

**MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 26, 2014 – 7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA**

CALL TO ORDER

Chair Sangha called the meeting to order at 7:00 p.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; Criseldo Mina, Senior Civil Engineer; Bill Sartor, Assistant City Attorney; and Janis Couturier, Recording Secretary.

MINUTES APPROVAL

Chair Sangha requested approval of the February 12, 2014 minutes. Commissioner Orcutt made a motion to approve the minutes dated February 12, 2014. Commissioner Ransom seconded; all in favor, none opposed.

DIRECTOR'S REPORT REGARDING THIS AGENDA – None

ITEMS FROM THE AUDIENCE – None

1. OLD BUSINESS – None

2. NEW BUSINESS

- A. PUBLIC HEARING TO CONSIDER A VESTING TENTATIVE SUBDIVISION MAP AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN AMENDMENT TO CONSTRUCT 60 DUET UNITS ON APPROXIMATELY 4.32 ACRES AT THE NORTHEAST CORNER OF LAMMERS ROAD AND FETEIRA WAY. THE APPLICANT IS VALLEY OAK PARTNERS AND THE OWNER IS TRACY WESTGATE APARTMENTS, LLC – APPLICATION NUMBER TSM 13-0004 AND PUD13-0004**

Chair Sangha introduced agenda item 2 A and requested the staff report.

Victoria Lombardo, Senior Planner began by describing the site as an older, high density zoned location which was originally intended for apartments in the mid '90's. In the interim the project site was surrounded by single family homes. There have been three previous approvals for the site; one for 80 units of apartment and two different versions of condominium units. This proposal is for 60 duplex units; 30 physical structures.

Ms. Lombardo then reviewed the layout of the units and discussed parking as it related to the City's requirements. She advised that the project was arranged to feel like a development of single family homes. She advised the units were designed to accommodate a larger rear yard which was intentional on the part of the developer to better integrate the project into the existing area.

She added that the developer held two neighborhood meetings to gather comments; concerns were largely about traffic, circulation and parking. Illegal parking on Thelma Loop appeared to be an enforcement issue. She advised that some of the neighbors were concerned about this continued illegal parking and mentioned that staff had advised the Police Department and Engineering Traffic of these concerns.

Ms. Lombardo stated that staff had worked with the applicant to assure that this project would be the right type for Tracy adding that staff had gone out and viewed similar projects in other areas which resulted in the addition of sidewalks and upgraded landscaping. Ms. Lombardo concluded by indicating that staff recommended the Planning Commission approve the project as proposed.

Chair Sangha called for the applicant.

Douglas Rich, of Valley Oak Partners, introduced himself and the architect of the project. He thanked staff for their help, including the site tour. He indicated this support helped create a better product with a more domestic feel. He stated that this is a High Density Residential (HDR) site; the status has not changed. He indicated that they had looked at the project from both a compatibility with the existing neighborhood and market requirements viewpoint.

He said they chose the duplex product as a more appropriate match adding that this product typically appeals to a younger, first time buyer. He reviewed the floor plans and mentioned that they had a traditional family entry and layout. He advised that the shared wall between units would be used to mitigate the commonality between the units with the appearance of a single family detached home. He then discussed the private, useable rear yard as a unique feature for these types of products.

Jennifer Master of SDG Architects reviewed the overall character of the site. She introduced a PowerPoint presentation and reviewed that the massing of the homes commenting that it gave the feel of traditional family homes. She also discussed the color schemes, the roof lines and street scenes. She then discussed the four architectural styles and floor plans.

Commissioner Orcutt asked if only one style had a shared wall with the Master bedroom. Ms. Master advised he was correct. He expressed concern about a shared wall in this instance relative to sound barriers. She advised that the wall construction was above the code requirement. Mr. Rich indicated that the units were designed to be greater than the required mitigation

Commissioner Mitracos asked how wide the space was for the sound wall. Ms. Master replied and indicated it was at or above the standard.

Commissioner Mitracos mentioned that he met with the applicant and had expressed concern about parking. He realized there was guest parking, but suggested that the Home Owners

Association (HOA) should be able to police it. He also asked about owner occupied units. Mr. Rich indicated that they planned to sell to owner occupied.

Commissioner Ransom asked whether these would be traditional or below market homes for lower income home owners. Mr. Rich advised there was not a stated program to address that, but felt that the price point would likely be attractive to price sensitive buyers. She then asked about set-backs and asked if owners would be able to park in the driveway. Mr. Rich indicated in his experience they found that shorter driveways worked to alleviate parking in the drive.

Commissioner Johnson wanted to disclose that he was familiar with the company and his firm is a competitor of theirs. He indicates that he had met with the owner and applicants and added that he wanted to hear from neighbors.

Commissioner Mitracos asked about the storm drain. Mr. Mina responded by stating that because the streets are private the storm drain would also be private and that the city would only be responsible for the water main leading up to the project. Mr. Mina advised that this type of filtration is required by the 2008 Storm Water Regulation. Commissioner Mitracos indicated that he was unfamiliar with it and some additional discussion followed during which Commissioner Johnson indicated he had worked on similar projects and this type was standard.

Chair Sangha opened the public hearing at 7:30 p.m.

Tony Canale, of 3174 Milton Jensen Court, addressed the Commissioners and advised that he lived in the area. He expressed concerns about the traffic and illegal parking on Thelma Loop adding that the congestion had contributed to a driver hitting a house. He mentioned that children play in the area. He also said he felt that the parking for the project was inadequate. He suggested something smaller than 60 units. He also felt the method of notification was unfair; that something better than a 3x5" card might be used. He also expressed concern about this project becoming a rental area. He felt it couldn't be controlled.

Commissioner Ransom asked for clarification about his concerns about the traffic around Thelma Loop. He indicated the streets are narrow and stated that children ride bikes around the area adding there isn't any playground in the development. Commissioner Mitracos commented that he felt that the project residents wouldn't park on the streets about which Mr. Canale was concerned.

Commissioner Mitracos asked Mr. Canale about illegal parking and how it was presently handled. There was additional discussion about traffic and parking which involved Mr. Mina's review of the size of the streets and the flow of traffic. He advised that the street was intended to accommodate up to 2,000 cars per day; adding that the illegal parking was affecting the flow of traffic. He said the most recent traffic count was 1,300 cars per day which was well below what the street is designed to handle. Commissioner Ransom suggested that the issue was rather one of enforcement.

Commissioner Mitracos then asked about access to the project he was advised that there are two access points. There was additional discussion about access and egress for the project versus the existing subdivision. Mr. Mina advised that there would be an option of putting a left turn lane at Freitera onto Lammers so that project residents can use that access.

Commissioner Ransom asked whether the area was used as a shortcut through the development to other areas. Based on a review of the feeder road access the Commissioners determined that there was no short cut. Commissioner Mitracos and Ransom felt that the project was pretty isolated for it to have much impact on traffic and that the bigger issue would be parking within the project.

Commissioner Orcutt asked about the impact to traffic in the area as it was originally projected to be an apartment complex; asking if there would have been more traffic had the apartments been built. He commented that with 60 duplexes versus 84 unit apartments this project would actually be an improvement. Commissioner Orcutt asked if there was there a design issue as to why there was no entrance onto Lammers Road. Mr. Mina advised the reason was to minimize disruption to traffic on Lammers.

Chair Sangha asked for any additional comments.

Vicki Hernandez, of 1193 Ana Marie Way advised she had not been notified of the meeting. She also discussed school traffic indicating that her biggest concern was Lammers Road; due to Kimball High School traffic. She indicated she didn't feel that traffic was controlled. Commissioner Orcutt commented that staff had advised that a stop light might be considered in future. She said kids drive recklessly around that area late at night. She also added that the subdivision has changed from when she and her husband purchased their home. She suggested that 50% of the houses in her area were now renters.

Commissioner Mitracos asked if there was any legal way to restrict these units from being rented out. Commissioner Ransom asked if he was asking about deed restrictions on homes to avoid rentals. Commissioners Mitracos and Ransom agreed that the HOA may have to try to control the owner occupation.

Ms. Lombardo discussed the fact that often the visible signs of neglect of a property are issues with landscape which will be HOA maintained and, therefore, less likely to be neglected.

Chair Sangha asked Mr. Rich about children in the project area and the fact that there was no mention of playgrounds. Mr. Rich advised of the proximity of the existing park and that they had designed access to that park via pedestrian ways. He added that having a yard would provide some opportunity for children to play as well.

Chair Sangha then asked if the 28 additional parking was for guests only. Mr. Rich indicated that HOAs do a good job of monitoring landscaping and parking.

Mr. Canale addressed the Commission again and spoke to the fact that he felt the park was very small and it would not accommodate the extra people.

Mike Souza 105 East 10th Street addressed the Commission indicating that Souza Realty were the original developers and that the site was originally designed for 84 units commenting this is a significant downgrade. He added that just south of the small park is a larger park which was designed to support the subdivision and was more park acreage than required by code. He indicated that the site was always designed as high density.

Bob Tanner, 1371 Rusher, addressed the issue of visitor parking and asked if a resident had more than two cars, where would that third car be parked. He felt some additional allowance should be made for resident parking in the project.

Mr. Dean advised that in 2006 Planning Commission and City Council approved the 80 unit project adding that the additional parking requirement at that time was 29 spaces. He further stated that this project was 60 units with 28 additional spaces. Commissioner Mitracos commented that this would be an improvement over the previous approvals.

Mr. Canale stated again that he felt the traffic was still an issue.

Chair Sangha closed public comment at 7:57 p.m.

Commissioner Johnson stated that he felt this was a well-designed infill project and felt this was a much better fit for the area. He indicated that the drawings were well done and gave a good impression that this project would not have a high density feel. He felt it hit the parking requirement and was consistent with the General Plan.

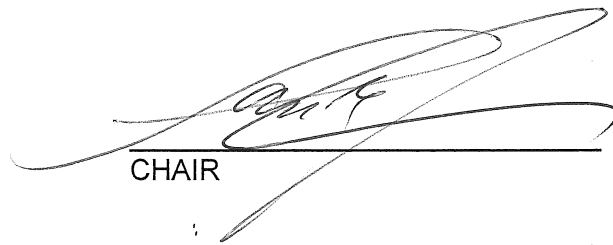
Commissioner Johnson moved that the Planning Commission recommend that City Council approve the 60-unit Feteira project at the northeast corner of Lammers Road and Feteira Way, Application Numbers TSM13-0004 and PUD13-0004, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated February 26, 2014 (Attachment D).

Chair Sangha asked for a second, Commissioner Ransom seconded, Commissioners Johnson, Mitracos and Ransom approved, none opposed, Chair Sangha abstained.

3. **ITEMS FROM THE AUDIENCE –**
5. **DIRECTOR'S REPORT – None**
6. **ITEMS FROM THE COMMISSION – None**
7. **ADJOURNMENT –** Commissioner Orcutt moved to adjourn at 7:59 p.m., Commissioner Ransom seconded; all in favor none opposed.



STAFF LIAISON



CHAIR

