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, October 28, 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

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 2015-052 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. NEW BUSINESS

   A. PUBLIC HEARING TO CONSIDER AN APPLICATION FOR AN AMENDMENT TO THE EDGEWOOD CONCEPT DEVELOPMENT PLAN TO PERMIT MULTI-FAMILY RESIDENTIAL USES AND SELF-STORAGE USES AT THE SITE CURRENTLY DESIGNATED NEIGHBORHOOD SHOPPING CENTER AND AN APPLICATION FOR A PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A 144-UNIT APARTMENT COMPLEX AND ASSOCIATED OUTDOOR AREAS. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF CORRAL HOLLOW ROAD AND MIDDLEFIELD DRIVE, ASSESSOR'S PARCEL NUMBERS 244-020-07. THE APPLICANT IS PACIFIC UNION LAND COMPANY, INC. AND PROPERTY OWNER IS EDGEWOOD LANE DEVELOPERS, LP. APPLICATION NUMBERS PUD12-0002 & D13-0017

   B. PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT A 795,732 SQUARE FOOT INDUSTRIAL DISTRIBUTION BUILDING WITH CORRESPONDING PARKING AND LANDSCAPE IMPROVEMENTS LOCATED AT 8450 ARBOR AVENUE - APPLICANT IS DCT INDUSTRIAL OPERATING LLC; OWNERS ARE GREGG AND ROBERT CHRISTENSEN- APPLICATION NUMBER D15-0014

2. ITEMS FROM THE AUDIENCE

3. ITEMS FROM THE COMMISSION

4. ADJOURNMENT

Posted: **October 23, 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.

October 28, 2015

AGENDA ITEM 1-A

REQUEST

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR AN AMENDMENT TO THE EDGEWOOD CONCEPT DEVELOPMENT PLAN TO PERMIT MULTI-FAMILY RESIDENTIAL USES AND SELF-STORAGE USES AT THE SITE CURRENTLY DESIGNATED NEIGHBORHOOD SHOPPING CENTER AND AN APPLICATION FOR A PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A 144-UNIT APARTMENT COMPLEX AND ASSOCIATED OUTDOOR AREAS. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF CORRAL HOLLOW ROAD AND MIDDLEFIELD DRIVE, ASSESSOR'S PARCEL NUMBERS 244-020-07. THE APPLICANT IS PACIFIC UNION LAND COMPANY, INC. AND PROPERTY OWNER IS EDGEWOOD LANE DEVELOPERS, LP. APPLICATION NUMBERS PUD12-0002 & D13-0017

PROJECT BACKGROUND, LOCATION, AND DESCRIPTION

In the mid-1990's, the City Council approved Concept, Preliminary, and Final Development Plans and a subdivision map for the Edgewood Planned Unit Development (PUD) located north of Linne Road between Corral Hollow Road and Tracy Boulevard (Attachment A). Edgewood consists of single-family residences, parks, a school, a multi-family residential site, and a neighborhood shopping center. The subdivision has been built out with only the 10.92-acre site designated for a neighborhood shopping center located at the southeast corner of Corral Hollow Road and Middlefield Drive, across the street from the Waterstone Apartments and adjacent to Don Cose Park.

Subsequently, in 2009, new regulations were adopted by the Airport Land Use Commission (ALUC) of the San Joaquin County Council of Governments (SJCOG) to minimize the public's exposure to excessive noise and safety hazards, as well as ensure that the approaches to airports are kept clear of structures and other conflicts that could pose an aviation safety hazard. Due to the proximity of the site to the Tracy Municipal Airport, the Airport Land Use Compatibility Plan (ALUCP) has identified approximately half of the subject site to be located within two Airport Compatibility Zones that impose land use limitations on new development the site. Attachment B identifies the Airport Compatibility Zones and the land use limitations.

The applicant worked with SJCOG, who administers the ALUCP, to identify appropriate land uses and a site layout that would be compatible with the ALUCP prior to submission of the following applications to the City:

- an amendment to the Edgewood Concept Development Plan (CDP) to permit multi-family residential and self-storage uses at the subject site (Application Number PUD12-0002),
- a tentative parcel map to divide the 10.92-acre site into a 7.36-acre parcel proposed for apartment uses and a 3.56-acre parcel proposed for self-storage uses, which will be acted upon by the City Engineer pending City Council approval of the project (Application Number MS13-0008) (Attachment C), and
- a Preliminary and Final Development Plan (PDP/FDP) for five three-story apartment buildings totaling 144 units and associated recreational and parking

areas (Application Number D13-0017) (Attachment C).

A conceptual design for the self-storage site is shown on the plans for illustrative purposes of this application, and PDP and FDP applications for the self-storage site will be submitted at a future date for approval prior to project construction.

DISCUSSION

Amendment to the Edgewood CDP

As discussed above, the Edgewood PUD designates the subject site for neighborhood shopping uses, which is not a land use permitted within the Airport Compatibility Zones designated in the ALUCP. The amendment to the CDP would permit multi-family residential uses and self-storage uses on the site to allow development to occur in compliance with the ALUCP. The proposal has been deemed by SJCOG to be compatible with the ALUCP provided the site is developed as shown in the proposed site plan.

The multi-family use and design would complement the existing multi-family use across Middlefield Drive. The proposed density is approximately 19.6 du/acre, which is similar to that of the apartment complex across Middlefield Drive built at 19.5 du/acre and three stories in height. At the time the apartment complex across the street was proposed, staff had concerns about the number of stories and the buildings' proximity to the single-family homes. Since the apartments have been constructed and occupied, they have operated successfully and staff has not received complaints regarding their height.

The self-storage use would be convenient for the existing and proposed apartments and nearby single-family homes by providing a storage solution nearby. Staff anticipates that the nearby storage solution would minimize the potential for the use of balconies as storage spaces, which is a practice typical of many apartment building occupants.

The project site is designated Commercial under the General Plan. The proposed multi-family residential and self-storage uses are consistent with the Commercial designation. Such allowance for high density housing within commercially designated property was an outcome of the 2001 General Plan update. Also, the City has, for several decades, allowed multi-family uses within areas in the City zoned General Highway Commercial and Central Business District upon approval of a Conditional Use Permit.

Development Plan and Architecture for Apartments

The proposed development plan consists of five three-story buildings totaling 144 dwelling units, a clubhouse/leasing office, a community pool and spa, a tot lot and barbecue area, and parking facilities with covered parking spaces (Attachment B). The proposed amount of parking for residents and guests and the number of covered spaces is consistent with the requirement in the Tracy Municipal Code Off-Street Parking Ordinance for apartment buildings. Similarly to the apartment complex across the street, the site is designed with parking on the exterior and buildings in the center. This design allows for a buffer between the three-story apartment buildings and the single-family

homes to the east as well as ensuring there are no dwellings located within the Airport Compatibility Zones where dwellings are not permitted.

Two driveways are proposed to serve the site. The full access driveway on Middlefield Drive to serve the apartments aligns with the opening in the medians and with the driveway that serves the apartment complex to the north. A driveway on Corral Hollow Road will be provided to serve both the apartments and the self-storage site. The City's Roadway Master Plan shows Corral Hollow Road will be widened into a six lane major arterial. In the interim, the driveway will have full access onto Corral Hollow Road. When Corral Hollow Road is widened, the driveway will be restricted to right-in, right-out movements, and a right-turn deceleration lane will be constructed to provide for right-turn movements from Corral Hollow Road onto Middlefield Drive. For a portion of the sidewalk, the construction of the right-turn deceleration lane will take the public sidewalk on Corral Hollow Road from its current ten foot width to five feet. The property line location, right-of-way landscaping, and onsite improvements will not be affected by the widening of the roadway.

A pedestrian connection will be provided to the adjacent public park. The path will be paved, lit, and lined with trees to create an inviting entrance. Because the City does not have funds to add improvements to the park side of the pedestrian connection, staff recommends Conditions of Approval E.2 regarding the continuation of the pedestrian path into the park and lighting of the pathway.

The proposed apartment and clubhouse/leasing office buildings are designed to meet the City's Design Goals and Standards for high quality residential architecture. The buildings use a mix of traditional and modern design consisting of horizontal siding and plaster walls in warm colors, metal railings, shingled hip roofs, and split-face block planters. Carports will be comprised of metal painted to match the buildings, and the sound barriers required for some of the carports along Corral Hollow Road will be comprised of split-face block to match the planters.

Tentative Parcel Map

Tentative Parcel Maps are reviewed and acted upon by the City Engineer. Should the City Council approve the CDP amendment and the PDP/FDP for the apartments, the tentative parcel map will be scheduled for action with the City Engineer following Council approval of the project. The Tentative Parcel Map is included at the end of Attachment C for reference.

Residential Growth Allotments

The project will require 144 RGAs for the construction of the 144 proposed dwelling units. The project will be eligible to apply for and receive RGAs per the regulations set forth in the Growth Management Ordinance and Growth Management Ordinance Guidelines after a Final Development Plan is approved. The RGAs will be required prior to the issuance of any building permits.

Parks

Staff has determined that no dedication of park acreage is desired within the proposed project, because there is a 3.8-acre public park immediately adjacent to the project site. Additionally, there is a 3.5-acre public park approximately 0.2 miles from the site and a 4.7-acre public park approximately 0.6 miles from the site. Furthermore, the applicant has provided outdoor recreational areas for use by residents on site. In lieu of providing park land, the applicant would be required to pay the park in-lieu fees to help offset the increase in demand and operation of additional parks. These fees would provide funds for the creation of parks and recreation facilities consistent with the Parks Master Plan and the City's General Plan.

Neighborhood Comments

The applicant held a neighborhood meeting on March 26, 2015. Several neighbors attended to speak with the applicant about the project proposal. According to the applicant, conversations continued to take place after the meeting regarding neighbors' requests. Attachment D is a letter documenting the neighbors' requests and the applicant's voluntary agreement to fulfilling them. The City has not received comments or concerns from other neighbors in addition to those contained in the letter.

Environmental Document

California Environmental Quality Act (CEQA) Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified. As noted above, the proposed project is consistent with the land use designation and densities established by the Tracy General Plan, for which an EIR was certified. The provisions contained in Section 15183 of the CEQA Guidelines are presented in an environmental analysis prepared by De Novo Planning Group (Attachment E). A traffic study was prepared by TJKM (Attachment F) and a Noise Analysis was prepared by Rosen, Goldberg, Der, & Lewitz, Inc. (Attachment G) in support of the environmental analysis.

RECOMMENDATION

Staff recommends that the Planning Commission do the following:

1. Recommend that the City Council approve an amendment to the Edgewood Planned Unit Development CDP to permit multi-family residential and self-storage uses at the 10.92-acre site at the southeast corner of Corral Hollow Road and Middlefield Drive, Assessor's Parcel Number 244-020-07 (Application Number PUD12-0002),
2. Recommend that the City Council approve application number D13-0017 for a PDP/FDP for five three-story apartment buildings totaling 144 dwelling units, subject to the conditions attached as Exhibit "1."

MOTION

Move that the Planning Commission recommend that the City Council do the following:

1. Recommend that the City Council approve an amendment to the Edgewood Planned Unit Development CDP to permit multi-family residential and self-storage uses at the 10.92-acre site at the southeast corner of Corral Hollow Road and Middlefield Drive, Assessor's Parcel Number 244-020-07 (Application Number PUD12-0002)
2. Recommend that the City Council approve application number D13-0017 for a PDP/FDP for five three-story apartment buildings totaling 144 dwelling units, subject to the conditions attached as Exhibit "1."

Prepared by Kimberly Matlock, Associate Planner

Approved by Bill Dean, Assistant Development Services Department Director

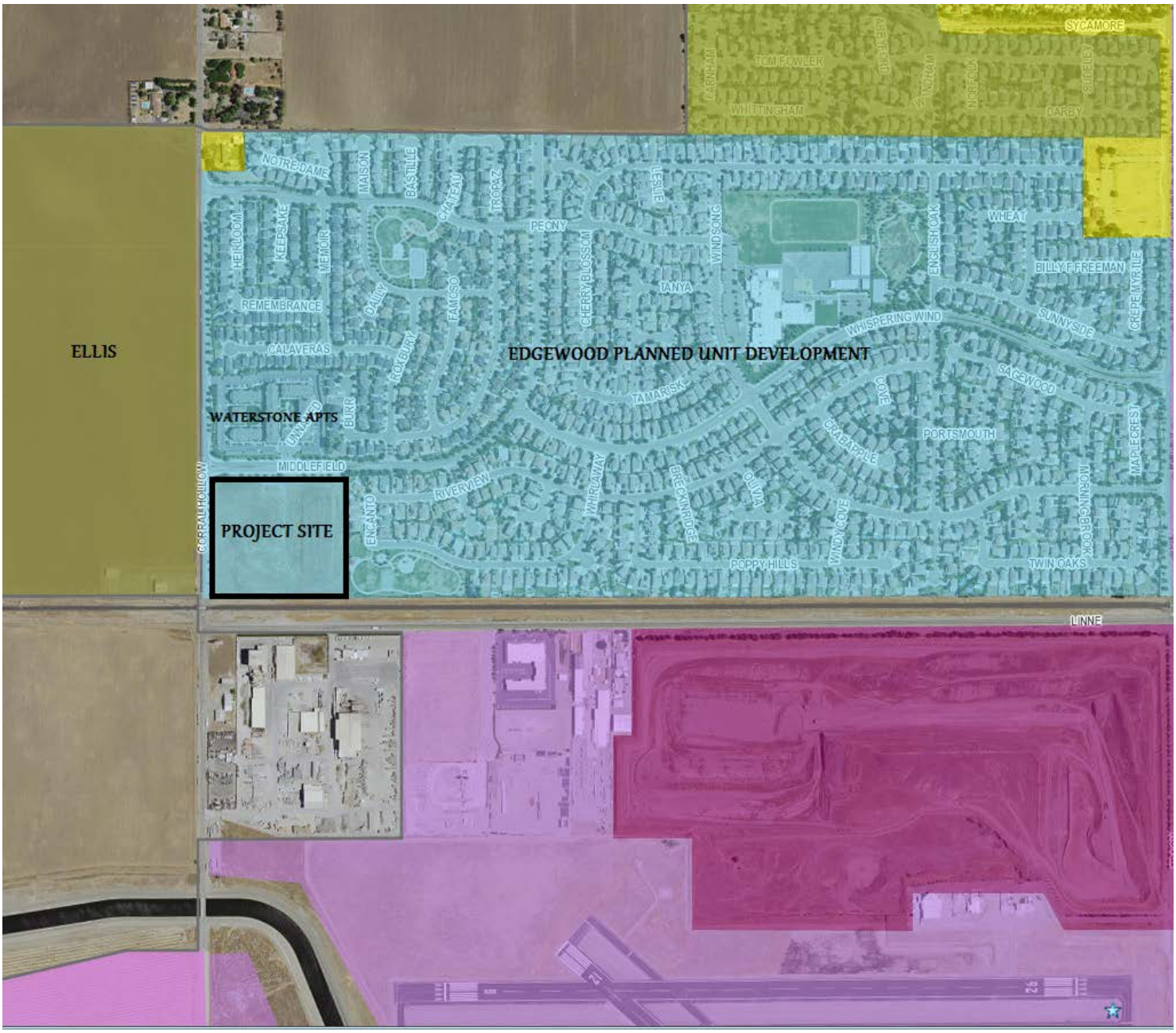
ATTACHMENTS

Attachment A: Location Map
Attachment B: ALUCP Project Review Response
Attachment C: Preliminary and Final Development Plan for Apartments
(Oversized copies provided to the Planning Commission)
- Cover Sheet
- Project Information and Sheet Index
- Site Photos
- Site Plan
- Site Sections
- Aerial View
- Building 1 Perspective
- Clubhouse/Leasing Office Rendering
- Building 1 Floor Plans
- Building 2 Floor Plans
- Clubhouse/Leasing Office Elevations and Floor Plan
- Building 1 Elevations
- Building 2 Elevations
- Carport Perspective; Building Materials and Colors
- Tentative Parcel Map Exhibits (Shown for reference only)
- Landscape Plan

Attachment D: Letter from Neighbors dated June 1, 2015 and Response Letter from Applicant dated June 8, 2015
Attachment E: Environmental Analysis by De Novo Planning Group
Attachment F: Traffic Study by TJKM
Attachment G: Noise Analysis by Rosen, Goldberg, Der, & Lewitz, Inc.
Attachment H: Planning Commission Resolution for CDP Amendment
Attachment I: Planning Commission Resolution for PDP/FDP

ATTACHMENT A

Location Map



ATTACHMENT B

San Joaquin Council of Governments

555 East Weber Avenue ● Stockton, CA 95202 ● (209) 235-0600 ● FAX (209) 235-0438

San Joaquin County Airport Land Use Commission

ALUC RESPONSE TO LOCAL JURISDICTION

To: Bill Dean, Assistant Development and Engineering Services Director, City of Tracy

From: Laura Brunn, Associate Regional Planner, San Joaquin Council of Governments

Date: November 15, 2012

Local Jurisdiction Project Title: Middlefield Dr. Apts. & Storage Facility.

Area of Influence, Airport: Tracy Municipal Airport

Assessor Parcel Number(s): 244-020-31

Safety Criteria Matrix Zones:

Inner Approach Departure Zone (2); Traffic Pattern Zone (7); Inner Turning Zone (3); Airport Influence Area - (8)

Status: Consistent Land Use with Conditions

LAND USE CONSISTENCY REVIEW

The project site is located within the Tracy Municipal Airports (AIA), and pursuant to the State Aeronautics Act (Public Utilities Code Section 21676), the project is subject to a Consistency Determination by the San Joaquin County ALUC. ALUC staff has reviewed the project information received by SJCOG on October 15, 2012. The project includes a PUD application to allow for the construction of a 144 unit apartment complex on the north eastern area of the parcel and an 88,960 sq. ft. storage facility on the southern area of the parcel. The project is located on the southeast corner of Middlefield Drive and Corral Hollow Rd. within the City of Tracy, APN 244-020-31.

The entire project is located within Tracy Municipal Airport's Airport Influence Area (AIA) with portions also within the Traffic Pattern Zone (TPZ), the Inner Turning Zone (ITZ), and Inner Approach Departure Zone (IADZ), as shown in the exhibit located on page four.

Proposed land use designations for the Middlefield Drive Apartments and Self-Storage Facility are consistent with the 2009 Airport Land Use Compatibility Plan's safety zones and development criteria.

The following are standards and project design conditions specific to compliance with the ALUCP and should be carried through as conditions of approval: This is not a mitigation request. These are project design conditions that are required as part of compliance with the 2009 ALUCP:

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:

    - Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs);

    - Sources of dust, steam, or smoke which may impair pilot visibility;

    - Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.

- Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.

2. Within the Inner Approach Departure Zone (2) and the Inner Turning Zone (3):
   - ALUC review is required or any proposed object taller than 35 feet AGL.
   - An Avigation Easement shall be dedicated to the City of Tracy, as the owner of Tracy Municipal Airport, to convey rights associated with aircraft overflight of a property, including creation of noise, limits on the height of structures and trees, etc.
   - All residences and office buildings shall have a minimum NLR of 45 dB

3. Within all zones, occupied structures must be soundproofed to reduce interior noise to 45 dB according to State Guidelines

4. Within the AIA, ALUC review is required for any proposed object taller than 100 feet AGL.

5. Regardless of location within San Joaquin County, ALUC review is required in addition to FAA notification in accordance with Code of Federal Regulations, Part 77 for any proposal for construction or alteration under the following conditions:

   a. If requested by the FAA.
   b. Any construction or alteration that is more than 200 ft. AGL at its site.
   c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at the following slopes:
      i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
   d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
   e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

6. **Deed Notice Requirement**
   For new residential development within any airport's influence area (AIA), deed notices are required per the California Civil Code as well as the San Joaquin County's Airport Land Use Compatibility Plan. These notices are a form of buyer awareness measure whose objective is to ensure that prospective buyers of airport area property, particularly residential property, are informed about the airport's impact on the property. A statement similar to the following should be included on the deed for any real property subject to the deed notice requirements set forth in the San Joaquin County Airport Land Use Compatibility Plan. Such notice should be recorded by the county of San Joaquin. Also, this deed notice should be included on any parcel map, tentative map, or final map for subdivision approval.

   Sample Deed Notice - The San Joaquin County Airport Land Use Commission's Airport Land Use Compatibility Plan identify the Tracy Municipal Airport's Airport Influence Area. Properties within this area are routinely subject to overflights by aircraft using this public-use airport and, as a result, residents may experience inconvenience, annoyance, or discomfort arising from the noise of such operations. State law (Public Utilities Code Section 21670 et seq.) establishes the importance of public-use airports to the public interest of the people of the state of California.

> *Residents of property near such airports should therefore be prepared to accept the inconvenience, annoyance, or discomfort from normal aircraft operations. Residents also should be aware that the current volume of aircraft activity may increase in the future. Any subsequent deed conveying this parcel or subdivisions thereof shall contain a statement in substantially this form.*

Please contact ALUC staff Laura Brunn if you have and questions or comments at (209) 235-0579, or by email at brunn@sjcog.org.

Laura Brunn, SJCOG Associate Regional Planner

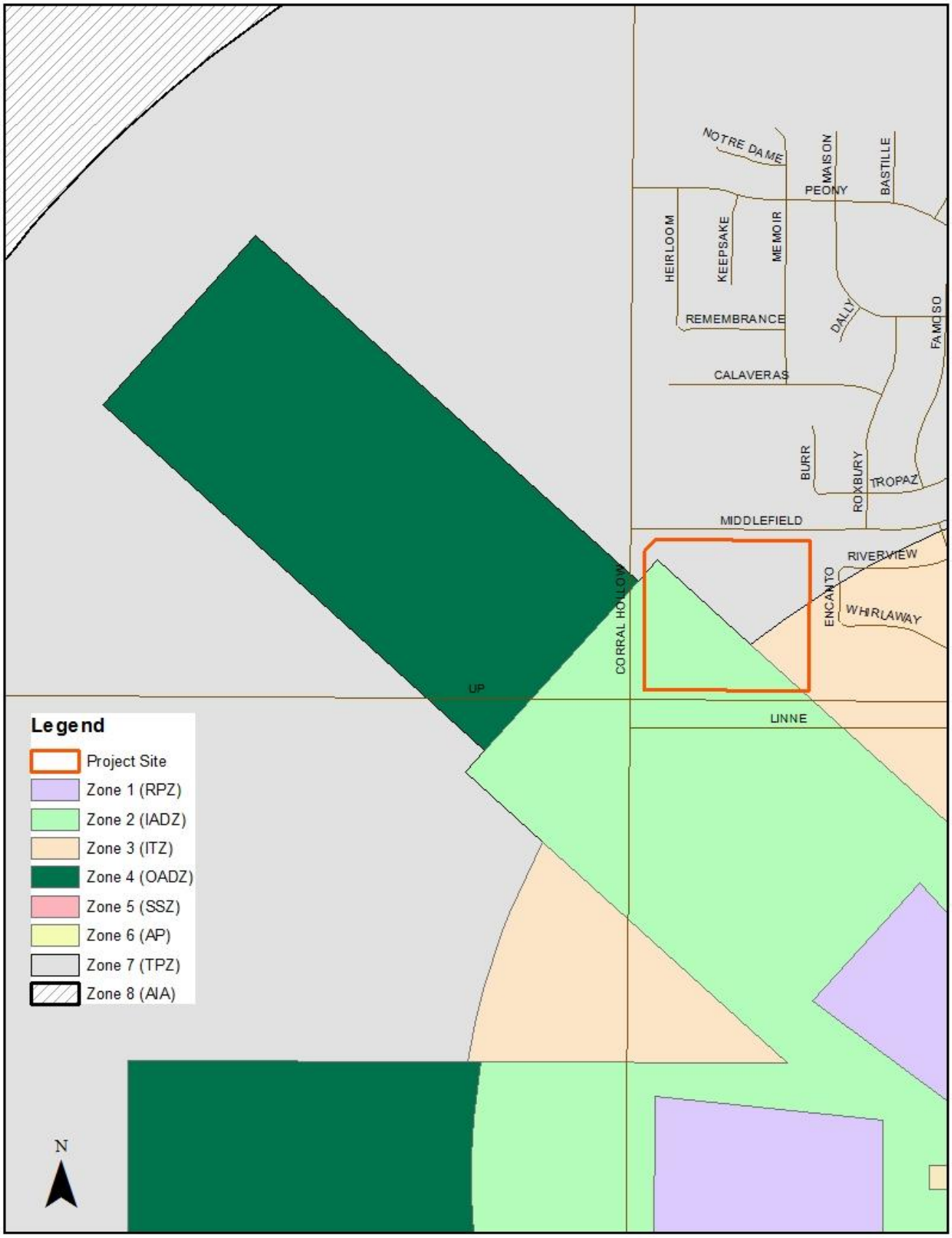

NOTRE DAME
PEONY
MAISON
BASTILLE
HEIRLOOM
KEEPSAKE
MEMOIR
REMEMBRANCE
DALLY
FAMOSO
CALAVERAS
BURR
ROXBURY
TROPAZ
MIDDLEFIELD
RIVERVIEW
ENCANTO
WHIRLAWAY
CORRAL HOLLOW
UP
LINNE
Legend
Project Site
Zone 1 (RPZ)
Zone 2 (IADZ)
Zone 3 (ITZ)
Zone 4 (OADZ)
Zone 5 (SSZ)
Zone 6 (AP)
Zone 7 (TPZ)
Zone 8 (AIA)
N

TABLE 3A
Safety Criteria Matrix

	Maximum Densities/Intensities/Required Open Land			Additional Criteria	
Zone	**Dwelling Units per Acre[1]**	**Maximum Non-residential Intensity[2]**	**Req'd Open Land[3]**	**Prohibited Uses[4]**	**Other Development Conditions[5]**
Zone 1 (RPZ)	None	None	All unused	• All structures except ones with location set by aeronautical function • Assemblages of people • Public & quasi-public services • Objects exceeding FAR Part 77 height limits • Storage of hazardous materials • Chemicals and allied products & storage • Petroleum refining & storage • Electrical & natural gas generation & switching • Oil & gas extraction • Natural gas & petroleum pipelines[11] • Dumps or landfills, other than those consisting entirely of earth & rock. • Hazards to flight[6]	• Avigation easement dedication
Zone 2 (IADZ)	1 d.u. per 10 acres	50 persons per acre	30%	• Residential, except for very low residential • Manufacturing and industrial uses • Chemicals and allied products & storage • Petroleum refining & storage • Rubber & plastics • Passenger terminals & stations • Radio, TV & Telephone centers • Electrical & natural gas generation & switching • Oil & gas extraction • Natural gas & petroleum pipelines[11] • Petroleum truck terminals • Businesses & personal services • Hotels, motels, restaurants • Public & quasi-public services • Children's schools, day care centers, libraries • Hospitals, nursing homes • Places of worship • Schools • Recreational uses, athletic fields, playgrounds, & riding stables • Theaters, auditoriums, & stadiums • Dumps or landfills, other than those consisting entirely of earth & rock. • Waterways that create a bird hazard • Hazards to flight[6]	• Avigation easement dedication • Locate structures maximum distance from extended runway centerline • Minimum NLR of 45 dB residences (including mobile homes) and office buildings[8] • Airspace review required for objects > 35 feet tall[9]
Zone 3 (ITZ)	1 d.u. per 5 acres	120 persons per acre	20%	Same as Zone 2	• Same as zone 2
Zone 4 (OADZ)	1 d.u. per 5 acres	180 persons per acre	20%	• Children's schools, day care centers, libraries • Hospitals, nursing homes • Bldgs. with >3 aboveground habitable floors • Highly noise-sensitive outdoor nonresidential uses7 • Hazards to flight[6]	• Minimum NLR of 25 dB in residences (including mobile homes) and office buildings[8] • Airspace review required for objects >70 feet tall[10]

Via Hand Delivery

June 1, 2015

City Council and Planning Commission
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

RE: Proposed Edgewood Apartments (Middlefield Drive/Corral Hollow Road)

Dear Mayor Maciel, Council Members Robert Rickman, Nancy Young, Veronica Vargas, Mary Mitracos and Planning Commission Members Robert Tanner, Rhodesia Ransom, Jass Sangha, Pete Mitracos, Joseph Orcutt,

There is an empty lot on the corner of Middlefield Drive and Corral Hollow Road (Edgewood subdivision) which was originally zoned commercial/retail when we moved in over 10 years ago. Now Pacific Union Land Company would like to re-zone the property and build apartments and self-storage units. We would like to show our support of the proposed project provided the following changes agreed upon with the developer are made:

- Trash enclosures moved – NO trash enclosures along the back side of the our fence near carport (four properties: 4697 – 4677 – 4657 Encanto Lane and 1861 Riverview Ave)

- Masonry wall replacing our wood fence – to be the same height as existing wood fence. The color of the wall will be beige in color (or similar) to match our homes. The wall will be in place prior to construction beginning.

- The placement of the trees – as far away from our property line as possible: 10 feet (or more). We are concerned about the winds we get that blow east ….. requiring clean-up and more maintenance of the debris from the trees. We will also have input of the type of trees going in.

    - For properties 4697 and 4677 Encanto Lane, we would like smaller trees – something less than 25 feet high if possible.
    - For properties 4657 Encanto Lane and 1861 Riverview Ave, we would like medium size trees.
    - The following is a list of trees we would like to see:

        1. Palm Trees
        2. Fern Pine
        3. Crape Myrtle
        4. Eastern Redbud
        5. Emerald Sunshine Elm
        6. Pyramidal European Hornbeam

- Open carports – NOT enclosed. We feel the enclosed carports will harbor unwanted activity as there will be a hidden space from public view between our wall and the carport.

- Cleaning of windows for all four properties (4697 – 4677 – 4657 Encanto Lane and 1861 Riverview Ave) – 2 to 3 times during the construction period (depending on how long the construction period is for), and one final time after construction is over. Reason we are asking is because of the west to east winds we receive. These winds will blow a good amount of dust towards our properties. While we know there will be steps taken to minimize the dust, we anticipate some debris because of the strong winds we get.

In closing, we do support this project provided the above five bulleted items are met. We would like you to consider requiring the developer to incorporate these changes into their design plans or have these as conditions of approval. Doing so would put our minds at ease and help us welcome this change in our neighborhood.

Thank you for your consideration and taking the time to listen to our concerns.

Sincerely,

Bonnie Hernandez

Dan & Roberta Faris
4697 Encanto Lane

Luis & Bonnie Hernandez
4677 Encanto Lane

Phil & Kathy Oliva
4657 Encanto Lane

Rick Curd
1861 Riverview Avenue

(Out of State) signing on their behalf for Phil & Kathy Oliva (BH)

cc: Chris Garwood, Union Pacific

PACIFIC
UNION

June 8, 2015

City Council and Planning Commission
City of Tracy
Via email to Kimberly Matlock, Assistant Planner

Re: Middlefield Apartments and Self-Storage Project
Application Numbers PUD12-0002, D13-0017, and MS13-008

Dear Members of the Planning Commission and City Council:

Attached please find a letter of support from the four neighbors who own property directly adjacent to the proposed project referenced above.

The project applicant, Edgewood Land Developers LP, is willing to agree to their requested conditions, subject to the City's review and approval.

Sincerely,

Bruce Myers
Vice President of Land Development

675 Hartz Avenue, Suite 300, Danville, California 94526 • Tel 925.314.3800 • Fax 925.314.3853

ATTACHMENT E

CEQA 15183 ANALYSIS

FOR THE

TRACY MIDDLEFIELD APARTMENTS AND SELF-STORAGE PROJECT

SEPTEMBER 2015

Prepared for:

City of Tracy
Department of Development Services
333 Civic Center Plaza
Tracy, CA 95376

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 949-3231

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INTRODUCTION

The following pages provide a brief analysis of the proposed Middlefield Apartments and Self-Storage Facility Project (project) with respect to the project's consistency with the City of Tracy General Plan, the analysis contained in the General Plan EIR, and any site-specific environmental impacts or cumulative impacts that may result from project implementation.

As explained in the following pages, the proposed project is consistent with the City's General Plan, for which an EIR was prepared and certified, and there are no site-specific or cumulative impacts associated with the proposed project that have not been fully addressed in a previous environmental document, or that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards. The findings presented below demonstrate that no additional environmental analysis is required under the California Environmental Quality Act (CEQA) prior to approval of the proposed project.

PROJECT OVERVIEW

The subject property consists of a vacant 10.92-acre parcel located southeast of the intersection of Corral Hollow Road and Middlefield Drive (Assessor's Parcel Number 244-020-31). As shown on Figure 1, the project proposes to develop 144 multi-family residential apartment units on a 7.36-acre parcel (Parcel 1) on the northern portion of the site, and approximately 6 self-storage buildings on a 3.56-acre parcel (Parcel 2) on the southern portion of the site. The residential component would include an on-site leasing office, five residential apartment buildings at 3 stories in height, common open space and landscaping areas, and 284 parking spaces. Access to the residential portion of the site would be provided by a driveway located on Corral Hollow Road, along the western boundary of the site, and by a driveway located on Middlefield Drive, along the northern boundary of the site, as shown on Figure 1.

The self-storage component would include a leasing office, and six linear, freestanding storage buildings totaling approximately 89,000 square feet, as shown on Figure 1. Access to the self-storage area would be provided via an entrance from Corral Hollow Road, near the northwest corner of Parcel 2, and via a second gated entrance near the northeast corner of Parcel 2, which would be accessible from the residential area proposed within Parcel 1.

The City Tracy General Plan land use designation for the project site is Commercial (C) and the site is zoned Planned Unit Development (PUD) on the City of Tracy Zoning Map. The Commercial (C) land use designation, as described in the Tracy General Plan Land Use Element, allows for appropriately scaled and designed residential development in the density ranges permitted in the Residential High (RH) land use category. Residential densities ranging from 12.1 to 25 dwelling units per gross acre are permitted within the Residential High (RH) land use category. The project proposes a residential density of 19.5 dwelling units per gross acre, which is within the permitted density range established for the Commercial land use designation in the Tracy General Plan. The applicant's proposal also includes a Concept Development Plan (CDP) amendment to permit high-density residential and self-storage on the site.

The surrounding area includes single-family residential neighborhoods to the north and east (General Plan designation of Residential Low), a multi-family apartment building complex (Waterstone Apartments) to the north of the project site, past Middlefield Drive (General plan designation of Residential High), and a recently annexed residential project (Ellis) to the west. A variety of industrial buildings (General Plan designation of Industrial) exist just to the south of the site, beyond the Union Pacific railroad (UPRR) track and Linne Road. The UPRR track is approximately 400 feet south of the proposed driveway on Corral Hollow Road, and is an active line, serving Altamont Commuter Express (ACE) users daily. The Tracy Municipal Airport (General Plan designation of Public Facilities) is also located south of project site, beyond the existing industrial area. An elementary school (Anthony Traina Elementary) is located approximately 750 yards (0.4 miles) to the northeast. There is also a small park containing a tennis court and a jungle gym immediately adjacent to the east (Don Cose Park).

PREVIOUS ENVIRONMENTAL ANALYSES OF THE PROPOSED PROJECT

One previous environmental analysis has been prepared and certified which is applicable to the proposed project.

On February 1, 2011, the City adopted a new General Plan and certified the associated General Plan EIR (SCH# 2008092006). The proposed project would be consistent with the General Plan designation of Commercial and the residential density range of 12.1 to 25 dwelling units per gross acre, as described above. The proposed self-storage uses on Parcel 2 are an allowed use in the Commercial land use designation established by the Tracy General Plan. The General Plan EIR assumed full development and buildout of the project site, consistent with the uses and residential densities proposed by the project. The cumulative impacts associated with buildout of the City of Tracy General Plan, including the project site, were fully addressed in the General Plan EIR.

CEQA Guidelines Section 15183 Exemptions

California Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 allow a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified. As noted above, the proposed project is consistent with the land use designation and densities established by the Tracy General Plan, for which an EIR was certified. The provisions contained in Section 15183 of the CEQA Guidelines are presented below.

15183. PROJECTS CONSISTENT WITH A COMMUNITY PLAN OR ZONING

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

(b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

(1) Are peculiar to the project or the parcel on which the project would be located,

(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,

(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.

(d) This section shall apply only to projects which meet the following conditions:

(1) The project is consistent with:

(A) A community plan adopted as part of a general plan,

(B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or

(C) A general plan of a local agency, and

(2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

(e) This section shall limit the analysis of only those significant environmental effects for which:

(1) Each public agency with authority to mitigate any of the significant effects on the environment identified in the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and

(2) The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

(f) An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have

been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county, but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance. Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decision-making body of the city or county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in this section.

(g) Examples of uniformly applied development policies or standards include, but are not limited to:

(1) Parking ordinances.

(2) Public access requirements.

(3) Grading ordinances.

(4) Hillside development ordinances.

(5) Flood plain ordinances.

(6) Habitat protection or conservation ordinances.

(7) View protection ordinances.

(8) Requirements for reducing greenhouse gas emissions, as set forth in adopted land use plans, policies, or regulations.

(h) An environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is applicable to it.

(i) Where the prior EIR relied upon by the lead agency was prepared for a general plan or community plan that meets the requirements of this section, any rezoning action consistent with the general plan or community plan shall be treated as a project subject to this section.

(1) "Community plan" is defined as a part of the general plan of a city or county which applies to a defined geographic portion of the total area included in the general plan, includes or references each of the mandatory elements specified in Section 65302 of the

Government Code, and contains specific development policies and implementation measures which will apply those policies to each involved parcel.

(2) For purposes of this section, "consistent" means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.

(j) This section does not affect any requirement to analyze potentially significant offsite or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant offsite or cumulative impact was adequately discussed in the prior EIR, then this section may be used as a basis for excluding further analysis of that offsite or cumulative impact.

Project-Specific Environmental Review

The attached Environmental Checklist includes a discussion and analysis of any peculiar or site-specific environmental impacts associated with construction and operation of the proposed project. The Environmental Checklist identifies the applicable City of Tracy development standards and policies that would apply to the proposed project during both the construction and operational phases, and explains how the application of these uniformly applied standards and policies would ensure that no peculiar or site-specific environmental impacts would occur.

Conclusion

As described above, the proposed Middlefield Apartments and Self-Storage Facility Project is consistent with the land use designations and development intensities assigned to the project site by the City of Tracy General Plan. Cumulative impacts associated with development and buildout of the project site, as proposed, were fully addressed in the City of Tracy General Plan EIR (SCH# 2008092006). Since the proposed project is consistent with the land use designation and development intensity for the site identified in the General Plan and analyzed in the General Plan EIR, implementation of the proposed project would not result in any new or altered cumulative impacts beyond those addressed in the General Plan EIR.

The analysis in the attached CEQA Environmental Checklist demonstrates that there are no site-specific or peculiar impacts associated with the project, and identifies uniformly applied standards and policies that would be applied to the project. The Project Requirements identified in the attached environmental analysis include measures that must be implemented by the proposed project in order to ensure that any site-specific impacts or construction-related impacts are reduced to a less than significant level. All Project Requirements identified in the attached Environmental Checklist shall be made a condition of project approval, and shall be implemented within the timeframes identified.

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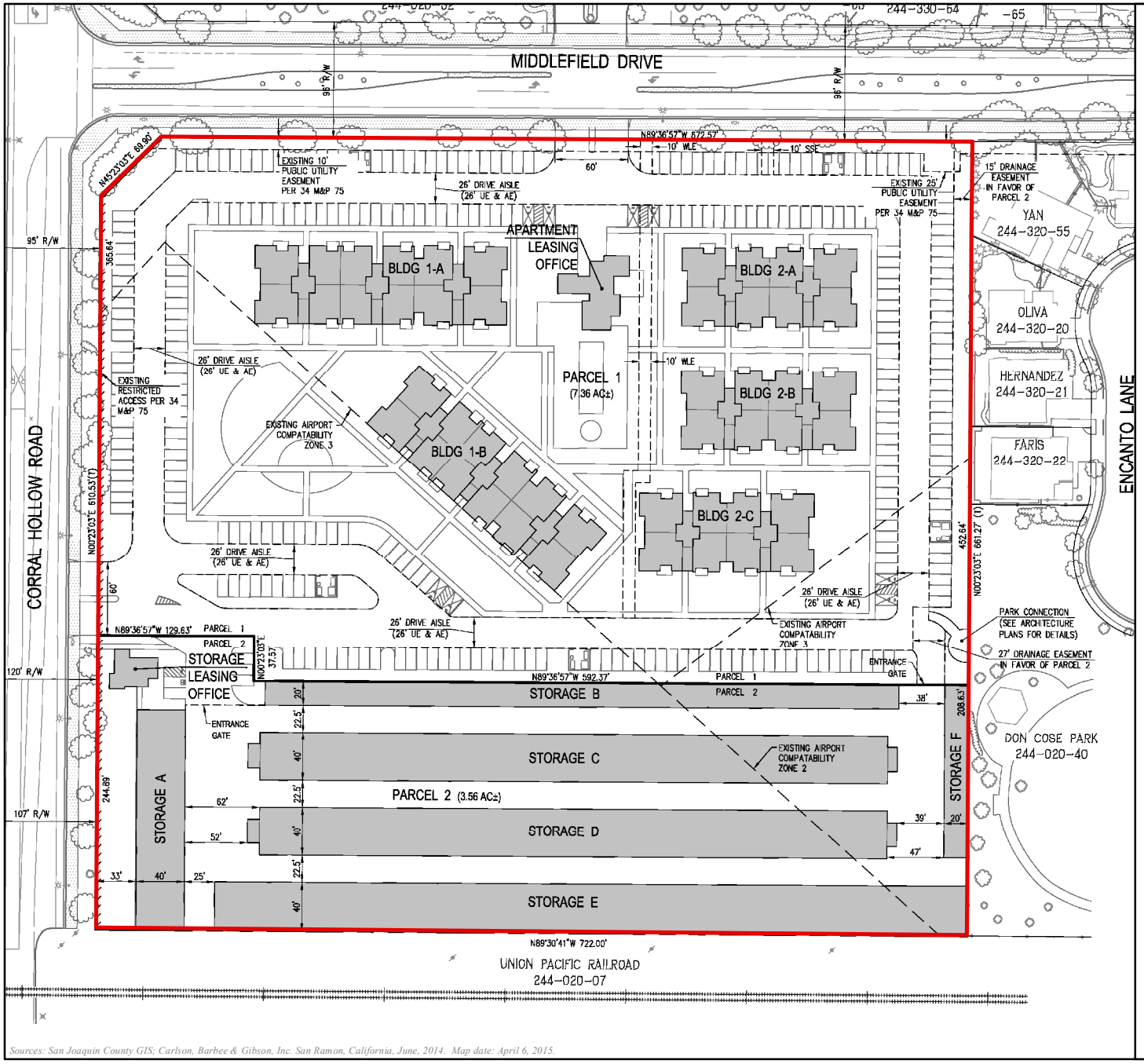
TRACY MIDDLEFIELD APARTMENTS PROJECT

Figure 1: Site Plan



Legend

Project Boundary

N

0 50 100

Feet

Sources: San Joaquin County GIS; Carlson, Barbee & Gibson, Inc. San Ramon, California, June, 2014. Map date: April 6, 2015.

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ENVIRONMENTAL CHECKLIST

I. AESTHETICS -- WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Have a substantial adverse effect on a scenic vista?			*X*	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			*X*	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			*X*	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			*X*	

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. There are no scenic vistas located on or adjacent to the project site. The proposed project is considered an infill project, and the proposed uses on the site are consistent and compatible with the surrounding land uses. The surrounding area includes single-family residential neighborhoods to the north and east (General Plan designation of Residential Low and zoning of PUD), a multi-family apartment building to the north (General plan designation of Residential High and zoning of PUD), and the Tracy Municipal Airport bordering on the south (General Plan Designation of Public Facilities and zoning of Light Industrial). An elementary school (Anthony Traina Elementary) is located approximately 750 yards (0.4 miles) to the northeast. The adjacent area to the west is a recently annexed residential project (Ellis). There is also a Union Pacific Railroad (UPRR) track along the southern boundary of the subject property, which provides regular Altamont Corridor Express (ACE) train service.

Implementation of the proposed project would provide for additional residential and commercial development on a project site that is bordered by similarly scaled development to the north, east, and south, as described above. The project site is not topographically elevated from the surrounding lands, and is not highly visible from areas beyond the immediate vicinity of the site. There are no prominent features on the site, such as trees, rock outcroppings, or other visually distinctive features that contribute to the scenic quality of the site. The project site is not designated as a scenic vista by the City of Tracy General Plan.

Implementation of the proposed project would not significantly change the existing visual character of the project area, as much of the areas immediately adjacent to the site to the north and east are used for residential purposes, and lands to the south of the site are industrial in

nature. The proposed site plan would place self-storage units on the southern portion of the site, which would provide a visual screen and buffer between the existing industrial uses to the south and the proposed residential uses on the northern portion of the site.

Implementation of the proposed project would introduce residential and commercial development to the project area, and would be generally consistent with the surrounding residential and industrial development. Therefore, this impact is considered **less than significant**.

Response b): Less than Significant. As described in the Tracy General Plan EIR**,** there are two Officially Designated California Scenic Highway segments in the Tracy Planning Area, which extend a total length of 16 miles. The first designated scenic highway is the portion of I-580 between I-205 and I-5, which offers views of the Coast Range to the west and the Central Valley's urban and agricultural lands to the east. The second scenic highway is the portion of I-5 that starts at I-205 and continues south to Stanislaus County, which allows for views of the surrounding agricultural lands and the Delta-Mendota Canal and California Aqueduct.

The scenic portion of the I-580 highway runs approximately 1.5 miles from the project site (at its closest point, to the southwest). The project is not highly visible from this highway, blending into the surrounding existing land uses and terrain. Additionally, the project is not at all visible along any scenic section of I-5. Development of the proposed project would not result in the removal of any trees, rock outcroppings, or buildings of historical significance, and would not result in changes to any of the viewsheds from the designated scenic highways in the vicinity of the City of Tracy. Therefore, there is a **less than significant impact**.

Response c): Less than Significant. As described under Response a), above, the proposed project would add additional residential and commercial uses to an area that currently contains numerous residential and industrial uses. The proposed project would be visually compatible with the surrounding residential land uses and would not significantly degrade the existing visual quality of the site or the surrounding area. Additionally, the project will comply with City standards, including, but not limited to, the City's Design Goals and Standards, which would ensure that the exterior facades of the proposed residential and commercial structures, streetscape improvements and exterior lighting improvements are compatible with the surrounding land uses. This is a **less than significant** impact.

Response d): Less than Significant. Daytime glare can occur when the sunlight strikes reflective surfaces such as windows, vehicle windshields and shiny reflective building materials. The proposed project would introduce new residential and commercial structures into the project site, however, reflective building materials are not proposed for use in the project, and as such, the project would not result in increases in daytime glare. The residential streets within the project area would have street lights that comply with City standards and are consistent with lighting in the surrounding residential areas. Exterior lighting at the self-storage units must comply with all design standards contained in the Tracy Municipal Code, which include requirements to reduce light spillage from the property site. Due to compliance with these standards, the potential nighttime lighting impacts would be **less than significant**.

II. AGRICULTURE AND FOREST RESOURCES: WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. The project site is underlain by soils that are considered prime farmland soils by the California Department of Conservation, Farmland Mapping and Monitoring Program and the USDA Soil Conservation Service.

Development of the site for urban uses and the subsequent removal of prime farmland soil for agricultural use was taken into consideration in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the loss of prime agricultural land resulting from adoption of the General Plan and certification of the General Plan EIR.

The proposed project is identified for urban land uses in the Tracy General Plan. The proposed project is consistent with the overriding considerations that were adopted for the General Plan. As such, implementation of the proposed project would not create new impacts over and above those identified in the General Plan Final EIR, nor significantly change previously identified impacts.

As required by Requirement 1, the project applicant must pay the applicable agricultural mitigation fee for each acre of farmland to be developed, in compliance with Chapter 13.28, Agricultural Mitigation Fee, of the Tracy Municipal Code. The fees are collected and

administered by the City before the issuance of building permits, and used for acquiring farmland, farmland conservation easements or farmland deed restrictions from willing sellers.

The implementation of Requirement 1 would reduce this impact to a **less than significant** level.

Project Requirements

Requirement 1*: Prior to the issuance of building permits for the project, the applicant shall pay the applicable agricultural mitigation fee for each acre of farmland to be developed, as determined by the City, in compliance with Chapter 13.28, Agricultural Mitigation Fee, of the Tracy Municipal Code.*

Response b): No Impact. The project site is not under a Williamson Act Contract, nor are any of the parcels immediately adjacent to the project site under a Williamson Act Contract. Therefore, implementation of the proposed project would not conflict with a Williamson Act Contract. The project site is currently zoned Planned Unit Development (PUD) by the City's Zoning Map. As such, the proposed project would not conflict with any agricultural zoning or Williamson Act Contract. There is **no impact**.

Responses c) and d): No Impact. The project site is located in an area predominantly consisting of residential development. There are no forest resources on the project site or in the vicinity of the project site. Therefore, there is **no impact**.

Response e): No Impact. As described under Responses (a) and (b) above, the proposed project site is not currently designated or zoned for agricultural uses. The project site is also not currently used for agricultural purposes. There is **no impact** related to this environmental topic.

III. AIR QUALITY -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

EXISTING SETTING

The project site is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the San Joaquin Valley Air Basin (SJVAB) and has jurisdiction over most air quality matters within its borders.

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b), c): Less than Significant. Air quality emissions would be generated during construction of the proposed project and during operation of the proposed project. Operational emissions would come primarily from vehicle emissions from vehicle trips generated by the proposed project. Construction-related air quality impacts and operational air quality impacts are addressed separately below.

Construction-Related Emissions

The SJVAPCD's approach to analysis of construction impacts is to require implementation of effective and comprehensive control measures, rather than to require detailed quantification of emission concentrations for modeling of direct impacts. PM10 emitted during construction can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors, making quantification difficult. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM10 emissions from construction activities. The SJVAPCD has determined that compliance with Regulation VIII for all sites and implementation of all other control measures

indicated in Tables 6-2 and 6-3 of the *Guide for Assessing and Mitigating Air Quality Impacts* (as appropriate) would constitute sufficient mitigation to reduce PM10 impacts to a level considered less than significant.

Construction would result in numerous activities that would generate dust. The fine, silty soils in the project area and often strong afternoon winds exacerbate the potential for dust, particularly in the summer months. Grading, leveling, earthmoving and excavation are the activities that generate the most particulate emissions. Impacts would be localized and variable. The initial phase of project construction would involve grading and leveling the project site and installation of supporting underground infrastructure, such as water, sewer, storm drain, and electrical lines.

Construction activities that could generate dust and vehicle emissions are primarily related to grading and other ground-preparation activities in order to prepare the project site for the construction of the proposed project.

Control measures are required and enforced by the SJVAPCD under Regulation VIII. The SJVAPCD considers construction-related emissions from all projects in this region to be mitigated to a **less than significant** level if SJVAPCD-recommended PM10 fugitive dust rules and equipment exhaust emissions controls are implemented. The following standard requirements shall be imposed upon the project during all phases of construction to reduce the potential for construction-related emissions.

Project Requirements

Requirement 2*: Prior to the commencement of grading activities, the City shall require the contractor hired to complete the grading activities to prepare a construction emissions reduction plan that meets the requirements of SJVAPCD Rule VIII. The construction emissions reductions plan shall be submitted to the SJVAPCD for review and approval. The City of Tracy shall ensure that all required permits from the SJVAPCD have been issued prior to commencement of grading activities. The construction emissions reduction plan should include the following requirements and measures:*

- *Properly and routinely maintain all construction equipment, as recommended by manufacturer's manuals, to control exhaust emissions.*
- *Shut down equipment when not in use for extended periods of time, to reduce exhaust emissions associated with idling engines.*
- *Encourage ride-sharing and use of transit transportation for construction employees commuting to the project site.*
- *Use electric equipment for construction whenever possible in lieu of fossil fuel-powered equipment.*
- *Curtail construction during periods of high ambient pollutant concentrations.*
- *Construction equipment shall operate no longer than eight cumulative hours per day.*
- *All construction vehicles shall be equipped with proper emission control equipment and kept in good and proper running order to reduce NOx emissions.*

- *On-road and off-road diesel equipment shall use aqueous diesel fuel if permitted under manufacturer's guidelines.*
- *On-road and off-road diesel equipment shall use diesel particulate filters if permitted under manufacturer's guidelines.*
- *On-road and off-road diesel equipment shall use cooled exhaust gas recirculation (EGR) if permitted under manufacturer's guidelines.*
- *Use of Caterpillar pre-chamber diesel engines or equivalent shall be utilized if economic and available to reduce NOx emissions.*
- *All construction activities within the project site shall be discontinued during the first stage smog alerts.*
- *Construction and grading activities shall not be allowed during first stage ozone alerts. (First stage ozone alerts are declared when ozone levels exceed 0.20 ppm for the 1-hour average.)*

Implementation of the above requirements shall occur during all grading or site clearing activities. The SJVAPCD shall be responsible for monitoring.

***Requirement 3**: The following standard requirements, in addition to those required under Regulation VIII of the SJVAPCD, shall be implemented by the Project's contractor during all phases of project grading and construction to reduce fugitive dust emissions:*

- *Water previously disturbed exposed surfaces (soil) a minimum of three-times/day or whenever visible dust is capable of drifting from the site or approaches 20 percent opacity.*
- *Water all haul roads (unpaved) a minimum of three-times/day or whenever visible dust is capable of drifting from the site or approaches 20 percent opacity.*
- *All access roads and parking areas shall be covered with asphalt-concrete paving or water sprayed regularly.*
- *Dust from all on-site and off-site unpaved access roads shall be effectively stabilized by applying water or using a chemical stabilizer or suppressant.*
- *Reduce speed on unpaved roads to less than 15 miles per hour.*
- *Install and maintain a trackout control device that meets the specifications of SJVAPCD Rule 8041 if the site exceeds 150 vehicle trips per day or more than 20 vehicle trips per day by vehicles with three or more axles.*
- *Stabilize all disturbed areas, including storage piles, which are not being actively utilized for construction purposes using water, chemical stabilizers or by covering with a tarp, other suitable cover or vegetative ground cover.*
- *Control fugitive dust emissions during land clearing, grubbing, scraping, excavation, leveling, grading or cut and fill operations with application of water or by presoaking.*
- *When transporting materials offsite, maintain a freeboard limit of at least six inches and over or effectively wet to limit visible dust emissions.*
- *Limit and remove the accumulation of mud and/or dirt from adjacent public roadways at the end of each workday. (Use of dry rotary brushes is prohibited except when preceded or accompanied by sufficient wetting to limit visible dust emissions and the use of blowers is expressly forbidden.)*
- *Remove visible track-out from the site at the end of each workday.*

- *Cease grading activities during periods of high winds (greater than 20 mph over a one-hour period).*
- *Asphalt-concrete paving shall comply with SJVAPCD Rule 4641 and restrict use of cutback, slow-sure, and emulsified asphalt paving materials.*

Implementation of the above requirements shall occur during all grading or site clearing activities. The SJVAPCD shall be responsible for monitoring.

Operational Emissions

For the purposes of this operational air quality analysis, actions that violate Federal standards for criteria pollutants (i.e., primary standards designed to safeguard the health of people considered to be sensitive receptors while outdoors and secondary standards designed to safeguard human welfare) are considered significant impacts. Additionally, actions that violate State standards developed by the California Air Resources Board (CARB) or criteria developed by the SJVAPCD, including thresholds for criteria pollutants, are considered significant impacts. Projects that would generate 10 tons per year of either ROG or NOx are considered to have a potentially significant air quality impact. The SJVAPCD has also established a threshold of 15 tons per year for PM10. The San Joaquin Valley Air Basin is classified as a nonattainment area for ozone. In order to achieve the Federal and State standards of ozone, it is necessary to regulate ROG and NOx, which contribute to the formation of ozone. This includes both direct and indirect emissions.

Emissions were estimated using the approach included in the CalEEMod (v.2013.2.2) computer program. The CalEEMod model is used to calculate construction and operational emissions associated with land development projects, and includes EPA, SJVAPCD, and CARB emissions factors embedded within it.

Rule 9510 Indirect Source Review

District Rule 9510 requires developers of large residential, commercial and industrial projects to reduce smog-forming (NOx) and particulate (PM10 and PM2.5) emissions generated by their projects. The Rule applies to projects which, upon full build-out, will include 50 or more residential units. Project developers are required to reduce:

- 20 percent of construction-exhaust nitrogen oxides;
- 45 percent of construction-exhaust PM10;
- 33 percent of operational nitrogen oxides over 10 years; and
- 50 percent of operational PM10 over 10 years.

Developers are encouraged to meet these reduction requirements through the implementation of on-site mitigation; however, if the on-site mitigation does not achieve the required baseline emission reductions, the developer will mitigate the difference by paying an off-site fee to the District. Fees reduce emissions by helping to fund clean-air projects in the District.

The project would be an indirect source of air pollutants, in that it would attract and cause an increase in vehicle trips in the region. Table 1 shows the new auto emissions from vehicle trips that would result from the proposed project. The San Joaquin Valley Air Pollution Control District has established a threshold of significance for ozone precursors of 10 tons per year, and 15 tons per year has been assumed to represent a significant impact for PM10.

Table 1: Total Project Generated Emissions at Full Buildout

	EMISSIONS (TONS/YEAR)						
	ROG	NOX	CO	SO2	PM10	PM2.5	CO2e
Area Source Emissions	1.30	0.03	2.44	0.01	0.23	0.23	97.2
Energy Emissions	0.01	0.09	0.05	<0.01	<0.01	<0.01	392.0
Mobile Source Emissions	0.87	2.90	9.65	0.02	1.33	0.38	1619.6
Total Operational Emissions	**2.18**	**3.03**	**12.14**	**0.03**	**1.56**	**0.62**	**2267.50[1]**
SJVAPCD Threshold	10	10	--	--	15	--	--
Above SJCAPCD Threshold?	No	No	NA	NA	No	NA	NA

Emissions were calculated using the CalEEMod (v.2013.2.2) computer program. Assumes total buildout of the proposed project.

[1]Includes CO2e emissions from water and waste sources in addition to the operational sources identified above.

As shown in the table above, project generated emissions are below the SJVAPCD thresholds for ROG, NOx and PM10. As such, the project would result in **less than significant** air quality impacts. However, regardless of the emissions totals presented above, the project is still subject to the requirements of SJVAPCD Rule 9510, which requires developers of large residential, commercial and industrial projects to reduce smog-forming (NOx) and particulate (PM10 and PM2.5) emissions generated by their projects.

Project Requirements

Requirement 4: *Prior to the issuance of the first building permit, the project applicant shall coordinate with the SJVAPCD to verify that the project meets the requirements of District Rule 9510, which is aimed at the following reductions:*

- *20 percent of construction-exhaust nitrogen oxides;*
- *45 percent of construction-exhaust PM10;*
- *33 percent of operational nitrogen oxides over 10 years; and*
- *50 percent of operational PM10 over 10 years.*

The project applicant shall coordinate with SJVAPCD to develop measures and strategies to reduce operational emissions from the proposed project. If feasible measures are not available to meet the emissions reductions targets outlined above, then the project applicant may be required to pay an in-lieu mitigation fee to the SJVAPCD to off-set project-related emissions impacts. If in-lieu fees are required, the project applicant shall coordinate with the SJVAPCD to calculate the amount of the fees required to off-set project impacts.

Response d): Less than Significant. Sensitive receptors are those parts of the population that can be severely impacted by air pollution. Sensitive receptors include children, the elderly, and the infirm. The nearest sensitive receptor to the project site is Anthony Traina Elementary School, located at 4256 Windsong Drive, within ½ mile of the project site. As shown in Table 1 above, the proposed project would not generate significant emissions of criteria air pollutants and would not result in substantial pollutant concentrations. This is a **less than significant** impact.

Response e): Less than Significant. Operation of the proposed project would not generate notable odors. The residential component of the project is compatible with the surrounding land uses. Occasional mild odors may be generated during landscaping maintenance (equipment exhaust), but the residential component of the project would not otherwise generate odors. The commercial component of the project includes self-storage units. This type of land use generally does not produce odors, as no manufacturing, processing, cooking, or other odor-generating activities would occur. This is a **less than significant** impact.

IV. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant.

Special-status invertebrates that occur within the San Joaquin County region include: longhorn fairy shrimp, vernal pool fairy shrimp, and midvalley fairy shrimp, which requires vernal pools and swale areas within grasslands; and the valley elderberry longhorn beetle, which is an insect that is only associated with blue elderberry plants, oftentimes in riparian areas and sometimes on land in the vicinity of riparian areas. The biological site conditions and the potential for the presence of special-status species were assessed by De Novo Planning Group's staff biologist on March 15, 2015.

The project site does not contain essential habitat for these special status invertebrates. Implementation of the proposed project would have a **less than significant** impact on these species.

Special-status reptiles and amphibians that occur within the region include: the western pond turtle, which requires aquatic environments located along ponds, marshes, rivers, and ditches; the California tiger salamander, which is found is grassland habitats where there are nearby seasonal wetlands for breeding; the silvery legless lizard, which is found in sandy or loose loamy soils under sparse vegetation with high moisture content; San Joaquin whipsnake, which requires open, dry habitats with little or no tree cover with mammal burrows for refuge; the Alameda whipsnake, which is restricted to valley-foothill hardwood habitat on south-facing slopes; the California horned lizard, which occurs in a variety of habitats including, woodland, forest, riparian, and annual grasslands, usually in open sandy areas; the foothill yellow-legged frog, which occurs in partly shaded and shallow streams with rocky soils; the California red legged frog, which occurs in stream pools and ponds with riparian or emergent marsh vegetation; and the western spadefoot toad, which requires grassland habitats associated with vernal pools. The biological site conditions and the potential for the presence of special-status species were assessed by De Novo Planning Group's staff biologist on March 15, 2015. The project site does not contain essential habitat for these special status reptiles and amphibians. Implementation of the proposed project would have a **less than significant** impact on these species.

Numerous special-status plant species are known to occur in the region. Many of these special status plant species require specialized habitats such as serpentine soils, rocky outcrops, slopes, vernal pools, marshes, swamps, riparian habitat, alkali soils, and chaparral, which are not present on the project site. The project site is located in an area that was likely valley grassland prior to human settlement, and there are several plant species that are found in valley and foothills grasslands areas. These species include large-flowered fiddleneck, bent-flowered fiddleneck, big-balsamroot, big tarplant, round-leaved filaree, Lemmon's jewelflower, and showy golden madia. Human settlement has involved a high frequency of ground disturbance associated with the historical farming activities in the region, including the project site. The biological site conditions and the potential for the presence of special-status species were assessed by De Novo Planning Group's staff biologist on March 15, 2015. The project site does not contain suitable habitat for special-status plant species. Implementation of the proposed project would have a **less than significant** impact on these species.

Special-status birds that occur within the region include: tricolored blackbird, Swainson's hawk, northern harrier, and bald eagle, which are associated with streams, rivers, lakes, wetlands, marshes, and other wet environments; loggerhead shrike, and burrowing owl, which lives in open areas, usually grasslands, with scattered trees and brush; and raptors that are present in varying habitats throughout the region. The biological site conditions and the potential for the presence of special-status species and raptors were assessed by De Novo Planning Group's staff biologist on March 15, 2015.

Swainson's Hawk. The Swainson's hawk is threatened in California and is protected by the California Department of Fish and Game (CDFG) and the Migratory Bird Treaty Act (MBTA). Additionally, Swainson's hawk foraging habitat is protected by the CDFG. Swainson's hawks forage in open grasslands and agricultural fields and commonly nest in solitary trees and

riparian areas in close proximity to foraging habitat. The foraging range for Swainson's hawk is ten miles from its nesting location. There are numerous documented occurrences of Swainson's hawk within ten miles of the project site. Although no nesting habitat for this species occur onsite, Swainson's hawks are present within the vicinity of the project site. The site and the surrounding open non-native grassland habitat to the west will provide medium quality foraging opportunities for local Swainson's hawks. Incidental take minimization measures are not required for this species due to the fact that there is no suitable nesting habitat on the project site. As such, impacts to Swainson's hawk are **less than significant** and no mitigation is required.

Burrowing Owls. Burrowing owls are a California Species of Special Concern and are protected by the CDFG and the MBTA. Burrowing owls forage in open grasslands and shrublands and typically nest in old ground squirrel burrows. The project site contains suitable, but not high-quality habitat for burrowing owls. The project site is adjacent to other lands that are currently undeveloped that offer foraging and roosting habitat for wintering or breeding owls. Impacts to burrowing owls are considered unlikely, due to the presence of urban development surrounding the site to the north, south, and east. The implementation of Requirement 5 would ensure that burrowing owls are not impacted during construction activities. The implementation of Requirement would ensure a **less than significant** impact to burrowing owls.

Project Requirements

Requirement 5: *Prior to the commencement of grading activities or other ground disturbing activities on the project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for western burrowing owls. If no owls or owl nests are detected, then construction activities may commence. If burrowing owls or occupied nests are discovered, then the following shall be implemented:*

- *During the breeding season (February 1 through September 1) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the SJCOG Technical Advisory Committee (TAC), with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed. They should only be destroyed by a qualified biologist using passive one-way eviction doors to ensure that owls are not harmed during burrow destruction. Methods for removal of burrows are described in the California Department of Fish and Game's Staff Report on Burrowing Owls (October, 1995)*

- *During the non-breeding season (September 1 through January 31) burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (Oct., 1995)*

Implementation of this requirement shall occur prior to grading or site clearing activities. SJCOG shall be responsible for monitoring and a qualified biologist shall conduct surveys and relocate owls as required.

Responses b): No Impact. Riparian natural communities support woody vegetation found along rivers, creeks and streams. Riparian habitat can range from a dense thicket of shrubs to a closed canopy of large mature trees covered by vines. Riparian systems are considered one of the most important natural resources. While small in total area when compared to the state's size, they provide a special value for wildlife habitat.

Over 135 California bird species either completely depend upon riparian habitats or use them preferentially at some stage of their life history. Riparian habitat provides food, nesting habitat, cover, and migration corridors. Another 90 species of mammals, reptiles, invertebrates and amphibians depend on riparian habitat. Riparian habitat also provides riverbank protection, erosion control and improved water quality, as well as numerous recreational and aesthetic values.

There is no riparian habitat or other sensitive natural communities located on the project site. As such, the proposed project would have **no impact** on these resources, and no mitigation is required.

Response c): Less than Significant. A wetland is an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wetlands are defined by regulatory agencies as having special vegetation, soil, and hydrology characteristics. Hydrology, or water inundation, is a catalyst for the formation of wetlands. Frequent inundation and low oxygen causes chemical changes to the soil properties resulting in what is known as hydric soils. The prevalent vegetation in wetland communities consists of hydrophytic plants, which are adapted to areas that are frequently inundated with water. Hydrophytic plant species have the ability to grow, effectively compete, reproduce, and persist in low oxygen soil conditions.

Below is a list of wetlands that are found in the Tracy planning area:

- Farmed Wetlands: This category of wetlands includes areas that are currently in agricultural uses. This type of area occurs in the northern portion of the Tracy Planning Area.

- Lakes, Ponds and Open Water: This category of wetlands includes both natural and human-made water bodies such as that associated with working landscapes, municipal water facilities and canals, creeks and rivers.

- Seasonal Wetlands: This category of wetlands includes areas that typically fill with water during the wet winter months and then drain enough to become ideal plant

habitats throughout the spring and summer. There are numerous seasonal wetlands throughout the Tracy Planning Area.

- Tidal Salt Ponds and Brackish Marsh: This category of wetlands includes areas affected by irregular tidal flooding with generally poor drainage and standing water. There are minimal occurrences along some of the larger river channels in the northern portion of the Tracy Planning Area.

There are no wetlands located on the project site. Therefore, this is a **less than significant** impact and no mitigation is required.

Response d): Less than Significant. The CNDDB record search did not reveal any documented wildlife corridors or wildlife nursery sites on or adjacent to the project site. Implementation of the proposed project would have a **less than significant** impact.

Responses e), f): Less than Significant. The project site is located within the jurisdiction of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ("Plan" or "SJMSCP") and is located within the Central/Southwest Transition Zone of the SJMSCP. The San Joaquin Council of Governments (SJCOG) prepared the Plan pursuant to a Memorandum of Understanding adopted by SJCOG, San Joaquin County, the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG), Caltrans, and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy in October 1994. On February 27, 2001, the Plan was unanimously adopted in its entirety by SJCOG. The City of Tracy adopted the Plan on November 6, 2001.

According to Chapter 1 of the SJMSCP, its key purpose is to "provide a strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy; preserving landowner property rights; providing for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA); providing and maintaining multiple use Open Spaces which contribute to the quality of life of the residents of San Joaquin County; and, accommodating a growing population while minimizing costs to project proponents and society at large."

In addition to providing compensation for conversion of open space to non-open space uses, which affect plant and animal species covered by the SJMSCP, the SJMSCP also provides some compensation to offset impacts of open space conversions on non-wildlife related resources such as recreation, agriculture, scenic values and other beneficial open space uses. Specifically, the SJMSCP compensates for conversions of open space to urban development and the expansion of existing urban boundaries, among other activities, for public and private activities throughout the County and within Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy.

Participation in the SJMSCP is voluntary for both local jurisdictions and project applicants. Only agencies adopting the SJMSCP would be covered by the SJMSCP. Individual project applicants have two options if their project is located in a jurisdiction participating in the SJMSCP:

mitigating under the SJMSCP or negotiating directly with the state and/or federal permitting agencies. If a project applicant opts for SJMSCP coverage in a jurisdiction that is participating under the SJMSCP, the following options are available, unless their activities are otherwise exempted: pay the appropriate fee; dedicate, as conservation easements or fee title, habitat lands; purchase approved mitigation bank credits; or, propose an alternative mitigation plan.

Responsibilities of permittees covered by the SJMSCP include collection of fees, maintenance of implementing ordinances/resolutions, conditioning permits (if applicable), and coordinating with the Joint Powers Authority (JPA) for Annual Report accounting. Funds collected for the SJMSCP are to be used for the following: acquiring Preserve lands, enhancing Preserve lands, monitoring and management of Preserve lands in perpetuity, and the administration of the SJMSCP. Because the primary goal of SJMSCP is to preserve productive agricultural use that is compatible with SJMSCP's biological goals, most of the SJMSCP's Preserve lands would be acquired through the purchase of easements in which landowners retain ownership of the land and continue to farm the land. These functions are managed by SJCOG.

The proposed project is classified as Urban Habitat under the SJMSCP. The proposed project was analyzed for consistency with the SJMSCP by De Novo Planning Group, and it was determined that the proposed project would not conflict with the SJMSCP. The City of Tracy and the project applicant shall consult with SJCOG to utilize coverage of the project pursuant to the SJMSCP prior to development of the site. Therefore, this is a **less than significant** impact.

Project Requirements

Requirement 6: *Prior to development of the site, including the commencement of grading activities, the City of Tracy and the project applicant shall consult with SJCOG to utilize coverage of the project pursuant to the SJMSCP.*

V. CULTURAL RESOURCES -- WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

RESPONSES TO CHECKLIST QUESTIONS

Response a), b), c), d): Less than Significant. A review of literature maintained by the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus identified that no previously identified prehistoric period cultural resources are known within, or within a 1/4 mile radius of the project site. Additionally, there are no known unique paleontological or archeological resources known to occur on, or within the immediate vicinity of the project site. Therefore, it is not anticipated that site grading and preparation activities would result in impacts to cultural, historical, archaeological or paleontological resources. There are no known human remains located on the project site, nor is there evidence to suggest that human remains may be present on the project site.

However, as with most projects in California that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and historical resource or human remains.

The implementation of Requirement 7 would require appropriate steps to preserve and/or document any previously undiscovered resources that may be encountered during construction activities, including human remains. Implementation of this requirement would reduce this impact to a **less than significant** level.

Project Requirements

Requirement 7: *If any prehistoric or historic artifacts, human remains or other indications of archaeological resources are found during grading and construction activities, an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be consulted to evaluate the finds and recommend appropriate mitigation measures.*

- *If cultural resources or Native American resources are identified, every effort shall be made to avoid significant cultural resources, with preservation an important goal. If significant sites cannot feasibly be avoided, appropriate mitigation measures, such as data recovery excavations or photographic documentation of buildings, shall be undertaken consistent with applicable state and federal regulations.*
  - *If human remains are discovered, all work shall be halted immediately within 50 meters (165 feet) of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.*
  - *If any fossils are encountered, there shall be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified.*

VI. GEOLOGY AND SOILS -- WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation***	***Less Than Significant Impact***	***No Impact***
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

RESPONSES TO CHECKLIST QUESTIONS

Responses a.i), a.ii): Less than Significant. The project site is located in an area of moderate to high seismicity. No known active faults cross the project site, and the site is not located within an Alquist-Priolo Earthquake Fault Zone, however, relatively large earthquakes have historically occurred in the Bay Area and along the margins of the Central Valley. Many earthquakes of low magnitude occur every year in California. The nearest earthquake fault zoned as active by the State of California Geological Survey is the Black Butte Fault, located approximately 3.4 miles to the west of the site. However, the Black Butte fault is not considered an active fault that would trigger evaluation under the Alquist-Priolo Earthquake Fault Zoning Act. Other active and potentially active faults near the project site include the San Joaquin fault,

4.4 miles south of the site, the Midway fault, 4.5 miles west, and Corral Hollow-Carnegie fault zone, 6.4 miles southwest.

Active faults capable of producing significant ground shaking at the site include the Calaveras, approximately 25 miles southwest; the Hayward fault, approximately 28 miles west; the Ortigalita fault, approximately 30 miles southwest; and the San Andreas Fault, approximately 50 miles southwest of the site. Any one of these faults could generate an earthquake capable of causing strong ground shaking at the subject site. Earthquakes of Moment Magnitude (Mw) 7 and larger have historically occurred in the region and numerous small magnitude earthquakes occur every year.

Since there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Special Study Zone, the potential for ground rupture at the site is considered low.

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region and along the margins of the central valley could cause considerable ground shaking at the site, similar to that which has occurred in the past. In order to minimize potential damage to the proposed structures caused by groundshaking, all construction would comply with the latest California Building Code standards, as required by the City of Tracy Municipal Code 9.04.030.

Seismic design provisions of current building codes generally prescribe minimum lateral forces, applied statically to the structure, combined with the gravity forces of dead-and-live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than the comparable forces that would be associated with a major earthquake. Therefore, structures should be able to: (1) resist minor earthquakes without damage, (2) resist moderate earthquakes without structural damage but with some nonstructural damage, and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

Implementation of the California Building Code standards, which include provisions for seismic building designs, would ensure that impacts associated with groundshaking would be **less than significant**. Building new structures for human use would increase the number of people exposed to local and regional seismic hazards. Seismic hazards are a significant risk for most property in California.

The Safety Element of the Tracy General Plan includes several goals, objectives and policies to reduce the risks to the community from earthquakes and other geologic hazards. In particular, the following policies would apply to the project site:

> **SA-1.1, Policy P1:** Underground utilities, particularly water and natural gas mains, shall be designed to withstand seismic forces.
>
> **SA-1.1, Policy P2:** Geotechnical reports shall be required for development in areas where potentially serious geologic risks exist. These reports should address the degree of hazard, design parameters for the project based on the hazard, and appropriate mitigation measures.

> **SA-1.2, Policy P1:** All construction in Tracy shall conform to the California Building Code and the Tracy Municipal Code including provisions addressing unreinforced masonry buildings.

Implementation of the requirements of the California Building Code and the Tracy General Plan would ensure that impacts on humans associated with seismic hazards would be **less than significant**. No additional mitigation is required.

Responses a.iii), c), d): Less than Significant. Liquefaction normally occurs when sites underlain by saturated, loose to medium dense, granular soils are subjected to relatively high ground shaking. During an earthquake, ground shaking may cause certain types of soil deposits to lose shear strength, resulting in ground settlement, oscillation, loss of bearing capacity, landsliding, and the buoyant rise of buried structures. The majority of liquefaction hazards are associated with sandy soils, silty soils of low plasticity, and some gravelly soils. Cohesive soils are generally not considered to be susceptible to liquefaction. In general, liquefaction hazards are most severe within the upper 50 feet of the surface, except where slope faces or deep foundations are present.

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Expansive soils shrink and swell in volume during changes in moisture content, such as a result of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections.

Prior to development of the project site, a subsurface geotechnical investigation must be performed to identify onsite soil conditions and identify any site-specific engineering measures to be implemented during the construction of building foundations and subsurface utilities. Adherence to the engineering requirements contained in the subsurface geotechnical report would ensure that this impact is **less than significant**.

Project Requirements

Requirement 8: *Prior to development of the project site, a subsurface geotechnical investigation must be performed to identify onsite soil conditions and indentify any site-specific engineering measures to be implemented during the construction of building foundations and subsurface utilities.*

Responses a.iv): Less than Significant. The project site is relatively flat and there are no major slopes in the vicinity of the project site. As such, the project site is exposed to little or no risk associated with landslides. This is a **less than significant** impact and no mitigation is required.

Response b): Less than Significant. Construction and site preparation activities associated with development of the project site include grading for the construction of the proposed project. During the construction preparation process, existing vegetation would be removed to

grade and compact the project site, as necessary. As construction occurs, these exposed surfaces could be susceptible to erosion from wind and water. Effects from erosion include impacts on water quality and air quality. Exposed soils that are not properly contained or capped increase the potential for increased airborne dust and increased discharge of sediment and other pollutants into nearby stormwater drainage facilities. Risks associated with erosive surface soils can be reduced by using appropriate controls during construction and properly revegetating exposed areas. Project Requirement 3 requires the implementation of various dust control measures during site preparation and construction activities that would reduce the potential for soil erosion and the loss of topsoil. Additionally, Project Requirement 9 would require the implementation of various best management practices (BMPs) that would reduce the potential for disturbed soils and ground surfaces to result in erosion and sediment discharge into adjacent surface waters during construction activities. The implementation of these requirements would reduce these impacts to a **less than significant** level and no additional mitigation is required.

Response e): No Impact. The project site would be served by public wastewater facilities and does not require an alternative wastewater system such as septic tanks. Implementation of the proposed project would have **no impact** on this environmental issue.

XII. GREENHOUSE GAS EMISSIONS – WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?			X	

BACKGROUND DISCUSSION

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring greenhouse gases include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, solely a product of industrial activities. Although the direct greenhouse gases CO_2, CH_4, and N_2O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three greenhouse gases have increased globally by 40, 150, and 20 percent, respectively (IPCC 2013)[1].

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs).

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Energy Commission 2014) [2]. In California, the transportation

[1] Intergovernmental Panel on Climate Change. 2013. "Climate Change 2013: The Physical Science Basis, Summary for Policymakers." http://www.climatechange2013.org/images/report/WG1AR5_SPM_FINAL.pdf

[2] California Energy Commission. 2014. California Greenhouse Gas Emission Inventory. http://www.arb.ca.gov/cc/inventory/inventory_current.htm

sector is the largest emitter of GHGs, followed by electricity generation (California Energy Commission 2014).

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California produced 459 million gross metric tons of carbon dioxide equivalents ($MMTCO_2e$) in 2012 (California Energy Commission 2014). By 2020, California is projected to produce 509 $MMTCO_2e$ per year.[3]

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2004, accounting for 40.7% of total GHG emissions in the state (California Energy Commission 2006a). This category was followed by the electric power sector (including both in-state and out of-state sources) (22.2%) and the industrial sector (20.5%) (California Energy Commission 2014).

EFFECTS OF GLOBAL CLIMATE CHANGE

The effects of increasing global temperature are far-reaching and extremely difficult to quantify. The scientific community continues to study the effects of global climate change. In general, increases in the ambient global temperature as a result of increased GHGs are anticipated to result in rising sea levels, which could threaten coastal areas through accelerated coastal erosion, threats to levees and inland water systems and disruption to coastal wetlands and habitat.

If the temperature of the ocean warms, it is anticipated that the winter snow season would be shortened. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of supply for the state. The snowpack portion of the supply could potentially decline by 70% to 90% by the end of the 21st century (Cal EPA 2006)[4]. This phenomenon could lead to significant challenges securing an adequate water supply for a growing state population. Further, the increased ocean

[3] California Air Resources Board. 2015. "2020 Business-as-Usual (BAU) Emissions Projection *2014 Edition*". http://www.arb.ca.gov/cc/inventory/data/bau.htm

[4] California Environmental Protection Agency, Climate Action Team. 2006. Climate Action Team Report to Governor Schwarzenegger and the Legislature.
http://www.climatechange.ca.gov/climate_action_team/reports/

temperature could result in increased moisture flux into the state; however, since this would likely increasingly come in the form of rain rather than snow in the high elevations, increased precipitation could lead to increased potential and severity of flood events, placing more pressure on California's levee/flood control system.

Sea level has risen approximately seven inches during the last century and it is predicted to rise an additional 22 to 35 inches by 2100, depending on the future GHG emissions levels (Cal EPA 2006). If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion and disruption of wetlands (Cal EPA 2006). As the existing climate throughout California changes over time, mass migration of species, or failure of species to migrate in time to adapt to the perturbations in climate, could also result. Under the emissions scenarios of the Climate Scenarios report (Cal EPA 2006), the impacts of global warming in California are anticipated to include, but are not limited to, the following.

Public Health

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation are projected to increase from 25% to 35% under the lower warming range and to 75% to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures will increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Water Resources

A vast network of man-made reservoirs and aqueducts capture and transport water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snow pack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snow pack, increasing the risk of summer water shortages.

The state's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta, a major state fresh water supply. Global warming is also projected to seriously affect agricultural areas, with California farmers projected to lose as much as 25% of the water supply they need; decrease the potential for

hydropower production within the state (although the effects on hydropower are uncertain); and seriously harm winter tourism. Under the lower warming range, the snow dependent winter recreational season at lower elevations could be reduced by as much as one month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing, snowboarding, and other snow dependent recreational activities.

If GHG emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snow pack by as much as 70% to 90%. Under the lower warming scenario, snow pack losses are expected to be only half as large as those expected if temperatures were to rise to the higher warming range. How much snow pack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snow pack would pose challenges to water managers, hamper hydropower generation, and nearly eliminate all skiing and other snow-related recreational activities.

Agriculture

Increased GHG emissions are expected to cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. Although higher carbon dioxide levels can stimulate plant production and increase plant water-use efficiency, California's farmers will face greater water demand for crops and a less reliable water supply as temperatures rise.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures are likely to worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits and nuts, and milk.

Crop growth and development will be affected, as will the intensity and frequency of pest and disease outbreaks. Rising temperatures will likely aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

In addition, continued global warming will likely shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Should range contractions occur, it is likely that new or different weed species will fill the emerging gaps. Continued global warming is also likely to alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

Global warming is expected to alter the distribution and character of natural vegetation thereby resulting in a possible increased risk of large wildfires. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which

is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the state. For example, if precipitation increases as temperatures rise, wildfires in southern California are expected to increase by approximately 30% toward the end of the century. In contrast, precipitation decreases could increase wildfires in northern California by up to 90%.

Moreover, continued global warming will alter natural ecosystems and biological diversity within the state. For example, alpine and sub-alpine ecosystems are expected to decline by as much as 60% to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests is also expected to decrease as a result of global warming.

Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures will increasingly threaten the state's coastal regions. Under the higher warming scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant.

Development of the site for urban uses and the corresponding generation of GHG emissions associated with buildout of the Tracy General Plan, including the project site, was taken into consideration in the City of Tracy General Plan and General Plan EIR. As described in Chapter 3 of the 2010 Recirculation Supplemental General Plan Draft EIR, the Tracy General Plan and Sustainability Action Plan include policies and measures to reduce GHG emissions, supporting the State's emission reduction targets and other environmental goals. In total, it is estimated that measures in the General Plan and Sustainability Action Plan would reduce 2020 business-as-usual (BAU) GHG emissions by between 382,422 and 486,115 metric tons CO2e. Although the General Plan and Sustainability Action Plan include many goals, policies, and measures that would reduce GHG emissions from projected BAU levels, the Tracy General Plan would not meet the San Joaquin Valley Air Pollution Control District's threshold of a 29 percent reduction in GHG emissions from BAU projected emissions. Therefore, the General Plan and Sustainability Action Plan would result in a significant GHG emission impact.

On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the significant generation of GHG emissions resulting from adoption of the General Plan.

The proposed project is identified for urban land uses in the Tracy General Plan. The proposed project is consistent with the overriding considerations that were adopted for the General Plan and the established mitigation measures under that Plan. As such, implementation of the

proposed project would not create new impacts over and above those identified in the General Plan EIR, nor significantly change previously identified impacts.

Response b): Less than Significant. The City of Tracy recently adopted the Tracy Sustainability Action Plan. The Sustainability Action Plan includes programs and measures to reduce GHGs through community and municipal operations. Programs and measures contained in the Sustainability Action Plan that relate to the proposed project include, but are not limited to:

Measure E-1: Implement California Green Building Standards, as contained in Title 24, Part 11, CCR.

Measure T-5 c and d: Which promote the use of alternative transportation measures, including bikes and pedestrian travel, by providing connections to existing bike and pedestrian facilities.

Measure E-2 e: Requiring energy efficient exterior lighting.

The City of Tracy will require the project to fully implement all applicable requirements of the Sustainability Action Plan. For example, the proposed project would be constructed in compliance with the California Green Building Standards, and would install energy efficient exterior lighting. Implementation of the requirements of the Sustainability Action Plan, and other relevant policies in the Tracy General Plan represent the application of uniformly applied measures aimed at reducing GHG emissions from new development projects. This is a **less than significant** impact.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. The proposed project would place new residential and commercial uses in an area of the City that currently contains predominantly residential, industrial, and agricultural uses. The proposed residential land uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common residential grade hazardous materials such as household cleaners, paint, etc. The proposed self-storage uses would not permit the storage of hazardous materials at the storage facilities, and items/materials stored at the facility would be similar to items commonly found in households and small-scale commercial businesses. The

operational phase of the proposed project does not pose a significant hazard to the public or the environment. Implementation of the proposed project would have a **less than significant** impact relative to this issue.

Response c): Less than Significant. The project site is located within ½ mile of Anthony Traina Elementary School, which is located northeast of the project site at 4256 Windsong Drive. As described under Response a), above, the project would not involve the use, storage, transport or handling of hazardous materials, beyond those commonly found in typical residential areas. The residential and commercial uses proposed as part of the project would not expose school children at Anthony Taina Elementary to substantial pollutant concentrations, hazardous materials, or other significant hazards. Residential and self-storage commercial uses are compatible with school uses in close proximity. This is a **less than significant** impact and no mitigation is required.

Response d): Less than Significant. According the California Department of Toxic Substances Control (DTSC) there are no Federal Superfund Sites, State Response Sites, or Voluntary Cleanup Sites on, or in the vicinity of the project site. This is a **less than significant** impact, and no mitigation is required.

Responses e), f): Less than Significant. The Federal Aviation Administration (FAA) establishes distances of ground clearance for take-off and landing safety based on such items as the type of aircraft using the airport.

The Tracy Municipal Airport is the closest airport to the project site, located approximately ¼ mile to the south (at its closest point). The Airport is a general aviation airport owned by the City and managed by the Public Works Department. The project site is located within the Tracy Municipal Airports (AIA), and pursuant to the State Aeronautics Act (Public Utilities Code Section 21676), the project is subject to a Consistency Determination by the San Joaquin County ALUC.

The entire project is located within Tracy Municipal Airport's Airport Influence Area (AIA) with portions also within the Traffic Pattern Zone (TPZ), the Inner Turning Zone (ITZ), and Inner Approach Departure Zone (IADZ).

ALUC staff has reviewed the project information received by SJCOG on October 15, 2012. In the letter issued by ALUC staff on November 15, 2015 (Laura Brunn, SJCOG Associate Regional Planner), the San Joaquin ALUC determined that the proposed land use designations for the Middlefield Drive Apartments and Self-Storage Facility are consistent with the 2009 Airport Land Use Compatibility Plan's safety zones and development criteria.

The following are standards and project design conditions specific to compliance with the ALUCP and are carried through as conditions of approval, as these are project design conditions that are required as part of compliance with the 2009 ALUCP:

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:

- Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs);
- Sources of dust, steam, or smoke which may impair pilot visibility;
- Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
- Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.

2. Within the Inner Approach Departure Zone (2) and the Inner Turning Zone (3):

- ALUC review is required or any proposed object taller than 35 feet AGL.
- An Avigation Easement shall be dedicated to the City of Tracy, as the owner of Tracy Municipal Airport, to convey rights associated with aircraft overflight of a property, including creation of noise, limits on the height of structures and trees, etc.
- All residences and office buildings shall have a minimum NLR of 45 dB

3. Within all zones, occupied structures must be soundproofed to reduce interior noise to 45 dB according to State Guidelines

4. Within the AIA, ALUC review is required for any proposed object taller than 100 feet AGL.

5. Regardless of location within San Joaquin County, ALUC review is required in addition to FAA notification in accordance with Code of Federal Regulations, Part 77 for any proposal for construction or alteration under the following conditions:

a. If requested by the FAA.

b. Any construction or alteration that is more than 200 ft. AGL at its site.

c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at the following slopes:

i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.

d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards

e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

There are no private airstrips within the vicinity of the project site. Safety hazards related to the project's proximity to the Tracy Municipal Airport are **less than significant,** and no additionally mitigation, beyond the ALUC compliance requirements identified above, is required.

Response g): No Impact. The General Plan includes policies that require the City to maintain emergency access routes that are free of traffic impediments (Objective SA-6.1, P1 and A2). The proposed project does not include any actions that would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project involves the development of residential and commercial land uses within an urbanized environment, and would not interfere with any emergency response or evacuation plans. Implementation of the proposed project would result in **no impact** on this environmental topic.

Response h): Less than Significant. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface area to mass ratio and require more heat to reach the ignition point.

The City has areas with an abundance of flashy fuels (i.e. grassland) in the outlying residential parcels and open lands that when combined with warm and dry summers with temperatures often exceeding 100 degrees Fahrenheit create a situation that results in higher risk of wildland fires. Most wildland fires are human caused, so areas with easy human access to land with the appropriate fire parameters generally result in an increased risk of fire.

The California Department of Forestry has designated the western and southern edge of the City as having a moderate wildland fire potential. This is predominately a result of the hills and grassland habitat that persists. The proposed project is located in an urbanized area of the City adjacent to agricultural fields. The agricultural fields in the vicinity of the project site have a low to moderate wildfire potential. Irrigated agricultural lands that are actively farmed have a low wildland fire potential, while fallow fields that are not actively managed or irrigated have a moderate wildfire potential. The project site and the surrounding area is served by Fire Station #97, which is located at 595 West Central Avenue, approximately 2.3 miles (driving distance) northeast of the project site. The project site is located within the Fire Department's 5-minute response zone. The proximity of Fire Station #97 to the project site would ensure that in the event of a wildfire on agricultural lands west of the project site, the fire department could respond within five minutes. The project site is adequately served by roadways that provide

emergency vehicle access to the site, and the site would be equipped with fire hydrants that meet the City of Tracy's design and fire flow requirements. This is a **less than significant** impact and no mitigation is required.

IX. HYDROLOGY AND WATER QUALITY -- WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a): Less than Significant. Wastewater generated by the proposed project would be conveyed to the Tracy Wastewater Treatment Plan (WWTP) for treatment and disposal. The City's wastewater collection system consists of gravity sewer lines, pump stations and the WWTP. Wastewater flows toward the northern part of the City where it is treated at the WWTP and then discharged into the Old River in the southern Sacramento-San Joaquin Delta. The project's potential to violate a water quality standard or waste discharge requirement is related to the treatment of wastewater generated by the project, and the quality of stormwater runoff generated at the project site. These two issues are addressed below.

In 2008 the City expanded its wastewater treatment capacity to 10.8mgd. The City's Wastewater Treatment Plant (WWTP) currently treats approximately 9.0mgd of wastewater. The City's WWTP provides secondary-level treatment of wastewater followed by disinfection. Treated effluent from the WWTP is conveyed to a submerged diffuser for discharge into the Old River. The WWTP has an NPDES permit for discharge into the Old River from the State Regional Water Quality Control Board. A unit generation factor of 176 gallons per day of wastewater per residential unit was used to estimate the wastewater that would be generated by the proposed project.[5] Based on this generation factor, it is estimated that the proposed project would generate up to 0.02534mgd of wastewater. The addition of 0.02534mgd of wastewater would not exceed the treatment capacity of the City's WWTP, or violate waste discharge requirements under the City's National Pollutant Discharge Elimination System (NPDES) permit. As such, the project would not cause, or contribute to, a violation of wastewater quality standards or waste discharge requirements.

In order to ensure that stormwater runoff from the Project site does not adversely increase pollutant levels in adjacent surface waters and stormwater conveyance infrastructure, the application of best management practices (BMPs) to effectively reduce pollutants from stormwater leaving the site during both the construction and operational phases of the project are required under Project Requirement 9, which requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) during active construction for erosion and sediment control and a SWQCP for post-construction BMPs and maintenance..

Through compliance with the *City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, the Construction General Permit* and compliance with the SWPPP, the proposed project would not result in a violation of any water quality standards or waste discharge requirements. Therefore, through compliance with the *SWQCP* and SWPPP requirements required by Project Requirement 9, impacts from the proposed project would result in a **less than significant** impact relative to this environmental topic.

[5] Wastewater Flow and Loading Generation Factors from the Tracy Wastewater Master Plan (High Density Residential wastewater generation factor).

Responses b): Less than Significant. The proposed project would not result in the construction of new groundwater wells, nor would it increase existing levels of groundwater pumping. According to the Hydraulic Evaluation Technical Memorandum prepared by West Yost Associates, the project is expected to be use approximately 45 acre-feet of water per year. The proposed project would be served by the City's municipal water system. The City of Tracy uses several water sources, including the US Bureau of Reclamation, the South County Water Supply Project (SCWSP), and groundwater. As described in greater detail in the Utilities Section of this document, the City has adequate water supplies to serve the proposed project without increasing the current rate of groundwater extraction.

Groundwater recharge occurs primarily through percolation of surface waters through the soil and into the groundwater basin. The addition of significant areas of impervious surfaces (such as roads, sidewalks, driveways, buildings, etc.) can interfere with this natural groundwater recharge process. Upon full project buildout, the majority of the project site would be covered in impervious surfaces, which would limit the potential for groundwater percolation to occur on the project site. However, given the relatively large size of the groundwater basin in the Tracy area, the areas of impervious surfaces added as a result of project implementation will not adversely affect the recharge capabilities of the local groundwater basin. The proposed project would result in **less than significant** impacts related to groundwater and groundwater recharge. No mitigation is required.

Responses c), d), e), f): Less than Significant. When land is in a natural or undeveloped condition, soils, mulch, vegetation, and plant roots absorb rainwater. This absorption process is called infiltration or percolation. Much of the rainwater that falls on natural or undeveloped land slowly infiltrates the soil and is stored either temporarily or permanently in underground layers of soil. When the soil becomes completely soaked or saturated with water or the rate of rainfall exceeds the infiltration capacity of the soil, the rainwater begins to flow on the surface of land to low lying areas, ditches, channels, streams, and rivers. Rainwater that flows off of a site is defined as storm water runoff. When a site is in a natural condition or is undeveloped, a larger percentage of rainwater infiltrates into the soil and a smaller percentage flows off the site as storm water runoff.

The infiltration and runoff process is altered when a site is developed with urban uses. Houses, buildings, roads, and parking lots introduce asphalt, concrete, and roofing materials to the landscape. These materials are relatively impervious, which means that they absorb less rainwater. As impervious surfaces are added to the ground conditions, the natural infiltration process is reduced. As a result, the volume and rate of storm water runoff increases. The increased volumes and rates of storm water runoff may result in flooding if adequate storm drainage facilities are not provided.

Development of the project site would place impervious surfaces throughout much of the 10.92-acre project site. Development of the project site would potentially increase local runoff production, and would introduce constituents into storm water that are typically associated with urban runoff. These constituents include heavy metals (such as lead, zinc, and copper) and petroleum hydrocarbons. Best management practices (BMPs) will be applied to the proposed

site development to limit the concentrations of these constituents in any site runoff that is discharged into downstream facilities to acceptable levels.

In order to ensure that stormwater runoff from the project site does not adversely increase pollutant levels in adjacent surface waters and stormwater conveyance infrastructure, Requirement 9 requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP). As described below, the SWPPP would require the application of best management practices (BMPs) to effectively reduce pollutants from stormwater leaving the site during both the construction and operational phases of the project. The implementation of this requirement would reduce this impact to a **less than significant** level. Additionally, the project is subject to the requirements of Chapter 11.34 of the Tracy Municipal Code – Stormwater Management and Discharge Control. The purpose of this Chapter is to *"Protect and promote the health, safety and general welfare of the citizens of the City by controlling non-stormwater discharges to the stormwater conveyance system, by eliminating discharges to the stormwater conveyance system from spills, dumping, or disposal of materials other than stormwater, and by reducing pollutants in urban stormwater discharges to the maximum extent practicable."*

This chapter is intended to assist in the protection and enhancement of the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act (Clean Water Act, 33 USC Section 1251 et seq.), Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) and National Pollutant Discharge Elimination System ("NPDES") Permit No. CAS000004, as such permit is amended and/or renewed.

New development projects in the City of Tracy are required to provide site-specific storm drainage solutions and improvements that are consistent with the overall storm drainage infrastructure approach presented in the 2012 City of Tracy Citywide Storm Drainage Master Plan. Prior to approval of the Final Map, the project applicant is required to submit a detailed storm drainage infrastructure plan to the City of Tracy Development Services Department for review and approval. The project's storm drainage infrastructure plans must demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within onsite retention/detention facilities to the City's existing stormwater conveyance system, and demonstrate that the project would not result in on- or off-site flooding impacts. The project is also required to pay all applicable development impact fees, which would include funding for offsite Citywide storm drainage infrastructure improvements identified in the 2012 City of Tracy Citywide Storm Drainage Master Plan. The development of an onsite storm drainage system, the payment of all applicable fees, and the implementation of Requirement 9 would ensure that this impact is **less than significant**.

Project Requirements

Requirement 9*: The project applicant shall prepare a Stormwater Quality Control Plan (SWQCP) that includes specific types and sources of potential stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate design, source and treatment control measures to eliminate any potentially significant impacts on receiving water quality from stormwater runoff. The SWQCP shall comply with the 2008 post construction standards adopted*

by the City of Tracy for compliance with the NPDES Phase II Municipal Separate Storm Sewer System permit. Best Management Practices shall be selected from the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment according to site requirements and shall be subject to approval by the City Engineer. A Storm Water Pollution Prevention Plan shall also be prepared and submitted prior to any active construction and should include all measures to be taken for erosion and sediment control during construction of the project as well as BMPs for pollution prevention.

Responses g), h): Less than Significant. The 100-year floodplain denotes an area that has a one percent chance of being inundated during any particular 12-month period. The risk of a site within the 100-year floodplain being flooded in any century is one percent but statistically the risk is almost 40 percent in any 50-year period.

Floodplain zones are determined by the Federal Emergency Management Agency (FEMA) and used to create Flood Insurance Rate Maps (FIRMs). These tools assist cities in mitigating flooding hazards through land use planning. FEMA also outlines specific regulations for any construction, whether residential, commercial, or industrial within 100-year floodplains.

The project site is not located within the FEMA designated 100-year floodplain. This is a **less than significant** impact and no mitigation is required.

Responses i), j): Less than Significant. The project site is located within the inundation risk area for San Luis Reservoir and New Melones Dams. The safety of dams in California is stringently monitored by the California Department of Water Resources, Division of Safety of Dams (DSD). In the unlikely event of a dam failure, there is the potential that the project site could become inundated with water. The DSD is responsible for inspecting and monitoring the dam in perpetuity. The proposed project would not result in actions that could result in a higher likelihood of dam failure at San Luis Reservoir and New Melones Dams. There will always be a remote chance of dam failure that results in flooding of the City of Tracy, including the project site. However, given the regulations provided in the California Dam Safety Act, and the ongoing monitoring performed by the DSD, the risk of loss, injury, or death to people or structures from dam failure is considered **less than significant**.

There are no significant bodies of water near the project site that could result in the occurrence of a seiche or tsunami. Additionally, the project site and the surrounding areas are relatively flat, which precludes the possibility of mudflows occurring on the project site. This is a **less than significant** impact and no mitigation is required.

X. LAND USE AND PLANNING - Would the project:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a): No Impact. The project site is surrounded by residential, agricultural, and industrial land uses. The project would be consistent and compatible with the surrounding land uses, and would not divide an established community. There is **no impact.**

Responses b): Less than Significant. The project site is currently designated Commercial by the City of Tracy General Plan Land Use Designations Map and is zoned Planned Unit Development (PUD). The Planned Unit Development (PUD) Zone is designed to allow flexibility and creativity in site planning. The Commercial (C) land use designation, as described in the Tracy General Plan Land Use Element, allows for appropriately scaled and designed residential development in the density ranges permitted in the Residential High (RH) land use category. Residential densities ranging from 12.1 to 25 dwelling units per gross acre are permitted within the Residential High (RH) land use category. The project proposes a residential density of 19.5 dwelling units per gross acre, which is within the permitted density range established for the Commercial land use designation in the Tracy General Plan. The applicant's proposal also includes a Concept Development Plan (CDP) amendment to permit high-density residential and self-storage on the site. The proposed self-storage units are compatible with the uses allowed under the Commercial land use designation.

The proposed uses on the project site are consistent with the General Plan designation of Commercial. The project's consistency with other General Plan policies that provide environmental protections are addressed within the relevant sections of this document. This is a **less than significant** impact, and no mitigation is required.

Response c): Less than Signification. As described under the Biological Resources section of this document, the proposed project is classified as Urban Habitat under the SJMSCP. The City of Tracy and the project applicant shall consult with SJCOG to utilize coverage of the project pursuant to the SJMSCP prior to development of the site. Therefore, this is a **less than significant** impact and no additional mitigation is required.

XI. MINERAL RESOURCES -- Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. As described in the Tracy General Plan EIR, the main mineral resources found in San Joaquin County, and the Tracy Planning Area, are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. According to the California Geological Survey (CGS) evaluation of the quality and quantity of these resources, the most marketable aggregate materials in San Joaquin County are found in three main areas:

- ♦ In the Corral Hollow alluvial fan deposits south of Tracy
- ♦ Along the channel and floodplain deposits of the Mokelumne River
- ♦ Along the San Joaquin River near Lathrop

Figure 4.8-1 of the General Plan EIR identifies Mineral Resource Zones (MRZs) throughout the Tracy Planning Area. The project site is located within an area designated as MRZ-2. The MRZ-2 designation applies to areas where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists.

As described on page 4.8-4 of the Tracy General Plan Draft EIR, the City of Tracy has an agreement with the State Division of Mines and Geology that the area north of Linne Road would allow for urban development, while areas south of Linne Road would be protected for aggregate mining. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the bulk of it is designated by the City as Aggregate in the General Plan, with some additional areas that have potentially significant aggregate deposits designated as Industrial. Although the project is in an area where significant mineral deposits have a high likelihood of existing (MRZ-2), the project site is located north of Linne Road, in the area of the City designated for urban development. Since the City of Tracy has taken appropriate steps to safeguard its aggregate resources for future use, the project would not result in the loss of availability of a known mineral resource. This impact is considered **less than significant**.

XII. NOISE -- WOULD THE PROJECT RESULT IN:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. The proposed project is located in an area consisting predominately of residential, agricultural, and industrial land uses. Residential land uses do not generate significant noise levels beyond those associated with common residential activities (lawn mowers, car doors, voices, etc.). However, traffic generated by the proposed project has the potential to contribute to roadway noise levels in the vicinity of the project site and throughout other areas of the City. Increases in roadway noise associated with buildout of the Tracy General Plan were addressed in the 2010 General Plan Recirculated Supplemental Draft EIR. As described in this Draft EIR, vehicular traffic on existing roadways in Tracy would increase as development proceeds and the city's population increases. Under buildout of the General Plan, which includes the proposed project site, noise levels would increase substantially (3 dBA Ldn or greater) along major roadways throughout Tracy, including portions of I-205, I-580, Grant Line Road, Schulte Road, Valpico Road, Linne Road, Lammers Road, Corral Hollow Road, Tracy Boulevard, and MacArthur Drive. Other than Valpico Road and I-580, all significant increases would occur adjacent to existing noise sensitive areas.

Development of the site for urban uses and the subsequent increase in vehicle roadway noise was taken into consideration in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the increase in vehicle roadway noise resulting from adoption of the General Plan and EIR.

The Tracy General Plan Noise Element contains several policies that are intended to ensure that new development projects are not exposed to excessive noise levels. The General Plan Noise Element policies applicable to the proposed project are summarized below.

Objective N-1.1 Ensure appropriate exterior and interior noise levels for new land uses.

Policies

P1. Noise sensitive land uses shall not be located in areas with noise levels that exceed those considered normally acceptable for each land use unless measures can be implemented to reduce noise to acceptable levels.

P2. Land uses shall require appropriate interior noise environments when located in areas adjacent to major noise generators.

P3. Recognizing that some new single-family residential uses may be located adjacent to non-residential uses, new single- family residential development shall not exceed 60 Ldn (day/night average noise level) for exterior noise in private use areas.

P4. New residential uses exposed to noise levels exceeding 60 Ldn shall be analyzed following protocols in the operative California Building Code or other operative code.

P5. For new residential land uses, noise from external sources shall not cause building interiors to exceed 45 Ldn.

P7. New residential development affected by noise from railroads or aircraft operations shall be designed to limit typical maximum instantaneous noise levels to 50 dBA in bedrooms and 55 dBA in other rooms.

P8. Measures to attenuate exterior and/or interior noise levels to acceptable levels shall be incorporated into all development projects. Acceptable, conditionally acceptable and unacceptable noise levels are presented in Figure 9-3.

Objective N-1.3 Consider noise issues in the Development Review process.

Policies

P1. Development projects shall be evaluated for potential noise impacts and conflicts as part of the Development Review process.

P2. Significant noise impacts shall be mitigated as a condition of project approval.

P3. New development projects shall have an acoustical specialist prepare a noise analysis with recommendations for design mitigation if a noise-producing project is proposed near existing or planned noise-sensitive uses.

P4. Proposed noise sensitive projects within noise-impacted areas shall submit acoustical studies and provide necessary mitigation from noise.

P5. Site design techniques shall be considered as the primary means to minimize noise impacts as long as they do not conflict with the goals of the Community Character Element. Techniques include:

- Designing landscaped building setbacks to serve as a buffer between the noise source and receptor.
- Placing noise-tolerant land uses, such as parking lots, maintenance facilities, and utility areas between the noise source, such as highways and railroad tracks, and receptor.
- Orienting buildings to shield noise sensitive outdoor spaces from a noise source.
- Locating bedrooms or balconies on the sides of buildings facing away from noise sources.
- Utilizing noise barriers (e.g., fences, walls, or landscaped berms) to reduce adverse noise levels in noise-sensitive outdoor activity areas.

A Traffic Noise Analysis was conducted on the proposed project in order to determine in detail the potential for noise impacts to persons on the project site. It recommends the following measures:

- Installation of acoustical shielding from structures or a property line wall along Corral Hollow Road, to reduce future traffic noise levels at the Tot lot/BBQ area to an L_{dn} of 65 dBA or less, with either a:
    - A continuous 6-foot-high barrier along Coral Hollow Road from the site driveway and around the corner of Middlefield Road.
    - A continuous 6-foot-high barrier at the corner of the Corral Hollow and Middlefield Roads as well as 8-foot-high solid backed carports at the parking area between the Tot lot/BBQ area and Corral Hollow Road.
- To meet the indoor noise requirements, sound-rated windows and doors will be needed at some or all of the dwelling units. The sound-rated windows depend on the unit/building floor plans as well as the window/door locations and sizes. Therefore, the detailed recommendations should be determined during the detailed architectural design phase of the project development.

The Traffic Noise Analysis advises these measures to ensure that the project meets the outdoor 65 dBA indoor 45 dBA thresholds found in the Tracy General Plan, as well as those of the State of California Building Code, which require new multi-family dwelling units to achieve an interior L_{dn} of 45 dBA due to exterior sources. These project conditions will be incorporated into the site design plans and be required as a condition of approval for the proposed project.

Although the proposed project Traffic Noise Analysis did not analyze railroad noise, a previous analysis for this same site as part of the larger Edgewood Development (entitled *Railroad Noise Analysis for the Cheng PUD*) demonstrated that a 6-foot high sound barrier at the southern edge of the project boundary would be effective in attenuating UPRR train track noise. The analysis demonstrated that, at 365 feet from the railroad track centerline, railroad noise levels at a nearby school recreation area would be less than 65 dB L_{dn}. The closest point of the proposed project recreation areas (Tot lot/BBA area and Pool area) are approximately 375 feet from the railroad track centerline, so noise from the train track is not expected to exceed 65 dB L_{dn} within these areas. In addition, since Storage Units B, C, D, and E of the proposed project are at least 6 feet in height and would be placed between the railroad track and the proposed project recreation areas, railroad noise would be further attenuated. Therefore, since railroad noise within the proposed project recreation areas would be less than 65 dB L_{dn}, the project would be in compliance with the Tracy General Plan.

The implementation of the Traffic Noise Analysis recommendations, which would make the proposed project consistent with the General Plan Noise policies identified above, would ensure that any potential for the proposed residential uses to be exposed to excessive noise levels would be reduced to a **less than significant** level.

Response b): Less than Significant. No major stationary sources of groundborne vibration were identified in the project area that would result in the long-term exposure of proposed onsite land uses to unacceptable levels of ground vibration. In addition, the proposed project would not involve the use of any major equipment or processes that would result in potentially significant levels of ground vibration that would exceed these standards at nearby existing land uses. However, construction activities associated with the proposed project would require the use of various tractors, trucks, and potentially jackhammers that could result in intermittent increases in groundborne vibration levels. The use of major groundborne vibration-generating construction equipment/processes (i.e., blasting, pile driving) is not anticipated to be required for construction of the proposed project.

Groundborne vibration levels commonly associated with construction equipment are summarized in Table 2. Based on the levels presented in Table 2, groundborne vibration generated by construction equipment would not be anticipated to exceed approximately 0.09 inches per second ppv at 25 feet. Predicted vibration levels would not be anticipated to exceed recommended criteria for structural damage and human annoyance (0.2 and 0.1 in/sec ppv, respectively) at nearby land uses. As a result, short-term groundborne vibration impacts would be considered **less than significant** and no mitigation is required.

Table 2: Representative Vibration Source Levels for Construction Equipment

EQUIPMENT	*PEAK PARTICLE VELOCITY AT 25 FEET (IN/SEC)*
Large Bulldozers	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozers	0.003
Source: FTA 2006, Caltrans 2004	

Response c): Less than Significant. Generally, a project may have a significant effect on the environment if it will substantially increase the ambient noise levels for adjoining areas or expose people to severe noise levels. In practice, more specific professional standards have been developed. These standards state that a noise impact may be considered significant if it would generate noise that would conflict with local planning criteria or ordinances, or substantially increase noise levels at noise-sensitive land uses.

The proposed project would not directly generate increased noise beyond those activities commonly found in residential developments (i.e., lawnmowers, leaf blowers, etc.). The noise directly generated by the project would not differ from the existing ambient noises currently generated by the surrounding residential land uses. The commercial (self-storage) component of the project is not anticipated to generate significant noise levels, given that activities would be limited to vehicle traffic, and the non-commercial loading and unloading of materials to be stored in the units. The loading and unloading of materials and items to be stored would be done by hand, rather than by heavy equipment, and would not result in noises from forklift back-up beeps, etc.

However, the proposed project is expected to increase ambient noise levels in the project vicinity through the introduction of additional vehicle trips to area roadways, particularly along Corral Hollow Road. However, as described above, development of the site for urban uses and the subsequent increase in vehicle roadway noise was taken into consideration in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the increase in vehicle roadway noise resulting from adoption of the General Plan and EIR. As such, this is a **less than significant** impact and no mitigation is required.

Response d): Less than Significant. Construction activities at the project site would result in temporary increases in noise levels that could expose adjacent residences to increased noise levels and noise nuisances. Construction activities could create temporary noise levels of up to 90 dBA at distances of 50 feet. Because the project site is surrounded by existing residential neighborhoods, this temporary increase in construction noise is considered potentially significant.

The following requirements would place restrictions on the time of day that construction activities can occur, and includes additional techniques to reduce noise levels at adjacent residences during construction activities. The implementation of this requirement would reduce this temporary impact to a **less than significant** level.

Project Requirements

Project Requirement 10*: The following requirements shall be implemented during all construction phases of the project:*

a) *Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Construction activities shall be prohibited on Sundays and federal holidays.*

b) *Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations.*

c) *Construction equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses.*

Response e): Less than Significant. The Tracy Municipal Airport is the closest airport to the project site, located less than ½ mile to the southeast of the project site. The Airport is a general aviation airport owned by the City and managed by the Public Works Department. The City of Tracy adopted an Airport Master Plan in 1998, and the ALUC adopted an ALUCP in 2009 after analyzing the impacts to safety on surrounding development from the Tracy Municipal Airport.

The San Joaquin County Airport Land Use Plan establishes noise contours surrounding the Tracy Municipal Airport. As shown on Figure 4.14-3 of the Tracy General Plan Final Supplemental EIR (Certified on February 1, 2011), all of the proposed project dwelling units are located outside of both the 65 dBCNEL and the 60 dBCNEL noise contours for the Tracy Municipal Airport. The southwest corner the site is located within the 60 dBCNEL noise contour but no dwelling units are planned for that part of the site. As such, the project site would not be exposed to excessive noise from the Tracy Municipal Airport. This is a **less than significant** impact, and no mitigation is required.

Response f): No Impact. The project site is not located within two miles of a private airstrip. There is **no impact**.

XIII. POPULATION AND HOUSING -- WOULD THE PROJECT:

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant. Implementation of the project would result in the construction of 144 dwelling units on the project site. The proposed project is located in an urbanized area of the City of Tracy, and constitutes an infill project. There is existing infrastructure (roads, water, sewer, etc) in the immediate vicinity of the project site. While the project would extend these services onto the site to serve the proposed development, the project would not extend infrastructure to an area of the City not currently served. Therefore, while the project may directly induce population growth through the provision of a 144-unit apartment complex, the project would not indirectly induce population growth in other areas of the City of Tracy. The proposed self-storage units would not induce population growth, either directly or indirectly. The self-storage unit would not generate significant employment opportunities in Tracy, and would not expand the job base such that population growth may occur.

The potential for the project to directly induce population growth in the City of Tracy is not a significant impact in and of itself. Population growth can result in impacts to other environmental topics, such as traffic, service demands, etc. The population growth that would occur as a result of approval and development of the proposed project was considered in the Tracy General Plan and General Plan EIR. The proposed project is consistent with the land use designations for the site that were addressed in the General Plan EIR, and the environmental effects of the population growth generated by the project were considered in the analysis of buildout of the Tracy General Plan. Additionally, as described throughout this environmental document, the population growth attributable to the proposed project would not result in any significant site-specific environmental impacts to other environmental topics that cannot be mitigated to a less than significant level. While this document acknowledges that project approval would provide for additional housing opportunities in the City of Tracy, which may lead to population growth in the City, this impact is **less than significant**, as demonstrated throughout this document.

Responses b), c): No Impact. There are no existing homes or residences located on the project site. There is **no impact**.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
• Fire protection?			X	
• Police protection?			X	
• Schools?			X	
• Parks?			X	
• Other public facilities?			X	

RESPONSES TO CHECKLIST QUESTIONS

Response a): Less than Significant.

i) Fire Protection and Emergency Medical Services

The Tracy Fire Department, as a member agency of the South County Fire Authority, provides fire protection, life safety, and emergency response services to 167 square miles of the southern part of San Joaquin County. In 1999, the South County Fire Authority was established to more effectively and efficiently serve the City of Tracy, the Tracy Rural Fire Protection District (FPD), and the Mountain House Community Services District (CSD).

The Fire Authority currently operates seven fire stations and an administrative office. Twenty-four hour-a-day staffing is provided with seven paramedic engine companies, one ladder truck company and a Chief Fire Officer. Four fire stations are within the incorporated area of the City of Tracy, two are in the surrounding rural Tracy area, and one is located in the community of Mountain House. Beginning on September 13, 2015, the Fire Authority will no longer serve Mountain House, as Mountain House has contracted with a different agency for fire service.

Medical transport is provided by private ambulance. American Medical Response is the exclusive emergency ambulance service provider in San Joaquin County.

The Tracy Fire Department conducted a Standards of Response Coverage study in late 2007. Findings of the study indicated that the Department has challenges in meeting its established

response time objectives in the areas of the West Valley Mall and Downtown Tracy utilizing existing resources. The Department has mitigated the deficiency in the area of the West Valley Mall through the relocation of Fire Station 96. Future development will create a need for expanded fire and emergency medical services.

Since November 2008, the Fire Department has expanded its provision of Advanced Life Support Services to all of its seven fire stations. Emergency medical services in Tracy and the surrounding areas are reported to be good, as Tracy is one of only three fire departments in San Joaquin County that provide Advanced Life Support services.

The project site and the surrounding area is served by Fire Station #97, which is located at 595 West Central Avenue, greater than two miles northeast of the project site. The project site is located outside of the Fire Department's established 4-minute travel time. Implementation of the proposed project may adversely impact existing fire and emergency services within the City and could require the construction of new fire protection facilities. The Fire Department has determined that the apartment project can be reasonably served in the interim until a new fire station is constructed and occupied. Service to the self-storage facility or any other commercial project would exceed the Fire Department's response time levels of tolerability, and a new fire station will need to be constructed and occupied prior to the occupancy of the self-storage facility.

Recognizing the potential need for increases in fire protection and emergency medical services, the City's General Plan includes policies to ensure that adequate related facilities are funded and provided to meet future growth (Objective PF-1.1, P1). This policy will be implemented through the review of all new projects within the SOI prior to development and through the collection of development impact fees for the funding of facilities. The project will pay its proportionate fair share toward the construction of a nearby fire station to serve this and other development in the vicinity.

In order to provide adequate fire protection and suppression services to the project site, the Tracy Fire Department must have access to adequate onsite hydrants with adequate fire-flow pressure available to meet the needs of fire suppression units. The final site plans and development specifications developed for the proposed project will indicate the location and design specifications of the fire hydrants that will be required within the project site. This is a **less than significant** impact.

ii) Police Protection

The Tracy Police Department provides police protection services to the City of Tracy. Its headquarters are located at 1000 Civic Center Drive, and there are no satellite offices or plans to construct any in the near future. The City has a goal of a 5-minute response time for Priority 1 calls (life threatening situations).

The police station is located approximately 3.3 miles northeast of the project site. The Department divides calls for service into three categories:

- Priority 1 calls are defined as life threatening situations.
- Priority 2 calls are not life threatening, but require immediate response.
- Priority 3 calls cover all other calls received by the police.

The average response time for Priority 1 calls within the City limits is approximately seven to nine minutes. Response time for Priority 2 and 3 calls is, on average, between 20 and 30 minutes. The Tracy Police Department provides mutual aid to the San Joaquin County Sheriff's office, and vice versa, when a situation exceeds the capabilities of either department. Mutual aid is coordinated through the San Joaquin County Sheriff.

It is not anticipated that implementation of the proposed project would result in significant new demand for police services. Project implementation would not require the construction of new police facilities to serve the project site, nor would it result in impacts to the existing response times and existing police protection service levels. This is a **less than significant** impact.

iii) Schools

Implementation of the proposed project would result in population growth within the City of Tracy, which would likely increase enrollment at schools within the Tracy Unified School District. Under the provisions of SB 50, a project's impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code Section 65995. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from taxes, would ensure that project impacts to school services are **less than significant.**

iv) Parks

Potential project impacts to parks and recreational facilities are addressed in the following section of this document.

v) Other Public Facilities

Other public facilities in the City of Tracy include libraries, hospitals, and cultural centers such as museums and music halls. The proposed project would increase demand on these facilities. The City of Tracy General Plan requires new development to pay its fair share of the costs of public buildings by collecting the Public Buildings Impact Fee. The Public Buildings Impact fee is used by the City to expand public services and maintain public buildings, including the Civic Center and libraries in order to meet the increased demand generated by new development. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from taxes, would ensure that project impacts to libraries and public buildings are **less than significant.**

XV. RECREATION

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b): Less than Significant. The proposed project would increase demand for parks and recreational facilities within the City of Tracy, and would increase the use of the City's existing parks and recreation system. As described in the Tracy General Plan, the City maintains 48 mini-parks, 15 neighborhood parks, and eight community parks, providing approximately 256 acres at 71 sites. The City is also in the process of developing the Legacy Fields sports park at the northern edge of the City, which will provide an additional 166 acres of sports parks, 86 acres of passive recreation area, and a 46-acre future expansion area for additional park facilities.

The City strives to maintain a standard of 4 acres of park land for every 1,000 persons. In order to maintain this standard, the City requires new development projects to either include land dedicated for park uses, or to pay in-lieu fees towards the City's parks program. Chapter 13.12 of the Tracy Municipal Code states that, *"all development projects shall be required to maintain the City standard of four (4) acres of park land per 1,000 population. All development projects, as a condition of approval of any tentative parcel map or tentative subdivision map, or as a condition of approval of any building permit, shall dedicate land to the City or pay a fee in lieu thereof, or a combination of both, in order to maintain this City standard. The precise obligation of any development project to dedicate land or pay a fee pursuant to this section shall be incorporated in the implementing resolution for the park fee applicable to the development project."*

Rather than including land dedicated for park uses within the proposed project, the project applicant will be paying the required in-lieu fees for parks. The payment of the project's fair share in-lieu parks fees to the City of Tracy, would ensure that this is a **less than significant** impact.

XVI. TRANSPORTATION/TRAFFIC -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

RESPONSES TO CHECKLIST QUESTIONS

Response a), b): Less than Significant. Development of the proposed project would add vehicle trips to the City's roadway network. In order to identify roadway facility and intersection improvements needed to accommodate the traffic generated by buildout of the City's General Plan, the City of Tracy prepared and adopted the 2012 Citywide Roadway and Transportation Master Plan (Transportation Master Plan). The Transportation Master Plan identifies a range of roadway and intersection improvements to be implemented over the next several years in order to maintain acceptable levels of service on City streets. The proposed project is consistent with the General Plan land use designation for the site, and is consistent with the assumed residential density levels for development of the site. The generation of vehicle traffic associated with the proposed project was considered during preparation of the Transportation Master Plan. The Transportation Master Plan identifies the roadway and intersection improvements needed in order to maintain acceptable levels of service throughout the City.

The project is responsible for the payment of fair share traffic mitigation fees to the City of Tracy. The payment of these fair-share traffic mitigation fees would assist the City of Tracy with implementation of the various improvements identified in the Transportation Master Plan, in order to maintain acceptable levels of service throughout the City.

A Traffic Impact Study was prepared by TJKM Transportation Consultants for the proposed project. The study analyzed the proposed project under four scenarios:

1. *Existing Conditions* – This scenario evaluated traffic and roadway conditions based on traffic counts and field surveys.
2. *Existing plus Project Conditions* – This scenario adds traffic generated by the Proposed Project to the previous scenario.
3. *2035 Cumulative Conditions* – the 2035 Cumulative traffic volumes were developed based on the published data contained in the City of Tracy Transportation Master Plan.
4. *2035 Cumulative plus Project Conditions* – In this scenario the projected traffic volume generated by the proposed project is added to the 2035 Cumulative Base Condition.

The study focused on evaluating traffic conditions at the following six intersections that may potentially be impacted by the proposed project:

1. Corral Hollow Road/Middlefield Road
2. Corral Hollow Road/W. Linne Road
3. Project Driveway/Corral Hollow Road (proposed)
4. Project Driveway/Middlefield Road
5. Tracy Boulevard/Whispering Wind Drive
6. Tracy Boulevard/W. Linne Road

Under existing plus Project conditions, all the study intersections are expected to continue operating at acceptable levels of service. The proposed project will implement the following project requirements to remain in compliance with the requirements described in the Transportation Master Plan.

Project Requirements

- A southbound left-turn pocket will be provided on Corral Hollow Road at the proposed driveway which will ensure safe queuing for vehicles waiting to enter the project site.
- To facilitate the flow of traffic at the proposed driveway and at the adjacent Middlefield Drive intersection, a right-turn deceleration lane will be provided. This will allow slower decelerating right-turn traffic to be removed from the through lanes on Corral Hollow Road.

The proposed project does not induce any additional required improvements beyond those that are listed above and those that are already included within the Transportation Master Plan. The implementation of the above listed measures and payment of the required traffic mitigation

fees to the City of Tracy would reduce project-related traffic impacts to a **less than significant** level.

Response c): Less than Significant. As discussed above under the Hazards Section, the proposed project is located within the Tracy Municipal Airport's Airport Influence Area (AIA) with portions also within the Traffic Pattern Zone (TPZ), the Inner Turning Zone (ITZ), and Inner Approach Departure Zone (IADZ). However, none of the residential units are located within either the ITZ or IADZ. Additionally, there are no private airstrips within the vicinity of the project site. Therefore, implementation of the proposed project would not result in any needed changes to airport operations or air travel patterns at the Tracy Municipal Airport. This impact is **less than significant,** and no mitigation is required.

Responses d) and e): **Less than Significant.** The proposed site plan provides adequate access to the project site, which would accommodate emergency vehicles. Implementation of the proposed project would have a less than significant impact related to emergency access, and would not interfere with an emergency evacuation plan. This is a **less than significant** impact and no mitigation is required.

Response f): Less than Significant. Parking for the proposed project would be provided by parking stalls located on the periphery of the project site. Section 10.08.3480 of the Tracy Municipal Code identifies parking requirements for residential projects. The minimum parking requirement for multiple-family residential projects is 1½ to 2 spaces per unit, plus addition space marked "guest" per every five units. According to this metric, the project would therefore require 216 to 288 parking spaces. Since the proposed project will include 300 parking spaces, the project meets City parking requirements. This is a **less than significant** impact and no mitigation is required.

Response g): No Impact. The project would have no impact on any existing plans or policies related to alternative transportation. The payment of fair-share traffic mitigation fees would provide funding for implementation of the Transportation Master Plan, which includes bicycle, pedestrian, and alternative transportation improvements throughout the City. There is **no impact**.

XVII. UTILITIES AND SERVICE SYSTEMS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a) and e): Less than Significant. Wastewater generated by the proposed project would be conveyed to the Tracy Wastewater Treatment Plant (WWTP) for treatment and disposal. The City's wastewater collection system consists of gravity sewer lines, pump stations and the WWTP. A Sewer Study was developed for the proposed project by Carlson, Barbee, & Gibson, Inc. (CBG). Wastewater flows toward the northern part of the City where it is treated at the WWTP and then discharged into the Old River in the southern Sacramento-San Joaquin Delta.

The City's WWTP provides secondary-level treatment of wastewater followed by disinfection. Treated effluent from the WWTP is conveyed to a submerged diffuser for discharge into the Old River. The WWTP has an NPDES permit for discharge into the Old River from the State Regional Water Quality Control Board. The City of Tracy currently has plans to expand and improve the existing Tracy Wastewater Treatment Plant. These plans have been evaluated in the Draft and Final EIR for the Tracy Wastewater Treatment Plant Expansion (SCH No. 2000012039). The

Final EIR was completed in September of 2002 and was certified in November 2002. The City is in the process of expanding the average dry weather flow treatment capacity of the Plant from 9.0 million gallons per day to 16.0 million gallons per day. The expansion would also result in improvements to the quality of the effluent discharged from the Plant by upgrading the facility from secondary to tertiary treatment. The expansion of the Wastewater Treatment Plant is occurring in four phases. The phase expanding the treatment capacity to 10.8 mgd was completed in 2008. The final phase of the four phases is projected to be completed in the year 2015.

The City's WWTP currently treats approximately 9.0 mgd of wastewater. City residents generated an average dry weather flow (ADWF) of 7.6 million gallons per day (mgd). The City's wastewater treatment plant WWTP has an ADWF design capacity of 10.8 mgd.[6] For this analysis, a unit generation factor of 176 gallons per day of wastewater per residential unit was used.[7] Therefore, the proposed project would generate up to 25,344 gallons per day of wastewater, or 0.02534 mgd of wastewater. The addition of 0.02534 mgd of wastewater would not exceed the current treatment capacity of the City's WWTP, and the addition of project-generated wastewater would not result in any RWQCB violations related to effluent treatment or discharge.

As of January 2015, the City had an unused capacity of approximately 4,200 EDU's (Equivalent Dwelling Units, equal the wastewater demand generated by a single-family residence) within its wastewater treatment plant (WWTP), available to new development within the City on a first-come, first-served basis. These EDUs are available to serve the proposed project, which would generate a wastewater demand of no more than 144 EDUs.

As other development projects within the City come forward, and building permits are issued, this remaining capacity will be reduced. Accordingly, as noted above and to ensure that capacity at the WWTP is available and sufficient to respond to planned future development demands, the City is proceeding with the next phase of expansion of the WWTP. The development of the 144 units of the project would be required to pay sewer impact fees at time of building permit issuance, ensuring fair-share contribution towards the future WWTP expansion project. With this condition of approval, impacts related to City sewer services will be less than significant.

The addition of 0.02534 mgd of wastewater would not exceed the treatment capacity of the City's WWTP. No improvements or expansions to the existing WWTP are required as a result of implementation of the proposed project, and the addition of project-generated wastewater would not result in any RWQCB violations related to effluent treatment or discharge.

[6] http://www.ci.tracy.ca.us/documents/Tracy_Wastewater_Master_Plan.pdf (does not take into account increased capacity with upgrades)

[7] Wastewater Flow and Loading Generation Factors Tracy Wastewater Master Plan (High Density Residential wastewater generation factor)

Implementation of the proposed project would have a **less than significant** impact and no mitigation is required.

Responses b) and d): Less than Significant. Potable water for the proposed project would be supplied from the City's municipal water system. The project site would receive potable water via a connection to an existing water main located on Corral Hollow Road. The proposed project's water demand was included in the demand calculations for the 2012 Citywide Water System Master Plan.

As described in the Hydraulic Evaluation prepared by West Yost Associates (dated March 6, 2015), the proposed project has an average day demand of approximately 28.5 gallons per minute (gpm). Maximum day demands and peak hour demands were calculated using the City's adopted peaking factors (from the Master Plan) of 2.0 and 3.4 times the average day demand, respectively, resulting in a maximum day demand of approximately 57 gpm and a peak hour demand of approximately 97 gpm. Annual potable water use is expected to be 46 acre-feet per year (af/yr).

The City of Tracy obtains water from both surface water and groundwater sources. The amount of water that Tracy uses from each of its water supply sources to make up its total water use varies from year to year based on contractual agreements, annual precipitation, and City policies about how to expand, utilize, and manage its water resources. As described in the 2011 City of Tracy Urban Water Management Plan Public Review Draft, Tracy's maximum annual water supply amounts to over 31,500 af/yr from its various supply sources. Future agreements may increase the City's available water supply to over 49,500 af/yr.

In recent years, demand for potable water in the City of Tracy has been trending downward, due in large part to water conservation efforts during the recent drought. The 2010 total water demand in the City was 16,603 af/yr. Since the proposed project is expected to increase water demand by approximately 46 af/yr, the proposed project's water demand would not exceed the City's currently available water supply of over 31,500 af/yr. The City's water treatment and conveyance infrastructure is adequate to serve existing demand, as well as the demand created by the proposed project.

For comparison, the West Yost Hydraulic Evaluation also shows site water demands projected based on the incremental water difference between a commercial and residential development. This comparison indicates that the incremental water difference in projected potable water demands is 18 af/yr, which equates to a difference of 64 percent. Therefore, the developer of the proposed project may be required to increase their individual water connection fee by up to 64 percent. This is a **less than significant** impact and no mitigation is required.

Responses c): Less than Significant. Development of the project site would place impervious surfaces throughout much of the 10.92-acre project site. Development of the project site would potentially increase local runoff production, and would introduce constituents into storm water that are typically associated with urban runoff. These constituents include heavy metals (such as lead, zinc, and copper) and petroleum hydrocarbons. Best management practices (BMPs)

will be applied to the proposed site development to limit the concentrations of these constituents in any site runoff that is discharged into downstream facilities to acceptable levels.

As described above under the Hydrology and Water Quality Section, new development projects in the City of Tracy are required to provide site-specific storm drainage solutions and improvements that are consistent with the overall storm drainage infrastructure approach presented in the 2012 City of Tracy Citywide Storm Drainage Master Plan. Prior to approval of the Final Map, the project applicant is required to submit a detailed storm drainage infrastructure plan to the City of Tracy Development Services Department for review and approval. The project's storm drainage infrastructure plans must demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within onsite retention/detention facilities to the City's existing stormwater conveyance system, and demonstrate that the project would not result in on- or off-site flooding impacts. The project is also required to pay all applicable development impact fees, which would include funding for offsite Citywide storm drainage infrastructure improvements identified in the 2012 City of Tracy Citywide Storm Drainage Master Plan. The development of an onsite storm drainage system, the payment of all applicable fees, and the implementation of Requirement 9 would ensure that this impact is **less than significant**.

Responses f) and g): Less than Significant. The City of Tracy has an exclusive franchise agreement with Tracy Disposal Service for solid waste collection and disposal and recycling collection. Solid waste is collected and taken to the 40-acre Tracy Material Recovery Facility (MRF) and Transfer Station on South MacArthur Drive before being sent to the Foothill Sanitary landfill, 48 miles northeast of Tracy, off of Shelton Road east of Linden, California. The MRF is operated by Tracy Material Recovery and Solid Waste Transfer, Inc., and has capacity of approximately 1,000 tons per day, but averages approximately 350 tons per day, of which 85 percent is generated in Tracy. Approximately 175,000 tons of solid waste is generated in Tracy each year, of which approximately 27 percent is residential garbage.

The approximately 800-acre Foothill landfill, owned by San Joaquin County, is the primary disposal facility accepting the City's solid waste. The Foothill landfill receives approximately 810 tons per day. The landfill is permitted to accept up to 1,500 tons per day, and has a permitted capacity of 51 million tons, of which approximately 45 million tons of capacity remains. It is estimated that the Foothill landfill will have the capacity to accept solid waste from the City of Tracy until 2054.

The proposed project would not generate significant volumes of solid waste, beyond levels normally found in residential developments. The proposed project would not generate hazardous waste or waste other than common household solid waste. As described above, there is adequate landfill capacity to serve the proposed project. This is a **less than significant** impact.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

RESPONSES TO CHECKLIST QUESTIONS

Responses a), b), c): Less than Significant. As described throughout the analysis above, the proposed project would not result in any significant impacts to the environment that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards. The proposed project is required to implement a range of standard and uniformly applied development policies and standards, most of which are identified in the Tracy General Plan or various infrastructure master plans, which would reduce any potentially significant impacts to a less than significant level. The cumulative impacts associated with development of the project were considered, analyzed and disclosed in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for all significant impacts associated with buildout of the Tracy General Plan. The project would not result in any cumulative impacts that were not contemplated in the General Plan EIR. The project would not result in any peculiar site-specific impacts, impacts to biological resources or impacts to cultural and/or historical resources. These are **less than significant** impacts.

ATTACHMENT F

Vision That Moves Your Community

Final Report

Middlefield Apartments and Self-Storage Facility Traffic Impact Study

In the City of Tracy

September 9, 2015

Vision That Moves Your Community

Final Report

Middlefield Apartments and Self-Storage Facility Traffic Impact Study

In the City of Tracy

September 9, 2015

www.tjkm.com

Prepared by:
TJKM Transportation Consultants
4305 Hacienda Drive
Suite 550
Pleasanton, CA 94588-2798
Tel: 925.463.0611
Fax: 925.463.3690

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Introduction and Summary

Introduction

This report presents the results of TJKM's traffic impact study for the proposed Middlefield Drive Apartments and Self-Storage Facility located at the southeast quadrant of the intersection of Middlefield Drive and Corral Hollow Road in the City of Tracy. The proposed project consists of 144 residential units and 88,960 square feet (sq. ft.) of storage facility. The project vicinity map is shown in Figure 1.

The purpose of this focused traffic study was to evaluate the potential traffic impacts resulting from the development of the proposed project, determine potential mitigation measures, and highlight critical traffic issues that should be addressed in the on-going planning process. The following four scenarios were analyzed:

1. *Existing Conditions* – This scenario evaluates existing traffic and roadway conditions based on traffic counts and field surveys.
2. *Existing plus Project Conditions* – This scenario adds traffic generated by the proposed Middlefield Drive Apartments and Self-Storage Facility to the previous scenario.
3. *2035 Cumulative Conditions* – the 2035 Cumulative traffic volumes were developed based on the published data contained in the City of Tracy Transportation Master Plan.
4. *2035 Cumulative plus Project Conditions* - In this scenario the projected traffic volume generated by the proposed Middlefield Drive Apartments and Self-Storage Facility is added to the 2035 Cumulative Base Condition.

The a.m., and p.m. peak hour periods were analyzed. The study focused on evaluating traffic conditions at the following six intersections that may potentially be impacted by the proposed project:

1. Corral Hollow Road/Middlefield Road
2. Corral Hollow Road/W. Linne Road
3. Project Driveway/ Corral Hollow Road (proposed)
4. Project Driveway/ Middlefield Road
5. Tracy Boulevard/Whispering Wind Drive
6. Tracy Boulevard/W. Linne Road

Summary and Recommendations

TJKM has reached the following conclusions regarding the proposed in the City of Tracy:

- Under Existing Conditions (Scenario I), all of the study intersections operate at acceptable levels of service (LOS).
- The proposed Project is expected to generate approximately 57 trips during a.m. peak hour and 81 trips during p.m. peak hour.
- Under Existing plus Project Conditions (Scenario II), all the study intersections are expected to continue operating at acceptable levels of service.

  A southbound left-turn pocket should be provided on Corral Hollow Road at the proposed driveway which will ensure safe queuing for vehicles waiting to enter the project site.

  To safely facilitate the flow of traffic at the proposed driveway and at the adjacent Middlefield Drive intersection, it is recommended that a right-turn deceleration lane be

provided. This will allow slower decelerating right-turn traffic to be removed from the through lanes on Corral Hollow Road.

Site plan is under review and should be finalized with City approval.

- Under 2035 Cumulative Traffic Conditions (Scenario 3), it is estimated that three intersections would operate at LOS F under the existing traffic control and lane configuration. These are Corral Hollow Road/W. Linne Road, Tracy Boulevard/Whispering Wind Drive and Tracy Boulevard/W. Linne Road.

  - A signal would be required at the intersections of Corral Hollow Road/W. Linne Road and Tracy Boulevard/W. Linne Road. Additional lanes and signal timing changes would be required at the intersection of Tracy Boulevard/Whispering Wind Drive.

- Under 2035 Cumulative plus Project Traffic Condition (Scenario 4), it is estimated that three intersections would operate at LOS F under the existing traffic control and lane configuration. These are Corral Hollow Road/W. Linne Road, Tracy Boulevard/Whispering Wind Drive and Tracy Boulevard/W. Linne Road.

  - Similar to the 2035 Cumulative base condition, a signal would be required at the intersections of Corral Hollow Road/W. Linne Road and Tracy Boulevard/W. Linne Road. Additional lanes and signal timing changes would be required at the intersection of Tracy Boulevard/Whispering Wind Drive.

- - When Corral Hollow Road becomes a four or six lane high speed arterial in the future, it would be unsafe for the proposed unsignalized project driveway to provide full access movements. Therefore, it is recommended that the proposed project driveway becomes a right-in and right-out only driveway. The developer should work with the City to determine when this should occur in the future.

Existing Conditions (Scenario 1)

Project Location

The Proposed Middlefield Drive Apartments and Self-Storage Facility is located at the southeast quadrant of the intersection of Middlefield Drive and Corral Hollow Road in the City of Tracy. An aerial view of the location is shown below. The project site and its vicinity are shown in Figure 1.

Existing Roadways

There are several key roadways serving the project site, as shown in Figure I and discussed below:

Corral Hollow Road is a major arterial that extends from south of I-580 to the south and north of 11th Street to the north. It is generally a two-lane north-south arterial roadway in the vicinity of the project area, although it is up to six lanes wide in other areas. A Class II bike lane currently exists on the east side of Corral Hollow Road near the project area.

Tracy Boulevard is a major arterial that extends from north of I-205 to the north and south of I-580 to the south. It is generally a four-lane north-south arterial roadway that passes through downtown Tracy. In the project vicinity, it is a four-lane roadway with Class II bike lanes in each direction and a landscaped median. South of Linne Road, it is a two-lane rural road with no curb and gutter.

Linne Road is currently a two lane rural road that extends from Corral Hollow Road near the site easterly to I-5 and beyond. It is shown as an expressway in the future 2035 Tracy Transportation Master Plan.

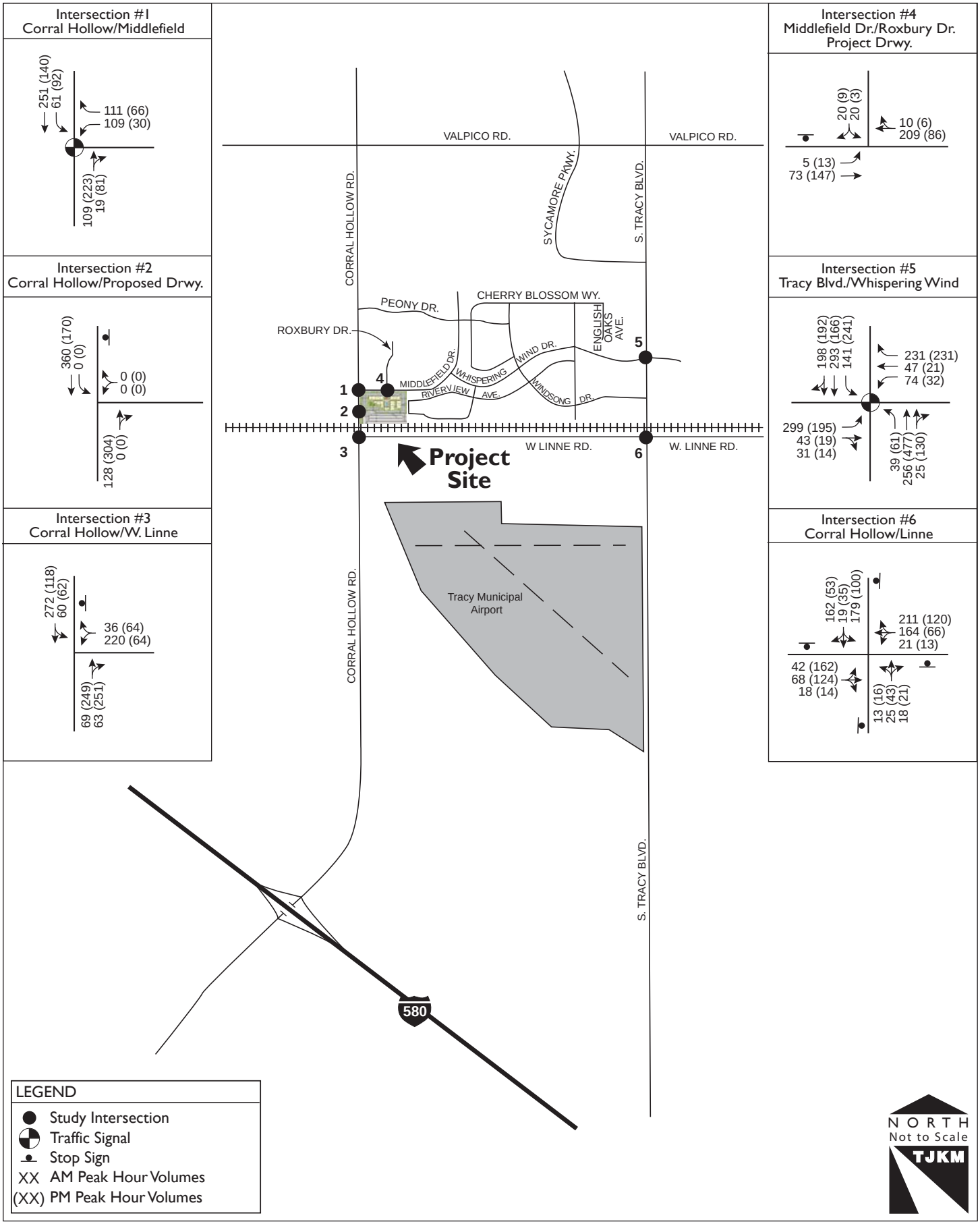
Valpico Road is generally a two- to four- lane east-west road located to the north of the project site. It is shown as an arterial in the future 2035 Tracy Transportation Master Plan.

Middlefield Road is a local east-west collector street that provides access to the proposed project. East of the project it turns and becomes a north-south street. It is a two lane road with Class II bike lanes in each direction and a landscaped median.

The existing lane configurations for the five study intersections are depicted in Figure 1.

City of Tracy - Middlefield Apartments and Self-Storage Facility Traffic Impact Study
Vicinity Map, Existing Turning Movement Volumes & Lane Configurations

Figure 1



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Level of Service Analysis Methodology

Level of Service is a qualitative index of the performance of an element of the transportation system. Level of Service (LOS) is a rating scale running from A to F, with A indicating no congestion of any kind, and F indicating intolerable congestion and delays.

The *2000 Highway Capacity Manual (HCM)* is the standard reference published by the Transportation Research Board, and contains the specific criteria and methods to be used in assessing LOS. There are several software packages that have been developed to implement HCM. In this study the Synchro software was used to calculate the LOS at the study intersections. A detailed description of the methodology is provided in Appendix A.

The method of unsignalized intersection capacity analysis used in this study is from Chapter 10, "Unsignalized Intersections" of the *Highway Capacity Manual, Special report No. 209,* Transportation Research Board, updated October 2000. This method applies to two-way STOP sign or YIELD sign controlled intersections (or one-way STOP sign or YIELD sign controlled intersections at three-way intersections). At such intersections, drivers on the minor street are forced to use judgment when selecting gaps in the major flow through which to execute crossings or turning maneuvers. Thus, the capacity of the controlled legs of an intersection is based on three factors:

1. The distribution of gaps in the major street traffic stream.
2. Driver judgment in selecting gaps through which to execute their desired maneuvers.
3. Follow-up time required to move into the front-of-queue position.

The level of service criterion for Two-Way STOP controlled intersections is somewhat different from the criterion used for signalized intersections. The primary reason for this is the difference that drivers expect a signalized intersection to carry higher traffic volumes than unsignalized intersections. Additionally, several driver behavior conditions combine to make delays at signalized intersections less onerous than at unsignalized intersections.

The LOS is reported for the minor approach. Depending on the availability of gaps, the minor approach might be operating at LOS D, E, or F while the overall intersection operates at LOS C or better. A minor approach that operates at LOS D, E, or F does not automatically translate into a need for a traffic signal. A signal warrant would still need to be met. There are many instances where only a few vehicles are experiencing LOS D, E, or F on the minor approach while the whole intersection operates at an acceptable LOS. A signal is usually not warranted under such conditions.

The justification for the installation of a traffic signal at an intersection is based on the warrants stated in the California Manual on Uniform Traffic Control Devices (MUTCD) published by Caltrans and the Federal Highway Administration (FHWA). The decision to install a signal should not be based solely upon the warrants, since the installation of traffic signals may increase certain types of collisions. Delay, congestion, approach conditions, driver confusion, future land use or other evidence of the need for right of way assignment beyond that which could be provided by stop signs must be demonstrated.

Level of Service Standards

The City of Tracy has established LOS D, where feasible, as the minimum acceptable LOS for roadway and overall intersection operations. However, there are certain locations where these standards do not apply. The following lists the exceptions to the LOS D standard:

- Within ¼ mile of any freeway, LOS E shall be allowed on roadways and at intersections to discourage inter-regional traffic from using City streets.
- In the Downtown and Bowtie area of Tracy, LOS E shall be allowed.
- At intersections where construction of improvements is not feasible, the LOS may fall below the City's LOS D standard.
- During construction of intersection improvements or funded but not yet constructed, the LOS may temporarily fall below the City's LOS D standard.

Existing Traffic Volumes

The existing turning movement counts at the five existing study intersections were collected during typical weekday a.m. (7:00-9:00) and p.m. (4:00-6:00) peak periods on February 21, 2013. Figure 1 shows the existing turning movement volumes at the five study intersections. The detailed count data is contained in Appendix B.

Level of Service Analysis Results – Existing Condition

The results of the LOS analysis at the study intersections are shown in Table I. Detailed calculations are contained in Appendix C.

Table I: Intersection Levels of Service – Existing Conditions (Scenario 1)

			Existing			
Int.		*Existing Control*	*AM*		*PM*	
			Delay	*LOS*	*Delay*	*LOS*
1	Corral Hollow Road/Middlefield Drive	Signal	19.0	B	16.5	B
2	Project Driveway/ Corral Hollow Road	2WSC	Future Intersection			
3	Corral Hollow Road/W. Linne Road	2WSC	16.8	C	13.9	B
4	Project Driveway/ Middlefield Drive	2WSC	10	B	9.1	A
5	Tracy Boulevard/Whispering Wind Drive	Signal	33.8	C	34.7	C
6	Tracy Boulevard/W. Linne Road	AWSC	12.6	B	10.2	B

Notes: LOS = Level of Service; X = Intersection level of service
X.X = Overall intersection delay in seconds per vehicle
(X.X) = Delay for minor movement at Unsignalized intersection
2WSC = Two Way Stop Control and AWSC = All Way Stop Control

Currently, all study intersections operate at an acceptable level of service.

Existing plus Project Conditions (Scenario 2)

In this scenario the projected traffic volume generated by the proposed Middlefield Drive Apartments and Self-Storage Facility is added to the Existing condition.

Project Description

The proposed project consists of 144 residential units and 88,960 square feet (sq. ft.) of storage facility. The proposed project is located at the southeast quadrant of the intersection of Middlefield Drive and Corral Hollow Road in the City of Tracy, California as shown in Figure 2.

Trip Generation

Trip generation is defined as the number of "vehicle trips" produced by a particular land use or project. A trip is defined as a one-direction vehicle movement. The total number of trips generated by each land use includes the inbound and outbound trips.

TJKM developed estimated project trip generation for the proposed project based on the published trip generation rates from the Institute of Transportation Engineers' (ITE) publication *Trip Generation (9th Edition).* As shown in Table III, the proposed project is expected to generate approximately 57 a.m. peak hour trips and 81 p.m. peak hour trips.

Table II: Proposed Project Trip Generation

Land Use (ITE Code)	*Size*		*A.M. Peak*						*P.M. Peak*					
			Rate/ Equation	*In %*	*Out %*	*In*	*Out*	*Total Trips*	*Rate/ Equation*	*In %*	*Out %*	*In*	*Out*	*Total Trips*
Mid-Rise Apartment (223)	144	DU	0.41*DU-13.06	31	69	14	31	45	0.48*DU-11.07	58	42	34	24	58
Storage (151)	88.96	1,000 SF	0.14	55	45	7	6	12	0.26	50	50	12	12	23
Total						***21***	***37***	***57***				***45***	***36***	***81***

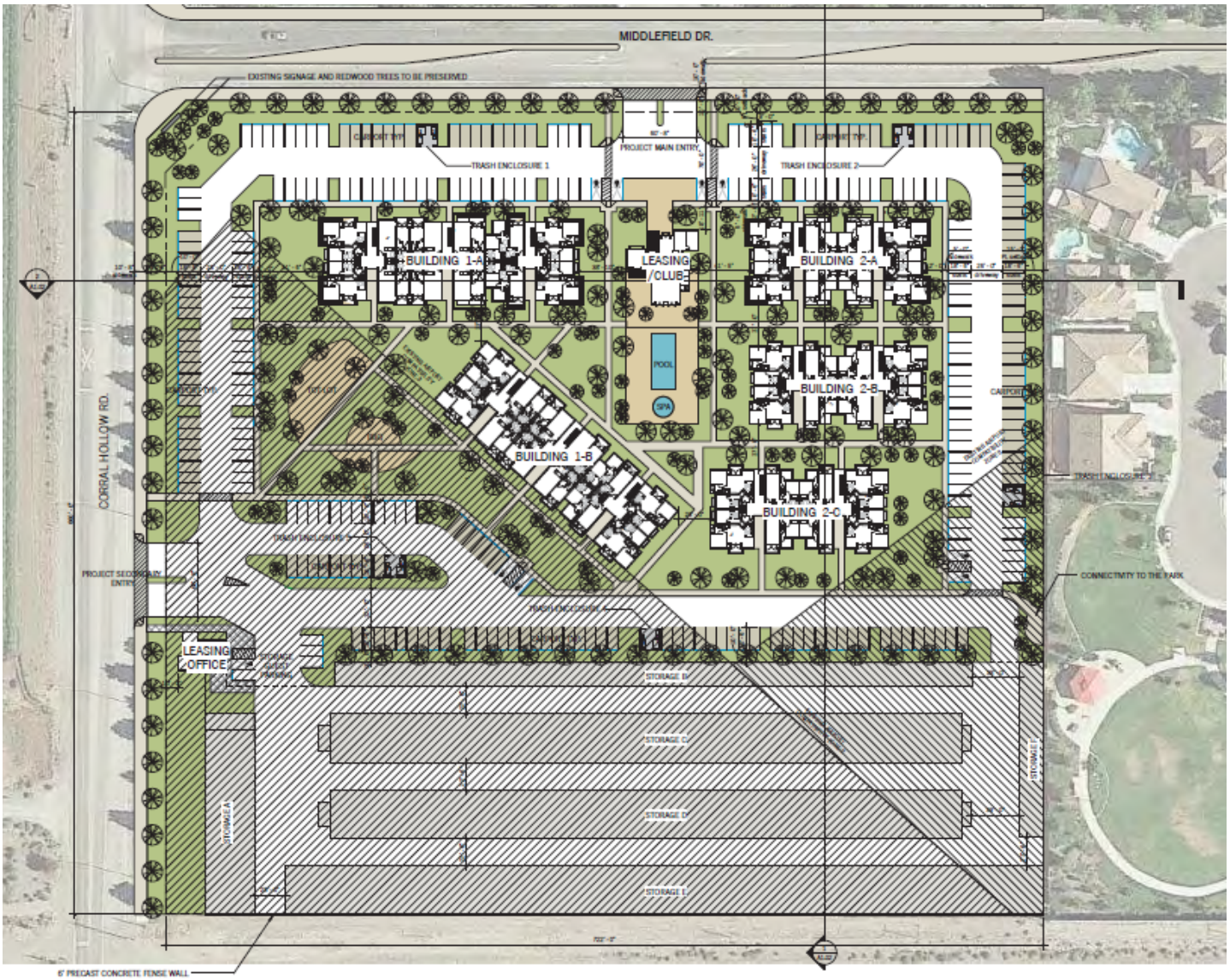
Note: ksf =1,000 square feet
Source: ITE Trip Generation, 9th Edition.

Trip Distribution and Assignment

Trip distribution is the process of determining the proportion of vehicles that would travel between the project site and various destinations in the vicinity of the study area. Trip assignment is the process of determining the various paths vehicles would take from the project site to each destination. The proposed site plan is shown in Figure 2.

The trip distribution assumptions for the proposed project are based on traffic characteristics on the adjacent streets, as well as consultation with city staff.[1] Figure 3 shows the trip distribution assumptions for the proposed project.

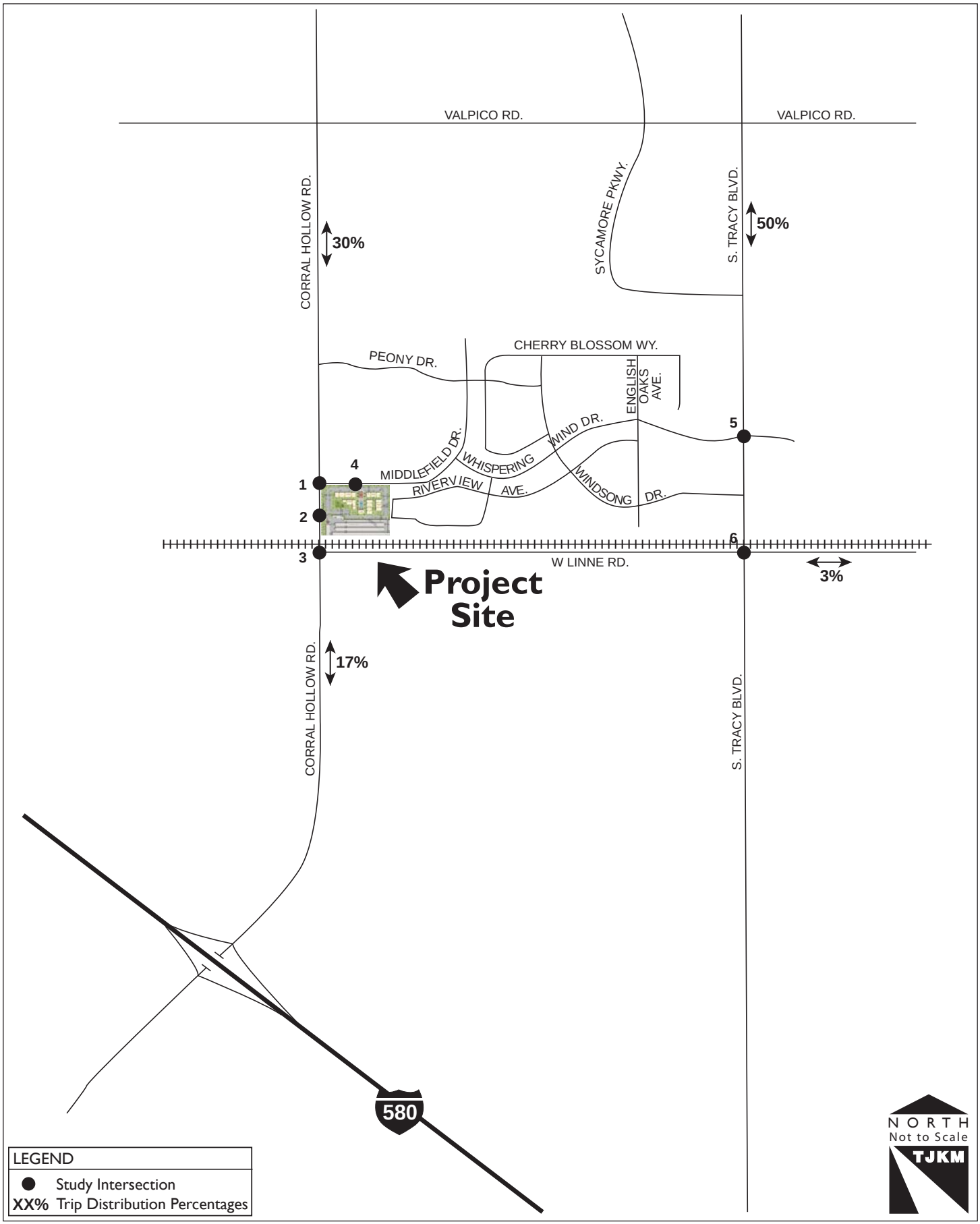
[1] *Trip generation and distribution information are based on discussions with Ripon Bhatia and Cris Mina, City of Tracy on September 20, 2012*



NORTH
Not to Scale
TJKM

City of Tracy - Middlefield Apartments and Self-Storage Facility Traffic Impact Study
Project Trip Distribution

Figure
3



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Level of Service Analysis – Existing Plus Project Conditions

The projected Existing plus Project peak hour turning movement volumes are shown in Figure 4. The results of the intersection LOS analysis under this scenario are shown in Table III. It is estimated that all intersections would operate at acceptable LOS. The detailed LOS calculations are contained in Appendix D.

Table III: Intersection Levels of Service – Exiting plus Project Condition (Scenario 2)

			Existing				Existing + Project			
Int.		*Existing Control*	*AM*		*PM*		*AM*		*PM*	
			Delay	*LOS*	*Delay*	*LOS*	*Delay*	*LOS*	*Delay*	*LOS*
1	Corral Hollow Road/Middlefield Drive	Signal	19.0	B	16.5	B	19.1	B	17.2	B
2	Project Driveway/ Corral Hollow Road	2WSC	Future Intersection				9.6	A	10.4	9.6
3	Corral Hollow Road/W. Linne Road	2WSC	16.8	C	13.9	B	17.2	C	14.2	B
4	Project Driveway/ Middlefield Drive	2WSC	10	B	9.1	A	10.4	B	9.8	A
5	Tracy Boulevard/Whispering Wind Drive	Signal	33.8	C	34.7	C	34.1	C	35.1	C
6	Tracy Boulevard/W. Linne Road	AWSC	12.6	B	10.2	B	12.6	A	10.2	A

Notes: LOS = Level of Service; X = Intersection level of service
X.X = Overall intersection delay in seconds per vehicle
(X.X) = Delay for minor movement at Unsignalized intersection
2WSC = Two Way Stop Control and AWSC = All Way Stop Control

Table IV shows the change in delay between the Existing condition and the Existing plus Project condition at the study intersections. It is estimated that minimal additional delays are expected at all study intersections.

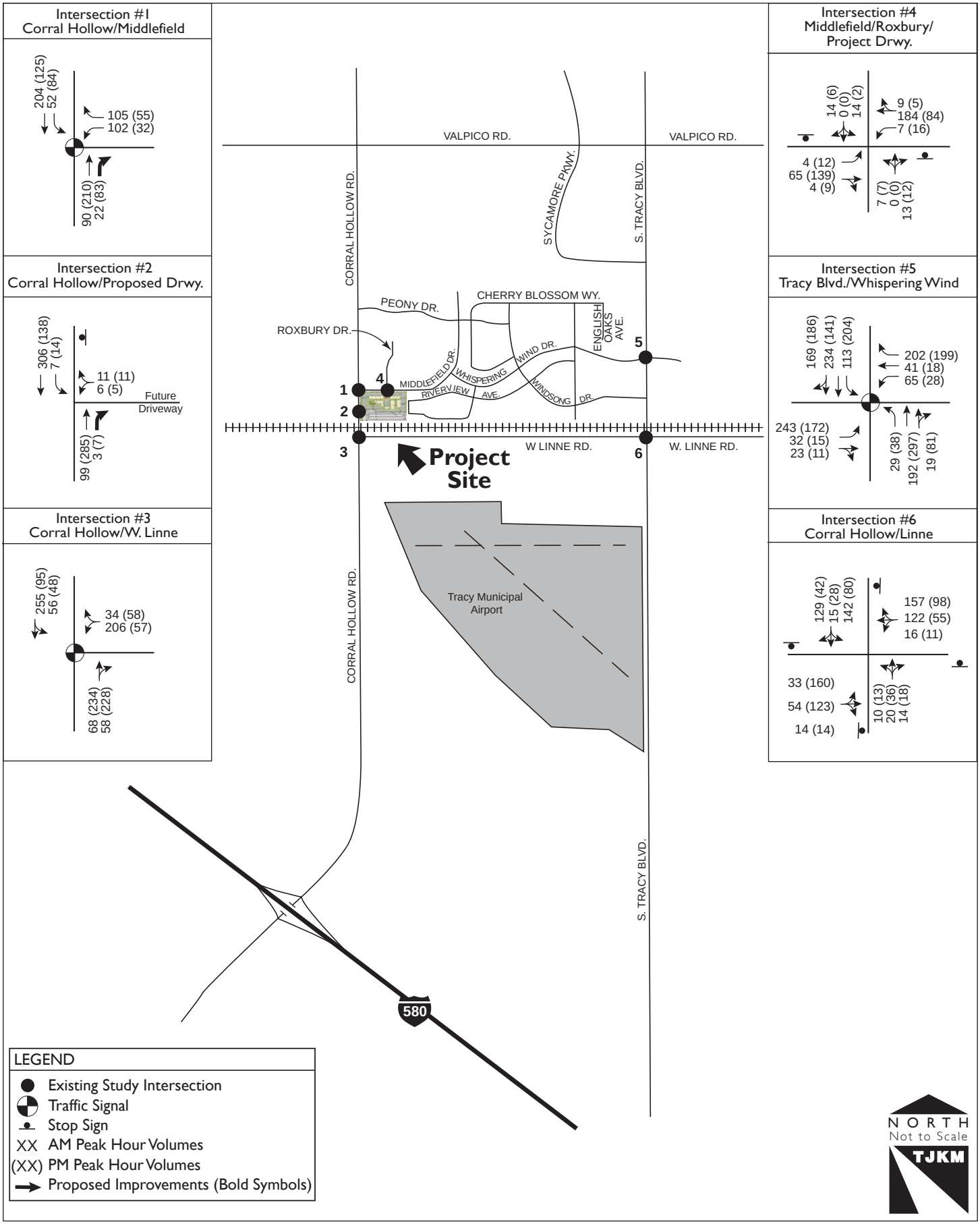
Table IV: Comparison of Changes in Delay – between Existing Condition (Scenario 1) and Existing plus Proposed Project Condition (Scenario 2)

			Changes in Delay, seconds	
Int.		*Existing Control*	*AM*	*PM*
1	Corral Hollow Road/Middlefield Drive	Signal	0.1	0.7
2	Project Driveway/ Corral Hollow Road	2WSC	-	-
3	Corral Hollow Road/W. Linne Road	2WSC	0.4	0.3
4	Project Driveway/ Middlefield Drive	2WSC	0.4	0.7
5	Tracy Boulevard/Whispering Wind Drive	Signal	0.3	0.4
6	Tracy Boulevard/W. Linne Road	AWSC	0.0	0.0

Notes: 2WSC = Two Way Stop Control and AWSC = All Way Stop Control

City of Tracy - Middlefield Apartments and Self-Storage Facility Traffic Impact Study
Existing plus Project Peak Hour Volumes & Lane Configuration

Figure 4



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As shown in Figure 4, it is estimated that approximately 20 percent of the projected traffic would be using the proposed driveway on Coral Hollow Road to head southbound towards I-580. A railroad track is located at approximately 400 feet to the south of the proposed driveway on Corral Hollow Road. And the distance between the railroad tracks and Linne Road is approximately 105 feet. Currently standard railroad arms with automatic flashing light system exits to control traffic on both directions of Coral Hollow Road. The projected southbound left-turn queue at Corral Hollow Road and Linne Road is minimal. The existing system should be adequate to accommodate additional project traffic.

Southbound Left-Turn Pocket
A southbound left-turn pocket should be provided on Corral Hollow Road at the proposed driveway which will ensure safe queuing for vehicles waiting to enter the project site.

Northbound Right-Turn Lane At Middlefield Drive
The City's long term Roadway Master Plan shows Corral Hollow Road to be a four or six lane major arterial roadway. Consequently, it is expected to function as a high speed roadway and is projected to carry a large amount of traffic in the long run.

Therefore to safely facilitate the flow of traffic at the proposed driveway and at the adjacent Middlefield Drive intersection, it is recommended that a right-turn deceleration lane be provided. This will allow slower decelerating right-turn traffic to be removed from the through lanes on Corral Hollow Road.

Proposed Circulation
As shown on the proposed site plan (Figure 2) two driveways are proposed: one located on Middlefield Drive and the other on Corral Hollow Road. The driveway on Middlefield Drive leads directly into the residential development while the driveway on Corral Hollow Road leads into the proposed development with more direct access to the proposed storage facility. The widths of both driveways are shown to be 60 feet and 60 feet 8 inches respectively. This is quite wide for driveways considering that typically commercial driveways are 40 feet (including tapers) and residential driveways are 24 feet. Driveways that are wider than warranted could be unsafe when vehicles turn into the development at unsafe speed.

The overall internal circulation seems to flow well. Landscaping plants at locations of all intersecting corners should be kept to lower than 3.5 feet. This will ensure sight visibilities are not obstructed.

Parking stalls are located on the periphery of the proposed residential project. Parking stalls are 18-foot in length and 9-foot wide. The parking aisle is generally 24-foot. However, the parking aisle along the southern boundary between the storage facility and the apartments is shown as 22-foot wide. A 24-foot wide aisle or larger is typically shown for 8-foot wide and 18-foot long parking stall. To avoid difficulties for parking maneuver along this stretch of the development, perhaps adjustments could be made to the landscape area to provide for a wider travel aisle.

Vehilce Queue At Storage Facility
It is recommended that vehicle queuing for at least three cars be provided between the gate to the storage facility and the proposed driveway. This will prevent vehicles from blocking the proposed driveway on Corral Hollow Road.

2035 Cumulative Traffic Conditions (Scenario 3)

Based on consultations with City staff, the 2035 Cumulative traffic volumes were developed based on the published data contained in the City of Tracy Transportation Master Plan (TMP).[2] Some of the roadway assumptions in the vicinity of the study area include:

- New interchange at Lammers Road/I-580
- Extension of Linne Road to Lammers Road
- Corral Hollow Road (4 lane arterial)
- Linne Road (6 lane expressway)
- Tracy Blvd (4 lane arterial)

Development of 2035 Intersection Turning Movement Volumes
The TMP report showed the 2035 peak hour volumes for major roadway segments. A process was developed to derive the peak hour turning movement volumes at the six study intersections. One of the standard processes to derive intersection peak hour turning movement volumes from a roadway link volumes is the procedure documented in National Cooperative Highway Research Program Report (NCHRP 255), *Highway Traffic Data for Urbanized Area Project Planning and Design*.

Based on the methodology, the two methods available to factor ADT forecasts to peak hour volumes are the growth factor and increment methods. The growth method adjusts traffic counts by applying the ratio of future year to base year volumes in the model to base year volumes. The increment method adjusts traffic counts by increment from the base year model to the future year model. In this study, the growth factor method was used. A software version of NCHRP 255 called Turns 32 was used to derive the peak hour turning movement volumes in this study. More information is contained in Appendix E.

TJKM completed the forecasts for intersection turning movement volumes utilizing the NCHRP 255 methodology indicated above and made appropriate adjustments.

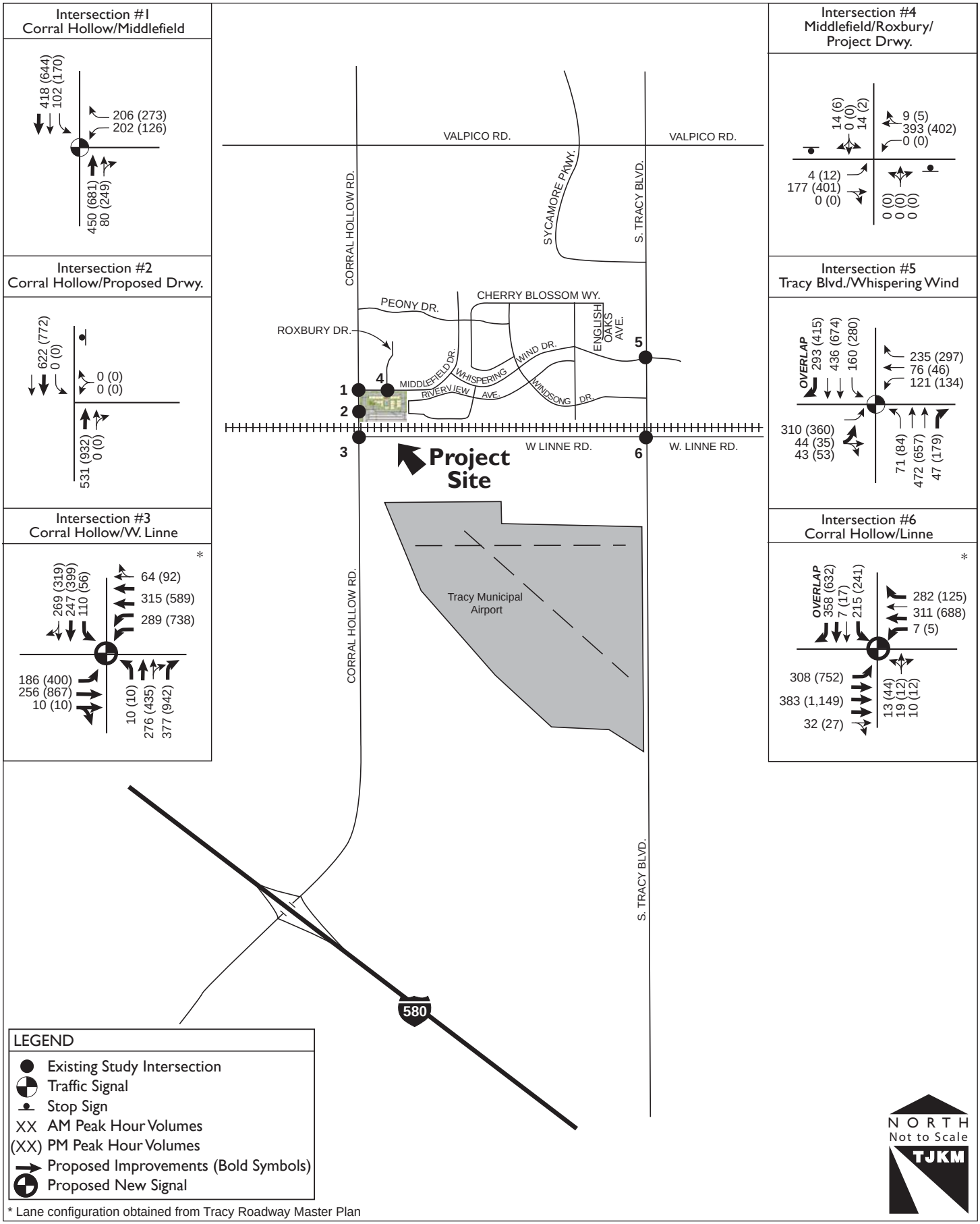
Level of Service Analysis – 2035 Cumulative Traffic Condition

The projected 2035 Cumulative peak hour turning movement volumes are shown in Figure 5. The results of the intersection LOS analysis under this scenario are shown in Table V. The detailed LOS calculations are contained in Appendix E.

[2] *Based on email from Cris Email, March 14, 2013*

City of Tracy - Middlefield Apartments and Self-Storage Facility Traffic Impact Study
2035 Cumulative Peak Hour Volumes & Lane Configuration

Figure 5



* Lane configuration obtained from Tracy Roadway Master Plan

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Table V: Intersection Levels of Service – 2035 Cumulative Conditions (Scenario 3)

Int.		Existing Control	2035 Cumulative Base				Future Control	2035 Cumulative Base			
			AM		PM			AM		PM	
			Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
1	Corral Hollow Road/Middlefield Drive	Signal	20.7	C	39.3	D	Signal	20.0	C	23.1	C
2	Project Driveway/ Corral Hollow Road	2WSC	Future Intersection				2WSC	Future Intersection			
3	Corral Hollow Road/W. Linne Road	2WSC	>120	**F**	>120	**F**	**Signal**	29.0	C	46.0	D
4	Project Driveway/ Middlefield Drive	2WSC	13	B	12.7	B	2WSC	13	B	12.7	B
5	Tracy Boulevard/Whispering Wind Drive	Signal	41.1	D	96.4	**F**	Signal	33.8	C	49.1	D
6	Tracy Boulevard/W. Linne Road	AWSC	296.3	**F**	907.9	**F**	**Signal**	29.7	C	36.7	D

Notes: LOS = Level of Service; X = Intersection level of service
X.X = Overall intersection delay in seconds per vehicle
(X.X) = Delay for minor movement at Unsignalized intersection
2WSC = Two Way Stop Control and AWSC = All Way Stop Control
Signal (**Bold** font) – New signal control improvement required

As shown in Table V, it is estimated that three intersections would operate at LOS F under the existing traffic control and lane configuration. These are Corral Hollow Road/W. Linne Road, Tracy Boulevard/Whispering Wind Drive and Tracy Boulevard/W. Linne Road.

A signal would be required at the intersections of Corral Hollow Road/W. Linne Road and Tracy Boulevard/W. Linne Road. Additional lanes and signal timing changes would be required at the intersection of Tracy Boulevard/Whispering Wind Drive. The proposed improvements are shown in Figure 5.

2035 Cumulative plus Project Traffic Conditions (Scenario 4)

In this scenario the projected traffic volume generated by the proposed Middlefield Drive Apartments and Self-Storage Facility is added to the 2035 Cumulative Base Condition. As shown in Table III, the proposed project is expected to generate approximately 57 a.m. peak hour trips and 81 p.m. peak hour trips.

Level of Service Analysis – 2035 Cumulative plus Project Traffic Condition

The projected 2035 Cumulative peak hour turning movement volumes are shown in Figure 5. The results of the intersection LOS analysis under this scenario are shown in Table VI. The detailed LOS calculations are contained in Appendix F.

Table VI: Intersection Levels of Service – 2035 Cumulative plus Project Conditions (Scenario 4)

			2035 Cumulative plus Project				Future Control	2035 Cumulative plus Project			
Int.		*Existing Control*	*AM*		*PM*			*AM*		*PM*	
			Delay	*LOS*	*Delay*	*LOS*		*Delay*	*LOS*	*Delay*	*LOS*
1	Corral Hollow Road/Middlefield Drive	Signal	21.3	C	43.5	D	Signal	20.3	C	23.8	C
2	Project Driveway/ Corral Hollow Road	2WSC	11.7	B	16.5	C	2WSC	10	B	11.7	B
3	Corral Hollow Road/W. Linne Road	2WSC	>120	**F**	>120	**F**	**Signal**	29.0	C	46.6	D
4	Project Driveway/ Middlefield Drive	2WSC	14.3	B	17.3	C	2WSC	14.3	B	17.3	C
5	Tracy Boulevard/Whispering Wind Drive	Signal	42.3	D	101.7	**F**	Signal	34	C	49.9	D
6	Tracy Boulevard/W. Linne Road	AWSC	296.8	**F**	908.6	**F**	**Signal**	29.7	C	36.8	D

Notes: LOS = Level of Service; X = Intersection level of service
X.X = Overall intersection delay in seconds per vehicle
(X.X) = Delay for minor movement at Unsignalized intersection
2WSC = Two Way Stop Control and AWSC = All Way Stop Control
Signal (**Bold** font) – New signal control improvement required

As shown in Table V, similar to the 2035 Cumulative base condition, it is estimated that three intersections would operate at LOS F under the existing traffic control and lane configuration. These are Corral Hollow Road/W. Linne Road, Tracy Boulevard/Whispering Wind Drive and Tracy Boulevard/W. Linne Road.

Similar to the 2035 Cumulative base scenario, a signal would be required at the intersections of Corral Hollow Road/W. Linne Road and Tracy Boulevard/W. Linne Road. Additional lanes and signal timing changes would be required at the intersection of Tracy Boulevard/Whispering Wind Drive. The proposed improvements are shown in Figure 5.

Table VII shows the change in delay between the 2035 Cumulative condition and the 2035 Cumulative plus Project condition at the study intersections. It is estimated that project traffic would contribute minimal additional delays to all study intersections.

Table VII: Comparison of Changes in Delay – between 2035 Cumulative Condition (Scenario 3) and 2035 Cumulative plus Proposed Project Condition (Scenario 4)

		Future Control	Changes in Delay, seconds	
Int.			***AM***	***PM***
1	Corral Hollow Road/Middlefield Drive	Signal	0.3	0.7
2	Project Driveway/ Corral Hollow Road	2WSC	-	-
3	Corral Hollow Road/W. Linne Road	**Signal**	0.0	0.6
4	Project Driveway/ Middlefield Drive	2WSC	1.3	4.6
5	Tracy Boulevard/Whispering Wind Drive	Signal	0.2	0.8
6	Tracy Boulevard/W. Linne Road	**Signal**	0.0	0.1

Notes: 2WSC = Two Way Stop Control and AWSC = All Way Stop Control
Signal (**Bold** font) – New signal control improvement required

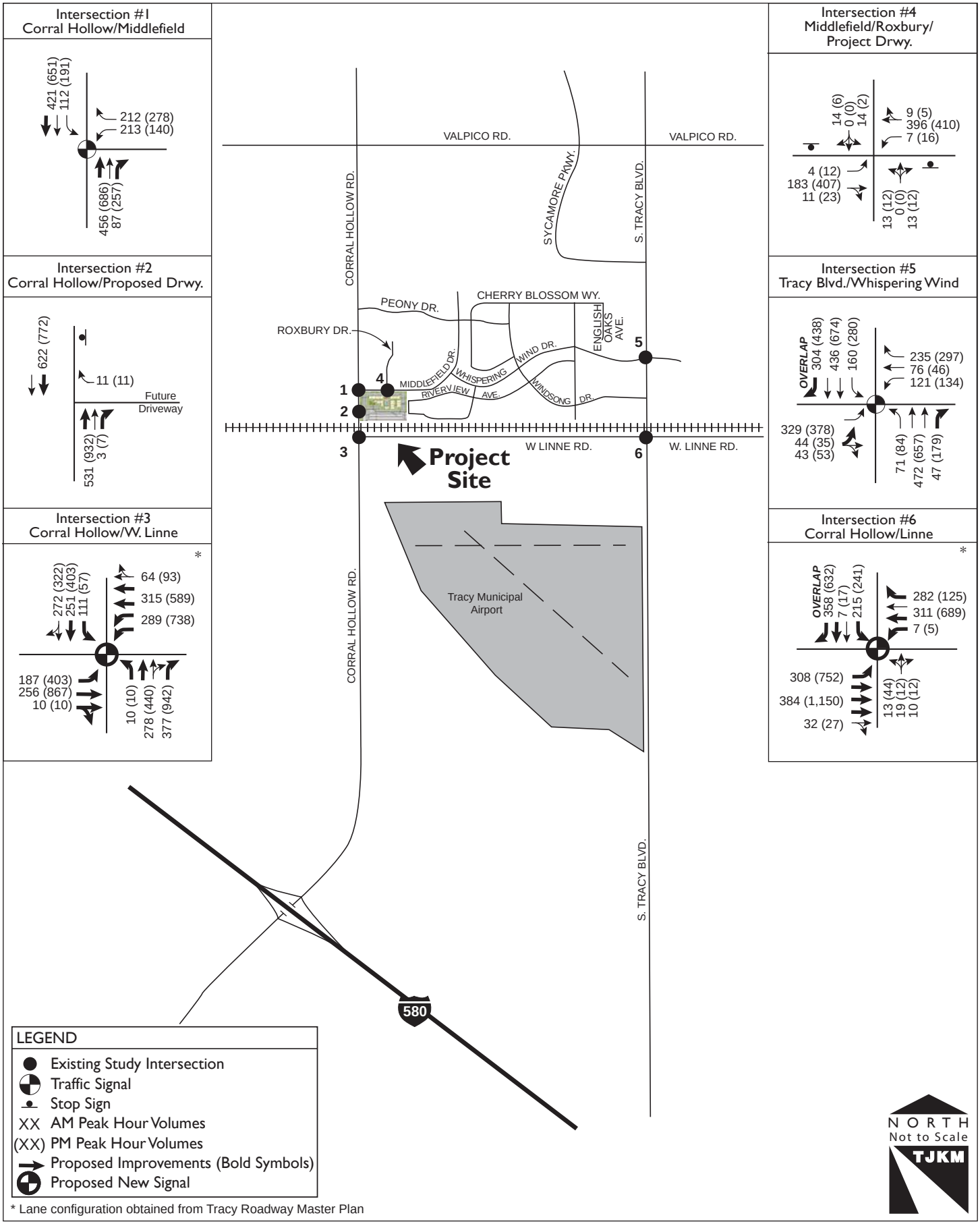
Proposed Driveway on Corral Hollow Road

As mentioned earlier, the City's long term Roadway Master Plan shows Corral Hollow Road to be a four or six lane major arterial roadway. Consequently, it is expected to function as a high speed roadway and is projected to carry a large amount of traffic in the long run.

When Corral Hollow Road becomes a four or six lane high speed arterial in the future, it would be unsafe for the proposed unsignalized project driveway to provide full access movements. Therefore, it is recommended that the proposed project driveway becomes a right-in and right-out only driveway. The developer should work with the City to determine when this should occur in the future.

City of Tracy - Middlefield Apartments and Self-Storage Facility Traffic Impact Study
2035 Cumulative plus Project Peak Hour Volumes & Lane Configuration

Figure 6



* Lane configuration obtained from Tracy Roadway Master Plan

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Conclusions

TJKM has reached the following conclusions regarding the proposed Middlefield Drive Apartments and Self-Storage Facility located at the southeast quadrant of the intersection of Middlefield Drive and Corral Hollow Road in the City of Tracy:

- Under Existing Conditions (Scenario I), all of the study intersections operate at acceptable levels of service (LOS).
- The proposed Project is expected to generate approximately 57 trips during a.m. peak hour and 81 trips during p.m. peak hour.
- Under Existing plus Project Conditions (Scenario II), all the study intersections are expected to continue operating at acceptable levels of service.
  A southbound left-turn pocket should be provided on Corral Hollow Road at the proposed driveway which will ensure safe queuing for vehicles waiting to enter the project site.

  To safely facilitate the flow of traffic at the proposed driveway and at the adjacent Middlefield Drive intersection, it is recommended that a right-turn deceleration lane be provided. This will allow slower decelerating right-turn traffic to be removed from the through lanes on Corral Hollow Road.

  Site plan is under review and should be finalized with City approval.
- Under 2035 Cumulative Traffic Conditions (Scenario 3), it is estimated that three intersections would operate at LOS F under the existing traffic control and lane configuration. These are Corral Hollow Road/W. Linne Road, Tracy Boulevard/Whispering Wind Drive and Tracy Boulevard/W. Linne Road.

  - A signal would be required at the intersections of Corral Hollow Road/W. Linne Road and Tracy Boulevard/W. Linne Road. Additional lanes and signal timing changes would be required at the intersection of Tracy Boulevard/Whispering Wind Drive.
- Under 2035 Cumulative plus Project Traffic Conditions (Scenario 4), it is estimated that three intersections would operate at LOS F under the existing traffic control and lane configuration. These are Corral Hollow Road/W. Linne Road, Tracy Boulevard/Whispering Wind Drive and Tracy Boulevard/W. Linne Road.

  - Similar to the 2035 Cumulative base condition, a signal would be required at the intersections of Corral Hollow Road/W. Linne Road and Tracy Boulevard/W. Linne Road. Additional lanes and signal timing changes would be required at the intersection of Tracy Boulevard/Whispering Wind Drive.

  - When Corral Hollow Road becomes a four or six lane high speed arterial in the future, it would be unsafe for the proposed unsignalized project driveway to provide full access movements. Therefore, it is recommended that the proposed project driveway becomes a right-in and right-out only driveway. The developer should work with the City to determine when this should occur in the future.

Appendix A – Level of Service Methodology

Appendix B – Intersection Turning Movement Counts

Appendix C – Level of Service Worksheets: Existing Conditions (Scenario 1)

Appendix D – Level of Service Worksheets: Existing + Proposed Project (Scenario 2)

Appendix E – 2035 Cumulative Traffic Condition (Scenario 3)

Appendix F – 2035 Cumulative plus Project Traffic Condition (Scenario 4)

ROSEN
GOLDBERG
DER &
LEWITZ, INC.
Acoustical and Audiovisual Consultants

10 September 2014

Bruce Myers
VP of Land Development
Pacific Union Land Company, Inc.
675 Hartz Avenue, Suite 300
Danville, CA 94526

Subject: Traffic Noise Analysis
Project: Middlefield Apartments
RGDL #: 14-032

Dear Bruce:

We have completed the requested traffic noise analysis for the project site. The purpose of our analysis is to determine whether a noise barrier is necessary to reduce traffic noise levels to meet the City's General Plan exterior noise standard.

The City of Tracy General Plan Noise Element standard for exterior noise at new multi-family residential land use is a Day/Night Average Sound Level (L_{dn}) of 65 dBA. This standard is applied to community outdoor recreation areas. It is not applied to balconies.

The conceptual site plan for the project (dated 20 December 2013) indicates two outdoor recreation areas. One is a pool near the center of the site and the other is a tot lot and BBQ area on the western side of the site.

To quantify the future traffic noise exposure at these outdoor areas the Federal Highway Administration's Traffic Noise Model (TNM 2.5) was used. This model calculates noise based on the traffic volumes, truck mix, travel speeds and three dimensional coordinates of the roadways, barriers/buildings and noise receptors.

According to the project traffic study (dated 16 May 2013), the future (2035 with the project) peak hour traffic volume will be 1700 vehicles per hour along Corral Hollow Road and 869 vehicles per hour along Middlefield Road. A conservative truck mix of 12% was assumed for Corral Hollow and 2% was assumed for Middlefield. Travel speeds were based on the posted speed limits. It was assumed that, with the project grading, the elevation of the site will be approximately the same as the adjacent roadways.

The calculated future traffic L_{dn} is 58 dBA at the pool area and 68 dBA at the Tot lot/BBQ area. Therefore, the pool area would be within the City's standard of L_{dn} 65 dBA while the Tot lot/BBQ area would exceed the standard by 3 dBA.

Acoustical shielding from structures or a property line wall along Corral Hollow Road can reduce the future traffic noise level at the Tot lot/BBQ area to an L_{dn} of 65 dBA or less. Based on our review there are two options to achieve the required traffic noise reduction (see Figures 1 and 2).

1. A continuous 6-foot-high barrier along Corral Hollow Road from the site driveway and around the corner at Middlefield Road.

2. A continuous 6-foot-high barrier at the corner of Corral Hollow and Middlefield Roads as well as 8-foot-high solid backed carports at the parking area between the Tot lot/BBQ area and Corral Hollow Road.

The barrier can be masonry, wood or an earthen berm. If the barrier is wood is should be solid with no cracks or gaps and have a minimum surface density of 2.5 pounds per square foot.

Figure 1: Noise Barrier Option 1

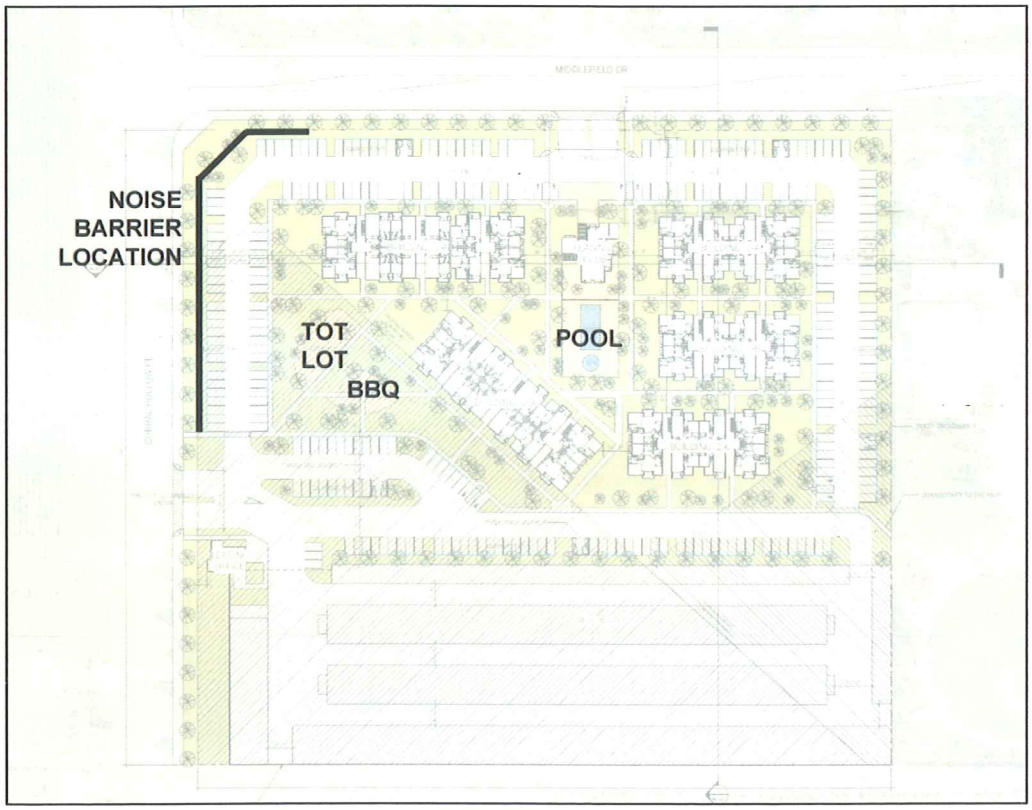
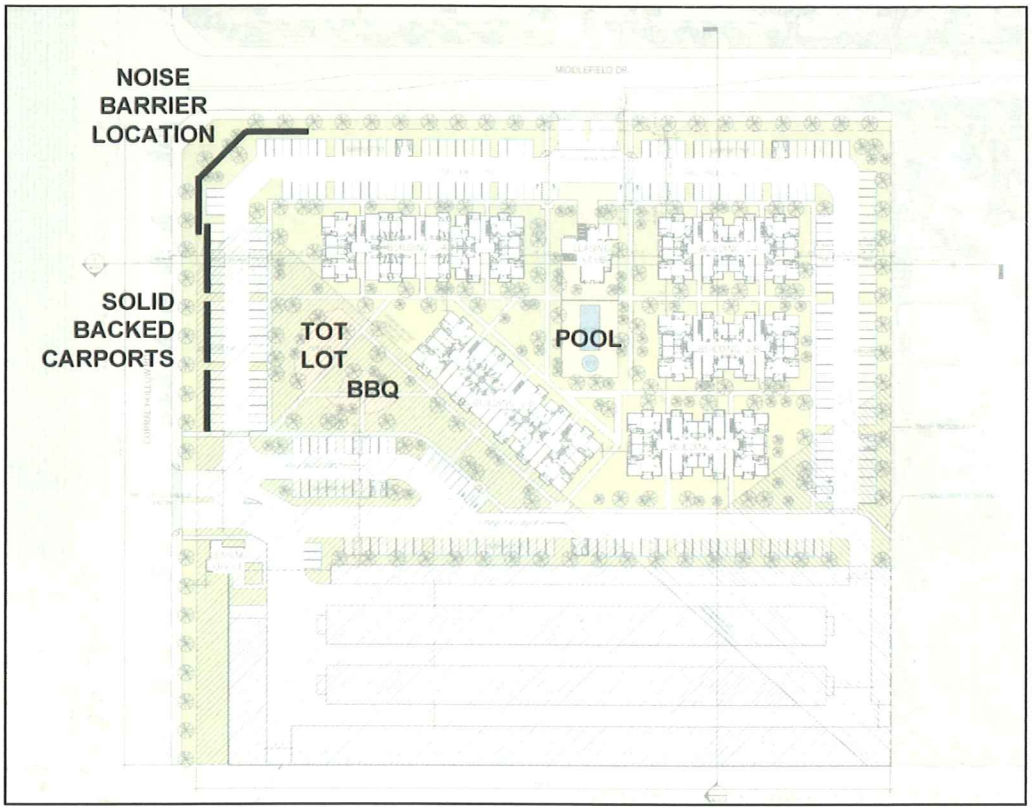


Figure 2: Noise Barrier Option 2



The project is also subject to requirements for interior noise levels. Specifically, the State of California Building Code requires new multi-family dwelling units to achieve an interior L_{dn} of 45 dBA due to exterior sources. This requirement is repeated by the the City of Tracy General Plan in Policy P5 of the Noise Element. Policy P7 includes an additional interior noise standard from single event noise from railroads and aircraft. This standard requires that typical maximum instantaneous noise level (L_{max}) be limited to 50 dBA in bedrooms and 55 dBA in other rooms. Due to the proximity of the project to the airport and the railroad corridor, this requirement will also apply to the project.

To meet the indoor noise requirements, sound-rated windows and doors will be needed at the some or all of the dwelling units. The sound-ratings will depend on the unit/building floor plans as well as the window/door locations and sizes. Therefore, the detailed recommendations should be determined during the detailed architectural design phase of the project development.

This concludes our current comments. Please contact us if you have any questions.

Sincerely,

Harold S. Goldberg, P.E.
Principal
Rosen Goldberg Der & Lewitz, Inc.

ATTACHMENT H

RESOLUTION_____

RECOMMENDING THAT THE CITY COUNCIL APPROVE THE EDGEWOOD PLANNED UNIT DEVELOPMENT TO PERMIT MULTI-FAMILY AND SELF-STORAGE USES AT THE SOUTHEAST CORNER OF CORRAL HOLLOW ROAD AND MIDDLEFIELD DRIVE, ASSESSOR'S PARCEL NUMBERS 244-020-07. THE APPLICANT IS PACIFIC UNION LAND COMPANY, INC. AND PROPERTY OWNER IS EDGEWOOD LANE DEVELOPERS, LP. APPLICATION NUMBER PUD12-0002

WHEREAS, Edgewood Lane Developers, LP submitted an application to amend the Edgewood Planned Unit Development Concept Development Plan to permit multi-family residential uses and self-storage use at an approximately 10.92-acre site at the southeast corner of Corral Hollow Road and Middlefield Drive (PUD12-0002) and an application for a Preliminary and Final Development Plan for a 144-unit apartment complex with associated parking and recreation areas at the subject site (D13-0017), and

WHEREAS, Multi-family residential and self-storage land uses are consistent with the General Plan land use designation of Commercial, and

WHEREAS, The project is consistent with the General Plan for which an Environmental Impact Report was certified and is exempt from the California Environmental Quality Act per Section 15183 and for which an analysis of the project against the checklist contained in Section 15183 was performed, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on October 28, 2015, and

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends the City Council approve an Edgewood Planned Unit Development Concept Development Plan amendment to permit multi-family and self-storage uses at the approximately 10.92-acre site center located at the southeast corner of Corral Hollow Road and Middlefield Drive.

* * * * * * * * * * * * * * * * *

The foregoing Resolution 2015-_____ was adopted by the Planning Commission on the 28th day of October, 2015, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAIN: COMMISSION MEMBERS:

_____
Chair

ATTEST:

_____
Staff Liason

ATTACHMENT I

RESOLUTION_____

RECOMMENDING THAT THE CITY COUNCIL TO APPROVE THE PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A 144-UNIT APARTMENT COMPLEX AND ASSOCIATED OUTDOOR AREAS. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF CORRAL HOLLOW ROAD AND MIDDLEFIELD DRIVE, ASSESSOR'S PARCEL NUMBERS 244-020-07. THE APPLICANT IS PACIFIC UNION LAND COMPANY, INC. AND PROPERTY OWNER IS EDGEWOOD LANE DEVELOPERS, LP. APPLICATION NUMBER D13-0017

WHEREAS, Edgewood Lane Developers, LP submitted an application to amend the Edgewood Planned Unit Development Concept Development Plan to permit multi-family residential uses and self-storage use at an approximately 10.92-acre site at the southeast corner of Corral Hollow Road and Middlefield Drive (PUD12-0002) and an application for a Preliminary and Final Development Plan for a 144-unit apartment complex with associated parking and recreation areas at the subject site (D13-0017), and

WHEREAS, The proposed project is consistent with the General Plan and the Concept Development Plan; the proposed architecture complements the architectural quality of the adjacent residences and apartments by including such architectural elements as hip roofs, a mix of stucco and horizontal siding, wood and metal accents, and split-face block; the proposed development plan and improvements along the streetscape are designed to complement that of the adjacent apartment complex, the project includes a pedestrian connection to the adjacent park; large landscaped areas are provided between buildings to provide open space and separation between buildings, the parking area is designed for good vehicular circulation and pedestrian paths are provided between buildings to facilitate pedestrian circulation through the site and provide efficient access to adjacent self-storage site, the project will not impair property values or benefits of occupancy of other properties in the vicinity, and the project will not impact the health, safety, and general welfare of the community, and

WHEREAS, The project is consistent with the General Plan for which an Environmental Impact Report was certified and is exempt from the California Environmental Quality Act per Section 15183 and for which an analysis of the project against the checklist contained in Section 15183 was performed, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on October 28, 2015, and

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council approve the Preliminary Development Plan and Final Development Plan for the Middlefield Apartments consisting of 144 units and associated outdoor parking and recreational areas at the southeast corner of Corral Hollow Road and Middlefield Drive, subject to conditions stated in Exhibit "1," attached and made part hereof.

* * * * * * * * * * * * * * * * * *

The foregoing Resolution 2015-_____ was adopted by the Planning Commission on the 28th day of October, 2015, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAIN: COMMISSION MEMBERS:

_____
Chair

ATTEST:

_____
Staff Liason

City of Tracy
Conditions of Approval
Middlefield Apartments
Application Number D13-0017
October 28, 2015

A. General Provisions and Definitions.

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

The Project: Preliminary and Final Development Plan for the Middlefield Apartments

The Property: Northerly 7.36-acres of the parcel located at the southeast corner of Corral Hollow Road and Middlefield Drive, Assessor's Parcel Number 244-020-07

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 (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).

d. "Development Services Director" means the Development Services Department 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 Project (Application Number D13-0017). 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 Developer may be the property owner or the leasee, where responsibilities for improvements are distributed among each party. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the apartment project shall be constructed in substantial compliance with the Preliminary and Final

Development Plan, which includes the site plan, floor plans, architectural elevations, and parking area and landscaping plan received by the Development Services Department on October 1, 2015.

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. Mitigation Measures. Unless specifically modified by these Conditions of Approval, the Applicant shall comply with all applicable mitigation measures identified in the General Plan Environmental Impact Report, dated February 1, 2011.

B.2. School Mitigation. Before the issuance of a building permit, the Applicant shall document compliance with all applicable school mitigation requirements consistent with City Council standards and obtain certificate of compliance from the Jefferson Elementary School District for each new residential building permit.

B.3. APCD Compliance. The Applicant shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), including District Rule 9510, Regulation VIII, and payment of all applicable fees.

B.4. Habitat Conservation. The Applicant shall comply with all applicable provisions of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, including Incidental Take Minimization Measures applicable at the time of permit, a pre-construction survey prior to ground disturbance and payment of all applicable fees, to the satisfaction of San Joaquin Council of Governments.

B.5. ALUCP Compliance. The Applicant shall comply with the San Joaquin County's 2009 Airport Land Use Compatibility Plan, including, but not limited to, the following standards and project design conditions, to the satisfaction of the San Joaquin Council of Governments and the San Joaquin County Airport Land Use Commission (ALUC) staff before the approval of a building permit for Conditions B.5.1 through B.5.5.:

B.5.1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:

B.5.1.a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs);

B.5.1.b. Sources of dust, steam, or smoke which may impair pilot visibility;

B.5.1.c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.

B.5.1.d. Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds.

B.5.2. Within the Inner Approach Departure Zone (2) and the Inner Turning Zone (3):

B.5.2.a. ALUC review is required or any proposed object taller than 35 feet AGL.

B.5.2.b. An Aviation Easement shall be dedicated to the City of Tracy, as the owner of Tracy Municipal Airport, to convey rights associated with aircraft overflight of a property, including creation of noise, limits on the height of structures and trees, etc.

B.5.2.c. All residences and office buildings shall have a minimum NLR of 45 dB.

B.5.3. Within all zones, occupied structures must be soundproofed to reduce interior noise to 45 dB according to State Guidelines.

B.5.4. Within the AIA, ALUC review is required for any proposed object taller than 100 feet AGL.

B.5.5. Regardless of location within San Joaquin County, ALUC review is required in addition to FAA notification in accordance with Code of Federal Regulations,

Part 77 for any proposal for construction or alteration under the following conditions:

B.5.5.a. If requested by the FAA.

B.5.5.b. Any construction or alteration that is more than 200 ft. AGL at its site.

B.5.5.c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.

B.5.5.d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards.

B.5.5.e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

B.5.6. For new residential development within any airport's influence area (AIA), deed notices are required per the California Civil Code as well as the San Joaquin County's Airport Land Use Compatibility Plan. These notices are a form of buyer awareness measure whose objective is to ensure that prospective buyers of airport area property, particularly residential property, are informed about the airport's impact on the property. A statement similar to the following should be included on the deed for any real property subject to the deed notice requirements set forth in the San Joaquin County Airport Land Use Compatibility Plan. Such notice should be recorded by the county of San Joaquin.

Sample Deed Notice
The San Joaquin County Airport Land Use Commission's Airport Land Use Compatibility Plan identify the Tracy Municipal Airport's Airport Influence Area. Properties within this area are routinely subject to overflights by aircraft using this public-use airport and, as a result, residents may experience inconvenience, annoyance, or discomfort arising from the noise of such operations. State law (Public Utilities Code Section 21670 et seq.) establishes the importance of public-use airports to the public interest of the people of the state of California.

B.6. Landscaping. Before the approval of a building permit, the Applicant shall provide detailed landscape and irrigation plans that demonstrate the following to the satisfaction of the Development Services Director:

B.6.1. Compliance with the landscaping requirements set forth in the TMC Off-Street Parking ordinance.

B.6.2. No less than 40% of the parking area is shaded in canopy tree coverage at tree maturity. Shade trees shall achieve a minimum canopy diameter of 25 feet at maturity.

B.6.3. A planting legend indicating, at minimum, the quantity, planting size, and height and width at maturity. Trees shall be a minimum of 24" box size, shrubs

shall be a minimum size of 5 gallon, and vines and groundcover shall be a minimum size of 1 gallon.

B.6.4. Where parking stalls are perpendicular to landscape or hardscape areas, the landscape or hardscape area shall be extended two feet into the length of the parking stall in lieu of a wheel stop. This parking stall overhang may not be double-counted toward other parking area minimum landscape requirements.

B.6.5. Where trees are planted ten feet or less from a sidewalk or curb, root barriers dimensioned 8 feet long by 24 inches deep shall be provided adjacent to such sidewalk and curb, centered on the tree.

B.6.6. Accent trees shall be planted along the street side perimeter of the site spaced between twenty-five to thirty-five feet apart such that they are visible from the public right-of-way.

B.7. Landscape and Irrigation Maintenance. Before the issuance of a building permit, the Applicant shall execute an Agreement for Maintenance of Landscape and Irrigation Improvements and submit financial security to the Development Services Department. The Agreement shall ensure maintenance of the on-site landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the on-site landscape and irrigation improvements or $2.50 per square foot of on-site landscape area.

B.8. Parking Area. Before the approval of a building permit, the Applicant shall submit detailed plans that demonstrate the following:

B.8.1. All parking stalls dimensioned in accordance with City Standard Plan 154.

B.8.2. Twelve-inch wide concrete curbs provided along the perimeter of landscape planters where such planters are parallel and adjacent to vehicular parking spaces to provide access to vehicles without stepping into the landscape planters.

B.9. Lighting. Before the approval of a building permit, the Applicant shall submit detailed plans that demonstrate the following:

B.9.1 A minimum of one foot candle throughout the parking area.

B.9.2. All exterior and parking area lighting shall be directed downward or shielded to prevent glare or spray of light onto any adjacent private property to the satisfaction of the Development Services Director, except for the overspray onto the adjacent public park as required in Condition E.2.C, below.

B.10. Security Fencing. Prior to issuance of a building permit, the Applicant shall submit detailed plans demonstrating the location and design of a durable, non-chain link, high quality fence for the security of the undeveloped portion of the site. The fence shall be comprised of black metal, such as tube steel, and shall be maintained until the construction of the undeveloped portion is underway, to the satisfaction of the Development Services Director. No barbed wire or razor wire is permitted on the fence.

B.11. Noise Analysis Recommendation. Before the approval of a building permit, the Applicant shall submit detailed plans for the sound wall and solid backed carports described as Option 2 in the Noise Analysis prepared by Rosen Goldberg Der & Lewitz, Inc. dated September 10, 2014. The carport walls shall be designed match the carports and the sound wall shall be designed to match the existing wall to which it will be attached to the satisfaction of the Development Services Director.

B.12. Sound Wall. Before the approval of a building permit, the Applicant shall submit detailed plans for the continuation of the sound wall along the southern property line along Linne Road. The wall shall be comprised of design, materials, color, texture, and height to match the existing sound wall to the satisfaction of the Development Services Director.

B.13. Trash and Recycling Enclosures. Before the approval of a building permit, the Applicant shall submit plans for the design of the trash and recycling enclosure. The enclosure shall architecturally match the main building, such as painting the posts to match main building walls and the roof to match main building roofs, to the satisfaction of the Development Services Director. The walls shall be seven feet or greater in height to fully screen the height of the bins, and the door shall be constructed of a solid metal door attached to posts which are attached to the walls.

B.14. Roof equipment. Before final inspection or certificate of occupancy, all roof-mounted and/or through-roof 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 fully screened from view from any public right-of-way to the satisfaction of the Development Services Director.

B.15. Above-ground Utilities. Before final inspection or certificate of occupancy, all PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from any public right-of-way behind structures or landscaping to the satisfaction of the Development Services Director.

B.16. Exterior appurtenances. Before final inspection or certificate of occupancy, all vents, gutters, downspouts, flashing, and electrical conduits shall be internal to the structures and other wall-mounted or building-attached utilities and bollards 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.

C. Development Services Engineering Division Conditions

Contact: Criseldo S. Mina, P. E (209) 831-6425 cris.mina@ci.tracy.ca.us

C.1. General Conditions

C.1.1 Developer shall comply with the applicable recommendations of the technical analyses/ reports prepared for the Project listed as follows:

a) Middlefield Apartments and Self-Storage Facility Project *Traffic Impact Study in the City of Tracy, prepared by TJKM Transportation Consultants, dated May 16, 2013 ("Traffic Analysis").*

b) *Revised Hydraulic Evaluation of* Middlefield Apartments and Self-Storage Facility Project*, prepared by West Yost Associates, dated March 6, 2015 ("Water Analysis").*

C.1.2 Developer shall comply with the requirements of the Finance Plan for Plan "C" approved by City Council.

C.1.3 Improvements on the frontage of the Project shall comply with the Precise Plan Line for Corral Hollow Road prepared by Ruggeri-Jensen-Azar titled "Plan Line Study, Corral Hollow Road as approved by the City Council.

C.2. Grading Permit

The City will not accept grading permit application for the Project until the Developer has provided all relevant documents related to said grading permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.2.1. Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer.

C.2.2. Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

C.2.3. Three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) for the Project with a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any relevant documentation or written approvals from the SWQCB, including the Wastewater Discharge Identification Number (WDID#).

a. After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB. The Developer shall provide the City with a copy of the completed Notice of Termination.

b. The cost of preparing the SWPPP, NOI and NOT, including the filing fee of the NOI and NOT, shall be paid by the Developer.

c. The Developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) that includes specific types and sources of stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate control measures to eliminate any potentially significant impacts on receiving water quality from stormwater runoff. The SWPPP shall require treatment BMPs that incorporate, at a minimum, the required hydraulic sizing design criteria for volume and flow to treat projected stormwater runoff. The SWPPP shall comply with the most current standards established by the Central Valley RWQCB. Best Management Practices shall be selected from the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment according to site requirements and shall be subject to approval by the City Engineer and Central Valley RWQCB.

C.2.4. Two (2) sets of the Project's Geotechnical Report signed and stamped by a licensed Geotechnical Engineer licensed to practice in the State of California, as required in Condition C.3.1(a), below. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, percolation rate, and elevation of the highest observed groundwater level.

C.2.5. A copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD).

C.2.6. Two (2) sets of Hydrologic and Storm Drainage Calculations for the design of the on-site storm drainage system and for determining the size of the project's storm drainage connection.

C.3. Encroachment Permit - No applications for encroachment permit will be accepted by the City as complete until the Developer provides all relevant documents related to said encroachment permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.3.1. Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar) and these Conditions of Approval. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

C.3.2. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.

C.3.3. Signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of the identified public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the Tracy Municipal Code (TMC), and the OIA. The Developer's obligations in the OIA shall be deemed to be

satisfied upon City Council's acceptance of the public improvements and release of the Improvement Security.

C.3.4. Check payment for the applicable engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on April 15, 2014, per Resolution 2014-059.

C.3.5. Traffic Control Plan signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.

C.3.6. Signed and notarized Pipeline Crossing Agreement with UPRR, for the installation, use, repair, and maintenance of the Project's permanent water connection from Linne Road through the UPRR right-of-way, as required in Condition 5.2(b), below.

C.4. Improvement Plans - Improvement Plans shall contain the design, construction details and specifications of public improvements that is/are necessary to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. The Improvement Plans shall be completed to comply with City Regulations, these Conditions of Approval, and the following requirements:

C.4.1. Grading and Storm Drainage Plans

C.4.1.1. Site Grading

a. Include all proposed erosion control methods and construction details to be employed and specify materials to be used. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Geotechnical Engineer. A copy of the Project's Geotechnical Report must be submitted with the Grading and Storm Drainage Plans.

b. When the grade differential between the Project Site and adjacent property(s) exceeds 12 inches, a reinforced or masonry block, or engineered retaining wall is required for retaining soil. The Grading Plan shall show construction detail(s) of the retaining wall or masonry wall. The entire retaining wall and footing shall be constructed within the Project Site. A structural calculation shall be submitted with the Grading and Storm Drainage Plans.

c. An engineered fill may be accepted as a substitute of a retaining wall, if the grade differential is less than 2 feet and subject to approval by the City Engineer. The Grading and Storm Drainage Plans must show the extent of the slope easement(s). The

Developer shall be responsible for obtaining permission from owner(s) of the adjacent and affected property(s). The slope easement must be recorded, prior to the issuance of the final building certificate of occupancy.

d. Site grading shall be designed such that the Project's storm water can surface drain directly to a public street that has a functional storm drainage system with adequate capacity to drain storm water from the Project Site, in the event that the on-site storm drainage system fails or it is clogged. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.

C.4.1.2. Storm Drainage

a. The Developer shall design and install the Project's permanent drainage connection(s) to the City's existing storm facility located on Middlefield Drive per City Regulations and as approved by the City Engineer. Storm drainage calculations for the sizing of the on-site storm drainage system and the Project's permanent storm drainage connection must be submitted with the Improvement Plans.

b. The design and construction details of the Project's permanent storm drainage connection shall meet City Regulations and shall comply with the applicable requirements of the City's Storm Water Quality Control Standards and storm water regulations that were adopted by the City Council in 2008 and any subsequent amendments. The design and construction details of the Project's permanent storm drainage connection shall be incorporated in the Offsite Improvement Plans.

c. Prior to the final inspection of the first building to be constructed on the Property, the Developer shall submit a signed and notarized Stormwater Treatment Facilities Maintenance Agreement (STFMA) as a guarantee for the performance of Developer 's responsibility towards the repair and maintenance of on-site storm water treatment facilities. Calculations related to the design and sizing of on-site storm water treatment facilities must be submitted with the STFMA and the Grading and Storm Drainage Plans.

C.4.2. Offsite Improvement Plans

C.4.2.1. Sanitary Sewer

a. Per the Sewer Study prepared by Carlson, Barbee & Gibson, Inc., dated August 13, 2013, the Developer shall design and construct sewer line with adequate capacity to serve the Project from the Property to the existing sewer line in Middlefield Drive.

b. Prior to the issuance of Grading Permit for the Project, Developer shall submit improvement plans and secure approval of plans from the City's Building Division for the design of the on-site sewer improvements.

c. The Developer is hereby notified that the City has limited wastewater treatment capacity in the City's Wastewater Treatment Plant until current and future expansion capital improvement projects are completed and operational. As of January 2015, the City had an unused capacity of approximately 4200 EDU's within its wastewater treatment plant available to new development within the City on a first come-first served basis. These EDU's are currently available to serve the proposed project, but as other development projects within the City come forward and building permits are issued, this remaining capacity will be reduced.

C.4.2.2. Water Distribution System

a. The City's Water Consultant, West Yost & Associates has completed the technical evaluation of the ability of the City's existing water distribution system to meet required minimum pressures and flows for the proposed Project. The results of that analysis are included in the Technical Memorandum dated March 6, 2015 entitled "*Revised Hydraulic Evaluation of Middlefield Drive Apartments and Self-Storage Facility*" (*Water Analysis*). The Developer shall comply with all the recommendations in the Water Analysis. All water connections that are bigger than 2 inches in diameter shall be Ductile Iron Pipe (DIP).

b. The Developer shall complete the design and installation of water lines and connections as recommended in the Water Analysis (Figure 4) including the 12-inch diameter DIP from the Project to Linne Road to be located within Don Cose Park to the east of the Project and under the Union Pacific Railroad Company (UPRR) right-of-way (Offsite Water Line Improvements), prior to final inspection of the first building to be constructed within the Property.

c. UPRR Water Line Crossing - The proposed water line crossing within the UPRR property will require written permission or pipeline crossing agreement and permanent utility easement from UPRR. The Developer shall submit a signed pipeline crossing agreement prior to starting work within UPRR's right-of-way. The Developer shall pay all costs associated with obtaining written permission and a pipeline crossing agreement with UPRR and the granting of the necessary utility easements. The pipeline crossing agreement will require approval from the City Council. The Developer shall also obtain tunnel classification relative to flammable gas or vapors, and submit all required documentation to meet applicable requirements of the California Occupational Safety and Health Administration.

The Developer shall provide the City the tunnel classification issued by the Cal-OSHA Department of Industrial Relations, prior to starting the work.

d. In order to guarantee completion of the Offsite Water Line Improvements, the Developer shall enter into an improvement agreement (Offsite Improvement Agreement or OIA) and post improvement security in the amounts and form in accordance with section 12.36.080 of the TMC, and as required by these Conditions of Approval. The Developer shall submit the signed and notarized OIA with the necessary improvement security, prior to the issuance of the Grading Permit.

e. Reimbursements for the Offsite Water Line Improvements

1) The cost of Offsite Water Line Improvements is estimated at $361,000, of which, $22,770 (6% of the total estimated pipeline construction cost) is the obligation of the Project. If the Developer completes the installation of the Offsite Water Line Improvements, the Developer will be entitled to fee credits and reimbursements as outlined below. Total fee credits and reimbursements be based on the actual cost, subject to annual adjustment based on the percentage increase in the Engineering News Record Construction Cost Index. The amount of fee credits and reimbursements shall be determined during the review of improvement plans.

2) The Developer shall be eligible for fee credits for impact fees assessed for Water Distribution (additional capacity) upon execution of the OIA and posting of security. These fees for the Project are estimated at $193,839.

3) The City will be collecting Water Master Plan Program Fees from the Ellis Specific Plan Area Project up to a maximum of $114,800 at buildout of the Ellis Plan Area project per Ellis Finance Implementation Plan. City will reimburse the Developer for costs expended on the Offsite Water Line Improvements in excess of $193,839 (or then current water fee credits if higher) from the Water Master Plan Program Fees as future Development Impact Fees are collected from the Ellis Project, up to the $114,800 limit.

4) Construction costs in excess of $308,639 will be eligible for reimbursement to be paid from a Benefit Assessment District (Benefit District) that will collect fees from future developments located within Pressure Zone 3 that directly benefit from the Offsite Water Line Improvement. (A breakdown of fair share responsibilities of the parcels and projects that will benefit from the proposed Whirlaway 12-inch Water Pipeline is shown on Table 1 of the *Middlefield Pipeline Cost Share* supplemental

memorandum prepared by West Yost Associates, dated October 2015.)

The Developer shall make a written request to the City for the formation of a Benefit District prior to the approval of improvement plans for the Offsite Water Line. Reimbursement request(s) will be processed in accordance with Chapter 12.60 of the TMC.

f. On-site Booster Pumps Alternative: As an alternative to constructing the Offsite Water Line Improvements, the Developer may opt to install two on-site (private) jockey pumps as described in the Water Analysis ("Booster Pumps Alternative"). The Developer shall submit plans and specifications for the Booster Pumps Alternative with the onsite improvement plans for review and approval by the City. Submittals shall include all required equipment including stand-by generators (if needed) and details for future decommissioning of the pumps when the Offsite Water Line Improvements are completed by the City. The Developer shall be responsible to pay for all costs for review and approval of the Booster Pump Alternative by the City's consultant. All costs for construction, maintenance, operations, and decommissioning of the booster pumps shall be the sole responsibility of the Developer, and no reimbursement of these costs shall be allowed. If the Developer opts for the Booster Pump Alternative, the Offsite Water Line Plan shall include provisions for a Tee stub with a valve for future extension of a 12-inch water main connection to the Linne Road water by the City.

g. Water Shutdown Plan and Traffic Control Plan: If water main shut down is necessary, the City will allow a maximum of four hours water supply shutdown. The Developer shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Developer shall submit a Water Shutdown Plan and Traffic Control Plan to be used during the installation of the offsite water mains.

h. Domestic and Irrigation Water Services – The Developer shall design and install domestic and irrigation water service connection, including a remote-read master water meter (the water meter to be located within City's right-of-way) and a Reduced Pressure Type back-flow protection device in accordance with City Regulations. The City will allow two remote-read master water meters for the Project, one remote-read master water meter for each residential phase. The domestic and irrigation water service connection(s) must be completed before the final inspection of the

building. Sub-metering will be allowed within private property. The City will not perform water consumption reading on sub-meters. The Developer will be responsible for relocating or reinstalling water sub-meters.

i. All costs associated with the installation of the Project's permanent water connection(s) as identified in the Water Analysis including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings, replacing traffic detecting loops, conduits, and wires, relocating existing utilities that may be in conflict with the water connection(s), and other improvements shall be paid by the Developer.

j. On-site Water Lines: The City shall maintain water lines from the master water meter to the point of connection with the water distribution main (inclusive) only. Repair and maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer.

k. Fire Service Line – The Developer shall design and install fire hydrants at the locations approved by the City's Fire Safety Officer and Chief Building Official. Prior to the approval of the Improvement Plans, the Developer shall obtain written approval from the City's Fire Safety Officer and Chief Building Official, for the design, location and construction details of the fire service connection to the Project, and for the location and spacing of fire hydrants that are to be installed to serve the Project.

l. Permanent Water and Sewer Easement In accordance with the Water Master Plan and Improvement Plans titled "Corral Hollow Road Improvements – Water and Sewer Pipelines, Volume 4 of 5," prepared by CH2M Hill and approved by the City, an 18" sewer line and 24" water line will be installed by the City in Corral Hollow Road with a portion of the lines located in the southwest corner of the Project. The City will prepare and provide to the Developer the legal description and plat map that describes the easements and a Grant of Easement documents. The Developer shall execute the Grant of Easement documents at the time of issuance of Building Permit, or within thirty days from receipt of written request from the City Engineer, whichever is earlier.

Payment of the Fair Market Value for the permanent Water and Sewer Easement will be made by the City within thirty days from execution of the Grant of Easement documents by the Developer.

m. Temporary Construction Easement: A 200'X200' temporary construction easement located at the southeast corner of the Project, as shown on the Corral Hollow Road Water and Sewer

Improvement Plans will be required as temporary staging area for the installation of water and sewer tunnel crossings under the Union Pacific Railroad (UPRR) right-of-way. The City will prepare and provide to the Developer the legal description and plat map that describes the easements and a Grant of Easement documents. The Developer shall execute the Grant of Easement documents at the time of issuance of Building Permit, or within thirty days from receipt of written request from the City Engineer, whichever is earlier. The Temporary Construction Easement shall expire when the Corral Hollow Road Utilities Improvement Project is completed or when the first building permit is issued for the Self-Storage Project, whichever comes first.

Payment of the Fair Market Value for the Temporary Construction Easement will be made by the City within thirty days from execution of the Grant of Easement documents by the Developer.

C.4.2.3. Street Improvements:

a. Roadway Improvements Frontage Responsibility – Per the Citywide Roadway & Transportation Master Plan (CRTMP) that was adopted by the City Council on November 26, 2012, pursuant to Resolution 2012-240, Corral Hollow Road will be a 4-lane major arterial street with a minimum right-of-way of 99 feet. According to the CRTMP Figure 5.1 – Roadway Improvement Cross Section Responsibility per Frontage Policy, the Developer is responsible to design and construct the outside travel lane and modifications to the landscape strip behind the sidewalk up to the property line (if required). Any travel lane(s) or left-turn and right-turn lane(s) along the Property's frontage or at all the access points on Corral Hollow Road that are provided and are necessary to meet access requirements are considered to be site specific offsite improvements and they are Developer 's responsibility to design and construct without any reimbursement from the City.

b. Frontage Improvements on Corral Hollow Road – The Developer shall design and construct all roadway improvements on Corral Hollow Road that are necessary to provide safe and functional access(s) to the Project for each phase and at Project's build-out condition.

The conceptual layouts of Interim and Ultimate improvements required to be completed are shown on Sheets TM-4 and TM-5 of the Tentative Parcel Map. The Developer shall have the option to either build Interim or Ultimate Improvements.

If the Developer chooses not to install the Ultimate Improvements, then prior to issuance of the first building permit within the Project, the Developer shall make in-lieu payment to the City for the full cost of improvements as approved by the City

Engineer for ultimate improvements not completed by the Developer. Interim improvements are not eligible for fee credits or reimbursements.

c. Interim Improvements: The interim roadway improvements required on Corral Hollow Road involve driveway modifications, repairs to curb, gutter, sidewalk, modifications to landscaping (if required), modifications to pavement markings and striping along the entire frontage of the Project and other improvements such as barricade, signing, and striping that are necessary to provide a safe transitions. Design and construction of Interim Roadway Improvements shall be completed by the Developer, prior to final inspection of the first building to be constructed within the Property.

   The driveway on Corral Hollow Road shall be designed to function as a full access driveway during the interim phase until such time that the median on Corral Hollow Road is installed. The Developer shall be responsible for the cost of future modifications including removal and reconstruction of driveway improvements, striping and signage modifications to convert the driveway to a Right-in/Right-out driveway. Details of the modifications needed at the driveway will be finalized during the review of the improvement plans.

d. Ultimate Improvements: The Ultimate roadway improvements required on Corral Hollow Road involves the widening of the east side of Corral Hollow Road along the frontage of the Project and pavement transitions and other improvements which includes but is not limited to the installation of new asphalt concrete pavement, concrete curb, gutter, sidewalk, driveway, Class II bike lane, handicap ramp(s), crosswalk, and modifications to landscaping improvements (if required), storm drainage, catch basin/drop inlet, fire hydrant, domestic, irrigation and fire services street light, traffic sign(s), pavement marking and striping along the entire frontage of the Project and other improvements such as barricades, signing, and striping that are necessary to provide a safe transitions to and from a widened roadway section of Corral Hollow Road.

   Prior to issuance of the first building permit within the Project, the Developer shall prepare improvement plans and obtain approval of the plans for the Ultimate Roadway Improvements.

e. Corral Hollow Road/ Middlefield Road: Prior to issuance of the first building permit within the Project, the Developer shall prepare improvement plans and obtain approval of the plans for any modifications to the intersection including any modifications (if required) to the traffic signal for both Interim and Ultimate Roadway Improvements.

f. Coordination of Roadway Improvements with Ellis Project: The Developer shall coordinate Interim and Ultimate improvements on Corral Hollow Road with Ellis project located on the west side of Corral Hollow Road for design and timing and sequencing of improvements.

g. Middlefield Road Improvements: Developer shall design and install modifications to the existing roadway improvements on Middlefield Road if needed to install Project related improvements. Developer shall obtain an Encroachment Permit for the work within the right-of-way and comply with the requirements of the Encroachment Permit.

h. Offsite Improvement Agreement: Prior to starting any work on Roadway Improvements, the Developer shall sign an improvement agreement (Offsite Improvement Agreement or OIA) and post improvement security in accordance with Section 12.36.080 of the TMC, to guarantee completion of the public improvements. The OIA requires approval from the City Council.

Prior to the approval of the OIA, the Developer will be required to submit Improvement Plans that contains the design, construction details and specifications of all public improvements that are required to serve the Project, prepared in a 24" x 36" size polyester film (mylar), signed and stamped by the Design Engineer, for City's approval and signature. The Developer shall also submit Technical Specifications and Cost Estimates. All engineering calculations for the design of the improvements must be submitted as part of the Improvement Plans.

The Developer will be required to pay Engineering Review Fees which include plan checking, agreement and permit processing, testing, engineering inspection, and program management fees, prior to the approval of the OIA.

i. All roadway improvements described in these Conditions of Approval must be designed and constructed by the Developer to meet the applicable requirements of the latest edition of the California Department of Transportation Highway Design Manual (HDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), all applicable City Regulations, and these Conditions of Approval, prior to final inspection of the first building to be constructed within the Property.

C.4.3. Traffic Control Plan - Prior to starting the work within City's right-of-way on Corral Hollow Road, Linne Road, and Middlefield Road, the Developer shall submit a Traffic Control Plan, to show the method and type of construction signs to be used for regulating traffic at the work areas within these streets. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California.

C.4.4. Joint Utility Trench Plans –Developer shall prepare joint trench plans in compliance with utility companies' requirements and City regulations, and obtain approval of the plans. All private utility services to serve Project such as electric, telephone and cable TV to the building must be installed underground, and to be installed at the location approved by the respective owner(s) of the utilities.

The Developer shall submit Joint Utility Trench Plans for the installation of electric, gas, telephone and TV cable main and service lines that are necessary to be installed to serve the Project. These utilities shall be installed within the 10-feet wide Public Utility Easement (PUE) that will be offered for dedication to the City. The Developer shall coordinate, as feasible, with the respective owner(s) of the utilities for the design of these underground utilities to ensure they can be installed within the 10-feet wide PUE to the extent feasible (and except in the event, that additional space beyond the 10-feet PUE is required, as determined by the utilities owner(s)).

Pavement cuts or utility trench(s) on existing street(s) for the installation of water distribution main, storm drain, sewer line, electric, gas, cable TV, and telephone will require the application of 2" asphalt concrete overlay and replacement of pavement striping and marking that are disturbed during construction. The limits of asphalt concrete overlay shall be 25 feet from both sides of the trench, and shall extend over the entire width of the adjacent travel lane(s) if pavement excavation encroaches to the adjacent travel lane or up to the street centerline or the median curb. If the utility trench extends beyond the street centerline, the asphalt concrete overlay shall be applied over the entire width of the street (to the lip of gutter or edge of pavement, whichever applies).

C.4.5. Irrigation and Landscaping Plans - All parkway and median landscaping improvements along the frontage of the Property on Middlefield Drive shall be designed and constructed in accordance with City Regulations. Design and construction details of these improvements shall be included in the Irrigation and Landscaping Plans.

C.5. Building Permit - No building permit will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

C.5.1. Payment of the Master Plan Fees for Citywide Roadway and Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Park adopted by the City Council on January 7, 2014, per Resolution 2014-010, as required by these Conditions of Approval.

C.5.2. Payment of the San Joaquin County Facilities Fees as required in Chapter 13.24 of the TMC, and these Conditions of Approval.

C.5.3. Payment of the Agricultural Conversion or Mitigation Fee.

C.5.4. Payment of the Regional Transportation Impact Fees (RTIF) as required in Chapter 13.32 of the TMC, and these Conditions of Approval.

C.5.5. Grant Deed documents for Permanent Water and Sewer Easement and Temporary Construction Easement as outlined in Conditions C.4.2.2.l and C.4.2.2.m, above.

C.6. Acceptance of Public Improvements - Public improvements will not be accepted by the City Council until after the Developer completes construction of the relevant public improvements and demonstrates to the City Engineer satisfactory completion of the following:

C.6.1. Correction of all items listed in the deficiency report prepared by the assigned Engineering Inspector relating to public improvements subject to City Council's acceptance.

C.6.2. Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Developer, the City shall temporarily release the originals of the Improvement Plans to the Developer so that the Developer will be able to document revisions to show the "As Built" configuration of all improvements.

C.7. Temporary or Final Building Certificate of Occupancy - No Temporary or Final Building Certificate of Occupancy will be issued by the City until after the Developer provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:

C.7.1. The Developer has satisfied all the requirements set forth in Condition C.6 above.

C.7.2. The Developer has completed construction of all required public facilities for the building for which a certificate of occupancy is requested and all the improvements required in these Conditions of Approval. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Developer shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Developer 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.8. Improvement Security – The Developer shall provide improvement security for all public facilities, as required by the OIA and these Conditions of Approval. The form of the improvement security may be a surety bond, letter of credit or other form in accordance with section 12.36.080 of the TMC. The amount of improvement security shall be as follows:

C.8.1. Faithful Performance (100% of the estimated cost of constructing the public facilities),

C.8.2. Labor & Materials (100% of the estimated cost of constructing the public facilities), and

C.8.3. Warranty (10% of the estimated cost of constructing the public facilities)

C.9. Release of Improvement Security - Improvement Security(s) described herein shall be released to the Developer after City Council's acceptance of public improvements, and after the Developer demonstrates, to the satisfaction of the City Engineer, compliance of these Conditions of Approval, and completion of the following:

C.9.1. Improvement Security for Faithful Performance, Labor & Materials, and Warranty shall be released to the Developer in accordance with Section 12.36.080 of the TMC.

C.9.2. Written request from the Developer and a copy of the recorded Notice of Completion.

C.10. Benefit District – The Developer may make a written request to the City for the formation of a Benefit District, prior to the approval of improvement plans for the public facility(s) considered to be oversized that benefits other property(s) or development(s). Reimbursement request(s) will be processed in accordance with Chapter 12.60 of the TMC.

C.11. Special Conditions

C.11.1. All streets and utilities improvements within City's right-of-way shall be designed and constructed in accordance with City Regulations and City's Design documents, including the City's Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, or as otherwise specifically approved by the City.

C.11.2. When street cuts are made for installation of utilities, the Developer is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inch deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street.

C.11.3. All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Developer shall be responsible for all costs associated with abandonment or removal of the existing well(s) including the cost of permit(s) and inspection. The Developer shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.

C.11.4. The Developer shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with

the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Developer will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.

C.11.5. Any damages to existing improvements within the street right-of-way due to construction related activities shall be repaired or replaced as directed by the City at Developer's cost.

C.11.6. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Developer's (or Contractor's) sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).

C.11.7. 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. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the Grading Permit, Encroachment Permit, Building Permit, Improvement Plans, OIA, and DIA, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Developer shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.

D. Utilities Department, Water Resources Division Conditions

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

D.1. Before the issuance of a grading permit, the Applicant shall provide proof of compliance with the Construction General Permit through a Waste Discharge ID number or Notice of Intent submittal; and provide proof of compliance with the City of Tracy Post Construction/LID Standards for New Development and Redevelopment, which includes the requirements for Site Design, Source and Treatment Control Measures and Hydromodification, in a project Stormwater Plan, to the satisfaction of the Utilities Director or his/her designee.

D.2. Before the issuance of a building permit, the Applicant shall prepare a detailed landscape and irrigation plan for all landscape areas (e.g. back yards, front yards, and public right of way) consistent with City standards and shall show compliance with adopted Water Efficient Landscape Ordinance and mandatory CalGreen Building Standards for Residential Properties through submittal and approval of the required

Landscape Package, which includes project information, a water efficient landscape worksheet, a soil management report and Landscape, Irrigation, Drainage and Grading Plans, to the satisfaction of the Utilities Director or his/her designee.

D.3. Before the building permit final inspection, a Storm Water Treatment Device Access and Maintenance Agreement must be approved and notarized between the Developer and the City, to the satisfaction of the Utilities Director or his/her designee.

E. Public Works Department Conditions

Contact: Mike Contreras (209) 831-6361 mike.contreras@ci.tracy.ca.us

E.1. Recycling Program. Before the issuance of a building permit, the Applicant shall design a recycling program consistent with State Assembly Bill 341 to the satisfaction of the Public Works Director. The program shall include enclosures with adequate space for both refuse and recycling and shall be incorporated with the trash and recycling enclosures described in Planning Division Condition of Approval B.12 above. Each enclosure shall have signs that clearly indicate refuse and recycling locations as well as prohibition of scavenging. The program shall include recycling options or elements at the pool areas and other common areas for the tenants.

E.2. Park Connection. Before the issuance of a building permit, the Applicant shall prepare the following to the satisfaction of the Public Works Director:

a. A detailed plan for the pedestrian connection to Don Cose Park designed in a manner that disallows vehicles from traveling on the pathway into the park.

b. A detailed plan for the construction of a handicap-accessible concrete path at Don Cose Park connecting the existing concrete path to the pedestrian path on the apartment site. Construction of the path and reconstruction of any landscaping and irrigation shall be at the Applicant's expense.

c. A detailed lighting plan for the pedestrian connection. The lighting shall be designed to allow overspray of light onto portion of Don Cose Park that connects to the pedestrian path on the apartment site. The lighting shall be designed to allow overspray of light onto portion of Don Cose Park that connects to the pedestrian path on the apartment site.

E.3. Fencing. Before the issuance of a building permit, the Applicant shall prepare a detailed plan demonstrating the existing fence between the site and the City park to be removed and a decorative fence, comprised of materials such as a wrought iron or black tube steel, to be constructed in its place along the eastern property line adjacent to the park, leaving an opening at the pedestrian pathway, to the satisfaction of the Public Works Director. The fence on the apartment site shall be 3 feet in height and the fence along the future self-storage site shall be 6 feet in height.

F. Administrative Services Department Conditions

Contact: Rachelle McQuiston (209) 831-6800 rachelle.mcquiston@ci.tracy.ca.us

F.1. Before the issuance of a building permit, the Applicant shall do one of the following, subject to the approval of the Administrative Services Director:

a) CFD or other funding mechanism. The Applicant shall enter into a recordable agreement with the City, which stipulates that prior to issuance of a building permit, the Applicant will form a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for funding the on-going operational costs of Police services, Fire services, and Public Works services within the Project area. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment.

or

b) Direct funding. The Applicant shall enter into a recordable agreement with the City, which stipulates that prior to issuance of a building permit, the Applicant will fund a fiscal impact study to be conducted and approved by the City to determine the long term on-going operational costs related to Police services, Fire services, and Public Works services within the Project area, and deposit with the City an amount necessary to fund the full costs in perpetuity as identified by the approved study.

October 28, 2015

AGENDA ITEM 1-B

REQUEST

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT A 795,732 SQUARE FOOT INDUSTRIAL DISTRIBUTION BUILDING WITH CORRESPONDING PARKING AND LANDSCAPE IMPROVEMENTS LOCATED AT 8450 ARBOR AVENUE - APPLICANT IS DCT INDUSTRIAL OPERATING LLC; OWNERS ARE GREGG AND ROBERT CHRISTENSEN- APPLICATION NUMBER D15-0014

DISCUSSION

Background

In 1990, the City Council adopted the I-205 Corridor Specific Plan within which the project area is located. The site is Zoned Planned Unit Development (PUD), and is designated Industrial by the General Plan, and Light Industrial by the Specific Plan. On July 17, 2015, the application for development was filed and on October 7, 2015, an amended application was filed for the project which is the subject of this agenda item.

Site and Project Area Description

The project site is located east of Mac Arthur Drive, bordered on the north by Arbor Avenue and on the south by I-205 (Attachment A). The site is designated Light Industrial by the I-205 Corridor Specific Plan. The adjacent parcel to the west is also designated Light Industrial by the Specific Plan. To the north and east of the project is land outside of the current City Limits. The properties to the south of the project across the freeway are also within the I-205 Specific Plan and are designated General Commercial. Part of that area is developed with the outlet center (recently renamed Shops at Northgate Village) and the remainder is vacant for the future expansion of the center.

Land Use

The project consists of the construction of a 795,732 square foot industrial distribution building with office areas, and the necessary parking and landscaping improvements (Attachment B). The tenant(s) of the building is not known at this time, and the building is designed with the vast majority of the floor plan for storage/distribution, with the ability to have office areas at all four corners of the building, depending on the number of tenants that may occupy the building. The parking on the site is also designed in a manner to accommodate multiple tenants as necessary.

This is the first site for which an industrial building is proposed within the I-205 Corridor Specific Plan area. When the plan was adopted 25 years ago, it included commercial, residential, and industrial land use categories. Much of the Specific Plan area has been developed with a variety of land uses. The western portion of the plan area includes the West Valley Mall and its surrounding commercial uses, the Auto Plaza, The Pavilion, Tracy Marketplace, and residential units, including houses and apartments on the south

side of the freeway and the Aspire Apartments under construction on Pavilion Parkway. The eastern portion of the I-205 Specific Plan allows for commercial and industrial uses, with the outlet center and the Chevron station at MacArthur Drive and Pescadero Avenue being the only sites developed thus far. The proposed industrial building is well suited for this location, as the site is located within the Light Industrial area of the I-205 Specific Plan in an area where roadways and infrastructure have been designed for industrial development. The surrounding sites are planned for similar uses.

The project, as proposed, has an overall floor area ratio (FAR) of 46.1 percent. This is in compliance with the I-205 Specific Plan's maximum FAR of 50 percent.

Architecture

The proposed building is comprised primarily of concrete tilt-up panels and is enhanced with accent colors, reveals, glass features at each corner, as well as additional glazing on the south side of the building, visible from I-205 (Attachments B and C). The variation in the roofline, as well as the façade breaks at each office area help to add visual interest to the large building.

The roofline of the building varies in height, with its tallest point at 40 feet, the maximum allowable. Vertical relief is added by false parapets being stepped up and down in several locations, most noticeably at the corners, with the office areas of the buildings. The variation of architectural features adds visual interest to the buildings from each elevation view, as the reveals and accent colors have been carried around all four sides of the building.

In order to ensure that this large building does not create any negative visual impacts within the city, particularly along I-205, staff has worked with the applicant to design the project in a way that minimizes its industrial appearance. First, the building's office areas, one at each corner, are enhanced with façade breaks, a variation in building height, accent colors, glass, and awnings. In an effort to call attention to these enhanced corners and minimize the other less interesting portions of the large building, the landscape plan has been designed in a manner to provide screening of much of the building, with clusters of trees along I-205, while maintaining a more open view shed at the corners, where the entries and all of their features can be emphasized. Because the landscaping along I-205 is not intended to entirely screen the building, the freeway-facing façade has also been enhanced with additional glass in some of the panels.

The most notable design feature that minimizes the industrial feel of this distribution center project from the public view is that all of the dock doors and trucks will be screened from view of the freeway. The site plan (Attachment B) shows a concrete wall (recommended by staff to match in color and design with the building) that will screen the dock doors and the trucks from I-205. On the east, most exposed side of the site which is the eastern edge of the City Limits north of I-205, this wall will extend from the south end of the building approximately 500 feet to the north, screening most of the building, with the remainder of the exposed dock doors to be screened with a tube steel fence and landscaping. Along the west side of the building, where additional commercial and industrial buildings are ultimately expected to abut this site, the proposed screen wall will

be placed only at the southwest corner of the building, with tube steel fencing and landscaping to screen the remainder of the building.

Landscape Areas

As shown on the preliminary landscape plan (Attachment B), the landscape areas proposed meet the requirements of Tracy Municipal Code Section 10.08.3560, and the requirements of the I-205 Specific Plan.

A combination of trees, shrubs, and groundcover are proposed for the landscape areas. A recommended condition of approval requires the developer to submit a detailed landscape and irrigation plan for approval by the Development Services Director prior to the issuance of any building permits. All landscape and irrigation improvements are to be designed and installed in compliance with the requirements of the Water Efficient Landscape Guidelines, Tracy Municipal Code, I-205 Specific Plan, and all other applicable City standards. In addition, a recommended condition of approval requires that prior to the issuance of any building permits, an Agreement for Maintenance of Landscape and Irrigation Improvements is to be executed, and financial security submitted to the Development Services Department. The agreement will ensure maintenance of the on-site landscape and irrigation improvements for a period of two years.

Parking and Circulation

The site will utilize two driveways on Arbor Avenue, both of which will allow for automobile and truck access. Parking is distributed throughout the project site to accommodate the parking needs of the proposed building. The parking spaces proposed are based on the potential for multiple tenants, each with office areas to occupy the building, and the proposed number of parking spaces is in compliance with the I-205 Corridor Specific Plan for warehouse and accompanying office uses as shown. The site plan provides for adequate circulation movements on the site for employees and customer parking, as well as truck traffic (Attachment B).

Environmental Document

The project is consistent with the Environmental Impact Report (EIR) that was prepared for the General Plan and certified on February 1, 2011. In accordance with CEQA Guidelines Section 15183, no further environmental assessment is required. An analysis of the project shows that there will be no significant on or off-site impacts as a result of this particular project that were not already discussed in the General Plan EIR. There is also no evidence of any significant impacts to occur off-site as a result of the project, including the proposed increase in height, as traffic, air quality, aesthetics, land use and other potential cumulative impacts have already been considered within the original environmental documentation. No new evidence of potentially significant effects has been identified as a result of this project.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the PUD Preliminary and Final Development Plan to develop a 795,732 square foot industrial distribution facility on a 39.58-acre site, and, located at 8450 Arbor Avenue, Application Number D15-0014, subject to the conditions and based on the application's consistency with the I-205 Specific Plan and the PUD Concept Development Plan as stated in the Planning Commission Resolution dated October 28, 2015.

MOTION

Move that the Planning Commission recommend that the City Council approve the PUD Preliminary and Final Development Plan to develop a 795,732 square foot industrial distribution facility on a 39.58-acre site, and, located at 8450 Arbor Avenue, Application Number D15-0014, subject to the conditions and based on the application's consistency with the I-205 Specific Plan and the PUD Concept Development Plan as stated in the Planning Commission Resolution dated October 28, 2015.

Prepared by Victoria Lombardo, Senior Planner

Approved by Bill Dean, Assistant Development Services Director

ATTACHMENTS

A— Location Map
B— Site Plan, Floor Plans, Elevations, Landscape Plan
C— Color Elevations

LOCATION MAP (8450 ARBOR AVE, TRACY, CA 95304)

RESOLUTION _____

RECOMMENDING CITY COUNCIL APPROVE THE PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A 795,732 SQUARE FOOT INDUSTRIAL DISTRIBUTION FACILITY LOCATED ON A 39.58-ACRE SITE, LOCATED AT 8450 ARBOR AVENUE - ASSESSOR'S PARCEL NUMBER 213-060-03
APPLICATION NUMBER D15-0014

WHEREAS, The subject property was annexed to the City of Tracy in 1990, received a zoning designation of Planned Unit Development, is designated Light Industrial in the I-205 Corridor Specific Plan, and is consistent with the General Plan designation of Industrial, and

WHEREAS, DCT Industrial Operating LLC, submitted an application for a Planned Unit Development Preliminary and Final Development Plan review (Application Number D15-0014) for a 795,732 square foot industrial building on July 17, 2015, and revised the application on October 7, 2015, and

WHEREAS, The subject property is located within the I-205 Corridor Specific Plan area, with a land use designation of Light Industrial, within which industrial land uses are permitted, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the application on October 28, 2015 and has determined that the application conforms to and is consistent with the General Plan and the I-205 Corridor Specific Plan (which also serves as the concept development plan for the subject property);

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission recommends that the City Council approve the PUD Preliminary and Final Development Plan for a 795,732 square foot industrial building, Application No. D15-0014, subject to the conditions contained in Exhibit 1 to this Resolution.

* * * * * * * * * * * * * * * * * * * *

The foregoing Resolution _____ was adopted by the Planning Commission on the 28th day of October, 2015, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAIN: COMMISSION MEMBERS:

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

Development Services Department, Conditions of Approval

Conditions of Approval for DCT Industrial
795,732 Square Foot Industrial Distribution Building
8450 Arbor Avenue
Application Number D15-0014
October 28, 2015

A.1. These Conditions of Approval shall apply to the real property described as DCT Industrial, a 795,732 square foot industrial distribution building located at 8450 Arbor Avenue, Application Number D15-0014 (hereinafter “Project”), located on a 39.58-acre site, Assessor’s Parcel Number 213-060-03.

A.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 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, I-205 Specific Plan, 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 DCT Industrial, a 795,732 square foot industrial distribution facility located at 8450 Arbor Avenue, Application Number D15-0014. The Conditions of Approval shall specifically include all Development Services Department, including Planning Division and Engineering Division, conditions set forth herein.

f) “Project” means the real property consisting of approximately 39.58 acres located at 8450 Arbor Avenue, Assessor’s Parcel Number 213-060-03.

A.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 1500, et seq., "CEQA Guidelines").

B.1. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.

B.2. 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 February 1, 2011.

B.3. 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.4. Except as otherwise modified herein, all construction shall be consistent with the site plan and architectural renderings received by the Development Services Department on October 7, 2015.

B.5. Prior to the issuance of a building permit, the applicant shall provide a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code Section 10.08.3560 I-205 Specific Plan, and Water Efficient Landscape Guidelines on private property, and the Parks and Parkways Design Manual for public property, to the satisfaction of the Development Services Director. Said landscape plans shall include documentation which demonstrates that there is no less than 10 percent of the parking area in landscaping, and 40 percent canopy tree coverage at tree maturity.

B.6. Where landscape planters are parallel and adjacent to vehicular parking spaces, the planter areas shall incorporate a 12-inch wide concrete curb along their perimeter that is adjacent to the parking space in order to allow access to vehicles without stepping into landscape planters.

B.7. Prior to the issuance of a building permit, an Agreement for Maintenance of Landscape and Irrigation Improvements shall be executed and financial security submitted to the Development Services Department. The Agreement shall ensure maintenance of the on-site landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the on-site landscape and irrigation improvements, or $2.50 per square foot of on-site landscape area.

B.8. 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 Arbor Avenue, Mac

Arthur Drive, I-205, or any other public right-of-way. All roof-mounted equipment shall be screened from view from the public right-of-way with a continuous parapet wall at least equal in height to the height of any equipment installed, to the satisfaction of the Development Services Director.

B.9. All vents, gutters, downspouts, flashing, electrical conduit, and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.

B.10. Prior to final inspection or certificate of occupancy, on-site circulation signs shall be installed to the satisfaction of the Development Services Director.

B.11. Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way, to the satisfaction of the Development Services Director.

B.12. Prior to the issuance of a building permit, bicycle parking spaces shall be provided in accordance with Tracy Municipal Code Section 10.08.3510 to the satisfaction of the Development Services Director.

B.13. All PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development Services Director.

B.14. 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.

B.15. All improvements shall be consistent with the Tracy Municipal Code, Standard Plans, and other applicable City Regulations.

B.16. No signs are approved as a part of this development application. Prior to the installation of any signs, the applicant shall submit a sign permit application and receive approval from the Development Services Director, and all signs shall be designed in compliance with the I-205 Specific Plan and Tracy Municipal Code Chapter 10.08, Article 35, Signs.

B.17. Prior to the issuance of a building permit, a detailed plan of the trash enclosures, at least eight feet in height, shall be submitted, showing solid metal doors, a solid roof, an interior concrete curb, and exterior materials and colors compatible with the adjacent building exterior.

B.18. Prior to the issuance of a building permit, a detailed plan of the screen walls shall be submitted, showing colors and details such as score lines, compatible with the adjacent building exterior.

B.19. The architectural elevations for all of the area contained within the PDP/FDP shall be consistent with the elevations received by the Development Services Department on October 7, 2015.

Engineering Division Conditions of Approval

C.1. General Conditions

C.1.1 Developer shall comply with the applicable recommendations of the technical analyses/ reports prepared for the Project listed as follows:

a) *DCT Industrial Project Traffic Impact Study in the City of Tracy*, prepared by TJKM Transportation Consultants, dated May 20, 2014 ("*Traffic Analysis*").

b) *Wastewater System Analysis for Properties at Arbor Road and MacArthur Drive*, prepared by Ch2MHill, dated May 2014 ("*Wastewater Analysis*").

c) *Hydraulic Evaluation of I-205 Parcels M1 and M2 and Infill Parcels 7 and 13*, prepared by West Yost Associates, dated July 7, 2014 ("*Water Analysis*").

d) *M2 Parcel Storm Drainage and Flood Protection Evaluation*, prepared by Storm Water Consulting Inc., dated March 20, 2014 ("*Storm Drainage Analysis*"), and as updated per the Memorandum dated April 19, 2015.

C.1.2 Developer shall comply with the requirements of the Finance Plan for M2 Parcel (39.58 Gross Acres), I-205 Industrial, approved by City Council.

C.1.3 Developer shall comply with the applicable requirements of Annexation and Development Agreement ("Development Agreement") dated October 29, 1990, recorded in the office of the San Joaquin County Recorder on November 5, 1990, Official Recorder No. 90109507

C.2. Grading Permit

The City will not accept grading permit application for the Project as complete until the Developer has provided all relevant documents related to said grading permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.2.1. Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer.

C.2.2. Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

C.2.3. Three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) for the Project with a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any relevant documentation or written approvals from the SWQCB, including the Wastewater Discharge Identification Number (WDID#).

a) After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB. The Developer shall provide the City with a copy of the completed Notice of Termination.

b) The cost of preparing the SWPPP, NOI and NOT, including the filing fee of the NOI and NOT, shall be paid by the Developer.

c) The Developer shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the applicable provisions of the City's Storm Water Management Program.

C.2.4. Two (2) sets of the Project's Geotechnical Report signed and stamped by a licensed Geo-technical Engineer licensed to practice in the State of California. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, percolation rate, and elevation of the highest observed groundwater level.

C.2.5. A copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD).

C.2.6. Documentation of any necessary authorizations from Regional Water Quality Control Board (RWQCB) such as NOI and WDID and documents such as SWPPP.

C.2.7. Two (2) sets of Hydrologic and Storm Drainage Calculations for the design of the on-site storm drainage system and for determining the size of the project's storm drainage connection, as required in Condition C.4.2.3(b) below.

C.2.8. Executed hold-harmless agreement relieving the City of liability associated with flooding of portions of the parking areas as required in Condition C.11.3 below.

C.3. Encroachment Permit - No applications for encroachment permit will be accepted by the City as complete until the Developer provides all relevant documents related to said encroachment permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.3.1. Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar) that incorporate all the requirements described in these Conditions of Approval. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

C.3.2. Two (2) sets of structural calculations, as applicable, signed and stamped by a Structural Engineer licensed in the State of California, as required in Condition C.4.1.(b), below.

C.3.3. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.

C.3.4. Signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of the identified public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the Tracy Municipal Code (TMC), and the OIA. The Developer's obligations in the OIA shall be deemed to be satisfied upon City Council's acceptance of the public improvements and release of the Improvement Security.

C.3.5. Signed and notarized Deferred Improvement Agreement (DIA) and Improvement Security, to allow deferment of completion of improvements as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with the DIA and Section 12.36.080 of the TMC, or pursuant to the terms of the Development Agreement, as appropriate. The Developer's obligations in the DIA shall be deemed to be satisfied upon the release of the Improvement Security.

C.3.6. Check payment for the applicable engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on April 15, 2014, per Resolution 2014-059.

C.4. Traffic Control Plan signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.

C.5. Improvement Plans - Improvement Plans shall contain the design, construction details and specifications of public improvements that are necessary to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. The Improvement Plans shall be completed to comply with City Regulations, these Conditions of Approval, and the following requirements:

C.5.1. Site Grading

a) Include all proposed erosion control methods and construction details to be employed and specify materials to be used. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Geotechnical Engineer. A copy of the Project's Geotechnical Report must be submitted with the Grading and Storm Drainage Plans.

b) When the grade of the Project Site is higher than the adjacent property(s) by more than 12 inches, a reinforced concrete or masonry block, or engineered retaining wall is required for retaining soil. The Grading Plan shall show construction detail(s) of the retaining wall or masonry wall. The entire retaining wall and footing shall be constructed within the Project Site. A structural calculation shall be submitted with the Grading and Storm Drainage Plans.

c) An engineered fill may be accepted as a substitute of a retaining wall, subject to approval by the City Engineer. The Grading and Storm Drainage Plans must show the extent of the slope easement(s). The Developer shall be responsible for obtaining permission from owner(s) of the adjacent and affected property(s). The slope easement must be recorded, prior to the issuance of the final building certificate of occupancy.

d) Grading for the site shall be designed such that the Project's storm water can overland release to a public street that has a functional storm drainage system with adequate capacity to drain storm water from the Project Site, in the event that the on-site storm drainage system fails or it is clogged. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.

C.5.2. Storm Drainage

C.4.2.1 Permanent Drainage System

a) The development shall construct an initial phase of DET 13 to include 4.7 AF of storage within the Project boundaries, a pump station having a capacity of 1 cfs, and a force main outfall along Arbor Avenue to discharge to the Eastside Channel. DET 13 shall be a fully functioning initial phase of completion with the only retrofit needed being its expansion in area and volume in conjunction with adjacent new development in the future.

The Developer shall design and install Detention Basin DET13 in accordance with the Citywide Storm Drainage Master Plan ("Storm Drainage Master Plan"), Storm Drainage Analysis, and the City of Tracy's Engineering Design & Construction Standards. The Developer shall submit improvement plans and obtain approval of the plans by the City Engineer prior to beginning work. The improvement plans for DET13 shall include concept level

plans for the ultimate configuration (build-out condition) of DET13. The developer shall receive fee credits for the dedication of land, installation of pump station, and all costs associated with constructing DET13 as outlined in the Finance Plan.

In order for the above storage volumes requirements to be valid, it will be necessary to construct a 24" storm drain force main extending west in Arbor Avenue from DET13 to the City's existing Eastside Channel west of MacArthur Drive outfall to the Eastside Channel. The Developer shall be eligible to receive fee credits and/or reimbursements for the cost of this force main per the Finance Plan.

b) Fee Credits and/or reimbursements for design and construction of DET13 and Downstream Improvements shall be as determined by the Finance Plan, and included in the OIA.

c) The DET13 improvements will be accepted by the City upon completion of construction of the storm drainage facilities from DET13 to Eastside Channel.

d) All Layout and design of Access Easements and maintenance access roads required to access DET13 and all off-site storm drains and structures to be dedicated to the City shall be per the requirements of Public Works Department and City Regulations.

e) Parcel maps, Grant Deed documents or other instruments for dedication of the storm drainage basin parcel to the City shall be prepared and executed by the Developer. Acceptance of the basin parcel by the City will be upon completion of the downstream facilities as listed in Condition 4.2.1 (a) above, and upon the determination by the City Engineer that the basin is constructed and operational per the Master Plan and City Standards.

f) The public street system serving the project site will need to include storm water quality treatment provisions that conform to the City's Manual of Stormwater Quality Control ("SWQC") Standards for New Development and Redevelopment. Design of DET13 shall include measures to provide measures for storm water quality treatment for the public streets.

C.4.2.2 Temporary Retention ("Interim Drainage")

If Developer does not construct DET13 and Down Stream Improvements as listed in Condition C.4.2.1 (a) then, the Developer may construct as Interim Drainage as follows:

a) Per requirements cited in the Storm Drainage Analysis, DET13 may need to function as a Temporary Retention Basin ("Interim Drainage") serving this development until such time as the

components of the Eastside Channel System that will ultimately discharge storm runoff from the Project to the Eastside Channel ("Downstream Improvements") are completed and operational. For the Interim Drainage, at a minimum, the basin shall be designed to retain storm water run-off from the Project resulting from 200% of the 10-year, 48-hour storm event in compliance with Sections 5.06 and 5.07 of City of Tracy Design Standards.

b) The Developer shall provide a geotechnical investigation with respect to the Temporary Retention Basin that validates that percolation rates for the subsurface soils that exist at and below the bottom of the basin are acceptable.

c) Developer shall be responsible for conceptual design of the modifications needed to bring the configuration and design of the basin to the ultimate configuration per the Master Plan. Developer shall be eligible for reimbursements for basin improvements that comply with the ultimate configuration per the Master Plan. Reimbursement of costs shall be in accordance with Chapter 13.08 of Tracy Municipal Code.

d) Developer shall be responsible for maintenance of DET13 as a Retention Basin until the downstream drainage facilities are installed and accepted by the City. The Developer shall sign an improvement agreement (Deferred Improvement Agreement), to assure completion of the Developer's obligation to repair and maintain said basin(s) while the storm drainage retention basin is in service and then to modify storm drainage retention basin to conform to Master Plan requirements at such time they are no longer needed due to the construction of the above-referenced permanent facilities.

e) The Developer shall record a temporary storm drainage easement to grant rights to the City to access the temporary storm drainage retention basin(s) for any necessary emergency repair or maintenance work the City may have to perform within the basin site. Said temporary access easement shall include a sunset clause that such easement will automatically be terminated at such time as the above-referenced permanent storm drainage improvements are completed.

C.4.2.3 Onsite Drainage

a) The design and construction details of the Project's storm drainage system and treatment facilities shall meet City Regulations in affect at the time of this approval and shall comply with the applicable requirements of the City's Storm Water Quality Control Standards and storm water regulations that were adopted by the City Council in 2008 and any subsequent amendments.

Catch basin Filter inserts shall be permitted as an acceptable method of storm water quality due to the high groundwater present at the site.

b) Calculations related to the design and sizing of on-site storm water treatment facilities must be submitted with the Grading and Storm Drainage Plans, and approved by City's Stormwater Coordinator prior to issuance of the Grading Permit for the Project.

c) Prior to the final inspection of the building the Developer shall submit a signed and notarized Stormwater Treatment Facilities Maintenance Agreement (STFMA) as a guarantee for the performance of Developer's responsibility towards the repair and maintenance of on-site storm water treatment facilities.

C.5.3. The Developer shall arrange for a site sub-surface investigation for determining the presence of irrigation and drainage tile drains within and around the Project Site, if any, and submit a report prepared and signed by a Geotechnical Engineer. In the event that tile drains exist within and around the Project Site, the Developer has the option to either relocate or abandon the on-site tile drains as required for the proposed development. All existing tile drains and proposed improvements for the relocation or removal of tile drains must be shown on the Grading and Storm Drainage Plans. Any tile drains under the proposed buildings shall be abandoned or relocated as may be required, to the satisfaction of the City. The Developer or the property owner(s) will be responsible for maintenance of tile drains to remain or the relocated tile drains and associated improvements. Additionally, the Developer will be responsible for monitoring the groundwater levels, and for the mitigations, if any, that may be required, by any applicable laws and regulations.

C.5.4. <u>Sanitary Sewer Improvement Plans</u>

a) As recommended in the Wastewater Analysis, the Developer shall design and install an 8-inch sewer line from the Project in Arbor Avenue to MacArthur Drive, a 10" line in MacArthur Drive to a new manhole on MacArthur Drive west of the existing MacArthur pump station, and a small section of 21-inch sewer line between the new manhole and existing manhole.

b) Since the proposed 8-inch and 10-inch diameter sewer lines are not part of the City's Wastewater Master Plan, these improvements are considered part of the Project's off-site sewer improvements and no fee credits will be issued. However, these lines do serve adjacent parcels and the developer will be eligible for reimbursement per the Finance Plan from the M1 Parcel as well as Infill Parcel Numbers 7 and 13 when these parcels develop.

c) All new sewer lines and associated appurtenances shall meet the City of Tracy Design Standards including minimum flow velocity requirement.

d) The Developer is responsible for the cost of installing the Project's permanent sewer connection(s) including but not limited to, replacing asphalt concrete pavement, application of 2" thick asphalt concrete overlay (25 feet on both sides of the utility trench) where required, restoring pavement marking and striping, and other improvements that are disturbed as a result of installing the Project's sewer connection. This pavement repair requirement is applicable when connections are perpendicular to the street direction, when the new sewer line is placed in the street parallel to the street direction; the width of overlay to be the width of the affected lane.

e) The Developer is hereby notified that the City has limited wastewater treatment capacity in the City's Wastewater Treatment Plant until current and future expansion capital improvement projects are completed and operational. As of January 2015, the City had an unused capacity of approximately 4200 EDU's within its wastewater treatment plant available to new development within the City on a first come-first served basis. These EDU's are currently available to serve the proposed project, but as other development projects within the City come forward and building permits are issued, this remaining capacity will be reduced.

C.5.5. Water Distribution System

a) Off-site Water Line Improvements: The developer shall design and install a 12-inch line in MacArthur Drive from the terminus of the existing 12-inch water line just north of I-205 to Arbor Ave, and 12-inch water line in Arbor Avenue from MacArthur Drive to the eastern property boundary of the Project. The developer is also responsible for constructing a 16-inch water line from the existing water line in Pescadero Avenue north, crossing under the freeway and continuing along the eastern edge of the Project and connecting to the new 12-inch line on Arbor Avenue. Alternatively, the 16" line may cross under the freeway on the western side of the Project and continue along the western edge of the Project. The actual location of the new line may be a variation of these, or any other location as approved by the City. The improvements are required to be complete, in place and operational, prior to the issuance of the final certificate of occupancy for the Project.

b) Since the proposed water lines are not considered master plan improvements, no fee credits will be issued. However, the developer will be eligible from reimbursement per the finance plan from the M1 parcel, Infill Parcel Numbers 7 and 13, the Eastside Industrial development, the Chrisman Road property and all NEI Phase 3 properties at such time as these properties develop.

c) During the construction phase of the Project, the Developer is responsible for providing water infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as required by the City of Tracy Fire Code Official.

d) Prior to issuance of building permit, the Developer shall submit calculations and plans as required by the Fire Department and obtain approvals for the proposed fire system.

e) In order to guarantee completion of the Offsite Water Line Improvements, the Developer shall enter into an improvement agreement (Offsite Improvement Agreement or OIA) and post an improvement security in the amounts and form in accordance with section 12.36.080 of the TMC, and as required by these Conditions of Approval. The Developer shall submit the signed and notarized OIA with the necessary improvement security, prior to the issuance of the Grading Permit.

f) All public improvements to be installed within the jurisdiction of the Caltrans and San Joaquin County (County) will require encroachment permit and a maintenance agreement with the respective agencies.

The Developer is required to coordinate with Caltrans and obtain approval of the design of the water line crossing under the I-205 freeway. The Developer shall comply with all the applicable requirements of Caltrans and County in connection therewith, obtain any necessary encroachment permit(s), and pay applicable permit processing, plan checking and inspection fees, prior to starting work.

g) All costs associated with the installation of the Project's permanent water connection(s) as identified in the Water Analysis including acquisition of right-of-way and/or easements, the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings, replacing traffic detecting loops, conduits, and wires, relocating existing utilities that may be in conflict with the water connection(s), and other improvements shall be paid by the Developer subject to terms of the Finance Plan.

h) The portion of the new City water lines that run through existing agricultural properties may be run beneath existing dirt access roads. The City shall be granted a 15' easement for these pipelines even though the access roads may be as narrow as 10' to accommodate those existing agricultural activities. The access roads to have an all-weather surface.

i) City will use its power of eminent domain, if necessary, to secure an easement for the City water line described herein across the small parcel situated between the Project and the Caltrans freeway property, or between Caltrans and the parcels immediately to the east or west of

the Project. All costs of the eminent domain procedures shall be paid for by the Developer. However, the developer will be eligible from reimbursement per the Finance Plan from the M1 parcel, Infill Parcel Numbers 7 and 13, the Eastside Industrial development, the Chrisman Road property and all NEI Phase 3 properties at such time as these properties develop.

j) Interruption to the water supply to the existing businesses and other users shall be kept to a minimum to facilitate construction of off-site improvements related to the Project. Prior to starting the work described in this section, the Developer shall submit a Work Plan acceptable to the City that demonstrates no interruptions to the water supply, and Traffic Control Plan to be used during the installation of the offsite water mains and connections. The Developer shall be responsible for notifying business owner(s) and users, regarding construction work. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before start of work.

k) Domestic and Irrigation Water Services – The Developer shall design and install domestic and irrigation water service connection, including a remote-read master water meter (the water meter to be located within City's right-of-way) and a Reduced Pressure Type back-flow protection device in accordance with City Regulations. The domestic and irrigation water service connection(s) must be completed before the final inspection of the building. Sub-metering will be allowed within private property. The City will not perform water consumption reading on sub-meters. The Developer will be responsible for relocating or reinstalling water sub-meters. The City shall maintain water lines from the master water meter to the point of connection with the water distribution main (inclusive) only. Repair and maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer.

l) Fire Service Line - The Developer shall design and install fire hydrants at the locations approved by the City's Fire Safety Officer and Chief Building Official. Prior to the approval of the Improvement Plans, the Developer shall obtain written approval from the City's Fire Safety Officer and Chief Building Official, for the design, location and construction details of the fire service connection to the Project, and for the location and spacing of fire hydrants that are to be installed to serve the Project.

C.4.6. Street Improvements:

a) Prior to issuance of the final certificate of occupancy, the Developer shall complete construction of improvements identified in the Traffic Analysis, and satisfy all applicable requirements specified in these Conditions of Approval, I-205 Specific Plan and City Regulations.

b) The Developer shall be responsible for design and construction of Frontage Improvements on the south side of Arbor Avenue for the full length of frontage of the Project. If any of the Frontage Improvements are not constructed prior to approval of the temporary certificate of occupancy, the Developer shall enter into a DIA with security to guarantee completion of such improvements. Scope of work and timing of completion of Frontage Improvements shall be subject to the approval of the City Engineer.

c) The Developer shall design and install improvements to widen Arbor Avenue for the full frontage of the Project. The ultimate roadway section per the Roadway Master Plan will include one eastbound and one westbound travel lanes with a 16-foot wide raised median and a 10' wide Class 1 bicycle path on the north side of Arbor Avenue.

The roadway improvements to be constructed with this Project shall include, but are not limited to, concrete curb, gutter and sidewalk, accessible ramps, asphalt concrete pavement, signing and striping, storm drains, catch basins, fire hydrants, LED street lights, street trees with automatic irrigation system, barricade and guardrail, and other improvements as determined by the City Engineer that are necessary for a safe transition from a newly improved street to existing street sections on the east and west ends. The Project obligation will be to build the southern side of Arbor Avenue, a striped 11' median and one westbound lane to edge of pavement condition. The Arbor Avenue lane transitions to the west and east of the Project will be paved to an edge of pavement condition with appropriate striping. Other improvements will be provided by the appropriate land owner on which those improvements front.

d) The Developer shall submit geotechnical recommendations and pavement design calculations to the City to demonstrate adequacy and integrity of the existing structural street section on Arbor Avenue, and construct improvements as required to support STAA truck traffic. At a minimum, in addition to the widening, the Developer shall complete grinding and overlay of existing Arbor Street pavement with a 2" asphalt concrete overlay for the entire street width for the project frontage.

e) Prior to approval of Grading or Encroachment Permits, the Developer shall submit improvement plans for Arbor Avenue with the locations of all utilities including water, recycled water, sanitary sewer, storm drainage lines that will be installed within the right-of-way.

f) All underground facilities within the southerly half street section proposed to be built with the Project shall be completed prior to issuance final certificate of occupancy.

g) For Arbor Avenue and the intersection improvements at Arbor Avenue/MacArthur Drive improvements, structural section of the roadway, turning radius and travel lane storage requirements for STAA

Trucks are to be considered in the design of these roadway improvements. Adequate Acceleration and deceleration lanes shall be provided where required.

h) Intersection improvements at MacArthur Drive and Arbor Avenue shall include the installation of four-way stop signs, stop bars, and legend, pavement transition, lane line marking(s), pavement markings, traffic sign(s) and other improvements are necessary for the safe operation of a four-way stop intersection as recommended in the traffic study prepared by TJKM Transportation Consultants, dated May 20, 2014.

i) Right-of-Way on Arbor Avenue: The Developer shall dedicate 7-foot wide right-of-way along the entire frontage of the Property on Arbor Avenue to conform to the street sections shown on the *City of Tracy Citywide Roadway and Transportation Master Plan* prepared by RBF Consulting, November 2012 ("TMP"). Per the TMP, Arbor Avenue is designated as two-lane Arterial with Two-Way Left-Turn Lanes (TWLTL), (Figure 4.15(c) of TMP), and Right-of-way width of 84 feet. Additional right-of-way dedication may be required for turn lanes as identified in the Traffic Analysis and TMP and as shown on the Revised Preliminary Site Plan prepared by Kier & Wright Engineers, titled DCT Industrial Warehouse for DCT Industrial, dated April, 2014, "Interim & Ultimate Striping Plan of Arbor Ave", prepared by Kier & Wright, dated March 24, 2015, "N. MacArthur Drive at Arbor Ave Right Lane STAA turning Exhibit", prepared by Kier & Wright, dated February 11, 2015, "Potable Water Line Exhibit", prepared by Kier & Wright, dated March 24, 2015. Design of the improvements on Arbor Avenue shall be approved by the City Engineer.

j) Right-of-Way at Arbor Avenue and N. MacArthur Drive Intersection: As recommended in the Traffic Analysis, the Developer shall acquire and dedicate required right-of-way at the intersection of Arbor Avenue and N. MacArthur Drive to accommodate STAA trucks. Final configuration of the right-of-way dedication shall be as approved by the City Engineer.

k) The Developer shall execute a Grant Deed to convey the land in fee title and submit legal description and plat map that describes the area to be dedicated, prior to City Council's acceptance of the public improvements. The cost of right-of-way dedication including the cost of preparing the legal description and plat map will be paid by the Developer. The City will use its right of eminent domain, if necessary, to obtain the right of way dedications along Arbor Avenue and MacArthur Drive that are required to satisfy the interim and ultimate build-out of those streets to serve this Project as anticipated by the I-205 Specific Plan and the City's Master Plan. All costs of the eminent domain procedures shall be paid for by the Developer. However the developer will be eligible for reimbursement pursuant to the Finance Plan.

l) The roadway improvements described in this sub-section (Offsite Roadway Improvements) must be designed and constructed by the Developer to meet the applicable requirements of the latest edition of the California Department of Transportation Highway Design Manual (HDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), the applicable City Regulations, and these Conditions of Approval. Design and construction details of the Offsite Roadway Improvements must be shown on the Improvement Plans.

m) In order to guarantee completion of the Offsite Roadway Improvements, the Developer is required to enter into an Offsite Improvement Agreement (OIA) with the City and post improvement security in the amounts approved by the City Engineer, prior to the Encroachment Permit. The OIA requires authorization from the City Council. The Developer shall pay applicable engineering review fees such as plan checking, agreement and permit processing, testing, and construction inspection fees based on current charge rate and as required by these Conditions of Approval and shall be reimbursed in accordance with the Finance Plan.

n) The City will assume responsibility to maintain the public improvements and accept the offer of dedication for right-of-way on Arbor Avenue after the City Council accepts the public improvements.

o) Arbor Avenue is not an I-205 Specific Plan program-funded street. Hence, all improvements required for the Project as identified in the Traffic Analysis and these Conditions of Approval shall be completed by the Developer, and no fee credits shall be given. Per the Finance Plan, the developer shall be eligible for reimbursements from Parcel M1 and Infill Parcel Numbers 7 and 13 at the time these parcels develop for improvements constructed at the intersection of Arbor Avenue and N. MacArthur Drive.

C.4.7. Project Driveways: Developer shall construct driveways to comply with the recommendations of the Traffic Analysis and City Regulations. Project driveways shall be designed for STAA truck access and provide adequate deceleration lanes on Arbor Avenue and safe site distances.

C.4.8 Joint Utility Trench Plans – All future utilities along the frontage of the Project on Arbor Avenue shall be placed in an underground facility. If required, the Developer shall relocate existing utility poles after obtaining approval of affected utility companies and the City. No fee credits or reimbursements shall be applicable for utility pole relocations.

a) City may form a Utility Underground District and complete the undergrounding of overhead utilities within Arbor Avenue right-of-way in the future in accordance with the applicable section(s) of Tracy Municipal Code.

b) Developer shall prepare joint trench plans in compliance with utility companies' requirements and City regulations, and obtain approval of the plans. All private utility services to serve Project such as electric, telephone and cable TV to the building must be installed underground, and to be installed at the location approved by the respective owner(s) of the utilities.

c) The Developer shall submit Joint Utility Trench Plans for the installation of electric, gas, telephone and TV cable main and service lines that are necessary to be installed to serve the Project. These utilities shall be installed within the 10-feet wide Public Utility Easement (PUE) that will be offered for dedication to the City. The Developer shall coordinate, as feasible, with the respective owner(s) of the utilities for the design of these underground utilities to ensure they can be installed within the 10-feet wide PUE to the extent feasible (and except in the event, that additional space beyond the 10-feet PUE is required, as determined by the utilities owner(s)).

C.4.9 Pavement cuts or utility trench(s) on existing street(s) for the installation of water distribution main, storm drain, sewer line, electric, gas, cable TV, and telephone will require the application of 2" asphalt concrete overlay and replacement of pavement striping and marking that are disturbed during construction. The limits of asphalt concrete overlay shall be 25 feet from both sides of the trench, and shall extend over the entire width of the adjacent travel lane(s) if pavement excavation encroaches to the adjacent travel lane or up to the street centerline or the median curb. If the utility trench extends beyond the street centerline, the asphalt concrete overlay shall be applied over the entire width of the street (to the lip of gutter or edge of pavement, whichever applies). This pavement repair requirement is applicable when cuts or trenches are perpendicular to the street direction; when the new joint trench is placed in the street parallel to the street direction; the width of overlay is to be the width of the affected lane.

C.6. Building Permit - No building permit will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

C.6.1. Check payment of the applicable development impact fees including City Wide Roadway and Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Park Development Impact Fees per the Finance Plan.

C.6.2. Check payment of any applicable Regional Transportation Impact Fees (RTIF)

C.6.3. Check payment of any applicable Agricultural Conversion or Mitigation Fee as required in Chapter 13.28 of the Tracy Municipal Code.

C.6.4. Approval of the Finance Plan by the City Council.

C.7. Acceptance of Public Improvements - Public improvements will not be accepted by the City Council until after the Developer completes construction of the relevant public improvements, and also demonstrates to the City Engineer satisfactory completion of the following:

C.7.1. Correction of all items listed in the deficiency report prepared by the assigned Engineering Inspector relating to public improvements subject to City Council's acceptance.

C.7.2. Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Developer, the City shall temporarily release the originals of the Improvement Plans to the Developer so that the Developer will be able to document revisions to show the "As Built" configuration of all improvements.

C.7.3. Signed and notarized Grant Deeds and /or Grant of Easement(s) including legal description and plat map(s), relating to the offer of dedication for the storm drainage detention basin, Arbor Avenue right-of-way, and utility easements, as required in these Conditions of Approval.

C.7.4. Reasonable written permission from irrigation district or affected owner(s), if applicable. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.

C.8. Temporary or Final Building Certificate of Occupancy - No Final Building Certificate of Occupancy will be issued by the City until after the Developer provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:

C.8.1. The Developer has satisfied all the requirements set forth in Conditions C.5 and C.6 above.

C.8.2. The Developer has completed construction of all required public facilities for the building for which a certificate of occupancy is requested and all the improvements required in these Conditions of Approval. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Developer shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Developer 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.9. Improvement Security – The Developer shall provide improvement security for all public facilities, as required by the OIA, DIA, and these Conditions of Approval. The form of the improvement security may be a surety bond, letter of credit or other form in accordance with section 12.36.080 of the TMC and the Development Agreement. The amount of improvement security shall be as follows:

C.9.1. Faithful Performance (100% of the estimated cost of constructing the public facilities)

C.9.2. Labor & Materials (100% of the estimated cost of constructing the public facilities), and

C.9.3. Warranty (10% of the estimated cost of constructing the public facilities)

C.10. Release of Improvement Security - Improvement Security(s) described herein shall be released to the Developer after City Council's acceptance of public improvements, and after the Developer demonstrates, to the satisfaction of the City Engineer, compliance of these Conditions of Approval, and completion of the following:

C.10.1. Improvement Security for Faithful Performance, Labor & Materials, and Warranty shall be released to the Developer in accordance with Section 12.36.080 of the TMC.

C.10.2. Written request from the Developer and a copy of the recorded Notice of Completion.

C.11. Benefit District – The Developer may make a written request to the City for the formation of a Benefit District, prior to the approval of improvement plans for the public facility(s) considered to be oversized that benefits other property(s) or development(s). Reimbursement request(s) will be processed in accordance with Chapter 12.60 of the TMC.

C.12. Special Conditions

C.12.1. All streets and utilities improvements within City's right-of-way shall be designed and constructed in accordance with City Regulations, and City's Design documents including the City's Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, or as otherwise specifically approved by the City.

C.12.2. When street cuts are made for installation of utilities, the Developer is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street. This pavement repair requirement is when cuts/trenches are perpendicular to the street direction; when the street cut is parallel to the street direction, the width of overlay to be the width of the affected lane.

C.12.3. The Developer shall execute a hold-harmless agreement with the City relieving the City of any liability associated with flooding of portions of the parking areas and other site improvements contiguous to the proposed building that will be constructed below the base flood elevation of 22 feet for Old River depicted on the existing FEMA Flood Insurance Rate Map covering this area.

C.12.4. All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Developer shall be responsible for all costs associated with the abandonment or removal of the existing well(s) including the cost of permit(s) and inspection. The Developer shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.

C.12.5. The Developer shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Developer will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.

C.12.6. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Developer's (or Contractor's) sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).

C.12.7. 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. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the Grading Permit, Encroachment Permit, Building Permit, Improvement Plans, OIA, and DIA, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Developer shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.