

MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, JANUARY 28, 2015
7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA

CALL TO ORDER – Chair Orcutt called the meeting to order at 7:06 p.m.

PLEDGE OF ALLEGIANCE – Chair Orcutt led the Pledge of Allegiance.

ROLL CALL - Roll Call found Commissioners, Ransom, Sangha, Tanner, Vice Chair Mitracos and Chair Orcutt present. Also present were staff members Alan Bell, Senior Planner; Scott Claar, Associate Planner; Bill Sartor, Assistant City Attorney; consultant Laura Worthington Forbes; and Sandra Edwards, Recording Secretary.

MINUTES APPROVAL - It was moved by Commissioner Ransom and seconded by Commissioner Sangha to approve the minutes of December 3, 2014. Minutes of January 14, 2015, were approved as amended. Voice vote found all in favor; passed and so ordered.

DIRECTOR'S REPORT REGARDING THIS AGENDA – None.

ITEMS FROM THE AUDIENCE – None.

1. **OLD BUSINESS** – None.

2. **NEW BUSINESS**

- A. **CONDUCT A PUBLIC HEARING TO RECEIVE COMMENTS ON THE TRACY HILLS SPECIFIC PLAN DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** – Alan Bell, Senior Planner, stated that the Tracy Hills Specific Plan was adopted and the 2,700-acre area annexed to the City in 1998. The 1998 Plan provides for over 5,000 residential units and nearly 6 million square feet of commercial and industrial development. The current Tracy Hills project includes an update to that Specific Plan.

In 2013, the City hired Kimley Horn Associates to prepare the Environmental Impact Report (EIR) for this project and guide the City through the CEQA process. In the fall of 2013, a scoping meeting was conducted to receive input from the public on topics to be reviewed in the Draft Environmental Impact Report (DEIR). The DEIR has been completed; and the purpose of tonight's meeting is for the Planning Commission and staff to receive comments on the DEIR from the public. Mr. Bell added that this meeting was not the time to respond to comments, as the public comment period is open until February 10, 2015.

Mr. Bell introduced Laura Worthington-Forbes from Kimley Horn Associates, to review the CEQA process and this EIR. Ms. Forbes is the Regional Vice President for Kimley Horn Associates and the project manager on this EIR.

Ms. Forbes provided a presentation regarding the CEQA and EIR process. Ms. Forbes provided a background and history of the project's Specific Plans, General Plan Amendments, Development Agreement and Infrastructure Master Plans. Ms. Forbes outlined the various sections of the DSEIR. Ms. Forbes also outlined the significant and unavoidable impacts including aesthetics, agricultural resources, air quality, and greenhouse gas emissions.

Mr. Bell added staff anticipated an item on the Planning Commission's February 25, 2015, agenda to receive an update and a discussion on the Tracy Hills project. The meeting will provide an opportunity to learn more about the project or seek clarification about the project design or other details. At some time following that meeting, we anticipate taking the Tracy Hills project, including the Final EIR, to the Planning Commission for consideration and recommendation to the City Council.

Commissioner Ransom stated she received feedback on this agenda item that it was not readily available and asked how the item was noticed. Mr. Bell stated this meeting was not required per CEQA, adding that the item was noticed in the paper, and mailed to the 170 or so recipients that received the notice of availability. Mr. Bell added the project was next to farmers or ranchers who are involved and don't have input. Mr. Bell stated the property owners were present.

Chair Orcutt added that receiving notice on December 23, 2014, most individuals were not in a position to think about the project. Mr. Bell added that because the notice went out on December 23, 2014, during the holidays, additional time for the comment period was added.

Vice Chair Mitracos asked for clarification regarding changes that could incur including density changes stating it seemed too specific. Mr. Bell stated that is why there was a new EIR. Mr. Bell added the new Specific Plan addresses the project in its entirety; at its maximum buildout.

Vice Chair Mitracos asked if the Specific Plan was measured against City standards. Mr. Bell stated the Specific Plan will be the zoning for the project which will be in line with the General Plan, zoning, etc. Mr. Bell added that the Specific Plan will come before the Commission for adoption and will include a range of densities.

Commissioner Tanner stated there was an item that was addressed at a City Council meeting regarding the Altamont Regional Traffic Authority Joint Powers Authority (JPA) regarding traffic conditions, asking why San Joaquin County was not included as part of the JPA and when does the JPA kick in. Mr. Bell stated the JPA was a function of the settlement of the 1998 lawsuit to discontinue the legal challenge on the EIR. Mr. Bell added the parties to that lawsuit were Alameda County, the City of Livermore, the City of Tracy, the developer and the Sierra Club, and has already been formed.

Vice Chair Mitracos asked if there was a fee to the County for county projects. Mr. Bell added that part of the settlement agreement has Tracy Hills paying approximately \$1,500 per unit to various agencies.

Chair Orcutt opened the public hearing.

Bridget Barnes, representing Horizon Planet, stated she had hoped that there would have been a presentation from staff outlining the differences between the original Tracy Hills Specific Plan and the new one. Ms. Barnes indicated her offices were still reviewing mitigations to provide comments on the document.

As there was no one further wishing to address the Commission, the public hearing was closed.

Commissioner Ransom asked if this was the time for the Commission to ask questions. Mr. Bell stated it was a time to allow the public to provide comments.

Commissioner Ransom stated she felt that this project was being treated different than other EIRs. Commissioner Ransom asked for clarification regarding two Alternatives No. 2, Chapter 1-5 and 1-6; indicating the superior alternative was confusing. Commissioner Ransom also asked for clarification regarding an Area C that is no longer covered by the EIR, a portion of EIR that treats non-Integral property owners with a separate set of guidelines but does not provide the guidelines.

Mr. Bell stated the non-Integral property means that most of the 2,700 acres is in control of the property owners or Integral Communities. The Specific Plan has design guidelines, permitted land uses, which are equal across the plan regardless of ownership. Mr. Bell added that part of the settlement agreement required the property owners to set aside a 100-foot wide conservation easement along I-580 and on one side of the aqueduct. The only property owner at the time was Lakeside Tracy, now Integral Communities, and is recorded against their property.

Ms. Forbes clarified Area C refers to the San Joaquin Multi Specific Habitat Conservation Plan (SJMSHCP) which is not included in the Plan. Ms. Forbes stated there is an additional burden on the applicant to achieve regulatory permit approval for that area that is not covered by the SJMSHCP.

Commissioner Ransom stated she was looking for additional information regarding pipelines on the property. Mr. Bell outlined the five pipelines that traverse through the property including Shell Oil, Chevron, Phillips 66, and two PG&E pipelines. Mr. Bell stated Technical Appendices E2, E3, and E4, discuss the pipelines.

Commissioner Ransom discussed the projected water supply for the project through 2035. Mr. Bell stated staff would come back with a complete answer and have the appropriate experts present on February 25, 2015, to address the item.

Commissioner Ransom stated some of the mitigations were not specific. Mr. Bell stated the mitigation measure would be addressed with the conditions of approval. Mr. Bell added the mitigation measures for Phase 1 were more specific than subsequent phases.

Commissioner Sangha asked if the \$1,500 per unit Tracy Hills is required to pay goes to the City or County. Mr. Bell stated that fee applied to units in the City and would go to regional transportation in Alameda and San Joaquin Counties.

Commissioner Tanner stated figure 4.4-6, the endangered species labeled TP on the figure, was not on the legend of the map. Ms. Forbes indicated she would get back to the Commission on the item.

Commissioner Tanner referred to figure 4.14-11, new roads, stating South Tracy Hills Road and North Tracy Hills connect however, North Tracy Hills Road does not seem to connect with Linne Road. Mr. Bell indicated the road may be mislabeled.

Chair Orcutt asked when the Final EIR would be completed. Mr. Bell explained the next steps indicating it was difficult to say, with certainty. Mr. Bell assured the Commissioners that notices would be sent to surrounding property owners and others during the process.


Commissioner Ransom asked how realistic the mitigations measures were and how they were controlled. Mr. Bell stated when the Final EIR is certified, a Mitigation Monitoring Reporting Program would be presented where each mitigation measure will be listed showing who is responsible for the mitigation measure and when it is needed. Ms. Forbes added they are included as a mitigation measure because the Air District believes they are achievable and practical. Ms. Forbes stated the developer is required to show how they would be addressed.

Chair Orcutt asked if the City would be expected to extend bus service to the area. Mr. Bell stated yes.

Chair Orcutt closed the public hearing.

3. ITEMS FROM THE AUDIENCE – None.
4. DIRECTOR'S REPORT – None.
5. ITEMS FROM THE COMMISSION – None.
6. ADJOURNMENT – It was moved by Commissioner Ransom and seconded by Vice Chair Mitracos to adjourn. Time: 8:19 p.m.


STAFF LIAISON


CHAIR