

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, March 26, 2014
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. **APPLICATION TO AMEND A VESTING TENTATIVE SUBDIVISION MAP FOR THE DEVELOPMENT OF 57 SINGLE-FAMILY LOTS ON A 9.42-ACRE PARCEL, AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN AMENDMENT TO ALLOW FOR THE CONSTRUCTION OF 57 SINGLE-FAMILY HOMES LOCATED WITHIN THE 9.42-ACRE INFILL SITE. TSM13-0006 AND PUD13-0006: APPLICANT AND OWNER IS WOODSIDE 05N, LP – NORTHWEST CORNER OF PESCADERO ROAD AND MAC ARTHUR DRIVE.**
- B. **PUBLIC HEARING TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FOR A 45,000 SQUARE FOOT MEDICAL OFFICE BUILDING LOCATED AT 445 WEST EATON AVENUE AND A PARKING LOT AT 418, 424, 432, AND 434 WEST EATON AVENUE. APPLICANT IS A.E. CARRADE AND PROPERTY OWNER SUTTER GOULD MEDICAL FOUNDATION - APPLICATION NUMBER D14-0003**

Planning Commission Agenda

March 26, 2014

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

Posted: **March 20, 2014**

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, 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

AGENDA ITEM 2-A

REQUEST

PUBLIC HEARING TO CONSIDER AN APPLICATION TO AMEND A VESTING TENTATIVE SUBDIVISION MAP FOR THE DEVELOPMENT OF 57 SINGLE-FAMILY LOTS ON A 9.42-ACRE PARCEL, AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN AMENDMENT TO ALLOW FOR THE CONSTRUCTION OF 57 SINGLE-FAMILY HOMES LOCATED WITHIN THE 9.42-ACRE INFILL SITE LOCATED AT THE NORTHWEST CORNER OF MAC ARTHUR DRIVE AND PESCADERO AVENUE. THE APPLICANT AND OWNER IS WOODSIDE 05N, LP- APPLICATION NUMBERS TSM13-0006 AND PUD13-0006

BACKGROUND

The subject property is located at the northwest corner of Mac Arthur Drive and Pescadero Avenue, south of and adjacent to I-205. It is also adjacent to and east of the California Mirage subdivision (Attachment A). The total project area is 9.42 acres, to be subdivided for the construction of 57 single-family homes, herein called the project site. The project site was annexed to the City in 1957. The project site falls within the Infill development and finance plan area. In 2006 the General Plan was updated and changed the land use designation from Commercial to Residential Medium. One of the reasons for the change was the effort to identify sites for residential development to meet the City's Regional Housing Needs Allocation numbers as determined by the State Department of Housing and Community Development.

In 2008 this property was rezoned from Highway Service (HS) to Planned Unit Development (PUD), to gain compliance with the General Plan designation. With that rezoning, a Vesting Tentative Subdivision Map, and Concept, Preliminary and Final Development Plans were also approved for the development of 64 single-family homes on the project site.

Site and Project Area Description

The current zoning designation is Planned Unit Development (PUD), with a General Plan designation of Residential Medium, allowing for 5.9 to 12 dwelling units per gross acre. The properties to the west and south of the project site are zoned Medium Density Cluster (MDC), and are within the California Mirage subdivision. Across I-205 to the north, the property is zoned Highway Service, and across Mac Arthur Drive to the east, the properties fall within the Freeway Commercial land use designation of the I-205 Specific Plan.

DISCUSSION

PUD Amendment

In order to establish a Planned Unit Development (PUD) zone, the minimum and maximum standards must be established for the project in the Concept, Preliminary and Final Development Plan (Attachment B). The Concept Development Plan (CDP) is the

first step, which describes the proposed uses in a very general manner, showing potential building locations, parking areas, and proposed land uses. The Preliminary Development Plan (PDP) supplies all of the detailed information, such as architectural renderings, site plans showing open space and circulation, landscape, and utility plans. The Final Development Plan (FDP) must be approved prior to any construction, and typically finalizes all of the details laid out by the Preliminary Development Plan, and any changes proposed. It is typical for the CDP to be approved upon annexation or rezoning, and then later the PDP and FDP are often reviewed concurrently, showing their conformity with the adopted CDP.

When this property was rezoned to PUD in 2008, a CDP/PDP/FDP was approved for the land that encompassed the 64 lots that were proposed for development at the time. That approval contained lots for the construction of 64 single-family homes in an area with private streets and alley-loaded garages. The project currently proposed would be comprised of 57 lots served by a small grid pattern of public streets from a single entry point off of Pescadero Avenue.

Subdivision

The proposal is to divide the property into 57 lots in order to develop 57 detached single-family homes on approximately 9.42 acres (Attachment C). The proposed lot sizes range from 4,012 to 8,577 square feet with an average lot size of approximately 4,600 square feet. The gross density of the proposed subdivision is 6.1 units per acre, within the range allowable under the site's General Plan designation of Residential Medium.

There is one main access point for the subdivision, located on the south side of the proposed subdivision, along Pescadero Avenue. That access point leads to the streets, designed in a semi-grid pattern to access the 57 proposed houses.

Building Setbacks, Development Standards

The minimum building setbacks are to be as shown in the revised Preliminary and Final Development Plan as shown in Attachment B. The minimum setbacks, lot coverage, and other requirements are listed for the proposed lots. Staff worked with the applicant to create the development standards for the subdivision so the end result would be a well-planned but flexible subdivision that accounts for the needs of the future residents of the proposed houses, with regards to building shade structures, additions, pools, etc.

Building Height

The proposed houses are one and two stories in height. The Tracy Municipal Code provides that height limits can be established in each PUD, as appropriate. The proposed maximum building height is 35 feet, which is consistent with the zoning regulations of all of the adjacent single-family homes in the Medium Density Cluster zone, which are allowed to be up to two and a half stories, or 35 feet, whichever is less.

Architecture

Upon submittal of a vesting tentative subdivision map application (or map amendment), as well as a PUD, the applicant is required by Tracy Municipal Code Sections 12.28.040(b)(2) and 10.08.1830 to submit architectural floor plans and elevations for review and approval by the Planning Commission and City Council. The proposed architecture for the 57 units contains a total of five floor plans as described above, each with two to four different architectural elevations, including Ranch, Craftsman, Cottage and Traditional styles (Attachment D).

Each individual home design has been created with unique characteristics, as inspired by these styles. The Ranch style (A elevations) is expressed with lower pitched roofs, front porch posts and corbels, and gable end details utilizing various materials, including board & batten accents. The Craftsman style (B elevations) employs a mainly stucco finish highlighted with shingle siding, kickers and the base incorporates a stone wainscot. The Cottage style (C elevations) incorporates mainly hip roof forms with a steeper pitch. Windows patterns highlight this style, as well as the use of shutters, larger stone elements, and gable end accents of horizontal siding. For added diversity, the Traditional style (D elevations) is incorporated on two home designs and introduces strong gable roof lines, dormer elements and brick wainscoting.

Residential Growth Allotments (RGAs)

Because this project is an amendment to the existing Vesting Tentative Subdivision Map, the requirements for allocation of RGAs are vested to the requirements of the 2005 Growth Management Ordinance (GMO) and its Guidelines. The project does not currently have any RGAs and will apply for RGAs in accordance with the 2005 GMO prior to the issuance of any building permits for the project. The project falls within the "Primary Area" of the 2005 GMO and is eligible to apply for RGAs in accordance with the 2005 GMO Guidelines.

Schools

The Tracy Joint Unified School District has determined that the Tiburon Village project does not need to dedicate property for a school site within the subdivision. However, in order to mitigate the proposed developments' impacts on school facilities, the developer will work with the School District prior to the issuance of any building permits, and the appropriate per-square foot or per-unit fee to be charged for each of the 57 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. Since the minimum park size within the City is typically required to be two acres, this project will pay the park in-lieu fees, as the 57 homes proposed would only constitute a need for a 1/2-acre park. (The total population estimate for the project area is 187 residents, based on 57 dwelling units, and 3.28 people per unit.) In addition, community parks are

required at a rate of 1 acre of park land per every 1,000 residents, resulting in 0.19 acres of community park area required, or mitigation fees paid.

Environmental Document

Public Resources Code section 21083.3 and its parallel Guidelines provision, section 15183, provide for streamlined environmental review for projects consistent with the development densities established by existing zoning, general plan, or community plan policies for which an environmental impact report ("EIR") was certified. Such projects require no further environmental review except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site. If an impact is not peculiar to the parcel or to the project, has been addressed as a significant impact in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for the project solely on the basis of that impact.

On July 20, 2006, the City adopted a new General Plan (the "2006 General Plan") and certified the associated General Plan EIR (SCH# 1992 122 069) (the "2006 General Plan EIR").

The General Plan land use designation for the Project site is Residential Medium. The development density of the project is consistent with the Residential Medium land use designation.

Staff has examined the environmental effects of the project and has determined that no further review is necessary because there are no:

- (a) Environmental effects that are peculiar to the project or the parcel on which the project would be located;
- (b) Environmental effects that were not analyzed as significant effects in the General Plan EIR;
- (c) Potentially significant off-site impacts and cumulative impacts which were not discussed in the 2006 General Plan EIR; or
- (d) Previously identified significant effects in the 2006 General Plan EIR which, as a result of substantial new information which was not known at the time the EIR was certified, is determined to have a more severe adverse impact than discussed in the EIR.

Finally, the General Plan EIR specified a number of feasible mitigation measures to address significant effects on the environment that would result in implementing the Plan. To the extent applicable, these mitigation measures are incorporated as part of the project or as part of the project's conditions of approval.

RECOMMENDATIONS

Staff recommends that the Planning Commission recommend that the City Council approve the amendment to the Classics Vesting Tentative Subdivision Map, Application Number TSM13-0006, and the amendment to the Preliminary and Final Development Plans, Application Number PUD13-0006, based on the findings and subject to the

conditions contained in the Planning Commission Resolution (Attachment E) dated March 26, 2013.

MOTION

Move that the Planning Commission recommend that the City Council approve the amendment to the Classics Vesting Tentative Subdivision Map, Application Number TSM13-0006, and the amendment to the Preliminary and Final Development Plans, Application Number PUD13-0006, based on the findings and subject to the conditions contained in the Planning Commission Resolution (Attachment E) dated March 26, 2014.

Prepared by: Victoria Lombardo, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director

Approved by: Andrew Malik, Development Services Director

ATTACHMENTS

Attachment A — Location Map

Attachment B — PUD Guidelines

Attachment C — Subdivision Map (Oversize: Copies available in the Development Services Department, City Hall)

Attachment D — Architectural Renderings (Oversize: Copies available in the Development Services Department, City Hall)

Attachment E — Planning Commission Resolution to approve VTSM Amendment and Amendment to the PDP/FDP

ARBOR AVE.

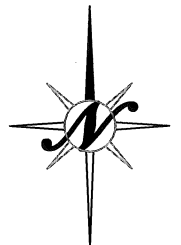
RECEIVED

OCT 31 2013

CITY OF TRACY
D.E.S.

**PROJECT
LOCATION**

HWY. 205



COPYRIGHT © 2013 NORTHSTAR ENGINEERING GROUP, INC

PLOTTED: 10/28/13 16:11 PLOTTED BY: stlanger
DWG NAME: F:\13-1251 The Classics\Planning\13-1251 Location Map.dwg



NorthStar

Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •

620 12th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

LOCATION MAP

THE CLASSICS

TRACY,

CALIFORNIA

JOB:	13-125
DATE:	10/28/2013
SCALE:	NTS
DRAWN:	SHS
DESIGN:	EWB
CHK'D:	EWB
SHEET	

EX1

PLANNED UNIT DEVELOPMENT (PUD)**THE CLASSICS****GENERAL DEVELOPMENT STANDARDS**

The following standards apply to the Classics single family development. As small lot single family homes, this community is intended to create affordability by design, through limiting the size of the homes and maximizing the open space within the project. Development standards are appended by City Ordinance found in the table of standards and plan requirements.

PROPERTY DESCRIPTION

- **LOCATION**

The proposed project is approximately 9.42 acres in area, located off North MacArthur Drive, south of Highway 205, and in the proximity of the intersection of North MacArthur Drive and Pescadero Avenue.

- **SITE DESCRIPTION**

The site is currently an undeveloped vacant lot with topography change of approximately 2' from one end of the property to the other, sloping up from northeast to southwest with an elevation of approximately 23' in the north east corner to an elevation of approximately 25' in the south west corner.

- **ACCESS**

The main access to the site will be via a 57-foot wide neighborhood entry intersecting at Pescadero Avenue.

- **CIRCULATION**

Circulation within the subdivision shall consist of 55' right-of-way residential collector streets, A, B, C, D, and E, connecting to the neighborhood entry.

- **LAND USE**

The project shall be developed with four single-family detached unit product types and 50'x 90' lots typical. The number of units within the PUD shall be limited to 57, with the density of development not to exceed 6.05 dwelling units per gross acre.

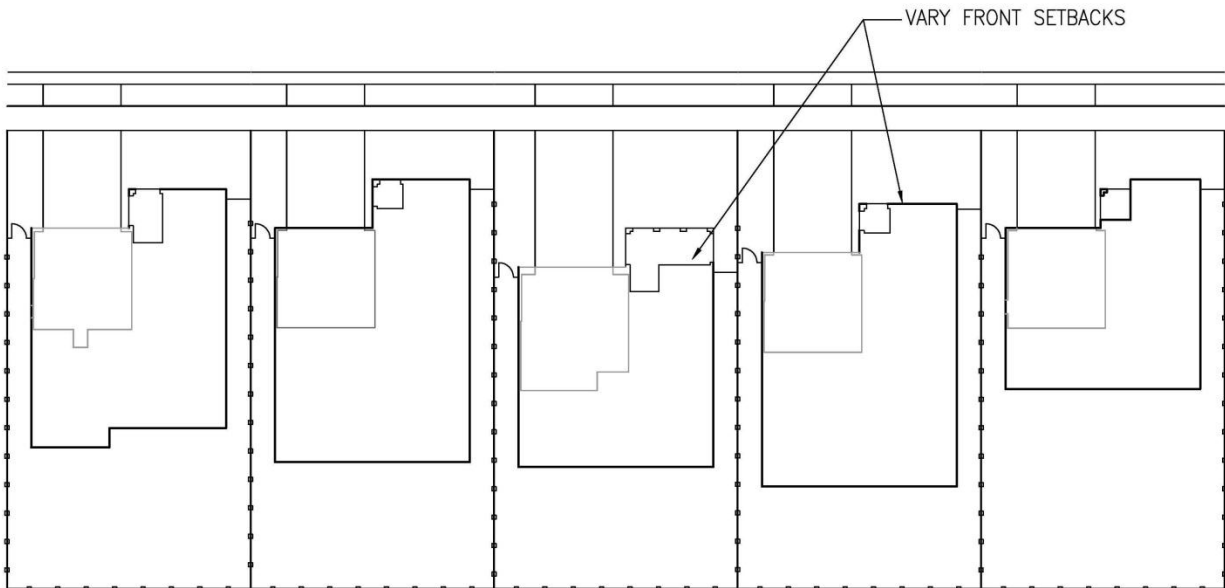
SITING CRITERIA

It is important to create a street scene that provides visual quality and variety. This can be accomplished by siting homes with varying setbacks, reversing plans so that garages and entries are adjacent to each other, and providing architectural massing relief through porches and other single story elements along the street.

- DIFFERENT BUILDING STYLES

- MIXED USE OF ONE AND TWO-STORY ELEMENTS

- VARIED ROOF TYPES AND PITCHES



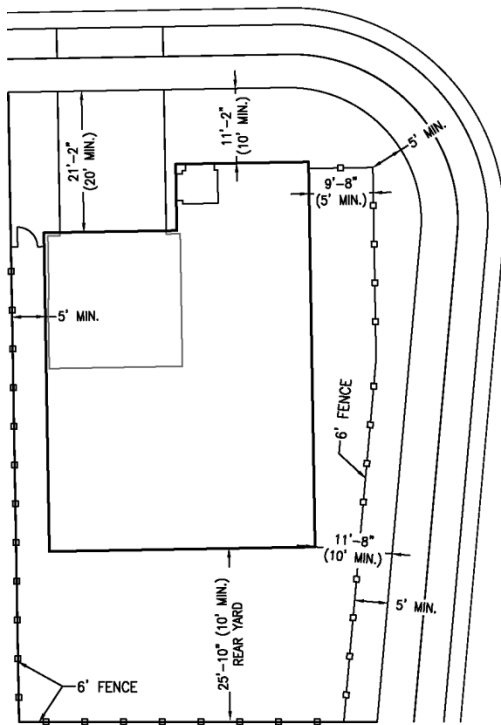
SITING AND MASSING DIAGRAM

Residential Development Regulations

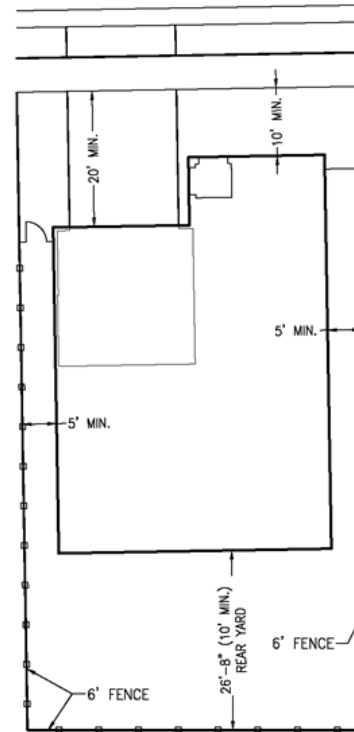
Single Family Homes

Minimum Lot Area	3,689 S.F.
Average Lot Area	4,852 S.F.
Lot Width	50' min.
Lot Depth right-of-way to rear lot line	66.4' min.
Front Yard Setback to Living Space or Porch*	10' min.
Front Yard Setback to Garage*	20' min.
Rear Yard Setback	10' min.
Side Yard Setback*	5' min.
Side Yard Setback at Corner Lot*	10' min.
Minimum Building Separation*	10'
Maximum Lot Coverage – Single Story	55%
Maximum Lot Coverage – Two Story	55%
Maximum Building Height	35'
Required Parking	2 covered
Guest Parking	1/unit on-street

* Architectural projections up to 24 inches, including bay windows, fireplace chimneys, utility cabinets and balconies are allowed within the setback.



**TYPICAL CORNER LOT
SETBACK DIAGRAM**



**TYPICAL INTERIOR LOT
SETBACK DIAGRAM**

ARCHITECTURAL DESIGN STANDARDS

The purpose of this section is to provide guidance on the architectural design and massing of the various home plans within the community. Care and consideration should be given when plotting specific home plans on specific lots to insure a variety of massing, architectural style and color and material variation within the project. Setbacks and requirements not specifically mentioned in this document shall be as specified in the City of Tracy Design Goals and Standards and the Medium Density Cluster zone.

- **MASSING**

The homes shall be articulated so that the massing of the perceived street scene of a neighborhood has variety and visual interest. This is applicable to the front and street facing side elevations of the corner lots, as well as easily visible rear elevations such as those that back onto public streets outside the development. Unless it is not appropriate to the architectural style, this can be accomplished by providing a variety of both single and double story elements. Solutions to achieve these goals include:

- 25% of the homes shall be of one-story character.
- Floor plans that provide a variety of setbacks and massing along the street.

- **ARCHITECTURAL PLAN MIX**

Homes shall be plotted on individual lots so as to provide a variety of home plans and elevations along any given streetscape. At no time shall the same plan and elevation be plotted on adjacent lots. When homes of the same plan are plotted across a street from each other different elevations and color schemes shall be used.

- **CORNER LOT CONDITIONS**

- The building materials on the front facade should wrap to a logical termination point or perpendicular change of plane on the elevation adjacent to the exterior side yard. End lots on lanes or courts shall be considered corner lots.

- **SIDE YARDS**

- The homes shall be plotted so as to maximize the visual separation between homes within the project.
- Trash receptacles are permitted to be located within the side yard setbacks provided that they are screened from view by appropriate side yard fencing and have access to the street through an appropriate gate.

- **ENCROACHMENTS**

Encroachments of up to two (2) feet are permitted into required yards for architectural projections that provide relief to the main building massing form. Items such as, but not limited to air conditioning condensers, porches, chimneys, bay windows, retaining walls less than 4' in height, media centers, etc. may encroach 2' into the required setback of one side yard, provided a minimum of 36" flat and level area is maintained for access around the house.

- **ACCESSORY STRUCTURES**

Accessory and garden structures are subject to the City of Tracy Municipal Code - Medium Density Cluster Zone and all applicable Building Codes.

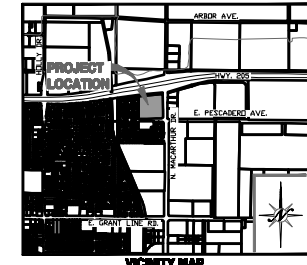
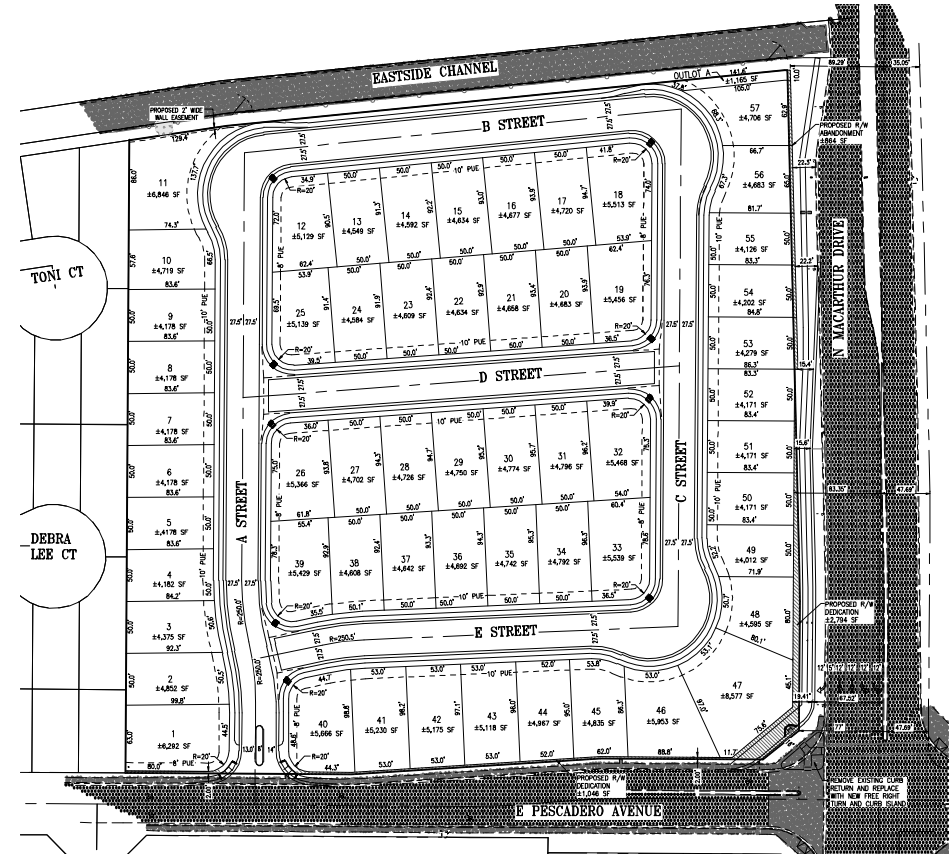
AMENDED TENTATIVE SUBDIVISION MAP FOR
THE CLASSICS TRACT No. 3351
TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF TRACY STANDARD SPECIFICATIONS EXCEPT AS NOTED.
2. STORM DRAINAGE: BY POSITIVE SYSTEM TO EASTSIDE CHANNEL.
3. SEWAGE DISPOSAL: BY CITY OF TRACY SEWER SYSTEM.
4. WATER SUPPLY: BY CITY OF TRACY WATER SYSTEM.
5. STREET LIGHTING SHALL BE INSTALLED AS PER THE CITY OF TRACY STANDARD SPECIFICATIONS.
6. ASSESSORS' PARCEL No. 213-301-61.
7. PROJECT AREA: 5.42 AC.
8. TOTAL NO. OF LOTS: 57.
9. GENERAL PLAN DESIGNATION: PLANNED UNIT DEVELOPMENT.
10. PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS.
11. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "MULTIPLE SUBDIVISION MAPS" AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 66466.1, AND FILE PARCEL MAPS FOR REASON OF SALE. ALL PARCEL LINES SHALL CONFORM TO THIS TENTATIVE MAP.
12. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM (CS 2011) CORNER 4, A LINE BETWEEN CITY OF TRACY MONUMENT NO. 2014 (STAMPED 2014) AND CITY OF TRACY MONUMENT NO. 2010 (STAMPED TRACY IS 4470) WHICH BEARS NORTH 05°05'00" WEST AS CALCULATED FROM COORDINATES SHOWN ON RECORD OF SURVEY FILED IN BOOK 36 OF SURVEYS, AT PAGE 118, SAN JOAQUIN COUNTY RECORDS. BEARINGS ARE USED FOR THE BASES OF ALL BEARINGS SHOWN ON THIS MAP. ALL DISTANCES SHOWN ARE HORIZONTAL DISTANCES, UNLESS NOTED AS VERTICAL.
13. BASIS OF ELEVATION: CITY OF TRACY MONUMENT 2014; FOUND 2" CITY OF TRACY HORIZONTAL CONTROL, AND BENCHMARK DISK STAMPED 2014, 75 FEET NORTH OF ESCADERO AVENUE ON THE EAST CURB OF MACARTHUR DRIVE (ELEVATION = 25.49) (NAD83).
14. PUBLIC UTILITY EASEMENTS WILL BE PROVIDED ALONG ALL STREET FRONTS.
15. MINIMUM BUILDING SETBACKS WILL BE 10' FOR LIVING SPACE AND PORCH, 20' FOR GARAGE, 5' FOR INTERIOR SIDE SETBACK, 10' FOR CORNER SIDE SETBACK AND 15' FOR REAR SETBACK.
16. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED. SEPTIC TANKS, LEACH TRENCHES AND WELLS ON SITE WILL BE REMOVED OR ABANDONED AS PER CITY OF TRACY REQUIREMENTS.

ABBREVIATIONS

AB	ALIAS OR ALIAS (NOT EXACT)	AD	DOUBLE IRON PIPE
AS	ALUMINUM	AW	ALUMINUM WIRE
AC	ASPHALT CONCRETE	AWP	ALUMINUM WIRE FABRIC
ADIT	ADJUSTMENT REBARMENTS	AW	ALUMINUM WIRE
ADT	AVERAGE DAILY TRUCK TRAFFIC	CC	CURB OR END OF CURVE
AD	ASBESTOS	EC	END OF CURVE
ALT	ALTERNATE	EP	EDGE OF PAVEMENT
AN	ANNEALED	EZ	EASEMENT
APR	ACCESSORY PARCEL NUMBER	EV	END OF VERTICAL CURVE
ASR	AUTOMATIC SPRINKLER RISER	EX	ELECTRICAL
AV	AVENUE	FD	FRENCH DRAIN
BC	BEGIN CURVE	FIS	FIRE DEPARTMENT CONNECTION
BFP	BACK FLOW PREVENTOR	FES	FLUOR END SECTION
BOW	BACK OF WALK	FG	FRESH GRADE
BSL	BUILDING SETBACK LINE	FI	FIRE HYDRANT
BVC	BEGIN VERTICAL CURVE	FL	FLOW LINE
CRD OR CID	CURB AND GUTTER	FM	FIRE MAIN
CB	CATCH BASIN	FS	FIRE SERVICE
CD	CONTINUOUS REFLECTION	FR	FIRE SPRINKLER RISER
CE	CAST IRON PIPE	GB	GRADE BENCH
CL	CENTER LINE	GC	GRADE, GRADE OR GROUND
CLP	COMPACTED METAL PIPE	GC	GROUND SHOT ELEVATION
CM	CONCRETE	GC	GRADE
CC	CONCRETE	GC	GRADE
CCD OR CCD	CITY OF TRACY	GC	GRADE
CC	CITY OF TRACY	GC	GRADE
CC	CITY OF TRACY	GC	GRADE
CC	CITY OF TRACY	GC	GRADE
CC	CITY OF TRACY	GC	GRADE



SHEET INDEX

1	COVER SHEET / SITE PLAN
2	DRINKING WATER PLAN AND DETAILS
3	SEWER AND STORM DRAINAGE PLAN AND DETAILS

LEGEND

EXISTING	PROPOSED
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]
[Symbol]	[Symbol]

- PROJECT INFORMATION**
- A. REGULATORY AGENCY: CITY OF TRACY
 - B. OWNER/APPLICANT: WOODSIDE DON, LP
 - C. ENGINEER: NORTHSTAR ENGINEERING GROUP, INC.
 - D. GEOTECHNICAL CONSULTANT: KRAMER & ASSOCIATES, INC.
 - E. EXISTING LAND USE: VACANT
 - F. PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
 - G. TOTAL PROJECT SIZE: 942 AC
 - H. TOTAL NUMBER OF LOTS: 57
 - I. TYPICAL MINIMUM LOT SIZE: 50790'
 - J. DENSITY: 6.1 DUA/GROSS ACRES
 - K. STREET TREES: PER CITY OF TRACY REQUIREMENTS
 - L. CONTIGUOUS: ONE FOOT INTERVALS
 - M. RETURNS: PER CITY OF TRACY STANDARD PLANS
 - N. UTILITIES: DOMESTIC WATER - CITY OF TRACY; SANITARY SEWER - CITY OF TRACY; STORM DRAINAGE - CITY OF TRACY; TELEPHONE - AT&T; CABLE TELEVISION - COMCAST; IRRIGATION - WEST SIDE IRRIGATION DISTRICT; SCHOOL DISTRICT - TRACY UNIFIED SCHOOL DISTRICT.

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THE MAP AND PLANS HEREON FOR CONFORMANCE WITH THE ACTS OF THE LEGISLATURE, CONCERNING THE SUBDIVISION OF LAND AND CONCERNING THE REGULATION OF THE BUSINESS OF SUBDIVIDERS AND CONCERNING THE REGULATION OF THE BUSINESS OF REAL ESTATE BROKERS AND CONCERNING THE REGULATION OF THE BUSINESS OF REAL ESTATE AGENTS, IN THE CITY OF TRACY, CALIFORNIA, ARE TRUE AND CORRECT.

CITY ENGINEER: _____ DATE: _____

Scale: 1" = 50'

DATE: 03/20/2014

PROJECT NO: 13-1251

CITY ENGINEER: _____

DATE: _____

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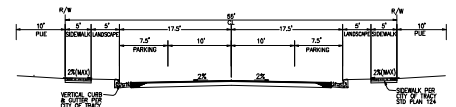
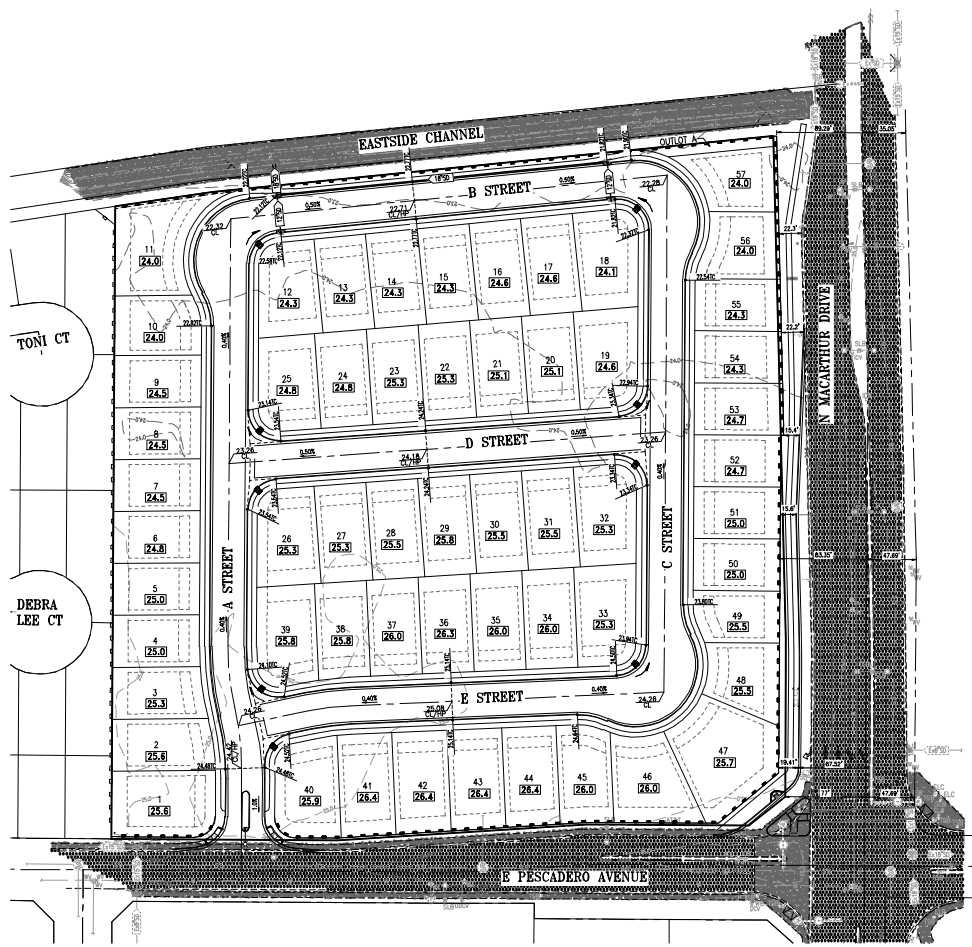
NO PROTECTIVE SURVEYING

THE CLASSICS TRACT No. 3351 TRACY CALIFORNIA

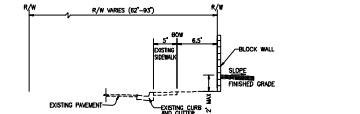
COVER SHEET / SITE PLAN

NorthStar Engineering Group, Inc.
 2311 BENTLEY AVENUE, SUITE 200
 TRACY, CA 95376
 (209) 876-4477

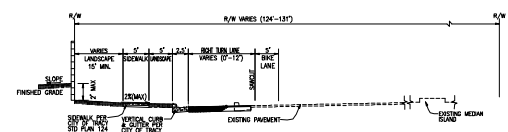
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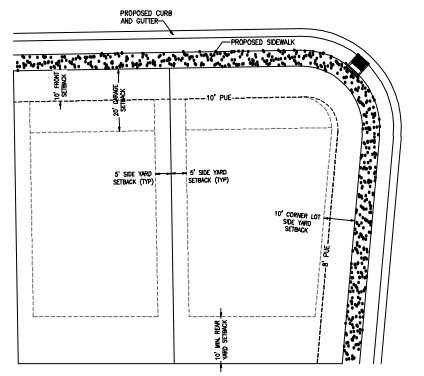
ST CROSS SECTION - RESIDENTIAL STREET
 NTS
 SEE CITY OF TRACY STANDARD PLAN 102 FOR ADDITIONAL REQUIREMENTS



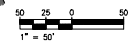
EAST PESCADERO AVENUE CROSS SECTION (TYPICAL)
 NTS



NORTH MACARTHUR DRIVE CROSS SECTION (TYPICAL)
 NTS



TYPICAL BUILDING SETBACKS
 NTS





GRADING AND DRAINAGE PLAN

THE CLASSICS TRACT No. 3351

TRACT CALIFORNIA

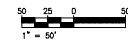
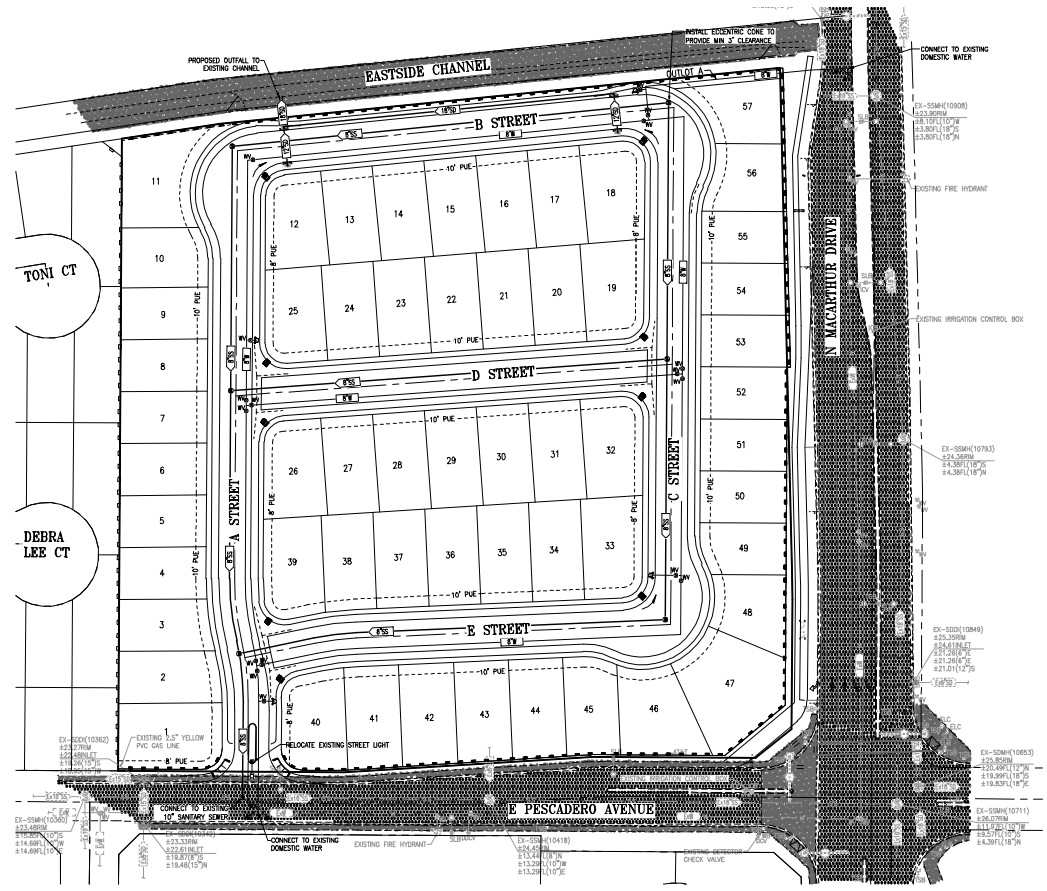
NO.	DESCRIPTION	DATE	APPROVED



North Star Engineering Group, Inc.
 2201 UNIVERSITY AVENUE, SUITE 200
 TRACY, CA 95376
 (209) 875-2000

PROJECT NO.	13-1251
DATE	03/20/2014
SCALE	AS SHOWN
SHEET NO.	02
SHEET NUMBER	02

NORTH STAR ENGINEERING GROUP, INC. 2014. ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF NORTH STAR ENGINEERING GROUP, INC.



NO.	DESCRIPTION
1	EXISTING 10\"/>

UTILITY PLAN
THE CLASSICS TRACT No. 3351
 TRACT

SmartPlan
Engineering & Construction, Inc.
 2201 CENTRAL EXPRESSWAY, SUITE 200
 SAN JOSE, CA 95128
 (408) 253-8888

DATE	12-15-2011
SCALE	AS SHOWN
PROJECT NO.	11-037207-0014
CLIENT	THE CLASSICS TRACT
DESIGNED BY	...
CHECKED BY	...

03

APPROVED BY: [Signature] DATE: 12/15/2011
 PROJECT NO: 11-037207-0014

RESOLUTION 2014 – _____

RECOMMENDING CITY COUNCIL APPROVAL OF THE AMENDMENT TO THE 57-LOT THE CLASSICS VESTING TENTATIVE SUBDIVISION MAP AND AMENDMENT TO THE PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A 9.42-ACRE SITE LOCATED AT THE NORTHWEST CORNER OF PESCADERO AVENUE AND MAC ARTHUR DRIVE APPLICATION NUMBERS TSM13-0006 AND PUD13-0006

WHEREAS, The subject property was annexed to the City of Tracy in 1957 and is an infill parcel, with a General Plan land use designation of Residential Medium, and

WHEREAS, The project will amend an existing Vesting Tentative Subdivision Map to create 57 single-family dwelling units on 19.42 gross acres, with an overall density of approximately 6.1 dwelling units per acre, which is consistent with the General Plan land use and density requirements, and

WHEREAS, The proposed map amendment is consistent with the General Plan, and Title 12, the Subdivision Ordinance, of the Tracy Municipal Code. The General Plan designation of the property is Residential Medium, which provides for a density range of 5.9 to 12 dwelling units per acre. The General Plan identifies that the characteristic housing for the Medium Density Residential categories includes single family homes, as well as other housing types, and

WHEREAS, The site is physically suitable for the type of development, as the site, once graded will be virtually flat and the characteristically high clay content of Tracy's soils may require amendments and treatment for proposed landscaping, foundations, and other surface and utility work. The physical qualities of the property make it suitable for residential development in accordance with City standards, and

WHEREAS, The site is physically suitable for the proposed density of development. The 6.1 dwelling units per acre proposed is consistent with the allowable density range prescribed by the General Plan. Traffic circulation is designed in accordance with City standards for the proposed density to ensure adequate traffic service levels are met, 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. An Environmental Impact Report was certified for the City's General Plan in 2006. Significant fish or wildlife or their habitat have not otherwise been identified on the site and no further environmental documentation is required, 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, and

WHEREAS, the architectural renderings are in compliance with Tracy's Design Goals and Standards because they have incorporated significant variation between floor plans and elevations, located garages set back from the facades of the living space, and used architectural features on all four sides of each house, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the amendments to the Vesting Tentative Subdivision Map and Preliminary and Final Development Plan on March 26, 2014;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council approve the amendments to The Classics Vesting Tentative Subdivision Map and Preliminary and Final Development Plan, Application Numbers TSM13-0006 and PUD13-0006, subject to conditions stated in Exhibit "1", attached and made part hereof.

* * * * *

The foregoing Resolution _____ was adopted by the Planning Commission on the 26th day of March, 2014, by the following vote:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON

Exhibit 1 - Development Services Department Conditions of Approval

**Conditions of Approval for
The Classics Vesting Tentative Subdivision Map and
Concept, Preliminary and Final Development Plan
Application Numbers 1-06-TSM, 9-06-D, and 1-06-R**

1. These Conditions of Approval shall apply to the real property described as The Classics Vesting Tentative Subdivision Map Amendment, Application Numbers TSM13-0006, and PUD13-0006 (hereinafter "Project"), generally located on approximately 9.42 gross acres at the northwest corner of Pescadero Avenue and Mac Arthur Drive, Assessor's Parcel Number 213-350-61.
2. The following definitions shall apply to these Conditions of Approval:
 - 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 Public Works 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 (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
 - d. "Development Services Director" means the Development Services 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 Classics Vesting Tentative Subdivision Map and Concept, Preliminary and Final Development Plan Amendment, Application Numbers TSM13-0006, and PUD13-0006. The Conditions of Approval shall specifically include all Development Services Department Conditions set forth herein.
 - f. "Project" means the real property consisting of approximately 9.42 gross acres located at the northwest corner of Pescadero Avenue and Mac Arthur Drive, Assessor's Parcel Number 213-350-61.
 - g. "Subdivider" 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. "Subdivider" also means the Developer. The term "Subdivider" shall include all successors in interest.
3. 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 Subdivision

Map Act (Government Code sections 66410, *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 15000, *et seq.*, "CEQA Guidelines").

4. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations, including, but not limited to the Planned Unit Development Zone district.
5. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all mitigation measures identified in the General Plan Environmental Impact Report, dated July 20, 2006.
6. 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.
7. All final maps shall be consistent with the Amended Vesting Tentative Subdivision Map received by the Development and Engineering Services Department on March 20, 2014, unless modified herein.
8. 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. School mitigation requirements include payment of all special taxes associated with Community Facilities District 87-1 and the Sterling Act "school fee".
9. Prior to approval of the Final Map, the Developer shall obtain approval of all street names from the Traffic Division.
10. Prior to the issuance of building permits, the applicant shall pay all park in-lieu fees required for the project.
11. The floor plans and architectural elevations for the project shall be consistent with the plans received by the Development and Engineering Service Department on March 20, 2014.
12. The building setbacks, heights, lot coverage, and other descriptive regulations shall be consistent with The Classics Planned Unit Development Standards, received March 20, 2014.

13. Unless otherwise noted within the Planned Unit Development Standards, the project shall comply with the regulations of the Medium Density Cluster Zone.
14. Prior to the approval of the first Final Map, the Subdivider shall prepare a detailed landscape and irrigation plan consistent with City standards, including the Water Efficient Landscape Guidelines, to the Satisfaction of the Development and Engineering Services Director.
15. Prior to the recordation of the first Final Map, the Subdivider shall show public utility easements necessary to accommodate the needs of local utility providers in accordance with City standards, to the satisfaction of the City Engineer.

C. Engineering Division Conditions of Approval

Contact: Criseldo S. Mina, P. E. C#54782 (209) 831-6425 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 following requirements, to the satisfaction of the City Engineer.

- C.1.1 The Subdivider shall satisfy the City Engineer that the design, development, or improvements relating to this subdivision are in compliance with the Tracy General Plan, Specific Plans, relevant ordinances, policies and standards in effect at the time of approval or conditional approval.

C.2 Final Map Application

No application for Final Map 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.2.1 The Subdivider has completed all the requirements set forth in this section, and Condition C.1, above.
- C.2.2 One (1) reproducible copy of the approved Tentative Subdivision Map for the Project within ten (10) days after Subdivider's receipt of notification of approval of the Tentative Subdivision Map by the City Council.
- C.2.3 The Final Map application, which includes tract boundary, right-of-way and lot closure calculations, updated subdivision map guarantee, preliminary title report (not more than 3 months old) and copies of recorded easements and/or deeds needed in the technical review of the Final Map, as required by the City Engineer.
- C.2.4 The Final Map prepared in accordance with the Subdivision Ordinance and the City Design Documents. Multiple final maps may be filed with prior approval of the proposed construction phasing.

- C.2.5 The improvement plans for all improvements (on-site and off-site) required to serve the Project as described by the Final Map, in accordance with the Subdivision Ordinance, the City Design Documents, and these Conditions of Approval. The improvement plans shall specifically include, but not be limited to the following items:
 - C.2.5.1 All existing and proposed utilities. Indicate size and approximate location of the utilities.
 - C.2.5.2 All supporting calculations, specifications, and reports related to the design of the subdivision improvements.
 - C.2.5.3 Improvement plans shall be prepared on a 24" x 36" size polyester film (mylar) with the City approved title and signature blocks.
- C.2.6 The Grading Plan in accordance with applicable sections of Tracy Municipal Code and City Regulations.
- C.2.7 The landscape, irrigation, and masonry wall improvement plans including the engineering calculations.
- C.2.8 Utility and joint-trench improvement plans as required in Condition C.7.3, below.
- C.2.9 A detailed phasing plan, if applicable, showing construction limits and logical sequence of construction of street improvements and utilities. The phasing plan shall clearly identify the improvements to be constructed with each phase of the Project.
- C.2.10 Traffic Control Plan signed and stamped by a Civil Engineer or Traffic Engineer licensed to practice in the State of California, if necessary, as determined by the City Engineer.
- C.2.11 A construction cost estimate (Engineer's Estimate) for all required public facilities, prepared in accordance with City Regulations. Add 10% for construction contingencies.
- C.2.12 Streets must be identified with street names that are approved by the Engineering Division and Fire Department.
- C.2.13 Payment of applicable fees, reimbursements and engineering review fees including plan check, agreement processing, final map review, inspection and other fees required by these Conditions of Approval and City Regulations.

C.3 Final Map Approval

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.3.1 The Subdivider has completed all requirements set forth in Condition C.2, above.
- 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 final map shall include dedications or offers of dedication of all rights-of-way and temporary/construction and/or permanent easements that are required to serve the Project described by the Final Map, in accordance with City Regulations and these Conditions of Approval.
- C.3.4 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 control points to a minimum of two separate points adjacent to or within the Property described by the Final Map.
- C.3.5 Execution of all improvements agreements, posting of all improvement security, and providing documentation of insurance, as required by these Conditions of Approval.
- C.3.6 Payment of all fees and engineering review fees including agreement fees, map review fees, encroachment and grading permit and inspection fees, and testing fees required by these Conditions of Approval and City Regulations.
- C.3.7 Payment of habitat mitigation fee in accordance with the pay zone or fee category applicable for this Project, that are in effect at the time these fees are due to be collected and paid to appropriate agency(s), as required in Condition C.6.4, below.
- C.3.8 Name of the streets must be approved by Engineering Division and the City's Fire Department. Subdivider shall ensure that all street names shown on the Final Map meets their approval.
- C.3.9 The Subdivider shall provide documentation issued by the Director of Parks and Community Services Department, stating that Subdivider's obligation towards the dedication of a park site, and construction of a neighborhood/mini park and community park will be mitigated by paying the applicable development neighborhood/mini park and community park impact fees (a.k.a. capital in-lieu fees). The final development impact fees to be paid by the Subdivider shall be the Infill neighborhood/mini park and community park

development impact fees that are in effect at the time of issuance of the building permit.

- C.3.10 The Subdivider has financially assured all public facilities required to serve the Project, including water and wastewater capacity. The City will make reasonable efforts to facilitate the necessary planning, but cannot and does not guarantee that sufficient public facilities, and the resulting capacity, will be available before expiration of the Tentative Subdivision Map for this Project (under Government Code Section 66452.6 and relevant City Regulations).

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 the 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 Payment of all fees, reimbursements and processing fees including all applicable Infill Properties development impact fees required by these Conditions of Approval and City Regulations.
- C.4.3 Signed and stamped letter from the Project Geo-Technical Engineer certifying that grading work performed by the Subdivider within the Project meets the requirements of the Project Engineering Soils Reports and recommendations by the Project Geo-Technical Engineer and that the grading work was performed under the Project Geo-Technical Engineer's direct supervision, as required in Condition C.6.1, below.
- C.4.4 Letter to the City acknowledging participation in a Benefit District as required by these Conditions of Approval. The letter shall state that the Subdivider agrees to pay the Project's proportional share of cost of public improvements as determined by the Benefit District and shall deliver the payment at the time specified by the City or in a written notice from the City requesting payment to be made.

C.5 Final Building Inspection

The City will not conduct a final building inspection on any of the buildings within the Project boundaries until the Subdivider provides documentation which demonstrates, to the satisfaction of the City Engineer, that:

- C.5.1 The Subdivider has completed all requirements set forth in Condition C.4, above.
- C.5.2 The Subdivider has completed construction of all public facilities (either temporary or permanent facilities, as approved by the City Engineer) required

to serve the building for which a final building inspection 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.6 Site Grading

The Subdivider shall prepare improvement plans, and design and construct the required improvements in accordance with the City Regulations, these Conditions of Approval, and the following requirements.

- C.6.1 A Grading Plan prepared by a Registered Civil Engineer and accompanied by Soils Engineering and Engineering Geology reports shall be submitted to the City with the Subdivision Improvement Plans. The reports shall provide recommendations regarding adequacy of sites to be developed by the proposed grading and also information relative to the stability of soils. Slope easements shall be recorded per City's requirements. Prior to the issuance of each building permit within the Property, the Subdivider shall submit a letter to the City's Building Division, signed and stamped by a Registered Geo-Technical Engineer, certifying that grading work including excavation, backfilling, compacting and backfilling work performed by the Subdivider, meets the requirements of the Project's Soils Report and was completed under the supervision of the Project's Geo-Technical Engineer (licensed to practice in the State of California) for that specific residential lot where a building permit is sought and being processed.
- C.6.2 All grading work within and around the Project shall require a Grading Permit. Erosion control measures shall be implemented in accordance with plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall designate all erosion control methods and materials to be employed.
- C.6.3 Prior to the issuance of the Grading Permit, the Subdivider shall submit three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB. After the completion of the project, the Subdivider is responsible for filing the Notice of Termination (NOT) required by SWQCB. The Subdivider shall provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the filing fee of the NOI and NOT shall be paid by the Subdivider. The Subdivider shall provide the City with Waste Water Discharge Identification number, prior to the issuance of the grading permit. The Subdivider shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the City's Storm Water Management Program.

- C.6.4 This Project is within the boundaries of Land Category C and Pay Zone B and is classified as Agricultural Habitat Land/ Open Spaces per the San Joaquin County of Governments 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). The purpose of the SJMSCP development fees is to finance the SJMSCP program including preserving land acquisition, preserving enhancement, land management, and administration associated with land lost as a result of developments in the City and San Joaquin County areas. In accordance with the amended SJMSCP that was approved by the City Council on October 15, 2013, pursuant to Resolution No. 2013-164, the applicable fee for the identified pay zone is \$13,295 per acre. The Subdivider is required to submit the payment of the fees described in this section, in cash, prior to the issuance of the Grading Permit.
- C.6.5 Prior to the issuance of the Grading Permit, the Subdivider shall provide documentation of Project's compliance with the San Joaquin Valley Air Pollution Control District's (SJVAPCD) dust control requirements and program. Subdivider shall comply with the requirements of Regulation VIII, Fugitive PM10 Prohibitions of the San Joaquin Valley Air Pollution Control District, pertaining to Fugitive Dust Control at Construction Sites. Compliance to regulations related to Visible Dust Emissions, Soil Stabilization, Carryout and Track-out, Access and Haul Roads, Storage Piles and Materials, Dust Control Plans, Nuisances, Notification and Record Keeping are required. Subdivider is responsible for all costs associated with compliance to this requirement.
- C.6.6 If the grade differential at and along the boundary of the Property exceeds 12 inches, an engineered masonry wall or reinforced concrete wall will be required to retain soil. If the difference in elevation between two properties is less than 12 inches, a treated wooded board can be used. The retaining wall shall be installed within the Property if arrangement has not been made to install the retaining wall outside the Property. Prior to the issuance of the grading permit, the Subdivider shall submit documentation to the City to show that permission have been granted by owner(s) of affected property(s) or slope easement has been obtained, if applicable.

If the height of the retaining wall and the fence is more than 84 inches, the Subdivider shall obtain a building permit, and pay plan check, permit and inspection fees. Construction details of the wall and structural calculations (signed and stamped by a Structural Engineer) will be required as part of a complete submittal of a building permit application. Length of the retaining wall including the bottom and top of wall elevation must be shown on the Grading Plans.

- C.6.7 The masonry wall located along the northern boundaries of the Project and the City's storm drainage channel and MacArthur Drive shall be at least 8-foot high and shall be constructed outside Caltrans (State of California). Subdivider shall submit improvement plans, structural calculations, construction detail and other documents as required by the City Engineer and the City's Building Division. Prior to starting construction of the masonry wall, the Subdivider shall obtain a building permit, and pay plan check and building permit and inspection fees.
- C.6.8 The existing masonry wall along the western boundary of the Project is located along the common boundary line of the Project and California Mirage Subdivision. The Subdivider or owner of record shall coordinate with the respective owner(s) of the portions of the masonry wall located within the California Mirage Subdivision on the maintenance and repair of the masonry wall.

The proposed masonry wall along the south and east sides of the Project shall be constructed outside City right-of-way on Pescadero Avenue and MacArthur Drive, respectively. The owner of record where the masonry wall is located will be responsible for repairing and maintaining the portion of the masonry that is located on their property. The City has no obligation to repair and maintain the masonry wall.

C.7 Street Improvements

The Subdivider shall prepare improvement plans, and design and construct the required improvements in accordance with the City Regulations, these Conditions of Approval, and the following requirements.

- C.7.1 The Subdivider shall comply with all the mitigation measures and recommendations identified in the traffic analysis dated January 18, 2008, prepared by TJKM Transportation Consultants entitled "City of Tracy – Queuing and Circulation Evaluation for The Classics Development" (Traffic Report). Cost of public improvements and cost of mitigating Project's traffic impact identified in the Traffic Report shall be paid by the Subdivider. Subdivider is responsible for completing the design, improvement plans, acquiring right-of-way, if necessary, and construction of the required public improvements. Subdivider shall also pay plan check, agreement processing, if applicable, and engineering inspection fees. The Traffic Report is on file with the office of the City Engineer and is available for review upon request.
- C.7.2 The Subdivider shall dedicate right-of-way, design, and construct all roadway improvements on MacArthur Drive that are required for the Project in conformance with the recommendations in the Traffic Report and in accordance with City Regulations, including an exclusive 12-foot wide right-turn lane on MacArthur Drive for westbound Pescadero Avenue and the construction of a "pork-chop" shape island at the northwest corner of MacArthur Drive and Pescadero Avenue (hereinafter "Offsite

Improvements”). The radius for the corner curb and the “pork-chop” island shall be in accordance with the Traffic Report. The exclusive 12-foot wide right-turn lane shall be designed and constructed to have a storage length of 307 feet. Offsite improvements shall include, but not limited to, concrete curb, gutter, sidewalk, asphalt concrete pavement, asphalt concrete overlay with reinforcing fabric where street cuts were made (limits to be determined during improvement plan review), streetlight, fire hydrant, irrigation water service and meter, backflow prevention device, parkway landscaping with automatic irrigation system, masonry wall, pavement marking and striping, traffic sign, and other necessary improvements as determined by the City Engineer.

As part of the striping work on MacArthur Drive, the existing shared “through and right” MacArthur Drive southbound travel lane shall be re-striped to be a “through” travel lane. The geometric configuration of the intersection of Pescadero Avenue and MacArthur Drive, signing and striping of MacArthur Drive and Pescadero Avenue shall require approval from the City Engineer. After the completion of the Offsite Improvements, if it is necessary to adjust the signal timing of the existing traffic signal to achieve efficient operation of the traffic signal, the Subdivider shall coordinate the necessary work with the City’s Traffic Section, and shall complete the necessary signal timing adjustment, prior to the acceptance of the Offsite Improvements by the City Council.

Offsite Improvements must be completed by the Subdivider, prior to the final inspection of the first building to be constructed or occupied within the Property. To guarantee completion of the Offsite Improvements within the specified time, the Subdivider shall commence construction of the Offsite Improvements, prior to the issuance of the first building permit.

- C.7.3 All public utilities including appurtenances such as vaults, electrical transformers, switches and service line(s) within the Property and along street frontages shall be undergrounded, to the satisfaction of the utility companies and the City Engineer and in accordance with the requirements of the Tracy Municipal Code. All existing overhead utilities and appurtenances on MacArthur Drive and Pescadero Drive including service lines to the Property and to the residential lots shall be undergrounded by the Subdivider. Undergrounding work performed by the Subdivider beyond Subdivider’s responsibility shall be compensated in accordance with the requirements of the Tracy Municipal Code and these Conditions of Approval. All on site service connections shall be undergrounded. No above ground transformers, switches in cabinets or above-ground boxes will be allowed on Macarthur Drive and Pescadero Avenue.
- C.7.4 Subdivider shall install concrete sidewalk along the entire frontage of the Property on MacArthur Drive and Pescadero Avenue per City Regulations. A “No Pedestrian Beyond This Point” sign mounted on an inverted U shape

metal railing made of 1 ½" diameter galvanized iron pipes shall be installed at the north end of the sidewalk on MacArthur Drive. If necessary, the Subdivider shall obtain encroachment permit from Caltrans (State of California) and pay plan check, permit and inspection fees, for work that is necessary to be performed within Caltran's right-of-way.

- C.7.5 The Subdivider shall dedicate a 10-foot wide Public Utility Easement (PUE) along the residential lot frontages, or where appropriate, to the City, on the Final Map(s), for the installation, repair, operation, use and maintenance of public utilities such as electric, gas, telephone, cable TV and others. The Subdivider shall coordinate with PG&E or the respective owner(s) of the public utilities the design, installation and timely completion of the Project's electrical, gas, telephone and TV cable service connections. Joint trench or composite utility plans are part of the improvement plans submittal.
- C.7.6 All improvements between the final or existing face of curb and the ultimate right-of-way line (masonry wall) including landscaping with automatic irrigation system (irrigation system equipped with Motorola Controller) and masonry wall within the frontage of the Project on Pescadero Avenue and MacArthur Drive shall be designed and constructed in accordance with the City's Design Standards, Streetscape Design Guidelines (previously described as "Parks and Parkways Design Manual") and City Regulations. Size, type and spacing of plants shall be in accordance with City Regulations, or as approved by the City. Irrigation and Landscape Improvement Plans must be signed and stamped by a registered Landscape Architect.
- C.7.7 Paving work on Pescadero Avenue and MacArthur Drive will be allowed after all underground utilities are installed. No lane closure will be allowed without prior approval from the City Engineer. The Subdivider shall submit Traffic Control Plan prepared or signed by a Civil Engineer or Traffic Engineer licensed to practice in the State of California for all offsite work that require lane closure or interruption of traffic flow or as determined by the City Engineer.
- Paving design and construction shall be based on State of California "R" value method, using Traffic Indices approved by the City Engineer. The Subdivider may request the City Engineer to approve a change on the pavement structural section subject to an R value test by a City approved soil testing company.
- C.7.8 If cuts are required to install any utility connections on an existing street, the Subdivider will be required to install a 2-inch thick (uniform thickness) asphalt concrete overlay with reinforcing fabric 25 feet from each each side of the trench, for the full width of the street or up to the limits determined by the City Engineer. A 2-inch thick pavement-grind with uniform thickness across the entire width of the pavement or the areas to be applied with asphalt concrete

overlay. The elevation of the pavement crown and the existing pavement cross slope must remain.

- C.7.9 Valley gutters shall not be used to provide drainage across any through street or through intersections.
- C.7.10 All traffic control devices, including stop signs, speed limit signs, street name signs, legends and striping shall be installed in accordance with a detailed striping and signing plan approved by the City Engineer. The Subdivider shall provide documentation that placement of fence on each lot meet the required horizontal sight distance.
- C.7.11 Streetlights shall be installed in accordance with City Standards on a detailed street light plan and at locations approved by the City Engineer.
- C.7.12 To provide the City access to the Project's storm drainage connection to the existing channel, Subdivider is required to design and construct a paved access road along the northern boundary of the Property between the existing storm drainage channel and the masonry wall. The width of the access road shall not be less than 12 feet and the asphalt concrete pavement shall be at least 3 inches thick over an 8 inches thick aggregate base. Cross slope of the entire pavement shall not be less than two percent (2%) and shall drain towards the existing storm drainage channel. Cost of these improvements is the responsibility of the Subdivider without any reimbursement from the City.
- C.7.13 It has been determined that a portion of City's right-of-way on MacArthur Drive south of the I-205 Interstate Highway will not be needed for roadway purposes and it will be vacated. The amount and location of the excess right-of-way on MacArthur Drive is shown on the Tentative Subdivision Map. The Subdivider shall pay all costs associated with the vacation of the excess right-of-way on MacArthur Drive such as street-abandonment processing fees, document recording, and the cost of preliminary title report, legal description and plat map, and reproduction of recorded documents needed by the City. Within fifteen (15) calendar days from the date of City Council's approval of the Tentative Subdivision Map, the Subdivider shall submit a letter requesting the City to begin the street-vacation process. The required street-vacation processing fee must be submitted with the letter. The City shall make reasonable efforts subject to prompt to complete the street vacation process before the approval of the Final Map. The legal description and plat map and is required to be submitted as part of the Final Map application.

C.8 Storm Drainage Facilities

The Subdivider shall prepare improvement plans, and design and construct the required improvements in accordance with the City Regulations, these Conditions of Approval, and the following requirements.

- C.8.1 The storm drainage system shall be designed in accordance with City Regulations. The runoff coefficient shall be consistent with the runoff coefficient adopted by the City Council. No reverse flow shall be permitted in any storm drain lines. All cul-de-sacs shall be designed in such a way that it will drain away from the cul-de-sac bulb towards the intersecting street. The use of bubble-up system within City's right-of-way on Pescadero Avenue and MacArthur Drive will not be permitted.
- C.8.2 Storm drainage drop-inlets shall be installed throughout the Project and where it is required, to ensure no valley gutter conditions exist on through-streets.
- C.8.3 The Technical Memorandum dated November 6, 2007 titled "The Classic/Pombo Square – Concrete Lining of Eastside Channel Bottom" prepared by City's consultant identified that the discharge point for storm water from the Project will be at the existing Eastside Channel located along the northern boundary of the Property. This storm drainage channel was constructed as part of the Community Facilities District 89-1 (CFD 89-1) improvements.

In accordance with the technical report, in order to control erosion at the bottom of the channel, the riprap bottom is required to be upgraded with an 8 inches thick concrete lining for a portion of the storm drainage channel for a total length of 1,067 feet at the location specified in the technical report. The west end of the proposed channel bottom concrete lining that the Subdivider is required to fund is approximately 290 feet away or upstream of the point of connection with the old storm drainage channel. This gap of 290 feet in length also requires concrete lining and will be included on the cost of upgrading the storm drainage channel.

In lieu of performing the work, the Subdivider is required to pay the estimated cost of the upgrade to the City's storm drainage channel as described above in the amount of \$386,745 (1357 lineal feet multiplied by \$285 per lineal foot), prior to the approval of the Final Map. Upon receipt of the cash payment, the City will consider that the Subdivider's obligation towards the upgrade improvements to the City's storm drainage channel to be have been fully satisfied. The City will be responsible for completing the upgrade improvements as part of a storm drainage capital improvement project.

Subdivider shall prepare improvement plans, specifications and cost estimates for City's review and approval. Design, Improvement Plans and Cost Estimates must be completed prior to the approval of the first Final Map. The improvements required under this section shall be constructed as part of the subdivision improvements and must be completed prior the issuance of the first building permit.

C.9 Water System

The Subdivider shall prepare improvement plans, and design and construct the required improvements in accordance with City Regulations, these Conditions of Approval, and the following requirements.

- C.9.1 Prior to approval of any Final Map, the Subdivider shall demonstrate to the satisfaction of the City Engineer that water facilities (capacities at the plant and distribution or transmission lines) are adequate to meet project service demands on a permanent basis, and are, consistent with the City's Water Master Plan. Water analysis may be required to be performed by the City (or its consultant) to determine whether or not this condition has been satisfied for both interim and ultimate needs of the Project. Costs of such analysis by City (including cost of consultants) required to make such finding shall be the responsibility of the Subdivider.
- C.9.2 The Developer shall design and install the fire service line for the Project in accordance with City's Regulations and to the satisfaction of the City's Fire Department. Size, type, location and construction details of the fire service line shall be approved by the Fire Department.
- C.9.3 Water system facilities shall be designed and constructed in accordance with the recommendations of the water network analysis prepared by West Yost & Associates, and as approved by the City. The Subdivider shall comply with all the recommendations of the water network analysis described above, and if necessary, Subdivider shall design and construct the water facilities improvements required in the technical analysis, at the time specified in the technical analysis or as determined by the City.
- C.9.4 The Subdivider shall design and install fire hydrants at the spacing and locations approved by the Fire Department.
- C.9.5 Individual water meter for each lot will be required. The water meter shall be installed at the location approved by the City Engineer. The Subdivider shall submit improvement plans that show the construction detail of the individual water service connection for City's review and approval. Water meter shall be located outside driveway approach and driveway areas. Water service shall be 11 feet away from a sanitary sewer lateral.

C.10 Sanitary Sewer System

The Subdivider shall prepare improvement plans, and design and construct the required improvements in accordance with City Regulations, these Conditions of Approval, and the following requirements.

- C.10.1 Prior to approval of any Final Map, the Subdivider shall demonstrate to the satisfaction of the City Engineer that wastewater facilities (capacities at the treatment plant and collection or conveyance lines) are adequate to meet project service demands on a permanent basis, and are, consistent with the

City's Wastewater Master Plan. Wastewater analysis may be required to be performed by the City (or its consultant) to determine whether or not this condition has been satisfied for both interim and ultimate needs of the Project. Costs of such analysis by City (including cost of consultants) required to make such finding shall be the responsibility of the Subdivider.

- C.10.2 Sanitary sewer lines and manholes to serve this Project shall be designed and constructed in accordance with City Regulations. Sanitary sewer lines that are located outside City rights-of-way will be maintained by the owner of record where the sanitary sewer line(s) is located.
- C.10.3 The location and construction detail of the sewer service (with cleanout) shall be in accordance with City Regulations. Cleanout shall be located outside the driveway approach and driveway areas and shall be 11 feet away from a water service line.

C.11 Neighborhood/Mini and Community Park

- C.11.1 The Subdivider shall pay Infill Properties community and neighborhood/mini park development impact fees (a.k.a. capital in-lieu fees) in lieu of dedicating a park site and constructing a neighborhood/mini park within the Project. Subdivider shall pay the Infill Properties community and neighborhood/mini park development impact fees that are in effect at the time of issuance of the building permit.

C.12 Agreements, Improvement Plans, Improvement Security, and Bonds

- C.12.1 Improvement Plans - Complete improvement plans (drawn upon City furnished mylars), specifications and calculations shall be submitted to and approved by the City Engineer prior to the recordation of the Final Map.
- C.12.2 Inspection Improvement Agreement. Prior to 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.12.2.1 The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the City Engineer has approved the improvement plans.
 - C.12.2.2 The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map is in the process of being reviewed by the City.
 - C.12.2.3 The Subdivider has paid all required processing fees including plan check and inspection fees.

- C.12.2.4 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 City may not approve the proposed final map.
- C.12.2.5 The Subdivider posts all required improvement security and provides required evidence of insurance.
- C.12.3. 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.12.3.1 The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the City Engineer has approved the improvement plans.
 - C.12.3.2 The Subdivider has submitted a complete application for a final map, which is served by the required public improvements, and the City Engineer has approved the final map.
 - C.12.3.3 The Subdivider has paid all required processing fees including plan check and inspection fees.
 - C.12.3.4 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.12.3.5 The Subdivider posts all required improvement security and evidence of insurance.
- C.12.4 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: Faithful Performance (100% of the approved estimates of the construction costs of public facilities), Labor & Material (100% of the approved estimates of the construction costs of public facilities), and Warranty (10% of the approved estimates of the construction costs of public facilities).

- C.12.5 Insurance - For each Inspection Improvement Agreement and Subdivision Improvement Agreement, the Subdivider shall provide the City with evidence of insurance, as follows:
- C.12.5.1 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.12.5.2 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.12.5.3 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.12.5.4 Workers' Compensation coverage shall be maintained as required by the State of California.
 - C.12.5.5 Endorsements Subdivider shall obtain endorsements to the automobile and commercial general liability with the following provisions:
 - C.12.5.5.1 The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."
 - C.12.5.5.2 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.12.5.6 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.12.5.7 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.12.5.8 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.12.5.9 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.12.5.10 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.12.6 Benefit District - The Subdivider may make a written request to the City for the formation of a Benefit District only if the written request is made prior to the approval of the final map for which the public facilities are required, and in accordance with these conditions of approval and City Regulations (including the Tracy Municipal Code).
- C.12.6.1 The written request shall include a description of all information relevant to the formation of the Benefit District, including the following: the public facility for which the Subdivider requests reimbursement; the estimated costs related to the construction of the public facility; the amount of capacity provided by the public facility; the amount of capacity in the public facility which is supplemental to the capacity required to serve the Project, including a detailed description of the method of allocating capacity; and the dollar amount for which the Subdivider requests reimbursement.
 - C.12.6.2 Concurrently with the written request, the Subdivider (hereinafter, "Responsible Subdivider") shall pay the City a processing fee to cover all costs related to the formation of the Benefit District.
 - C.12.6.3 After the City has received the required processing fee from the Responsible Subdivider, the City shall prepare a first draft Benefit District Study, and the City shall provide a written notice to all affected property owners, and the City shall accept written

comments on the first draft Benefit District Study for a period not less than 14 days. The written notice shall include, at a minimum, the following elements, each to the satisfaction of the City Engineer:

C.12.6.3.1 A notice of the City's intention to form a Benefit District, and a request for written comments until a specified date not less than 14 days after the date the City sends the written notice.

C.12.6.3.2 A notice of the date, time, and place of a public hearing before City Council to discuss approval of the Benefit District. The hearing will be scheduled no earlier than 14 days after the date the City sends the written notice.

C.12.6.3.3 A description of the geographical area ("Benefit District Area") to be served by the Benefit District Public Facilities. This description shall include a description of the assumptions regarding amounts and locations of the proposed land uses and/or dwelling unit types within the Benefit District Area. The description shall include maps, graphs, tables, and narrative text, and a numbering system to identify each legal parcel within the Benefit District Area.

C.12.6.3.4 A description of the Benefit District Public Facilities. This description shall include an outline of all essential elements of the Benefit District Study in a level of detail satisfactory to the City Engineer.

C.12.6.3.5 An estimate of all costs related to the construction of the public facilities included in the Benefit District Area. The cost estimate shall include costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency.

C.12.6.3.6 An identification of the owners of real property, other than the Responsible Subdivider, which benefit from the Benefit District Public Facility ("Benefiting Subdividers"). The identification of real property owners shall be based upon information from the County Assessors office, or any other more accurate evidence of property ownership provided to the City, as of the date of the notice of public hearing.

C.12.6.3.7 A quantification of the capacity (or benefit) created by the Benefit District Public Facilities, a description of how the Responsible Subdivider and the Benefiting Subdividers benefit from the Benefit District Public Facility, a description of the method of spreading the capacity to the Responsible Subdivider and the Benefiting Subdividers, a description of the method of spreading the cost of the Benefit District Public Facility to the Responsible Subdivider and the Benefiting Subdividers so that there is a reasonable relationship between each development project and the benefit received from the Benefit District Public Facility, and a quantification of the resulting Benefit District Fee.

C.12.6.3.8 A statement that the full text of the final draft Benefit District Study is available for review, upon request, in the office of the City Engineer. The Benefit District Study shall include, at a minimum, the following items prepared to the satisfaction of the City Engineer, in accordance with City Regulations: a preliminary design based upon technical analysis of the Benefit District Public Facilities, and a precise plan line describing the location of the Benefit District Public Facilities. The precise plan line for any roadway shall take into consideration, and coordinate with, the alignment of all other required public facilities including water, wastewater, and storm drainage, as well as other private utilities.

C.12.6.4 After the City Council approves the Benefit District Study, any final map for any Benefiting Subdivider shall not be approved by the City until the Benefiting Subdivider demonstrates to the satisfaction of the City Engineer that either: (1) the Benefiting Subdivider has entered into a written agreement with the Responsible Subdivider including essential terms in a form substantially the same as that set forth in Condition subsection f, below; or (2) the Benefiting Subdivider has paid a Benefit District Fee to the City (to be reimbursed to the Responsible Subdivider) for the Benefiting Subdividers' proportionate share of all costs related to construction of the Benefit District Public Facilities, in an amount established by the City Engineer (including the City's cost of administering the collection of the fee and reimbursement to the Responsible Subdivider) in accordance with the approved Benefit District Study.

C.12.6.5 After the City Council approves the Benefit District Study, the Benefit District Fee shall be a fixed dollar amount, and the

obligation to pay the Benefit District Fee shall be recorded against the real property of all Benefiting Subdividers. Provided, however, that the Responsible Subdivider or any Benefiting Subdivider may apply for an amendment to the Benefit District Study in the event that the subdivider establishes, to the satisfaction of the City Engineer, that actual construction costs vary from the estimated construction costs by more than 10 percent. The application for the amendment to the Benefit District Study shall include the payment of a processing fee by the Responsible Subdivider to cover the City's estimated costs of reviewing the application. A notice of the request for amendment shall be sent to all Benefiting Subdividers, including all relevant information and notice of public hearing as required by this condition. The amendment shall be subject to the approval of City Council at a duly noticed public hearing.

- C.12.6.6 The form of the agreement between the Benefiting Subdivider and the Responsible Subdivider, as referenced in Condition subsection d, above, shall contain, at a minimum, all of the following essential elements, to the satisfaction of the City Engineer: (a) Identifying information including: an identification of the legal names of all relevant parties, an identification of the Benefit District Public Facilities which is the subject of the agreement, an identification of the legal descriptions of all real property benefiting from the Benefit District Public Facilities, a quantification of the dollar amount paid by the Responsible Subdivider for the costs related to construction of the Benefit District Public Facilities, a quantification of the Benefiting Subdivider's proportionate share of the costs related to construction of the Benefit District Public Facilities; and (b) The Responsible Subdivider's signed waiver of rights to any reimbursement in language substantially the same as the following: "The Responsible Subdivider hereby acknowledges that it has received valuable consideration from the Benefiting Subdivider, in return for which the Responsible Subdivider hereby waives its right to request reimbursement for the Benefiting Subdivider's proportionate share of the costs related to construction of the Benefit District Public Facilities. The Responsible Subdivider shall indemnify, defend, and hold harmless the Benefiting Subdivider and the City of Tracy (including their officials, officers, agents, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from or arising out of Benefiting Subdivider's failure to pay an in-lieu fee to the City for costs related to construction of the Benefit District Public Facilities."

- C.12.6.7 The City shall use reasonable efforts to administer the reimbursements from the Benefiting Subdivider to the Responsible Subdivider. The City shall make reimbursement payments to the Responsible Subdivider only to the extent that the City actually receives reimbursement payments from Benefiting Subdividers pursuant to Condition subsection d, above. Under no circumstances will the City be required to make any reimbursement payments to the Responsible Subdivider unless the City has actually received an equivalent sum in reimbursement payments from a Benefiting Subdivider. The City shall make no reimbursement payments to the Responsible Subdivider until after the construction of the Subregional Public Facilities are accepted as complete by the City Council. The right to receive reimbursement payments, if any, shall be personal to the Responsible Subdivider and shall not run with the land.
- C.12.6.8 The Responsible Subdivider shall maintain a file, for a minimum of five years after completion of construction of the Benefit District Public Facility, of all original documents related to: the construction of the Benefit District Public Facility, and all costs for which the Responsible Subdivider seeks reimbursement. The Responsible Subdivider shall provide access to the file to the City, upon reasonable prior notice from the City. After completion of construction of the Benefit District Public Facility, the Responsible Subdivider shall provide access to the file to any Benefiting Subdivider, upon reasonable prior notice from the Benefiting Subdivider.
- C.12.7 Within twenty (20) days of approval of the Final Map, the Subdivider shall provide the City one (1) set of reproducible duplicates on polyester film of all approved Improvement Plans for the development. Upon completion of the work, the City shall temporarily release the originals to the Subdivider for revisions to show the "As Built" configuration of all improvements. These Record Drawings shall be submitted within 30 days of Council acceptance of the public improvements and release or partial release of Bonds, etc. shall be contingent upon submittal of "As Built" originals.

C.13 Fees and Deposits

- C.13.1 The Subdivider shall participate and pay required fees in accordance with the Infill Properties Finance Implementation Plan (FIP) and all amendments and update to the FIP, for public improvements including public buildings, parks, wastewater treatment plant upgrade, water treatment plant upgrade, roadways, and storm drainage as established by the City, except for water distribution system and wastewater conveyance which are paid through assessments as lien on the Property through Assessment District 87-3 and 84-1, respectively. The final development impact fees to be paid by the

Subdivider shall be the Infill Properties development impact fees that are in effect at the time of issuance of the building permit.

- C.13.2 The Subdivider shall participate in any applicable Benefit Districts and/or Assessment Districts as required by the City, and shall pay all formation and processing fees, as required by these Conditions of Approval.

C.14 City Release of Improvement Security

C.14.1 The City shall not release any improvement security for faithful performance until the Subdivider has completed all required public improvements and provided as-built plans, all to the satisfaction of the City Engineer, and subject to the final approval and acceptance by the City Council. Within twenty (20) days after the City's approval of the Final Map, the Subdivider shall provide the City 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 thirty calendar (30) days after City Council's acceptance of the public improvements.

- C.14.2 The City shall not release any improvement security for labor and materials (also known as payment bond) until the statutory time has passed for claimants to file claims with the City on the security and until the As-Built Plans as listed above are submitted to the City in a satisfactory manner. Generally, claimants have six months after acceptance of improvements to file a claim.

C.15 Miscellaneous

C.15.1 Prior to approval of the Final Map, for each phase, the Subdivider shall coordinate with the City and the School Districts regarding pedestrian and vehicular access to schools from this Project, and submit to the City improvements plans showing pedestrian routes, facilities for bus transportation and bike paths for approval by the City. Subdivider shall design and construct "School Zone" improvements as determined by the City, all at the Subdivider's sole cost and expense, without any reimbursement from the City. Subdivider shall pay for the cost of design, preparation of improvement plans, engineering calculations, construction, plan checking and engineering inspection and all costs for complying with the requirements under this section.

- C.15.2 The Property is within the boundaries of Assessment District 84-1 (Wastewater Facilities) and Assessment District 87-3 (Water Facilities). The Subdivider shall provide, for each assessment district in which subdivision is

located, all preliminary assessment maps and payment of fees as required by the City Engineer, for proper segregation of said assessment district, prior to the approval of the Final Map by the City Council. The segregation of sewer and water assessment and recordation of sewer and water assessment maps including the notice of amending water and sewer assessments must be recorded at the San Joaquin County Recorder must be completed, prior to the issuance of building permit.

- C.15.4 The Subdivider shall coordinate with the Tracy United States Postal Service (USPS) Post Master for location of, and installation (by Subdivider) of, cluster type mailbox units within the Project. Design and construction details of the cluster mailbox shall be in accordance with USPS requirements and these Conditions of Approval. Concrete pad for the mailbox shall extend from the back of the sidewalk to the street right-of-way line or property line of the adjacent residential lot where the mailbox is installed. Subdivider shall submit an improvement plans showing the location and construction details of all the cluster mailbox(s) that will be installed within the Project. Cluster mailbox shall be at least 8 feet away from a fire hydrant or streetlight.
- C.15.7 All existing on-site wells shall be abandoned in accordance with the City and San Joaquin County requirements. All costs associated with the abandonment of existing wells including the cost of permits, if required, shall be the responsibility of the Subdivider. The Subdivider shall provide the City documentation or copy of permit issued by the San Joaquin County, approving the removal of destruction of existing well, if applicable, prior to the issuance of the Grading Permit.
- C.15.8 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. These Conditions of Approval does not preclude the City from requesting additional revisions and requirements to the Improvement Plans, prior to the City Engineer's signature and approval of the proposed improvement plans, if the City deems it necessary. The Subdivider shall bear all cost for the inclusion, design, and implementations of such additions or revisions and requirements, without reimbursement or any payment from the City.

AGENDA ITEM 2 B

REQUEST

PUBLIC HEARING TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FOR A 45,000 SQUARE FOOT MEDICAL OFFICE BUILDING LOCATED AT 445 WEST EATON AVENUE AND A PARKING LOT AT 418, 424, 432, AND 434 WEST EATON AVENUE. APPLICANT IS A.E. CARRADE AND PROPERTY OWNER SUTTER GOULD MEDICAL FOUNDATION APPLICATION NUMBER D14-0003.

DISCUSSION

Project Description, Background, and Location

The Sutter Gould Medical Foundation (Sutter) is proposing to construct a new 45,000 square foot medical office building and associated parking areas. The project would require the demolition of an existing 25,000 square foot medical office building known as Eaton Medical Plaza and existing residences. According to the applicant, the existing Eaton Medical Plaza building is approximately 60% occupied by Sutter and independent health care professionals. Sutter proposes to keep the building in operation while the new facility and parking areas are constructed, then demolish the Eaton Medical Plaza building and install parking areas in its place. The project is proposed to be constructed in phases lasting up to 18 months, according to the applicant.

The project site is east of the intersection of Eaton Avenue and Bessie Avenue, near the Tracy Sutter Community Hospital. The project site is made up of a 2.6-acre parcel on the north side of Eaton Avenue (comprised of two lots) and a 1.3-acre parcel on the south side of Eaton Avenue (comprised of four lots). A two-story medical office building and parking area are proposed on the northern parcel and additional parking is proposed on the southern parcel (Attachment B). Both parking areas are required to serve the facility and comply with the off-street standards established in the Tracy Municipal Code.

The project site is designated Office in the General Plan and zoned Medical Office (MO). It is bordered by the MO zone to the north and west and by the Medium Density Residential (MDR) zone to the east and south. Medical offices are a permitted use in the MO zone.

There are existing residences and medical office uses in the vicinity. Many properties in the MO zone are still occupied by residential uses that were constructed around the 1920's, prior to the establishment of the MO zone in 1988. Over time, several of these properties have been converted to medical offices with City permits.

Application Review

The project site lies on the eastern edge of the MO zone (Attachment B), adjacent to existing single-family homes. While medical office uses are permitted, the City has an opportunity to ensure successful integration of the building and site improvements with the adjacent residential neighborhoods through the Development Review permit process. Site planning considerations include the following:

- Mitigation of light, noise, privacy, and undesirable aesthetic impacts of the building on neighboring residences
- Building location and architecture that is complementary with the buildings in the vicinity and neighborhood context
- Streetscape experience after the removal of buildings and trees currently lining Eaton Avenue
- Improved vehicular circulation by locating the driveways further from the intersections
- Improved pedestrian circulation by encouraging pedestrian use of the crosswalk when the building is closer to the intersection
- Loss of established mature on-site trees and street trees on Eaton Avenue

Staff communicated with the applicant during the pre-application and application review period to resolve design issues and attain a design that complies with City regulations and standards, further described below. The applicant has ultimately decided to propose the project to be constructed as shown in the plans dated March 4, 2014 (Attachment B) and requested the project be brought before the Planning Commission for consideration without further modification as requested by staff. Final actions on Development Review permits are typically made by the Development Services Director; however, in accordance with Tracy Municipal Code (TMC) Section 10.08.4020, the Director may refer applications to the Planning Commission. Due to the community interest in the project, the Director has determined that it would be best to involve the Planning Commission in the project discussion and action on the project.

Development Review Findings

TMC Section 10.08.3990 establishes the required findings for the approval of a Development Review application. Below are the findings that, in staff's assessment, indicate that the project cannot be approved as proposed.

TMC 10.08.3990(b): The benefits of occupancy of other property in the vicinity is impaired.

The existing residences adjacent to the project site will be negatively impacted in the areas of light, noise, and privacy due to the close proximity of the building to the residences. The building is proposed to be approximately 30 feet from the rear yards of these homes.

TMC 10.08.3990(f): Unsightliness which, if permitted to exist, causes a decrease in the value of surrounding properties.

The project proposes two large parking areas, both of which will be readily visible from the public streets, the residences, and the businesses in the vicinity.

Consistency with the General Plan and the Design Goals and Standards

The General Plan establishes the goals, objectives, policies, and actions for development in the City. The Design Goals and Standards, adopted by City Council in 2002, establishes specific design criteria for achieving high quality architecture, site planning, and landscaping throughout the commercial areas of the City. The General

Plan contains many policies which should be read together as a means for the community to broadly interpret their meaning and application to any specific situation. The following are relevant policies and standards, and the project could be revised to better further these objectives and standards.

General Plan Urban Design Principle 5: Building Siting to Hold Corners

Building siting to “hold corners” refers to the practice of placing development on sites located at the corner lots of intersections built close to or at the lot line. Strategically placing it on corner sites gives better definition to an intersection, which makes pedestrians feel less exposed to the adjacent traffic. Ensuring that buildings in Tracy are designed to hold the corners of key intersections will enhance the visual quality and the safety of the pedestrian environment as compared to development that provides “a sea of asphalt” to passersby.

General Plan Objective CC-1.1, Policy P3: All new development and redevelopment shall adhere to the basic principles of high-quality urban design, architecture and landscape architecture including, but not limited to, human-scaled design, pedestrian-orientation, interconnectivity of street layout, siting buildings to hold corners, entryways, focal points and landmarks.

The building is proposed to be located in the central portion of the site, set back approximately 165 feet from the corner of Bessie and Eaton Avenues, and construct a parking area between the building and the corner. The applicant proposes to screen public views of the parking area with a large oak tree relocated from its current location in the center of the existing parking area, along with other new landscaping. While landscaping can be effective at screening parking areas, staff believes this objective could be better furthered by locating the building at the corner.

General Plan Objective CC-3.1, Policy P1: The City shall encourage the preservation, enhancement and conservation of historic and older neighborhoods, such as Lincoln Park, through its direct actions.

General Plan Objective CC-3.1, Policy P3: New development, redevelopment, alterations and remodeling projects should be sensitive to surrounding historic context.

General Plan Objective CC-6.3: Preserve and enhance character of existing residential neighborhoods.

While the building’s proposed architecture is high in quality and incorporates many positive and aesthetically-pleasing features, it is modern in character with its use of large, square building massing, repetitive window placement, industrial materials and colors, and flat parapet roofs. The neighboring residences are primarily single-story bungalow and cottage-style buildings, employing features such as wood siding, brick accents, pitched rooflines, and porches. By incorporating some of these features, the building could relate better to the context of existing development in the vicinity and better further these General Plan objectives.

Commercial Design Standard 6: Corporate identity shall be secondary in the design of projects, and projects should be consistent in integrity with the architecture of the surrounding community.

According to the applicant, the building's architecture is a reflection of Sutter's new corporate image that is being introduced in the Central Valley. The architecture would be more consistent with that of the surrounding community by either incorporating brick to match the nearby hospital or by emulating design elements characteristic of the nearby bungalow and cottage-style houses.

Commercial Design Standard 7: All separate structures on a site shall have consistent architectural detail and design elements to create a cohesive project site.

Sutter has explained that this medical facility will be an extension of their hospital services and desires to develop a "Sutter campus" in this area of Tracy. The two distinctly different architectural building styles and the placement of the new facility further away from the hospital weakens the "campus" design. The "campus" feel could be strengthened by locating the building at Bessie Avenue to be closer to the hospital and by designing the building to match the hospital architecturally.

General Plan Objective CC-11.3: Minimize the impact of parking on the pedestrian environment in Employment Areas.

Commercial Design Standard 5: Parking areas should be de-emphasized by placing them behind well-designed buildings. Grade differences between the street and a parking lot are also helpful to detract from the view of a "sea of cars" and direct attention to the buildings on the site while also giving a feeling of separation from the commercial area to the street.

The parking area is proposed to be located in front of the building to be highly visible from Bessie and Eaton Avenues. The parking area could be better de-emphasized by locating the building at the corner and the parking area to its rear. The employee parking area on the south side of Eaton Avenue could be visually mitigated by constructing a visual barrier along Eaton Avenue, or both parking areas could be constructed at a lower grade than the street, or further screened.

General Plan Objective CIR-1.6: Maximize traffic safety for automobile, transit, bicycle users, and pedestrians

A new driveway is proposed on Eaton Avenue approximately 100 feet east of the intersection of Eaton and Bessie Avenues. Circulation best practices demonstrate that locating driveways further from intersections improves the efficiency and flow of circulation. Additionally, two mid-block crossings are proposed; one on Eaton Avenue to the proposed employee parking area and one on Bessie Avenue to the hospital. The City Engineer has determined that the mid-block crossings are not warranted for safety and will not improve circulation on these streets. Pedestrians may legally cross at any point on both streets, and the intersection at Eaton and Bessie Avenues has been specifically designed for safe and efficient handicapped-pedestrian crossings.

General Plan Objective OSC-5.1, Policy P1: The City shall promote development patterns and construction standards that conserve resources through appropriate planning, housing types and design, and energy conservation practices.

General Plan Objective OSC-5.1, Policy P2: The City shall encourage the establishment and maintenance of trees on public and private property to create an urban forest.

Landscape Design Goal 4: Maintain mature landscape areas

The new driveway proposed on Eaton Avenue is in the same location as two mature street trees. Construction of the driveway at this location would require the removal of these mature trees. These mature trees could be preserved with the building located at the corner and the building and driveway located away from existing trees.

Neighborhood Concerns

The City typically encourages project applicants to meet with project site neighbors when the proposed project may be of interest or have an effect on those neighbors. During application review, neighbors contacted staff with concerns relating to the building location and anticipated light and noise impacts. On September 3, 2013, the City received a petition addressed to Sutter Gould and the City of Tracy signed by 29 residents in opposition to the project as designed and highlighted three desired project modifications (Attachment C). These included locating the building at the corner, preserving the largest oak tree and incorporating it into the site design, and relocating the trash enclosure, ambulance services, and other typically noisy appurtenances further from the residences. The applicant subsequently held neighborhood meetings on October 3 and October 20, 2014, which staff learned about through articles published in the Tracy Press. According to the Tracy Press, primary concerns raised by the neighbors included noise, traffic and parking, lack of privacy, and preservation of established trees. These concerns mirror the concerns outlined in the September 3rd petition. According to the applicant, some of these requests have been acknowledged in the project design, including planting of a landscape screen along the eastern perimeter, relocating the trash enclosure to the interior of the site, and working with an arborist to preserve and replant the largest Valley Oak tree elsewhere on the site.

Environmental Document

The project is exempt from CEQA pursuant to Guidelines Section 15270, projects which are disapproved. This exemption pertains to projects which a public agency rejects or disapproves.

RECOMMENDATION

As described above, the project may need to be revised in order to meet City goals and policies. Staff communicated these goals and policies with the applicant during the pre-application period and on numerous occasions during the application review process to resolve design issues and achieve a design that complies with City regulations and standards. The applicant has ultimately decided to propose the project to be constructed as shown in the plans dated March 4, 2014 and requested the project be brought before the Planning Commission for consideration.

Staff recommends that the Planning Commission deny the project based on the findings contained in the Planning Commission Resolution dated March 26, 2014 relating to

inconsistency with the General Plan development policies and the Design Goals and Standards for architecture and design that are more specifically described above and ask the applicant to submit a revised application more closely meeting City policies.

MOTION

Move that the Planning Commission deny the project based on the findings contained in the Planning Commission Resolution dated March 26, 2014 relating to inconsistency with the General Plan development policies and the Design Goals and Standards for architecture and design.

Prepared by: Kimberly Matlock, Assistant Planner

Approved by: Bill Dean, Assistant Development Service Director
Andrew Malik, Development Services Director

ATTACHMENTS

Attachment A – Location Map

Attachment B – Site, Civil, Floor, Landscape, Elevation, and Construction Phasing Plans
(Oversize: Copies available in Development Services Department, City Hall)

Attachment C – Resident Petition Received September 3, 2013 (Excerpt)

Attachment D – Planning Commission Resolution

Location Map

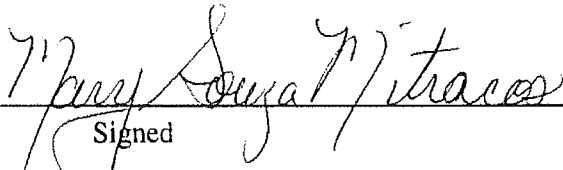


To: Sutter Gould & City of Tracy

Re: Proposed new Medical Building at Eaton and Bessie in Tracy
Plan submitted to City of Tracy August 22, 2013.

As a neighbor and/or property owner, I expect the City of Tracy and Sutter Gould in the process of planning the new Sutter Gould medical building on the 400 block of West Eaton give proper consideration to our residential neighborhood and good urban planning principles. I/we support the following items and want them to be incorporated into the final plan:

- 1. The new building shall be placed at the corner of Bessie and Eaton, so that a pedestrian can enter from the sidewalk.
- 2. The existing large "heritage" oak tree shall be saved and incorporated into the design as a focal point (possibly landscaping - seating - pond).
- 3. The trash enclosure, ambulance services, etc. shall be placed to minimize the impact to the adjacent residential neighborhoods.

 Signed	9/3/13 Date
Mary Mitros Print name	407 W. EATON 363 W. EATON Address

WALL

WALL

BEVERLY

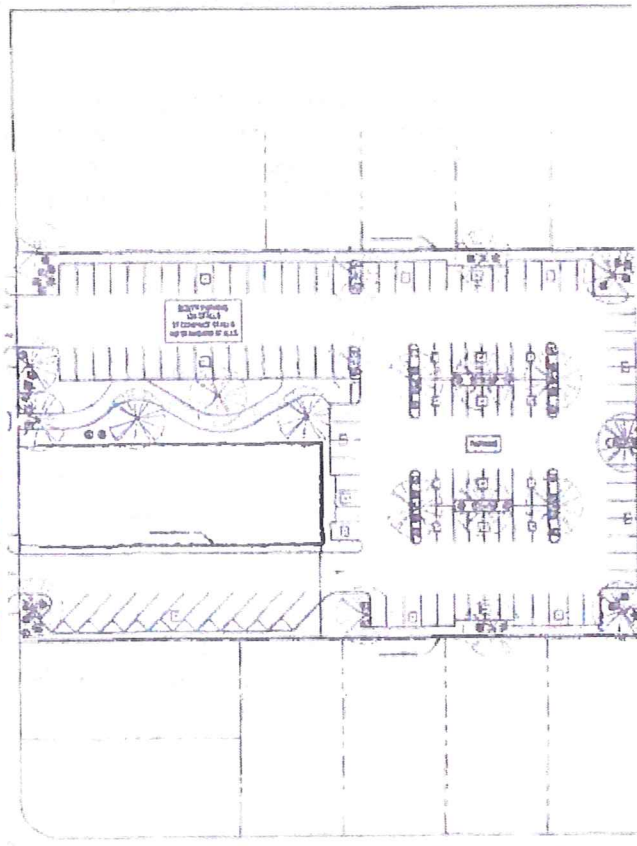
PARKING LOT
OAK TREE REMAINS

EATON AVE

NEW BUILDING

BESSIE AVE

HOSPITAL



WALL

WALL

BEVERLY

PROPOSED NEW BUILDING

EXISTING EATON MEDICAL

EATON AVE

BESSIE AVE

HOSPITAL



RESOLUTION 2014-_____

DENYING A DEVELOPMENT REVIEW APPLICATION FOR A 45,000 SQUARE FOOT MEDICAL OFFICE BUILDING LOCATED AT 445 WEST EATON AVENUE AND A PARKING LOT AT 418, 424, 432, AND 434 WEST EATON AVENUE. APPLICANT IS A.E. CARRADE AND PROPERTY OWNER SUTTER GOULD MEDICAL FOUNDATION APPLICATION NUMBER D14-0003.

WHEREAS, The Sutter Gould Medical Foundation (Sutter) is proposing to demolish existing improvements and construct a new 45,000 square foot medical office building and associated parking areas, and

WHEREAS, The project requires Development Review approval, and pursuant Tracy Municipal Code Section 10.08.4020, the Planning Commission has authority to review and act on such applications, and

WHEREAS, The project site is designated Office in the General Plan and zoned Medical Office (MO), in which medical offices are a permitted use, and

WHEREAS, The project site is adjacent to existing residences and the Medium Density Residential zone, and

WHEREAS, The General Plan establishes the goals, objectives, policies, and actions for development in the City, and

WHEREAS, The Design Goals and Standards establishes specific design criteria for achieving high quality architecture, site planning, and landscaping throughout the City, and

WHEREAS, The project is exempt from CEQA pursuant to Guidelines Section 15270, projects which are disapproved. This exemption pertains to projects which a public agency rejects or disapproves, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider Development Review application number D14-0003.

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission does hereby deny application number D14-0003, based on the findings below:

- 1) The project, as proposed, is inconsistent with the goals, actions, and policies of the General Plan and Design Goals and Standards. The building does not complement the existing buildings in the vicinity, is insensitive to the surround historical contexts, does not enhance the character of existing residential neighborhoods, does not employ consistency with the architecture in the surrounding areas, does not minimize the impact of parking areas on the pedestrian environment, and does not preserve or maintain mature landscape areas.
- 2) The benefits of occupancy of other property in the vicinity is impaired. The existing residences adjacent to the project site will be negatively impacted in the areas of light, noise, and privacy due to the close proximity of the building to the.
- 3) Unsightliness which, if permitted to exist, causes a decrease in the value of surrounding properties. The project proposes two large parking areas which will both be readily visible from public view.

* * * * *

The foregoing Resolution 2014-_____ of the Planning Commission was adopted by the Planning Commission on the 26th day of March, 2014, by the following vote:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON