpose of a public scoping meeting, the environmental review process, the issues to be reviewed in the Subsequent Environmental Impact Report (SEIR) and finally Public Comment.

Mr. Bell advised that the THSP was adopted and annexed to the City in 1998 and included 5,500 residential units, over 5 million square feet of non-residential uses, and parks, schools, a golf course and additional open space. He then reviewed the location map advising that the owner has submitted a request to amend the 1998 plan. The proposed Phase 1 included 700 acres, 1,200 residential lots, approximately 50 acres of

Business Park use and an elementary school and other minor changes to light industrial, residential and commercial zones within the project area inclusive of changes to utilities.

Mr. Bell indicated that a Subsequent Environmental Impact Report (SEIR) was required. He introduced Laura Worthington-Forbes of Kimley-Horn. Ms. Worthington-Forbes advised the purpose of the public hearing was to inform the public of the City's intent to complete an SEIR, present an overview of the environmental process and the issues to be addressed in the SEIR and to solicit public and Commission's comments regarding potential environmental issues of concern associated with the proposed project.

After describing where this project was in the review process, Ms. Worthington-Forbes described the reason an SEIR was required was due to changes in the original EIR, changed conditions and different regulatory requirements. She identified nine primary issues included in the review process as aesthetics, air quality and greenhouse gas emissions, biological resources, hazards & hazardous materials, hydrology and water quality, land use/planning, noise, public services and utilities, traffic and circulation. She closed by advising that written comments to be submitted by November 22 to Alan Bell, Senior Planner.

Mr. Bell reviewed the timeline and activities indicating that the Draft EIR would likely be completed by the first half of 2014. He concluded by asking the Commissioners if they had any questions.

Commissioner Johnson advised that he was working for a Civil Engineering company on the same project and asked if he could participate in the public hearing. Mr. Sartor indicated he would need to step down and ask questions as an audience member should he have any.

Commissioner Mitracos asked when Mr. Bell anticipated the Draft EIR to be completed. Mr. Bell advised it would likely not be completed until the first half of 2014.

Commissioner Ransom asked about whether the questions being raised would be addressed in the Draft EIR. Ms. Worthington-Forbes advised that she was correct.

Commissioner Orcutt asked if land use and planning relative to the airport would be addressed. He was advised that would be.

Chair Sangha opened public hearing at 8:19 p.m.

Dave Anderson, President of Tracy Airport Association, addressed the Commission. He indicated that the project appeared to be compatible with the airport and hoped the zoning would not change. He asked about Phase I and the placement of a school advising that he be wanted to be sure it was placed in relation to Caltrans requirements. He also expressed concern about noise in the area around the airport in the North East corner. He then asked about access to the south side of the airport from the business and industrial areas around Corral Hollow.

Gail Reger, Tracy resident expressed concerned about the proximity of the project to Site 300 adding that she was a part of a non-profit organization called Tri Valley Cares which monitors Site 300. Her questions were; how far away would the project be from

site 300, how long would the buffer zone be, what would be the use of the buffer zone, would this project use ground water (if so for what purpose), would the ground water be tested, because the project is near a Superfund clean-up site and would the residents be notified, would the SEIR study the impact of the ongoing operations at Site 300, would there be acoustic studies to assess the sound levels at the site and would there be air quality studies regarding the issue of the project being downwind of Site 300.

Commissioner Mitracos commented that he felt that Site 300 was no longer licensed to proceed with testing. Ms. Reger advised that the site was still active.


Juliann Bitter owner of the property on the other side of aqueduct from the project expressed concern about the water table being depleted due to the project. She also indicated that they operate a dog kennel and have farm animals and wanted to know how the project might affect these issues and their property.

Chair Sangha closed the public hearing at 8:28 p.m.

Commissioner Orcutt encouraged people to submit future concerns in writing and direct them to the attention of Allen Bell at City Hall.

3. **ITEMS FROM THE AUDIENCE** – None
4. **DIRECTOR'S REPORT** – None
5. **ITEMS FROM THE COMMISSION** – None
6. **ADJOURNMENT** – Commissioner Orcutt moved to adjourn at 8:29 p.m.

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

  
\_\_\_\_\_  
CHAIR