

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, February 25, 2015
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 2015-012 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. **UPDATE AND DISCUSSION REGARDING THE TRACY HILLS PROJECT**
3. ITEMS FROM THE AUDIENCE
4. DIRECTOR'S REPORT
5. ITEMS FROM THE COMMISSION
6. ADJOURNMENT

Posted: **February 19, 2015**

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 Services Department located at 333 Civic Center Plaza during normal business hours.

**MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, DECEMBER 17, 2014
7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA**

CALL TO ORDER - Chair Orcutt called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

ROLL CALL - Roll call found Commissioners Mitracos, Ransom, Sangha, Tanner, and Chair Orcutt present. Also present were staff members Bill Dean, Assistant Development Services Director, Alan Bell, Senior Planner, Victoria Lombardo, Senior Planner, Bill Sartor, Assistant City Attorney, and Sandra Edwards, Recording Secretary.

MINUTES APPROVAL - It was moved by Commissioner Ransom and seconded by Commissioner Sangha to approve the minutes of November 19, 2014. Voice vote found Commissioners Mitracos, Ransom, Sangha and Tanner in favor; Chair Orcutt abstained.

DIRECTOR'S REPORT REGARDING THIS AGENDA – Bill Dean, Assistant Development Services Director, congratulated Robert Tanner on his appointment to the Planning Commission.

ITEMS FROM THE AUDIENCE – None.

1. **OLD BUSINESS** – None.

2. **NEW BUSINESS**

- A. **PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL DEVELOPMENT PLAN AND A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A 21,300 SQUARE FOOT, AUTO BODY REPAIR FACILITY ON AN APPROXIMATELY 1.66-ACRE SITE LOCATED ON THE NORTH SIDE OF AUTO PLAZA DRIVE (AT 2705 AUTO PLAZA DRIVE) ADJACENT TO AND EAST OF THE DEPARTMENT OF MOTOR VEHICLES BUILDING (APNS 212-270-15 AND A PORTION OF APN 212-040-11). THE REQUEST INCLUDES A PLANNING COMMISSION DETERMINATION REGARDING CONFORMANCE WITH THE CITY'S GENERAL PLAN FOR THE CITY TO SELL A 42-FOOT-WIDE STRIP OF PROPERTY (APPROXIMATELY 7,120 SQUARE FEET) TO THE PROJECT DEVELOPER. APPLICANT IS SCHACK AND COMPANY, INC. FOR ARMIN AND LORI A. GHORBANI REVOCABLE TRUST** – Alan Bell, Senior Planner, provided the staff report. Mr. Bell provided a location map of the site on the overhead projector, which is located in the I-205 corridor specific plan, adjacent to the Department of Motor Vehicles site and a block north of the Winco Shopping Center. The proposed building is centrally located on the site. Other nearby businesses include an auto body repair, a tire store, and numerous auto dealers with auto service, and is consistent with City standards. The building is constructed of painted tilt-up concrete panels, glass store fronts, and metal-wrapped columns at the front of the building, near and facing Auto Plaza Drive. Mr. Bell outlined parking opportunities for customers and employees.

The subject property is adjacent to a City-owned and maintained storm-drain pond (DB10). The City acquired and developed DB10 approximately 20 years ago.

On the south side of DB10 is an approximately 42-foot-wide strip of property formerly used as a drainage ditch by the Naglee-Burke Irrigation District. Naglee-Burke Irrigation District discontinued use of the ditch many years ago. The proposed Tracy Collision site is adjacent to approximately 7,120 square feet of the unused, 42-foot-wide strip of City-owned property. This request is similar to the action taken when the Department of Motor Vehicles and Tracy Volkswagon developed their parcels. The 42-foot wide strip of property is outside of any improvements or plans the City would use for the parcel.

Staff recommended that the Planning Commission find that the sale of this property is consistent with the City's General Plan. Staff also recommended that the Planning Commission approve the Conditional Use Permit, and recommend that City Council approve the PUD Preliminary and Final Development Plan. Mr. Bell stated that the Planning Commission had been provided with three resolutions: one for the property sale, one to approve the Conditional Use Permit, and the last to recommend City Council approve the PUD Preliminary and Final Development Plan.

Commissioner Mitracos asked if the 42-foot strip could be used for a future bike or walking path. Mr. Bell stated the idea had been discussed with various City departments stating the use of the property discontinues half way west of Naglee Road towards Lammers Road. Mr. Bell added portions of the parcel have already been sold to neighboring businesses.

Commissioner Mitracos stated he was concerned that the City did not truncate any possibilities for the future. Mr. Bell discussed typical bike paths.

Chair Orcutt shared his experience regarding bike paths and connectivity, having served on the Transportation Commission.

Commissioner Mitracos referred to the vegetative swale on the perimeter of the property. Mr. Bell stated the requirement was largely driven by the State and now the City's storm water requirements.

Commissioner Ransom asked if the application for the sale of the parcel conformed to the General Plan and the parcel did not sell, could the applicant still move forward with their project. Mr. Bell stated if the sale did not occur, the applicant would have to revert to the original proposal that included a smaller building and smaller parking lot.

Commissioner Ransom asked for clarification regarding the revised resolutions and findings. Mr. Bell outlined the differences between the resolutions and their corresponding findings.

Commissioner Tanner asked for clarification regarding the address of the building. Mr. Bell stated the building would not be addressed until a building permit was obtained and would be an odd number.

Chair Orcutt asked for clarification regarding Condition of Approval B21 regarding a radio coverage system. Mr. Bell stated it was new building code requirement related to a series of antenna interior to the structure to allow fire personnel to communicate. Bill Dean, Assistant Development Services Director, added it was more of a reminder when a new code requirement is approved.

Chair Orcutt opened the public hearing.

Dan Schack of Schack and Company, on behalf of the applicants, addressed the Planning Commission. Mr. Schack stated they had been working on the project for approximately six months and asked the Planning Commission for their approval.

Commissioner Mitracos stated he appreciated the letter that the Ghorbani's submitted.

Commissioner Tanner stated he also liked the idea of sales tax coming away from the County and into the City. Commissioner Tanner asked for clarification regarding the number of new jobs. Mr. Ghorbani stated it would double the number of employees he currently has.

Chair Orcutt asked if the applicant's previous site would be maintained. Mr. Schack stated another use has already been planned for the previous site.

Chair Orcutt stated he was concerned that the site might not be large enough. Mr. Schack stated the applicants have performed due diligence and a methodical review has been undertaken, and that he believes this is exactly what he needs.

Chair Orcutt closed the public hearing.

Commissioner Ransom stated she also appreciated the letter from the applicant, which outlined their goals and plans.

It was moved by Commissioner Ransom and seconded by Commissioner Tanner that the Planning Commission determine that the sale of the 42-foot strip is consistent with the General Plan and that the City Council approve the Tracy Collision PUD Preliminary and Final Development Plan and approve the Tracy Collision Conditional Use Permit. Voice vote found all in favor; passed and so ordered.

A. MINOR AMENDMENT TO THE PLAZA ONE FINAL DEVELOPMENT PLAN TO REPLACE PARKING STALLS WITH AN OUTDOOR DINING AREA ADJACENT TO THE BUILDING AT 2986 WEST GRANT LINE ROAD - APPLICANT IS JS KENDALL CONSTRUCTION, INC. FOR PLAZA ONE, LLC

– Victoria Lombardo, Senior Planner, provided the staff report. Ms. Lombardo stated the project was located in the Wal Mart Shopping Center and was a mirror image of what was done for the Five Guys Restaurant. Ms. Lombardo discussed outdoor dining and landscaping. Ms. Lombardo added that the applicant proposed eliminating six parking spaces to allow for a sitting/waiting area. To achieve that goal, City Council would have to approve a minor amendment to the final development plan. Ms. Lombardo added that staff had no concerns with the proposal and recommended that the Planning Commission recommend City Council approval.

Commissioner Mitracos asked if there was another segment of the building. Ms. Lombardo stated the two buildings butt up against each other. The western building is occupied by Mels Diner and Yippe Yogurt. On the adjacent building they are connected by a trellis with a vacant space to the west of the Five Guys Space.

Commissioner Mitracos asked if Mel's was a chain. Ms. Lombardo stated it was a franchise.

Commissioner Ransom asked if adding the 1,200 square feet required a change to the parking requirement. Ms. Lombardo stated no, and added the General Plan update discussed policies to allow for outdoor seating and that the outdoor seating did not count as floor space in regard to parking requirements. Ms. Lombardo discussed the I-205 Specific Plan regarding parking requirements.

Commissioner Ransom asked if there were any exclusive arrangements regarding burgers establishments. Ms. Lombardo stated the owner of the two businesses is the same and Mel's specializes in breakfast, but also has burgers.

Chair Orcutt opened the public comment portion of the meeting. As there was no one wishing to address the Commission, the public comment period was closed.

It was moved by Commissioner Mitracos and seconded by Commissioner Ransom to recommend City Council approve the minor amendment to the Plaza One Final Development Plan to replace eight parking stalls with an outdoor dining area, waiting area and landscaping, based on the findings contained in the Planning Commission Resolution dated December 17, 2014. Voice vote found all in favor; passed and so ordered.

3. ITEMS FROM THE AUDIENCE – None.
4. DIRECTOR'S REPORT – Bill Dean stated he was encouraged by having business previously located in the County moving to the City, and to see general plan policies brought into effect. Mr. Dean added it has been a great year with the Commission considering a wide arrange of applications and that he appreciated the time and discipline the Commission has committed.
5. ITEMS FROM THE COMMISSION –
 - A. Nomination of Vice Chair. Commissioner Mitracos motioned to nominate himself; Commissioner Sangha seconded the motion. Voice vote found all in favor; passed and so ordered.

Chair Orcutt apologized for his absence at the last commission meeting, adding he was grateful to City staff to allow him to remain on the commission and keep his commitment.

Commissioner Ransom asked if the outside patio areas downtown around Town and Country and Emos restaurants were handicap accessible. Mr. Dean stated there is a sidewalk dining permit process and that accessibility is addressed. Mr. Bell added that in this case the sidewalk dining ordinance calls for a minimum of 48 inches of passage.

Commissioner Mitracos commented that one of the new businesses looks like the architecture includes pallets.

6. ADJOURNMENT – It was moved by Chair Orcutt, and seconded by Commissioner Sangha to adjourn. Time: 7:50 p.m.

CHAIR

STAFF LIAISON

AGENDA ITEM 2-A

REQUEST

UPDATE AND DISCUSSION REGARDING THE TRACY HILLS PROJECT

PURPOSE OF AGENDA ITEM

The public hearing process to consider the proposed development applications for the Tracy Hills project is anticipated to begin within the next few months. This agenda item is intended to provide the Planning Commission with an opportunity to review and discuss the project, receive input from the public, provide preliminary feedback, and ask questions. The focus of this meeting will largely be on the overall Specific Plan and proposed Phase 1A concepts; however, Planning Commissioners may discuss any aspect of the applications. As the Development Agreement (DA) is still undergoing negotiations, no draft is currently available; a list of bullet points on DA topics is shown on page 3-55 of the Tracy Hills Draft Subsequent Environmental Impact Report (EIR), which is available on the City's website.

BACKGROUND

The Tracy Hills Specific Plan was originally approved and annexed to the City in 1998. The 1998 project approvals included certification of an Environmental Impact Report, amendments to the City's General Plan and Zoning Ordinance, adoption of the Tracy Hills Specific Plan, and annexation of approximately 2,732 acres to the City of Tracy. The 1998 Tracy Hills Specific Plan anticipated up to 5,499 residential units in a mix of low, medium and high density neighborhoods, over five million square feet of non-residential land uses including office, commercial, and light industrial uses, in addition to parks, schools, and open space. The 1998 Specific Plan included very detailed grading, design, and development standards, regulating everything from lot placement, dimensions, lake frontage standards, etc. The 1998 Specific Plan also included approximately 3,500 acres of open space, south of Interstate 580, which was set aside by the developer for the purpose of habitat conservation and not annexed to the City of Tracy.

Since the 1998 project approvals, no development has occurred in Tracy Hills; however, several property owners have made improvements on their property such as orchard plantings and improvements to individual homes. During the past 17 years, the project has been subject to growth-related ballot measures, swings in the real estate market, an update to the City's General Plan, adoption of Citywide Infrastructure Master Plans, changes to the City's Growth Management Ordinance, and property ownership changes. Given these changes as a backdrop, the current owner/developer of the majority of the Tracy Hills property has proposed a comprehensive update to the Tracy Hills Specific Plan, and development of the first phase for which a Vesting Tentative Subdivision Map has also been submitted.

Though there are few proposed land use changes, the proposed update to the Specific Plan consists of an entirely rewritten Specific Plan because the extent of text modifications and changes to graphics and format are substantial. By approaching this

amendment as a comprehensive update, the end product is intended to provide greater ease of use as a development document and removal of development standards deemed by the applicant as not applicable or desirable for their intended development.

DISCUSSION

Project Overview

The Specific Plan area is located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580. The proposed development applications include amendments to the City's General Plan and Zoning Ordinance, a comprehensive update to the Tracy Hills Specific Plan, a Vesting Tentative Subdivision Map for Phase 1A, a Development Agreement, and a new Storm Drain Master Plan for the entire Specific Plan area. The focus of this staff report is on the proposed update to the Specific Plan (Attachment A: Draft Tracy Hills Specific Plan).

The proposed development totals remain largely unchanged from the 1998 Specific Plan, and still include up to 5,499 residential units in low density neighborhoods with sites near commercial areas identified for high density housing. The Specific Plan also includes over five million square feet of non-residential land uses including office, retail, and light industrial uses, in addition to parks, schools, and open space.

With this update, the City limit line would remain unchanged. However, 3,500 acres of open space/ habitat conservation area is proposed to be removed from the Specific Plan because it is not located within the City limits and not proposed for development or future annexation. This is intended to reduce confusion as to whether or not this area is in the City. It is not common in Tracy to have a Specific Plan include acreage outside of the City limits. These 3,500 acres would remain in the City's Sphere of Influence and continue to be designated as Open Space by the City's General Plan, and held in conservation easements managed by San Joaquin Council of Governments (SJCOG).

Land Use and Zoning

The proposed update to the Specific Plan includes changes such as redesignating portions of Medium Density Residential to Low Density Residential, creating a new zoning district of Mixed Use Business Park (MUBP), and modifying the location of certain zone districts. The MUBP zoning district would primarily replace portions of Light Industrial (M1) and Professional Office Medical (POM). The Professional Office Medical (POM), Neighborhood Shopping (NS), and Village Center (VC) zones would be eliminated, although their uses would be generally incorporated into the MUBP and General Highway Commercial (GHC) zones. Details of the lake and lake lots have been removed because according to the applicant, they are no longer desirable. The area previously designated for a golf course is now envisioned as approximately 180 acres of open space, potentially including a trail system and a Community Park.

Tracy Hills consists of three general areas defined by the physical characteristics of the site. The northern portion between the Delta Mendota Canal and the California Aqueduct is proposed to include light industrial uses and medium density residential, which is the same as approved in the 1998 Specific Plan. Staff is concerned about the

compatibility of the land uses in this northern portion. Prior to development of this area, additional review of the land uses may be warranted. The central portion, south of the California Aqueduct and north of I-580, is planned predominantly for single-family homes with parks and a school site, and mixed-use business park/ commercial retail areas. The “finger” of industrial/ business park property along I-580 raises similar concerns related to land use compatibility. The southern portion, south of I-580, is the area with rolling hills and steeper slopes. The southern portion is planned for residential neighborhoods with parks and schools, a large open space area (180 to 185 acres), and mixed-use business park/ commercial retail areas. A specific concept for land use, circulation, and development of these areas should be further clarified as a requirement in Chapter 5, similar to the additional steps related to open space south of I-580.

Design Guidelines

Included in the proposed Specific Plan is the Chapter 3 Design Guidelines. The Design Guidelines are structured into three main parts: Residential, Mixed Use Business Park Zone District, and Landscape. These Design Guidelines are intended to build-on policies in the City’s General Plan and the City’s Design Goals and Standards. The Residential and Mixed-Use Business Park Design Guidelines would apply Specific Plan-wide. The Landscape Guidelines would also apply Specific Plan-wide, however, implementation details are only illustrated for Phase 1A. Subsequent phases would require additional details prior to approval of any post Phase 1A Tentative Subdivision Map.

The Specific Plan Design Guidelines are intended to ensure that development achieves a high standard of aesthetic quality. As proposed, future development that is subject to first receiving a Development Review permit, which would include approval of architecture for residential subdivisions, would be at the discretionary approval of the Development Services Director, based on findings of compliance with the Specific Plan. This is in contrast to the 1998 Specific Plan and subdivisions in Tracy that are zoned Planned Unit Development (PUD), which require Planning Commission and City Council approval. However, it is similar to the approval process required for the Ellis project and portions of Cordes Ranch.

Design of Phase 1A

The proposed Design Guidelines include details for the development of the Phase 1A area, which consists of approximately 417 acres, generally bordered by the California Aqueduct to the north, Interstate 580 to the south, Corral Hollow Road to the east, and near the future Lammers Road interchange to the west. Such details for the Phase 1A area include the roadway network and neighborhood plan, street sections, edge conditions, parks and landscaping, community monumentation/signage, walls/fences, and lighting. A community gateway icon is planned to be located in the eastern portion of Phase 1A, near the interchange of Corral Hollow Road and I-580. The community gateway icon is conceptually envisioned as a modern barn-like building coupled with an updated windmill structure, intended to convey the agricultural heritage of the project site and serve as a “Welcome Home” center, according to the applicant.

The proposed layout for Phase 1A consists of approximately 1,160 single-family lots with approximately 50 acres of mixed-use business park/ commercial retail area, three public parks, and a school site (Attachment B: Proposed Layout of Phase 1A).

Environmental Document

The City has prepared a Draft Subsequent Environmental Impact Report (EIR) for the Tracy Hills Specific Plan Project (State Clearinghouse No. 2013102053), pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. A Notice of Availability of the EIR was distributed to public agencies and interested parties, which started a 45-day public review and comment period on December 23, 2014. The comment period, which was originally set to end on February 10, 2015, has been extended by 21 days to March 3, 2015, due to public agency requests.

RECOMMENDATION

Staff recommends that the Planning Commission receive this update and conduct a discussion regarding the Tracy Hills project

Prepared by Scott Claar, Associate Planner
Reviewed by Bill Dean, Assistant DS Director
Approved by Andrew Malik, DS Director

ATTACHMENTS

- A: Draft Tracy Hills Specific Plan (provided to Planning Commissioners on February 13, 2015)
- B: Proposed Layout for Phase 1A (provided to Planning Commissioners on February 13, 2015)