

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, April 9, 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 member of the public may request a Commission Member to sponsor the item for discussion at a future meeting.*

1. OLD BUSINESS
2. NEW BUSINESS

**A. RECEIVE REPORT ON THE TRANSITION PLAN DURING THE CITY
MANAGER RECRUITMENT PROCESS**

**B. MINOR AMENDMENT TO THE TRACY HONDA FINAL DEVELOPMENT PLAN
FOR THE ADDITION OF A CAR WASH BUILDING AT 3450 AUTO PLAZA
WAY - APPLICANT IS BRYSON BURNS CONSTRUCTION AND PROPERTY
OWNER IS KBH INVESTMENTS, LP. APPLICATION NUMBER IS D14-0002.**

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

Planning Commission Agenda

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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, MARCH 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 Andrew Malik, Development Services Director; Bill Dean, Assistant Development Services Director; Victoria Lombardo, Senior Planner; Criseldo Mina, Senior Civil Engineer; Kimberly Matlock, Assistant Planner; Bill Sartor, Assistant City Attorney; and Janis Couturier, Recording Secretary.

MINUTES APPROVAL

Chair Sangha requested approval of the February 26, 2014 minutes. Commissioner Johnson made a motion to approve the Planning Commission minutes dated February 26, 2014 and Commissioner Orcutt 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. 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.**

Chair Sangha presented agenda item 2A and called for the staff report.

Ms. Lombardo, Senior Planner, provided the staff report. She began by advising there had been a previous approval on this property in 2008 which changed the zoning from Highway Commercial to Medium Density Residential to gain compliance with the General Plan designation. The previous project had fallen within the Medium Density range as a 64 unit single family home subdivision.

She indicated that the Property Owner had a new owner and the new owner wished to build 57 single family homes with a more traditional lot lay out. The street system would remain the same and the number of units changed very little, therefore staff had recommended that the new owners go through a subdivision map amendment versus a new subdivision map; adding that there were many similarities and any issues had already been identified and resolved.

Ms. Lombardo then reviewed the proposed amendment to the existing tentative subdivision to reflect what the applicant will build and amend the Planned Unit Development standards which includes such things as setbacks, etc. She added that all the requirements within the PUD guidelines are similar to the zoning of the housing subdivisions surrounding the area which is MDC, or Medium Density Cluster. The lots of this development will be a bit larger. Overall density is at the low end of the units. There are no plans for parks or schools due to the size of the development therefore the applicant will pay the in lieu fees. She then reviewed the floor plans and advised that staff recommended approval.

Commissioner Mitracos asked about parks and asked about the calculation used to determine if a park is needed, how it is derived and when does it change. Ms. Lombardo indicated that the calculation came from General Plan and the Department of Finance.

Doug Goldsmith with Woodside Homes addressed the Commissioners. He complimented Ms. Lombardo and Mr. Mina adding that he and the architect appreciated the support provided. He indicated there were others from the project who were available should the Commissioners have any questions of them. There were no questions from the Commissioners.

Chair Sangha opened public hearing at 7:10 p.m.

An audience member addressed the Planning Commission stating that she had heard it would be low income apartments and was relieved to hear it would be homes similar to the neighboring homes. Both Ms. Lombardo and Commissioner Orcutt confirmed that it was a housing development.

Don Claus who lives in the Earnest Drive area asked about in lieu fees adding that the existing park needed improvement. He also asked about timing of construction. Ms. Lombardo advised that the fees only go to new parks. She then asked the developer to answer the timing of construction issue.

Mr. Goldsmith indicated that the developer wanted to start grading the lots in the spring which would take about 3-4 months and then they would immediately build the model homes. He concluded by saying that total construction might be two years, but that it would be based on market demand.

Commissioner Ransom asked when the applicant planned to begin construction. Mr. Goldsmith indicated they would like to begin grading in May or June of this year and that construction would be based on market demand.

Commissioner Orcutt observed there would be a sound wall and asked if it would be built by the developer or Caltrans. Mr. Mina indicated it would be a city wall because of its location adding that it would not be for sound mitigation, but would be requested because of the location near a canal.

Commissioner Ransom asked staff about the one-way in and one-way out nature of the development. She asked about safety issues. Ms. Lombardo provided background and advised that the Fire Department suggested no need for a second access point. Commissioner Ransom also asked about the size of the streets. Ms. Lombardo advised that 55' right of way is the City standard. Commissioner Ransom asked what eliminated the need for additional emergency access. Mr. Mina indicated that the Fire Safety officer said the response time would still be acceptable and Mr. Goldsmith indicated that the homes would have sprinklers.

Based on the question from the audience, Commissioner Johnson asked the architect to describe the homes. Jill Williams, the architect, advised that the development was very much like the existing neighborhood adding there was quite a bit of diversity; that the materials were of a high level. Ms. Lombardo provided an overhead view for the audience. Ms. Williams commented that staff was insistent that the homes provide diversity. Commissioner Johnson asked the original questioner if she was satisfied with what she saw and she stated she was.

Commissioner Johnson then asked about a sidewalk along Pescadero and MacArthur asking if there was any connection or did the sidewalk dead end at the channel. Mr. Mina advised there was no expectation of traffic going beyond the freeway. If there should be a project to the north the sidewalk would be extended. He further indicated that it is a part of the project obligation for future developments.

A member of the public wanted to know about home prices and if there were any restrictions on rentals. Mr. Goldsmith indicated he had no idea of pricing at this time. He didn't think they had restrictions on investors buying up homes adding in fact that they are presently not experiencing many investors.

Another member of the audience expressed concern about the pricing issue; indicating that lower priced homes would lower the value of existing homes. Commissioner Ransom advised that the Planning Commission had no control over prices, market sets the price.

Mr. Dean commented that each development project has a different profile. He added that the median home prices for homes at present are now around \$330,000. Mr. Goldsmith said he would provide the information if he received it during the meeting.

Commissioner Orcutt asked if there would be a mix of the five housing styles. Ms. Lombardo indicated there was a requirement in the Planned Unit Development documents for a mix of styles and layouts in the subdivision.

Chair Sangha asked if there were any further questions from the audience. Seeing none, she closed the public hearing at 7:30 p.m. and asked for comment or a motion from the Commission.

Commissioner Orcutt moved 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. Commissioner Ransom seconded, all in favor, none opposed.

An audience member wanted to speak after the public hearing. Chair Ransom and Mr. Dean explained the process of public hearing portion of the meeting explaining that due to the fact that the public comments section had already been closed, there would be no further public comments on that agenda item. Commissioner Johnson added that the audience member would have another opportunity to address the issue when it goes before City Council for final approval.

**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**

Prior to the introduction of agenda item 2B, Commissioner Mitracos advised that he lived in the neighborhood involved, recused himself and left the dais.

Chair Sangha introduced the item and requested the staff report.

Kimberly Matlock, Assistant Planner, advised that the Sutter Gould Medical Foundation (Sutter) proposed to construct a new 45,000 square foot medical office building and associated parking areas in the place of an existing 25,000 square foot medical office building known as Eaton Medical Plaza and existing residential buildings located on the north and south sides of Eaton Avenue, east of Bessie Avenue. She added that Sutter proposed to keep the Eaton Medical Plaza 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. In addition, the new building is proposed to be constructed in the middle of the site on the north side of Eaton Avenue, surrounded by parking area with access from Eaton Avenue, Bessie Avenue, and Beverly Place. Additional parking intended for employees is proposed to be constructed on the south side of Eaton Avenue with two driveways onto Eaton Avenue.

Ms. Matlock explained that the project site has been designated Office in the General Plan and zoned Medical Office (MO). Medical offices and their parking areas are permitted uses in the MO zone. She stated that final actions on Development Review permits would typically be made by the Development Services Director; however, due to the community interest in the project, the Director determined that it would be best to bring the project before the Planning Commission.

Ms. Matlock advised that the project site was located on the southeast perimeter of the MO zone, adjacent to existing single-family homes zoned Medium Density Residential. Many properties in the MO zone were 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 adding that while medical office uses are permitted, the City now has an opportunity to ensure successful integration of the building and site improvements with the adjacent residential neighborhoods through the Development Review permit process.

She then proceeded to discuss some of the site plan considerations which included the mitigation of light, noise, privacy, and undesirable aesthetic impacts of the building on neighboring residences. In addition, building location and architecture that is complementary

with the buildings in the vicinity and neighborhood context and the streetscape experience after the removal of buildings and trees currently lining Eaton Avenue needed to be considered. 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 and the loss of established mature on-site trees and street trees on Eaton Avenue were additional factors to be considered.

Ms. Matlock then summarized the interaction with the applicant by stating that staff had communicated with the applicant during the 12-month pre-application and two-month application review period to resolve design issues and attain a design that complied with City regulations and standards. She stated that staff's largest concern was regarding the site design and the benefits of locating the building on the corner to provide a greater buffer between the building and adjacent residences, to improve vehicular and pedestrian circulation, to enhance the streetscape experience, and to preserve as many existing mature trees as possible. She indicated that staff asked the applicant on several occasions to present site design options for consideration. She characterized the applicant as not willing to discuss or draft any design alternatives, including moving the building to the corner, or even minor building movements or architectural changes. Therefore, staff reviewed the project as proposed, against the City's adopted regulations.

Ms. Matlock then reviewed the fact that the Tracy Municipal Code established the required findings for the approval of a Development Review application and those two findings indicate that the project cannot be approved as proposed. One stated that the benefit of occupancy of other property in the vicinity is impaired. She elaborated by saying that as proposed, 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.

She then reviewed the second finding which stated that unsightliness which, if permitted to exist, causes a decrease in the value of surrounding properties adding that the project proposes two large parking lots, both of which will be readily visible from the streets, the residences, and the businesses in the vicinity.

As proposed, the site design also does not meet a number of policies established in the General Plan and in the Design Goals and Standards relating to siting buildings to hold corners, preservation, enhancement, and conservation of older neighborhoods and existing residential neighborhoods; sensitivity of new development to surrounding historical contexts; maximizing traffic safety; minimizing the impact of parking on the pedestrian environment by de-emphasizing them behind buildings and maintaining mature landscape areas.

Ms. Matlock stated that while the building is well-designed, staff would have liked to have seen the building incorporate design elements complementing the architectural character of the residential neighborhood, adding that most of the medical office buildings in the area were either converted from houses or built new with residential design elements incorporated into the façade. The proposed building could also incorporate design elements from the hospital building to create a cohesive medical campus architecturally. She commented that staff would have liked to have seen alternative design proposals that more closely complied with these policies, particularly the location of the building. A two-story office building located just roughly 30 feet from the property line can present negative impacts to the adjacent homes, including

noise, light, and privacy issues. Ms. Matlock reviewed several slides of existing medical offices as examples of location, streetscape experience.

Ms. Matlock made note of the fact that during application review, neighbors contacted staff with concerns relating to the building location and anticipated light and noise impacts. The City received a petition signed by residents in opposition to the project as designed and highlighted three desired project modifications, including locating the building at the corner, preserving the largest oak tree and incorporating it into the site design, and relocating typically noisy appurtenances further from the residences. She then commented that the applicant held two neighborhood meetings under the advice of staff, of which staff was not notified. According to an article in 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.

She concluded by stating that while staff was in full support of Sutter's expansion of services to Tracy and was not opposed to the establishment of a new facility near the hospital, staff did recommend that the Planning Commission deny the project as proposed based on its inconsistency with City policies and asked that the applicant submit a revised application more closely meeting City policies.

Mr. Dean added comments stating that staff also felt that the applicant could better further City policies if it were to be redesigned. He then read specifics of the General Plan to clarify the fact that although the proposal met requirements there were areas that could better support City policies.

He read the following statement from the General Plan: "A land development project or City action is considered to be consistent with this General Plan if it furthers the plans objectives and policies and does not obstruct from their attainment. Because objectives and policies in this General Plan reflect a range of competing interests, they must be balanced when applied to a specific land development project or City action."

He concluded by saying that staff was not suggesting that this project was inconsistent with General Plan policies, but that it could be better furthered with staff's recommendations.

Chair Sangha asked for the applicant to present at 7:48 p.m.

Dave Romano, of Newman-Romano, introduced himself and provided his credentials. He began by reviewing who would be presenting and provided background related to their presentation.

He lead off a PowerPoint presentation by indicating the mission of Sutter Gould along with statistics about the organization adding that Consumer Reports rated them Number One among Valley healthcare providers. He said the reason for the expansion in Tracy was in preparation for the impact of the Affordable Health Care Act.

He then introduced Dr. Paul DeShanp, CEO of Sutter Gould Medical Foundation, who provided his credentials. He spoke to the fact that he felt the project was in preparation for the future of healthcare. He explained the campus allowed for more integrated healthcare. He reviewed the layout of the exam rooms and the concept of the POD module. He indicated that with the future demands, Sutter wants to preserve the physician patient relationship; adding that there are no

private physician offices which fosters teamwork. He then reviewed the floor plans and indicated the purpose of the layout would be to accommodate the patient. He reviewed that many of the necessary services would require immediate additional testing. He indicated that the design of the building was to open and face the rest of the healthcare campus with the hospital. Moving it would defeat that purpose and be detrimental to the patients.

Jacob Beury Project Manager for LDA Partners architecture firm next addressed the Commission adding that LDA Partners had a great deal of experience with healthcare, Sutter Kaiser, etc. Indicates they strove to find the best alternatives. He reviewed the existing site advising that the present building was dated and inefficient. He indicated that the proposed building would be two stories as opposed to the existing three story building to be sensitive to the neighborhood.

He discussed the location of the building would act as a buffer to the neighboring residences indicating that all of the activity would likely occur in the parking lot. He advised that Sutter staff would have a separate parking lot across the street at Eaton Avenue, the busy side facing Eaton and the quiet side faces the residences. Because the site is in MO zone adding that it is an approved use.

Mr. Beury then spoke to the architectural character of the project. He reviewed the landscape and size of building. He indicated they looked at both the residences and other commercial buildings in Tracy in preparing this project and because it was a commercial building they detailed it accordingly with low maintenance high performing materials. He indicated that the building along Eaton had a setback similar to the residences. They purposely provided a series of buffers including a wall, trees and an access drive with the second layer of landscaping in response to neighbors' concerns. The majority of the windows will be "obscure glass" and said the area facing neighboring home would be a pass through space and that no one would be sitting looking out the windows into the neighboring yards.

He added that the proposed building had more street presence than the existing building and that they provided space for employees and pedestrians along Eaton. He stated that to address the neighbors' concerns they planned to move it to the corner of Eaton and Bessie.

Mr. Romano addressed the issue of neighborhood outreach and addressed the modifications that were made to address the concerns expressed. He stressed that it would be important to understand that this would be a car oriented building and that there would be activity with patients throughout the day.

He reviewed the three issues brought forward from the petitioning neighbors: that the new building be placed at the corner of Bessie and Eaton to allow for pedestrian access, that the existing large "heritage" oak tree be saved and incorporated into the design as a focal point and that the trash enclosure, ambulance services be placed to minimize the impact to the adjacent neighborhood. He advised that he felt Sutter had accomplished all of those issues with the exception of putting the building directly on the corner of Eaton and Bessie.

Mr. Romano discussed the setback of the building was 35 feet and code requires only 10'. They have met and exceeded code requirements. They responded to the issue of the placement of the dumpster was resolved by Sutter moving further away from the neighborhood. The neighbors had also expressed concern about light and glare, so they increased wall over City standard to 8 feet adding that the lighting would be applied to the wall rather than over the

wall. They provided 10% over city standard for parking. He indicated that they were providing pedestrian access to the building from Bessie. He also mentioned that although they have an ambulance, it should be infrequently used and would not normally use lights or sirens, therefore would not be disruptive. He stated that they had consulted an arborist to move the tree which would cost \$150,000. He indicated that the only issue they could not accommodate was to move the building to the corner.

Mr. Romano then proceeded to a review of Sutter's attempts to meet City needs relative to the General Plan and Sustainability Action Plan guidelines. He suggested that the Commissioners were faced with a need to weigh their decision by quoting the General Plan: "Because objectives and policies in this General Plan reflect a range of competing interests, they must be balanced when applied to a specific land development project or City action."

He reviewed two examples of buildings in Tracy one being the Grace Baptist Church and the other being McDonalds indicating neither building met all the standards of the city; arguing that it would appear that the Commissioners have a degree of flexibility in their decision making.

He reviewed staff's concerns that other properties would be impaired. He then asked how a project that is in compliance can be considered to impair the area. He felt that they not only had met the standards, they exceeded them. He felt that the Commissioners needed to realize they are to be in support of standards. He addressed community character elements of the project by quoting the Tracy General Plan "It is frequently not possible to incorporate all principles into every development."

He spoke to the economic development requirements of the City. He indicated that as a healthcare facility. Less restricted heights. He quoted the GP that it is frequently not possible to meet all requirements. Feels it is a high quality project.

He summarized by stating that Sutter was in support of the City's Sustainability Action Plan by proving an infill project, that their facility would be in close proximity to the existing hospital, that they are in support of economic development by providing high-wage healthcare jobs, that Sutter is a community enhancing organization, the facility would be an ideal configuration to deliver important healthcare services to the community, that the project was consistent with prior application of policies and that the Commission would need to balance policies in making their decision.

Commissioner Johnson asked about the tree which Mr. Romano had indicated was a good candidate for transfer. Mr. Romano indicated that the arborist indicated that the tree had a very high likelihood of success adding that anytime you touch a tree there is a problem. Commissioner Johnson asked if there is a contingency. Mr. Romano indicated they did not have one.

Commissioner Johnson asked about the parking lot. Mr. Romano said it would have all the street trees and the parking lot would meet all standards. Commissioner Johnson asked about the use of the parking lot is surrounding the property on 3 sides and if it was a 24 hour facility. Mr. Romano advised that the facility would likely be open from 6:00 a.m. to 8:00 p.m.

Commissioner Orcutt asked what capacity the building was designed for in terms of longevity. Dr. DeShanp reviewed the volume. Commissioner Orcutt asked if expansion would be required in 15 – 40 years. Dr. DeShanp indicated that Sutter would extend hours as they grow. Adding

that in order to keep the cost of healthcare down they would use the facility more – not expand the facility.

Commissioner Orcutt asked if they foresaw more synergy between the hospital and the facility, specifically asking about pedestrian traffic. Dr. DeShanp indicated that the hospital facilities could be used which would help keep the costs down. He added that largely it would be the physicians who go back and forth not the patients.

Commissioner Ransom asked if we were comparing apples to apples by comparing Stockton's facility to Tracy; asking if the Stockton facility was in close proximity to commercial or residential. Dr. DeShanp indicated the Stockton facility was in a commercial with some residential, but it largely it is commercial.

Commissioner Ransom then asked about Sutter's long range goals. Dr. DeShanp indicated they were very committed to the Central Valley adding that integration with the hospital is critical.

Commissioner Ransom then reviewed the fact that Sutter indicated there may be a need to expand hours. Dr. DeShanp indicated that early hours are more important to the consumers. He indicated they would expand hours at night if required adding that patients would use the front parking not to the side which would cause the building to buffer any noise.

Chair Ransom then asked about entrances asking if there was any reason not to have entrances on both sides of the building. Dr. DeShanp reviewed the design of the building advising that there is no reason to have entrances on both sides. He indicated that would lose a great deal of the efficiency.

Commissioner Ransom commented on moving the building to the corner, she then asked staff about the typical properties in the MO zone. Mr. Dean responded that the Medical Office zone would normally be medical offices, but that there are some situations wherein a residence is located in the zone and is therefore non-conforming.

Commissioner Ransom then asked if we had anything similar to this situation in the City that we could draw experience from. Mr. Dean advised of a building that was 80 feet away from residences located to the south. Mr. Dean indicated that it was a mischaracterization to have said that this building met all the standards. He added that standards were applied through a permit and that the permit was discretionary. A discretionary permit would require that, at a minimum, the project meet the standards. He added that in this case, the permit was the process to evaluate how the building could be located to "best further" city policies.

Dr. DeShanp commented that if the location of building were moved, it would make it difficult to provide handicap access.

Chair Sangha advised she was talking for the residents as well as asking the about the oak tree. She then asked what happened to the possibility of Sutter moving to the Gateway site. Dave Thompson, CEO of Sutter Tracy, responded that although Sutter still owned land at the Lammers Road location they made a decision to not relocate. He reviewed the fact that inpatient care was declining compared to outpatient care thus making expansion less important.

Chair Ransom asked if there had been any analysis done by Sutter as to who will use the Tracy facility rather than the county facility. Mr. Thompson indicated he did not know, but suggested there would be an increase.

Commissioner Orcutt asked about the reason staff was requesting that the building be positioned closer to Bessie and Eaton Avenues. Mr. Dean responded that most of the buildings in the area had been built some time ago. He then reviewed the General Plan policies which indicated this placement; these recommendations came from community input. In this particular case that it was about the adjacent neighbors and is there a way to provide an additional buffer. He also stated that we as a city were trying to balance neighborhood input.

Commissioner Orcutt asked about additional architectural aspects that the city was looking for. Mr. Dean indicated that was for the commission to decide. He suggested that it was more modern building. Perhaps a different architectural approach would be helpful, but that is was up to the Commission to decide.

Chair Sangha opened the public hearing at 9:00 p.m.

Audience member Kyle North, a neighbor who lives four houses down from proposed site indicated that Dr. DeShanp stated that the requests to move the building "just doesn't work" for them. He expressed concern about traffic with two schools and two or three churches in the area. He then asked what would the construction time frame be. He added that he did not want parking lot across the street. He commented that if Sutter were to extend office hours because of patient load that would increase the hours of noise and traffic.

Dave Lester a resident of Wall Street discussed his experience with the medical plaza behind his house. He indicated that now there were no shade trees, that the lighting at night was disruptive, that the facility behind his home was only one third to one half occupied and that the building in question was only 50% occupied. He expressed concern that the project would result in fewer trees; that shade trees were an important part an older neighborhood.

Mary Mitracos, 363 and 407 Eaton Avenue, presented the commissioners with a diagram giving locations of houses and where the 8' wall would be located, adding that would be the view they would have of the proposed building. She suggested the height of the building will be troublesome. She spoke to the decrease in the value of surrounding properties and that as a member of the concerned neighbors she wished to see the building changed and not move the oak tree. She indicated that economic development did not trump maintaining the integrity of the neighborhood. She indicated she wanted Sutter to fit the neighborhood.

Don Bisbee of 1361 Wall Street addressed the Commissioners advising they did not want a wall in their backyard.

Jim Noah 1338 Wall Street has lived at that location since 1961. He felt the neighborhood is an older neighborhood and many of the neighbors have lived there a long time. He suggested the building may belong in a different area. He felt the parking was not sufficient; the impact of parking causes the area to be very congested with traffic from the schools and church. He expressed concern about what would happen in the future if Sutter expanded their hours.

Jane Devlin of 1237 Wall Street spoke on behalf of the neighbors in relation to their property values. She commented about a neighbor who purchased her home right before the market

crashed. She expressed concern about the wall being unsightly and blocking the neighborhood views.

Zena Robins of the 500 block of Carlton spoke indicating that she did not dispute what Sutter can do. It was about the neighborhood. She spoke to the influx of traffic. When Beverly was closed it produced a great deal of traffic down West Carlton Way. She noted that a traffic survey appeared to have been underway, but now it appeared to have been discontinued. She said the traffic in the area is difficult to handle. She concluded by saying not to make this about money and destroy an older, well established neighborhood.

Bob Tanner of 1371 Rusher Street said he had been going to the existing Eaton Medical Center for about 25 years and felt it should remain, but that it should be moved closer to the street. He commented about the parking in back indicating he had not heard of any security issues.

Arlene Robbins of the 500 block of Carlton Way advised that the traffic has gotten worse especially since Beverly closed; that at times she can't get out of her driveway. She felt the building doesn't fit in the area. She also added that she felt there wasn't any security, drug deals take place in the parking lot and robberies that aren't reported. She suggested the oak tree wouldn't live if transplanted.

Chair Sangha closed public hearing at 9:37 p.m. and called for a recess.

Chair Sangha re-opened the meeting and requested any comments from the Commission at 9:44 p.m.

Commissioner Ransom asked that some of the questions asked by the public be answered by staff.

Mr. Mina addressed the issue of the traffic analysis, stating that it had been suspended due to the issues being discussed as to the location of the building. He stated the city would address traffic circulation once the building location was determined.

Commissioner Orcutt asked about the length of construction and wanted the applicant to respond.

Mr. Sartor advised that the chair would need to re-open the public hearing for the applicant to speak.

Chair Sangha re-opened the public hearing at 9:50 p.m.

Mr. Romano advised construction would take approximately 18 months.

Commissioner Ransom asked if the style of the building was cookie cutter style that the applicant might have to use the same style everywhere. Mr. Beury advised that this building had been built for this specific site. Commissioner Ransom suggested they might have flexibility as a result.

Commissioner Ransom asked about daily garbage pick-ups at this site. Mr. Romano not sure what the pickup time would be. Mary Mitracos advised that the pick-up is between 4:00 and 5:00 a.m.

Commissioner Ransom asked about the parking lot which will be built around an existing residence and wonder if it was occupied by a renter. Ms. Matlock indicated that it was occupied. Mr. Romano advised that Sutter was presently in discussions with the owner about acquiring the building. Ransom asked if the parking lot was essential to the building. Mr. Romano advised that it was.

Chair Sangha closed the public hearing 9:55 p.m.

Commissioner Ransom spoke about the fact that this decision was a dilemma for the Commission. She stated that the hospital expressed concerns for patient care and building access to accommodate health care needs, adding that no one could deny the contributions Sutter makes to the community or the need for the hospital. She felt the economic boost was important as well and that staff took that into account. She felt the real question was whether or not this was a good location for this project. She indicates she wouldn't be in opposition to the project except for the fact that it would have an impact on the neighborhood.

Commissioner Ransom felt that there had been an opportunity that had not been taken advantage of. She asked if there were any other options with the design, could the applicant be flexible and work with staff to get a project that would better fit the area. She added that she hadn't heard the neighbors saying they did not want Sutter. She said the Planning Commission has to work according to General Plan, but most projects have to be reviewed on a case by case basis. She said she thought it was a great project and wished there was more time spent with staff. Ransom supported staff's recommendation.

Commissioner Johnson agreed with Commissioner Ransom. He indicated he heard the public's concerns and that he was there to represent them. He was disconcerted that the applicant chose not to involve staff in the neighborhood meetings. He appreciated Mr. Malik passing this along to the Commission. Good project, scale doesn't fit, design doesn't fit, the location doesn't fit, and the traffic doesn't fit.

Commissioner Orcutt was very impressed with the community turn out. He felt that Sutter's presentation was very well done which helped him understand the project. He added that having heard comments from all three parties he suggested that we were close to a solution, but that there are a few more things that needed to be looked at and amended. He would expect to see the project come back in the future.

Chair Sangha thanked the community members for attending that it was a good project but it is not the right project for the location. She requested a motion.

Commissioner Ransom moved that the Planning Commission deny the project as proposed 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. Commissioner Johnson Seconded all in favor, none opposed with one abstention.

3. ITEMS FROM THE AUDIENCE None

4. DIRECTOR'S REPORT – Mr. Dean advised that Commissioner Johnson had decided not to reapply for the Commission and indicated that he wanted to thank him for his

service. Mr. Dean commented that he felt that City staff was a better staff for listening to his comments. He expressed disappointment but thanked the Commissioner for his service.

5. **ITEMS FROM THE COMMISSION** – Commissioner Mitracos indicated he admired the number of hours that Commissioner Johnson had put in over the years. Commissioner Johnson commented that he felt he couldn't put the effort in that he felt the Commission and City deserved. Commissioner Ransom also indicated she appreciated the opportunity to work with him. Chair Sangha agreed. Commissioner Orcutt thanked him as a good mentor. Bill Sartor indicated he appreciated his dedication, thoughtfulness and sense of ethics.
6. **ADJOURNMENT** – Commissioner Orcutt moved to adjourn at 10:07 p.m., Commissioner Mitracos seconded; all in favor, none opposed.

CHAIR

STAFF LIAISON

DR

April 9, 2014

AGENDA ITEM 2 A

REQUEST

**RECEIVE REPORT ON THE TRANSITION PLAN DURING THE CITY
MANAGER RECRUITMENT PROCESS**

DISCUSSION

The purpose of this report is to share the Council and Administration's transition plans during the City Manager Recruitment process including the City Manager recruitment strategy, Internal Audit Plan and Communication Strategy.

Prepared by: Maria A. Hurtado, Interim City Manager

AGENDA ITEM 2 B

REQUEST

MINOR AMENDMENT TO THE TRACY HONDA FINAL DEVELOPMENT PLAN FOR THE ADDITION OF A CAR WASH BUILDING AT 3450 AUTO PLAZA WAY - APPLICANT IS BRYSON BURNS CONSTRUCTION AND PROPERTY OWNER IS KBH INVESTMENTS, LP. APPLICATION NUMBER IS D14-0002.

DISCUSSION

Background

In September of 1999, City Council approved a Preliminary and Final Development Plan for the Tracy Honda dealership at 3450 Auto Plaza Way. In December of 2002, the City Council approved a Preliminary and Final Development Plan for the expansion of the dealership's service area. On February 6, 2014, the applicant, on behalf of Tracy Honda, submitted an application for the addition of a car wash building for use by Honda for serviced vehicles. According to the applicant, the car wash will not be available for public use.

Proposed Amendment

In accordance with the Tracy Municipal Code and the I-205 Corridor Specific Plan, the Development Services Director has determined that the request is a minor amendment to the approved Final Development Plan and that it is consistent with the concept and preliminary development plan. The Planning Commission and City Council shall review minor amendments to Final Development Plans.

Tracy Honda is located in the service commercial designation in the I-205 Corridor Specific Plan area. Vehicle services, including car washes, are permitted in this designation.

According to the applicant, the expectation for serviced vehicles to be washed before being returned to the customer is increasing. Tracy Honda is currently hand washing serviced vehicles and desires to increase their efficiency by using an automatic car wash. The applicant has proposed to construct an approximately 1,100 square foot car wash building within the vehicle service area (Attachment A). The proposed building will match the main building by use of wide, textured vertical panels, parapet roof, and wall color to match the main building. An 850 square foot landscaped planter is proposed to be removed for the new building and reconstructed adjacent to the car wash building, resulting in no net loss of landscaped area.

Environmental Document

The proposed PDP/FDP amendment is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, pertaining to new construction of small structures not exceeding 2,500 square feet in size. In accordance with CEQA Guidelines, no further environmental assessment is required.

MOTION

Staff recommends the Planning Commission recommend that City Council approve the minor amendment to the Tracy Honda Final Development Plan for the addition of a car wash building and associated landscaping modifications, based on the findings contained in the City Council Resolution dated April 9, 2014.

RECOMMENDATION

Move that the Planning Commission recommend that the City Council approve the minor amendment to the Tracy Honda Final Development Plan for the addition of a car wash building and associated landscaping modifications, based on the findings contained in the City Council Resolution dated April 9, 2014.

Prepared by: Kimberly Matlock, Assistant Planner

Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

Attachment A – Location Map, Site, Floor, Landscape, and Elevation Plans (Oversize Item: Copies are available in Development Services at City Hall)

RESOLUTION _____

RECOMMENDING CITY COUNCIL APPROVAL OF A MINOR AMENDMENT TO THE TRACY HONDA FINAL DEVELOPMENT PLAN FOR THE ADDITION OF A CAR WASH BUILDING AT 3450 AUTO PLAZA WAY - APPLICANT IS BRYSON BURNS CONSTRUCTION AND PROPERTY OWNER IS KBH INVESTMENTS, LP. APPLICATION NUMBER IS D14-0002

WHEREAS, City Council approved a Preliminary and Final Development Plan for the Tracy Honda dealership in September of 1999, and for a building expansion for vehicle services in December of 2002, and

WHEREAS, KBH Investments, LP submitted an application to amend the Tracy Honda Final Development plan to add a car wash building to their service area and make associated landscaping modifications on February 6, 2014, and

WHEREAS, The subject property is located within the I-205 Corridor Specific Plan area, with a land use designation of Service Commercial, which allows automobile sales and service as a permitted land use, and

WHEREAS, The project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, pertaining to new construction of small structures not exceeding 2,500 square feet in size, and

WHEREAS, Planning Commission conducted a public hearing to review and consider the application on April 9, 2014;

NOW, THEREFORE BE IT RESOLVED, Planning Commission does hereby recommend that City Council approve the minor amendment to the Tracy Honda Final Development plan for the addition of a car wash building and associated landscaping modifications, Application Number D14-0002, subject to the conditions contained in Exhibit 1 to this Resolution and based on the findings below.

1. The establishment, maintenance, and operation of the proposed improvements are compatible with the land use, design, and operational characteristics of the neighboring properties. The proposed project consists of an automatic car wash for serviced vehicles in association with the vehicle service offered by Tracy Honda. The car wash building will match the main building for a consistent architectural theme throughout the site.
2. The project will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use and its associated structure, or to the general welfare of the City because the project, as conditioned, is consistent with the land use, design, and other elements of the I-205 Corridor Specific Plan, the Tracy Municipal Code the City of Tracy General Plan, the Design Goals and Standards, City Standards, California Building Codes, and California Fire Codes.
3. The project will not adversely affect or impair the benefits of occupancy, most appropriate development, property value stability, or the desirability of property in the vicinity and will not adversely visually impair the benefits of the properties in the vicinity. The car wash building proposes use of wide and textured vertical panels, a parapet roof, and a building color to match the dealership and service building. The landscape planter that is proposed to be

removed for the car wash will be relocated adjacent to the car wash so that no net loss of landscaping will occur.

* * * * *

The foregoing Resolution 2014 - _____ was adopted by the Planning Commission on the 9th day of April, 2014, by the following vote:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON

City of Tracy
Conditions of Approval
Tracy Honda Car Wash
Application Number D14-0002
April 9, 2014

A. General Provisions and Definitions.

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

The Project: A car wash building and associated landscaping modifications

The Property: 3450 Auto Plaza Way, Assessor's Parcel Number 212-270-19

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer."
- b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
- c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (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 car wash and associated landscaping area modifications at 3450 Auto Plaza Way, Application Number D14-0002. The Conditions of Approval shall specifically include all City of Tracy conditions set forth herein.
- f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the plans received by the Development Services Department on March 25, 2014. These plans include the site plan, floor plan, landscape plan, elevations, and color palette.

A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.

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

B. Development Services Planning Division Conditions

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

- B.1. Landscaping & irrigation. Before the approval of a building permit, the applicant shall provide detailed landscape and irrigation plans to address the following:
- B.1.1. Said plans shall be consistent with the City of Tracy Guidelines for Water Efficient Landscape Design, Development and Maintenance.
- B.1.2. A minimum of 60 points in each landscaping and irrigation category must be achieved and the assessment summaries must be on the plans.
- B.1.3. At planting, trees shall be a minimum of 24" box size, shrubs shall be a minimum size of 5 gallon, and groundcover shall be a minimum size of 1 gallon.
- B.2. Screening utilities and equipment.
- B.2.1. Before final inspection or certificate of occupancy, all vents, gutters, downspouts, flashing, and electrical conduits shall be internal to the structures and bollards and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surfaces or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.
- B.2.2. Before final inspection or certificate of occupancy, no roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes, whether proposed as part of this application, potential

future equipment, or any portion thereof, shall be visible from any public right-of-way to the satisfaction of the Development Services Director. Plans to demonstrate such compliance shall be submitted to the City prior to the issuance of a building permit.

C. Public Works Department Conditions

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

D.1. Sanitary Sewer Connection. The sand and oil separators shall connect to the sanitary sewer system and not the stormdrain system to the satisfaction of the Public Works Director.