

MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 4, 2015, 7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA

CALL TO ORDER - Chair Mitracos called the meeting to order at 7:03 p.m.

PLEDGE OF ALLEGIANCE - Chair Mitracos led the pledge of allegiance.

ROLL CALL - Roll Call found Chair Mitracos, Vice Chair Tanner, Commissioners Orcutt, and Sangha present; Commissioner Ransom absent. Also present were staff members Andrew Malik, Development Services Director; Bill Dean, Assistant Development Services Director; Scott Claar, Senior Planner; Alan Bell, Senior Planner; Cris Mina, Senior Civil Engineer; Dan Sodegren, City Attorney; and Sandra Edwards Recording Secretary.

MINUTES APPROVAL – None.

DIRECTOR’S REPORT REGARDING THIS AGENDA – None.

ITEMS FROM THE AUDIENCE – None.

1. NEW BUSINESS

- A. PUBLIC HEARING TO CONSIDER APPROVING A CONDITIONAL USE PERMIT APPLICATION FOR AN EATING AND/OR DRINKING ESTABLISHMENT WITH ENTERTAINMENT AT 1005 E. PESCADERO AVENUE – APPLICANT IS ROSAURA QUINTANA AND PROPERTY OWNER IS 51 NEWCO LLC – APPLICATION NUMBER CUP15-0006

Commissioner Sangha recused herself from consideration of the item.

Scott Claar, Senior Planner, provided the staff report.

The Commission discussed nightclub policy at other locations, increase in police calls after 11:00 p.m., fee for entertainment license based on square footage, signage at Northgate Village, specific location of the proposed site (end of the building), possibility of a moratorium, and security.

Officer Wilmhurst, Tracy Police Department, addressed concerns regarding safety.

Chair Mitracos opened the public hearing.

Nelson Gomez, attorney for applicant, addressed the Commission stating they have met with staff trying to address all concerns and that they accept all the conditions of approval suggested.

The Commission further discussed the applicants’ other business, and the ratio of guards to patrons.

The public hearing was closed.

ACTION: It was moved by Commissioner Orcutt and seconded by Vice Chair Tanner that the Planning Commission approve the Conditional Use Permit application for an eating and/or drinking establishment with entertainment at 1005 E. Pescadero Avenue, subject to the conditions as stated in the Planning Commission Resolution dated November 4, 2015. Voice vote found Commissioner Orcutt, Chair Mitracos, and Vice Chair Tanner in favor; Commissioner Sangha abstained; Commissioner Ransom absent.

Commissioner Sangha rejoined the Commission at 7:22 p.m.

- B. PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT ZONE PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT AN APPROXIMATELY 6,300 SQUARE FOOT MULTI-TENANT RESTAURANT BUILDING WITH DRIVE THRU, PARKING AREA AND LANDSCAPING IMPROVEMENTS, LOCATED AT THE SOUTHEAST CORNER OF NAGLEE ROAD AND PARK-N-RIDE DRIVE, ASSESSOR'S PARCEL NUMBER 212-290-39. APPLICANT IS VMI ARCHITECTS INC. PROPERTY OWNER IS THE CITY OF TRACY. APPLICATION NUMBER D15-0009 – Scott Claar, Senior Planner, provided the staff report.

The Commission asked for clarification regarding elimination of the Park-N-Ride lot, other potential locations, the number of parking spaces, and timing of construction for the proposed building. Also discussed was the States' involvement with the Redevelopment Agency and the property.

Chair Mitracos opened the public hearing.

John Becker, Becker Commercial Properties, addressed the Commission voicing his excitement for the project.

Commissioner Orcutt requested a recess at 7:37, reconvening at 7:43 p.m.

The Commission further discussed outside dining, parking, and trash enclosures.

Chair Mitracos closed the public hearing.

ACTION: It was moved by Commissioner Orcutt and seconded by Vice Chair Tanner that the City Council approve a PUD Zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009, subject to the conditions and based on the determinations contained in the Planning Commission Resolution dated November 4, 2015. Voice vote found Commissioners Orcutt, Sangha, Vice Chair Tanner, and Chair Mitracos in favor; Commissioner Ransom absent.

- C. PUBLIC MEETING TO REVIEW THE GENERAL PLAN DRAFT HOUSING ELEMENT AND RECEIVE PUBLIC INPUT – Alan Bell, Senior Planner, provided the staff report. Jessica Sumagia, of Veronica Tam & Associates, provided a presentation on the Housing Element and housing program objectives.

The Planning Commission discussed the Regional Housing Needs Allocation, affordable housing, housing ratio and economics, the active retirement initiative, and priority areas.

No public input was offered.

- D. PUBLIC HEARING TO CONSIDER AN ORDINANCE ADDING A NEW SECTION 10.08.3198 TO TITLE 10 OF THE TRACY MUNICIPAL CODE RELATING TO DONATION CONTAINERS – CITY INITIATED – APPLICATION NUMBER ZA15-0004 – Scott Claar, Senior Planner, provided the staff report and letters that were received and provided to the Commission.


The Commissioners discussed competition with Goodwill, and the proliferation of unattended for profit donation containers.

ACTION: It was moved by Commissioner Orcutt and seconded by Commissioner Sangha recommending that the City Council introduce and adopt an ordinance adding a new Section 10.08.3198 to Title 10 of the Tracy Municipal Code relating to donation containers, as stated in the Planning Commission Resolution dated November 4, 2015. Voice vote found Commissioners Orcutt, Sangha, Vice Chair Tanner, and Chair Mitracos in favor; Commissioner Ransom absent.

2. **ITEMS FROM THE AUDIENCE** – None.
3. **DIRECTOR'S REPORT** – None.
4. **ITEMS FROM THE COMMISSION** – Chair Mitracos announced that the Tracy Tree Foundation will be planting trees on Dronero Court on November 14, 2015, at 9:00 a.m. Commissioner Sangha announced the third annual Diwali (Festival of Lights) being held Saturday at the Grand Theatre this weekend.
5. **ADJOURNMENT** – Motion by Chair Mitracos, second by Commissioner Orcutt to adjourn. Voice vote found Commissioners Orcutt, Sangha, Vice Chair Tanner, and Chair Mitracos in favor; Commissioner Ransom absent.

Time: 8:25 p.m.


STAFF LIAISON


CHAIR