

## 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, September 27, 2017  
7:00 P.M. (or as soon thereafter as possible)

Location: City of Tracy Council Chambers  
333 Civic Center Plaza

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

### REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – 9/13/17

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 APPROVAL OF A CONDITIONAL USE PERMIT AND RECLAMATION PLAN AMENDMENT TO DEFINE AND EXTEND THE EXPIRATION DATES FOR MINING UNTIL DECEMBER 31, 2036 AND RECLAMATION UNTIL DECEMBER 31, 2039 WITH NO CHANGES TO MINING OR RECLAMATION ACTIVITIES (REQUEST IS ONLY TO EXTEND TIME), AND APPROVAL OF THE RENEWAL OF THE INTERIM MANAGEMENT PLAN FOR AN ADDITIONAL FIVE YEAR PERIOD FOR THE PEREIRA MINE, LOCATED AT THE SOUTHWEST CORNER OF LINNE ROAD AND SOUTH TRACY BOULEVARD (ASSESSOR'S PARCEL NUMBER 253-110-09) – APPLICANT IS TEICHERT AGGREGATES; OWNER IS TRIANGLE PROPERTIES; APPLICATION NUMBER CUP16-0010  
**THIS ITEM WILL BE RE-NOTICED FOR A FUTURE PLANNING COMMISSION MEETING.**

- B. PUBLIC HEARING TO CONSIDER RECOMMENDATIONS TO THE CITY COUNCIL REGARDING APPROVAL OF A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM RESIDENTIAL HIGH TO COMMERCIAL AND APPROVAL OF A REZONE FROM HIGH DENSITY RESIDENTIAL ZONE TO GENERAL HIGHWAY COMMERCIAL ZONE FOR A 6,000 SQUARE FOOT PARCEL LOCATED AT 2461 HOLLY DRIVE AND A 7,402 SQUARE FOOT PARCEL LOCATED AT 2441 HOLLY DRIVE. THE APPLICANT IS MIKE SOUZA. THE PROPERTY OWNERS ARE GEMELOS FAMILY PARTNERSHIP AND TRACY UNIFIED SCHOOL DISTRICT. APPLICATION NUMBERS GPA17-0002 AND R17-0002
  - C. PRESENTATION AND QUESTION/ANSWER DISCUSSION ON THE PROPOSED TRACY VILLAGE DEVELOPMENT PROJECT
  - D. PUBLIC MEETING TO SOLICIT COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE TRACY VILLAGE DEVELOPMENT PROJECT
  - E. DETERMINATION OF CONSISTENCY WITH THE CITY OF TRACY GENERAL PLAN FOR A VACATION OF PUBLIC RIGHT-OF-WAY AFFECTING THE SOUTHEAST CORNER OF GRANT LINE AND PARADISE ROADS. APPLICANT IS PROLOGIS. APPLICATION NUMBER DET17-0003
- 2. ITEMS FROM THE AUDIENCE
  - 3. DIRECTOR'S REPORT
  - 4. ITEMS FROM THE COMMISSION
  - 5. ADJOURNMENT

Posted: September 22, 2017

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Development Services Department located at 333 Civic Center Plaza during normal business hours.

**MINUTES  
TRACY CITY PLANNING COMMISSION  
SEPTEMBER 13, 2017, 7:00 P.M.  
CITY OF TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

Chair Orcutt called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Orcutt led the pledge of allegiance.

**ROLL CALL**

Roll Call found Chair Orcutt, Vice Chair Sangha, and Commissioners Hudson, Krogh, and Tanner present. Also present were: Andrew Malik, Director of Development Services; Leticia Ramirez, Assistant City Attorney; Alan Bell, Senior Planner; Scott Claar, Senior Planner; Kenny Lipich, Assistant Planner; Ana Contreras, Community Preservation Manager; and Peggy Abundiz, Recording Secretary.

**MINUTES**

It was moved by Commissioner Hudson, and seconded by Commissioner Tanner, that the Planning Commission meeting Minutes of August 9, 2017, be approved. Voice vote found all in favor; passed and so ordered.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

None.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. PUBLIC HEARING TO CONSIDER AN ORDINANCE ADDING A NEW SECTION 10.08.4243 TO THE TRACY MUNICIPAL CODE RELATING TO TEMPORARY STORAGE CONTAINERS ON RESIDENTIAL PROPERTY – CITY INITIATED – APPLICATION NUMBER ZA17-0009

Scott Claar presented the staff report. He and Andrew Malik then addressed questions from the Commission.

Chair Orcutt opened the public hearing. As there was no testimony to be heard, Chair Orcutt closed the public hearing.

**ACTION** It was moved by Chair Orcutt, and seconded by Commissioner Tanner, that the Planning Commission recommend the City Council adopt an ordinance adding a new section 10.08.4243 to the Tracy Municipal Code relating to temporary storage containers on residential property, as stated in the Planning Commission Resolution dated September 13, 2017. Voice vote found Chair Orcutt, Vice Chair Sangha, and Commissioners Hudson and Tanner in favor, Commissioner Krogh opposed; 4-1-0, passed and so ordered.

**B. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE TRACY MUNICIPAL CODE TO ADD A NEW SECTION 10.08.3193, REGARDING MOBILE FOOD VENDORS – APPLICATION NUMBER ZA17-0008**

Alan Bell presented the staff report. He and Andrew Malik then addressed questions from the Commission.

Chair Orcutt opened the public hearing. As there was no testimony to be heard, Chair Orcutt closed the public hearing.

**ACTION** It was moved by Commissioner Hudson, and seconded by Commissioner Tanner, that the Planning Commission recommend the City Council approve the Tracy Municipal Code amendment to allow mobile food vendors in industrial zones, as indicated in the Planning Commission Resolution dated September 13, 2017, with a modification to Item (7) of the Ordinance (Exhibit 1), to delete that portion pertaining to hours of operation. (The portion disallowing overnight parking/storage shall remain.) A roll call vote found all in favor; 5-0-0, passed and so ordered.

**2. ITEMS FROM THE AUDIENCE**

None.

**3. DIRECTOR'S REPORT**

Andrew Malik introduced new Assistant Planner Kenny Lipich. Kenny began his tenure with the City as an Intern earlier this year, and was recently appointed to his current position. He was born and raised in Tracy, attended Millennium High School, and graduated from U.C. Davis. The Commissioners welcomed Mr. Lipich.

Mr. Malik referred the Commissioners to Gina Peace, Executive Assistant, for any travel or Conference questions related to the upcoming APA Conference.

**4. ITEMS FROM THE COMMISSION**

Chair Orcutt stated that he had received a reminder from City Clerk Nora Pimentel with regard to Ethics training, and encouraged the Commissioners to attend. Attendance at the upcoming APA Conference was also discussed.

Chair Orcutt mentioned that he had visited the City of Layton's website, laytoncity.org, and had found a section where citizens could go to see required distances, etc. for building a shed. There were some other helpful tools as well.

Chair Orcutt provided an opportunity for comments for the record, as Item 1-A did not result in a unanimous vote. Commissioner Krogh shared that he did not agree with the 120-day maximum, as he felt it was too lengthy.

**5. ADJOURNMENT**

It was moved by Commissioner Orcutt, and seconded by Vice Chair Sangha, to adjourn.

Time: 7:56 p.m.

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CHAIR

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STAFF LIAISON

AGENDA ITEM 1-B

REQUEST

**PUBLIC HEARING TO CONSIDER RECOMMENDATIONS TO THE CITY COUNCIL REGARDING APPROVAL OF A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM RESIDENTIAL HIGH TO COMMERCIAL AND APPROVAL OF A REZONE FROM HIGH DENSITY RESIDENTIAL ZONE TO GENERAL HIGHWAY COMMERCIAL ZONE FOR A 6,000 SQUARE FOOT PARCEL LOCATED AT 2461 HOLLY DRIVE AND A 7,402 SQUARE FOOT PARCEL LOCATED AT 2441 HOLLY DRIVE. THE APPLICANT IS MIKE SOUZA. THE PROPERTY OWNERS ARE GEMELOS FAMILY PARTNERSHIP AND TRACY UNIFIED SCHOOL DISTRICT. APPLICATION NUMBERS GPA17-0002 AND R17-0002**

DISCUSSION

On May 15, 2017, an application was submitted for a General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial and a rezone from High Density Residential (HDR) Zone to General Highway Commercial (GHC) Zone for an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, Application Numbers GPA17-0002 and R17-0002.

The parcel has been used as an automotive repair facility for many years. The current business owner is interested in purchasing the property but has requested that the General Plan Land Use Designation and zoning be changed to conform with the existing land use.

Nearby parcels with GHC zoning are located south of the subject property, adjacent to Grant Line Road. However, an approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, is situated between the parcel at 2461 Holly Drive and the parcels adjacent to Grant Line Road with existing GHC zoning.

The parcel at 2441 Holly Drive is owned by the Tracy Unified School District (TUSD). The parcel contains a commercial building that is currently used for storage by TUSD and has a General Plan Land Use Designation of Residential High and zoning of HDR, same as the parcel at 2461 Holly Drive.

Staff recommends that the parcel at 2441 Holly Drive be included in the General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial and the rezone from HDR Zone to GHC Zone, in order to create a contiguous GHC zone district that is not divided by a single residentially zoned parcel. The TUSD has stated that they do not object to the proposed General Plan Amendment and rezone.

Attachment A shows the location of the subject property. Attachment B shows the existing and proposed General Plan Land Use Designations. Attachment C shows the existing and proposed zoning.

The proposed General Plan Land Use Designation of Commercial and the proposed zoning of GHC are consistent with the existing land uses.

#### Environmental Document

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162, no further environmental assessment is required because the proposed General Plan Amendment and rezone are consistent with the existing land use which was previously studied by the General Plan Environmental Impact Report (EIR), certified February 1, 2011, and no intensification of development would result beyond what was studied in the General Plan EIR.

#### RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council take the following actions, as stated in the Planning Commission Resolution dated September 27, 2017 (Attachment D: Planning Commission Resolution):

- Approve a General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial for an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, and an approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, Application Number GPA17-0002; and
- Introduce and adopt an ordinance to rezone an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, and an approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, from High Density Residential Zone to General Highway Commercial Zone, Application Number R17-0002.

#### MOTION

Move that the Planning Commission recommend that the City Council take the following actions, as stated in the Planning Commission Resolution dated September 27, 2017:

- Approve a General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial for an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, and an approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, Application Number GPA17-0002; and
- Introduce and adopt an ordinance to rezone an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, and an approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's

Parcel Number 214-520-18, from High Density Residential Zone to General Highway Commercial Zone, Application Number R17-0002.

Prepared by: Scott Claar, Senior Planner

Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

- A: Location Map
- B: Existing and Proposed General Plan Land Use Designations
- C: Existing and Proposed Zoning
- D: Planning Commission Resolution





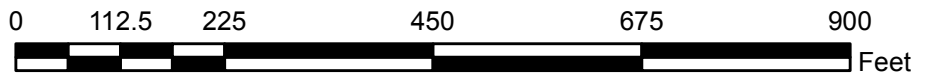
Subject  
Property

HOLLY DR

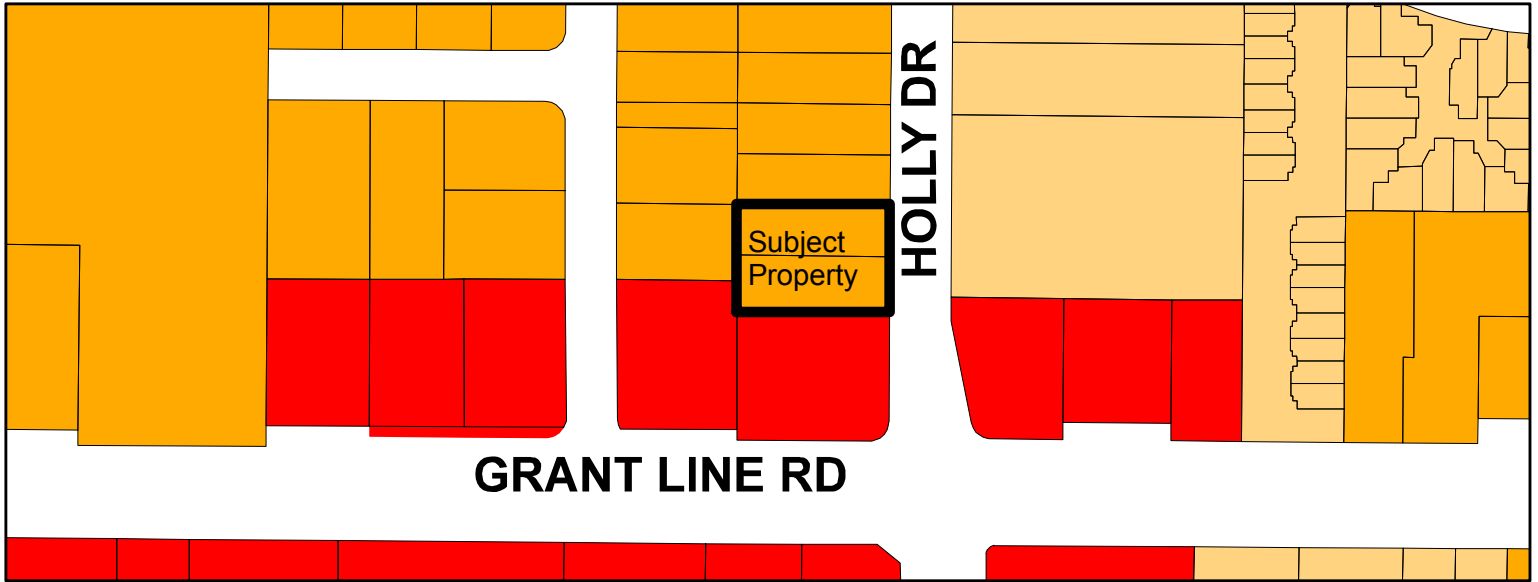
GRANT LINE RD



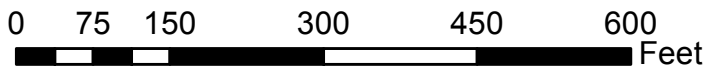
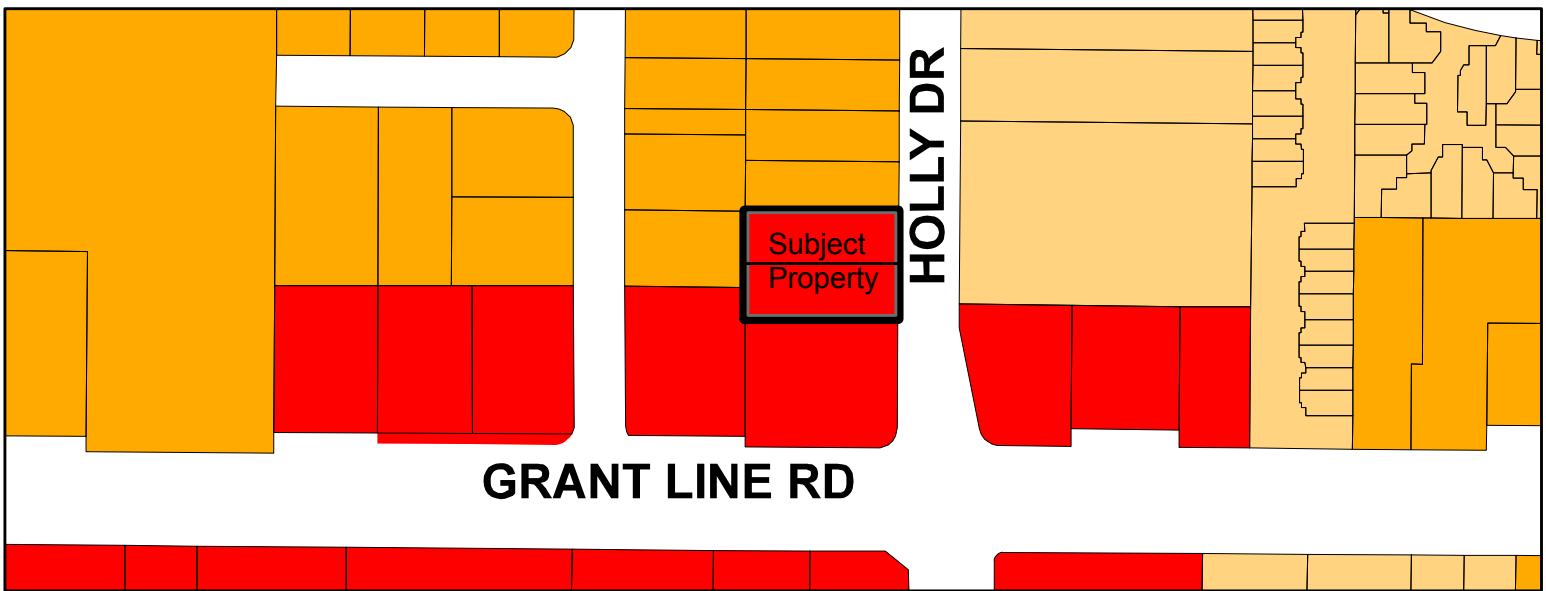
Think Inside the Triangle™






## Existing



## Proposed

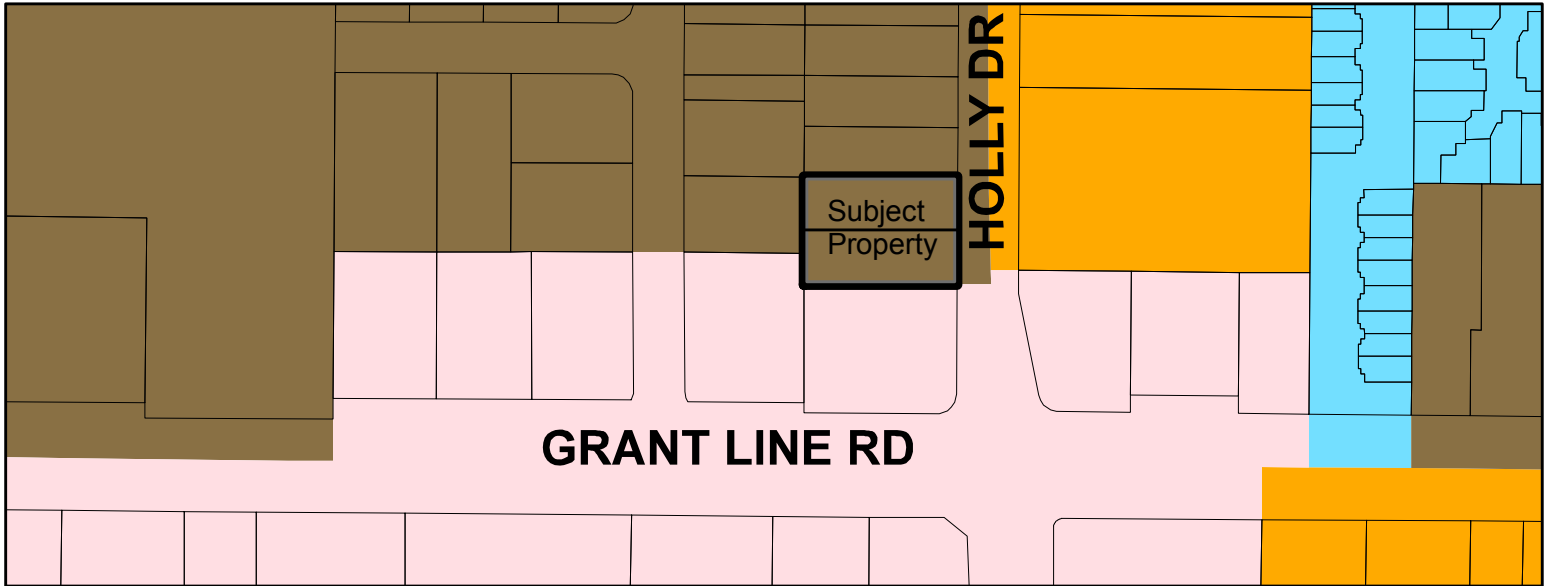


LEGEND	
	RESIDENTIAL MEDIUM
	RESIDENTIAL HIGH
	COMMERCIAL

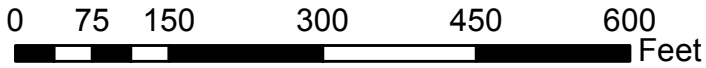
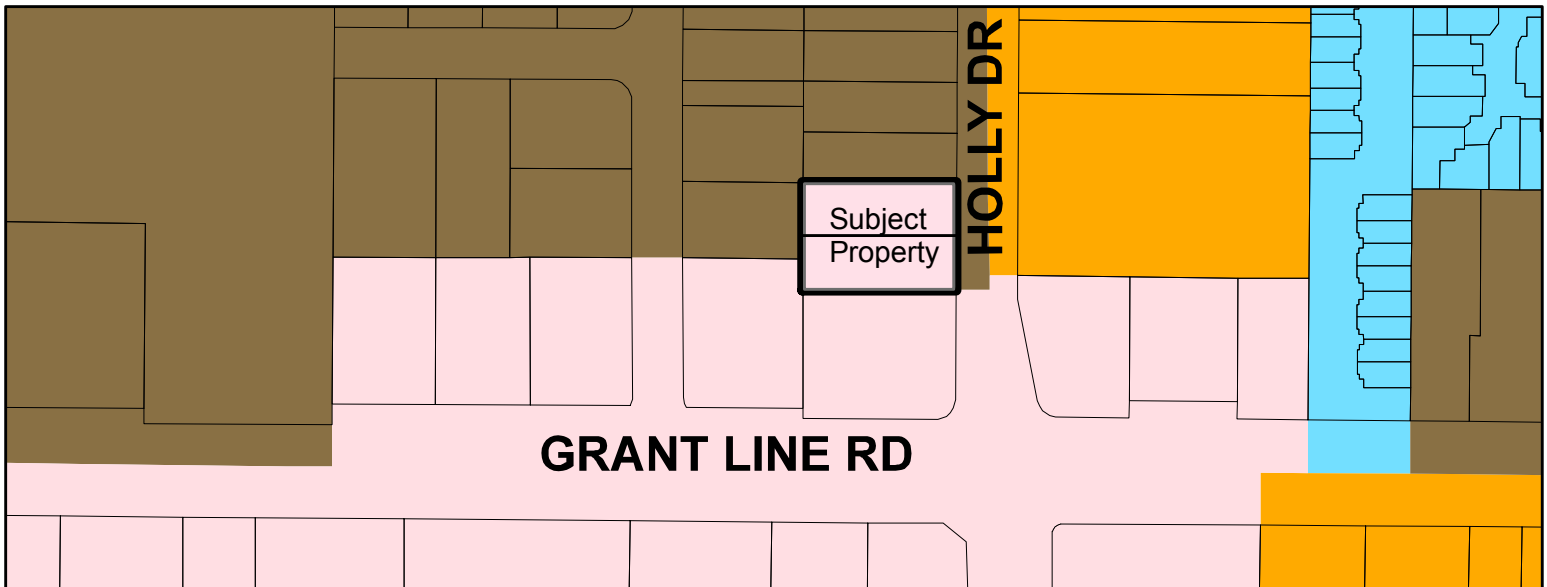


# Zoning Districts

## Existing



## Proposed



**LEGEND**

- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- GENERAL HIGHWAY COMMERCIAL
- PLANNED UNIT DEVELOPMENT



RESOLUTION 2017-\_\_\_\_\_

RECOMMENDING THAT THE CITY COUNCIL APPROVE A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM RESIDENTIAL HIGH TO COMMERCIAL AND APPROVE A REZONE FROM HIGH DENSITY RESIDENTIAL ZONE TO GENERAL HIGHWAY COMMERCIAL ZONE FOR AN APPROXIMATELY 6,000 SQUARE FOOT PARCEL LOCATED AT 2461 HOLLY DRIVE AND AN APPROXIMATELY 7,402 SQUARE FOOT PARCEL LOCATED AT 2441 HOLLY DRIVE, APPLICATION NUMBERS GPA17-0002 AND R17-0002

WHEREAS, An application was submitted for a General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial and a rezone from High Density Residential Zone to General Highway Commercial Zone for an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, Application Numbers GPA17-0002 and R17-0002, and

WHEREAS, An approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, is situated between the parcel at 2461 Holly Drive and parcels adjacent to Grant Line Road with existing zoning of General Highway Commercial, and

WHEREAS, The City wishes to include the approximately 7,402 square foot parcel located at 2441 Holly Drive in the General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial and rezone the parcel from High Density Residential Zone to General Highway Commercial Zone, in order to create a contiguous General Highway Commercial zone district that is not divided by a single residentially zoned parcel, and

WHEREAS, The proposed General Plan Land Use Designation of Commercial and the proposed zoning of General Highway Commercial are consistent with the existing land use of the parcels located at 2461 and 2441 Holly Drive, and

WHEREAS, In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162, no further environmental assessment is required because the proposed General Plan Amendment and rezone are consistent with the existing land use which was previously studied by the General Plan Environmental Impact Report (EIR), certified February 1, 2011, and no intensification of development would result beyond what was studied in the General Plan EIR, and

WHEREAS, On September 27, 2017, the Planning Commission conducted a duly noticed public hearing to consider the proposed General Plan Amendment and rezone;

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission recommends that the City Council take the following actions:

1. Approve a General Plan Amendment to change the General Plan Land Use Designation from Residential High to Commercial for an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, and an approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, Application Number GPA17-0002; and
2. Introduce and adopt an ordinance to rezone an approximately 6,000 square foot parcel located at 2461 Holly Drive, Assessor's Parcel Number 214-520-17, and an

approximately 7,402 square foot parcel located at 2441 Holly Drive, Assessor's Parcel Number 214-520-18, from High Density Residential Zone to General Highway Commercial Zone, Application Number R17-0002.

\* \* \* \* \*

The foregoing Resolution 2017-\_\_\_\_\_ was adopted by the Planning Commission on the 27th day of September, 2017, by the following vote:

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

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
STAFF LIAISON

AGENDA ITEM 1-C

REQUEST

**PRESENTATION AND QUESTION/ANSWER DISCUSSION ON THE PROPOSED TRACY VILLAGE DEVELOPMENT PROJECT**

DISCUSSION

Ponderosa Homes, the applicant for the Tracy Village Project, located at the southeast corner of Corral Hollow and Valpico Roads, has requested an opportunity to provide an overview of their application and proposed project to the Planning Commission. Later on the agenda, City staff will describe the environmental analysis process and Planning Commission will conduct a hearing to receive comments. While the draft Specific Plan has been available on the City's website, the developer wanted an additional opportunity to explain the project to the community and Planning Commission. A similar presentation was provided on November 16, 2016, when the Planning Commission conducted a scoping meeting on the Environmental Impact Report.

In order for the project to develop, the City would have to approve a General Plan Amendment, Annexation/Rezoning, a Specific Plan, and a Subdivision Map. Part of the project analysis includes an Environmental Impact Analysis, which will be discussed in the following Agenda Item.

RECOMMENDATION

Staff recommends that the Planning Commission receive a brief presentation on the Tracy Village project from the applicant, then allow for questions and comments between the Commissioners, staff and the applicant.

Prepared by: Victoria Lombardo, Senior Planner  
Approved by: Bill Dean, Assistant Development Services Director

AGENDA ITEM 1-D

REQUEST

**PUBLIC MEETING TO SOLICIT COMMENTS ON THE DRAFT ENVIRONMENTAL  
IMPACT REPORT FOR THE TRACY VILLAGE DEVELOPMENT PROJECT**

DISCUSSION

*Background*

The City of Tracy, as the Lead Agency, has prepared a Draft Environmental Impact Report (DEIR) to evaluate potential environmental impacts related to the proposed Tracy Village project. Tracy Village proposes to develop up to 600 single-family residential lots within a 134-acre gated and age-restricted community located on the south side of Valpico Road, east of Corral Hollow Road. The project requires an amendment to the General Plan, Annexation/Rezoning, and includes a Specific Plan.

The DEIR also addresses, as part of the project, the potential environmental effects of a City-proposed annexation/rezoning of properties adjoining the Tracy Village site and which otherwise would become effective “islands” of unincorporated County lands if the Tracy Village project is approved and annexed to the City; these include an additional 42 residential properties fronting Corral Hollow Road and Valpico Road, most of which are developed with residences, and an adjoining drainage canal north of Valpico Road.

The City is soliciting comments from public agencies, organizations and members of the public regarding the findings of the DEIR, along with environmental issues and project alternatives which are addressed in the DEIR. A 45-day public review and comment period has been established, which concludes on October 2, 2017. As part of the DEIR review process, and to allow the project applicant to provide a brief project overview, staff is bringing this matter before the Planning Commission at the September 27<sup>th</sup> meeting.

*Project DEIR*

The DEIR for the project provides analysis within the following areas:

- *Aesthetics, Light, and Glare*
- *Agriculture & Forest Resources*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Geology, Soils, and Seismicity*
- *Greenhouse Gas Emissions*
- *Hazards/Hazardous Materials*
- *Hydrology and Water Quality*
- *Land Use and Planning*
- *Mineral Resources*
- *Noise*
- *Population and Housing*
- *Public Services*
- *Recreation*
- *Transportation and Traffic*
- *Utilities & Service Systems*

Several impacts have been identified within the DEIR which, unless mitigated, could result in potentially significant environmental impacts. As a result, there are several mitigation measures which are included in the DEIR for issues such as biological resources, cultural resources, air quality and greenhouse gas emissions, transportation and utilities. There are

also issue areas which, even with application of mitigation measures, would remain significant and unavoidable.

The City's environmental consultant for the project, First Carbon Solutions, will be present at the September 27 Planning Commission meeting to summarize key findings from the Draft EIR.

#### *Next Steps*

Following the DEIR comment period, the City's environmental consultant for the project, First Carbon Solutions, will address all comments received within a Final EIR. The project will then be brought before the Planning Commission at a public hearing, where the Commission will be asked to make a recommendation on EIR certification and action on the project entitlements to the City Council.

#### RECOMMENDATION

Staff recommends that the Planning Commission receive staff, applicant and EIR consultant presentations, provide comments, and receive comments from the public with regard to the DEIR for the Tracy Village project development.

Prepared by: Brian Millar, AICP, Planning Consultant  
Approved by: Bill Dean, Assistant Development Services Director

#### ATTACHMENTS

*The Draft EIR was previously provided to the Planning Commission.*



AGENDA ITEM 1-E

REQUEST

**DETERMINATION OF CONSISTENCY WITH THE CITY OF TRACY GENERAL PLAN FOR A VACATION OF PUBLIC RIGHT-OF-WAY AFFECTING THE SOUTHEAST CORNER OF GRANT LINE AND PARADISE ROADS. APPLICANT IS PROLOGIS. APPLICATION NUMBER DET17-0003**

DISCUSSION

Background

This section of Paradise Road, just south of Grant line Road, was recently constructed in conjunction with the new Tracy Animal Shelter in 2015, on Assessor's Parcel Number 250-030-02 (Attachment A). The Animal shelter used much of that property, and Paradise Road was built on another portion of the parcel. Once those projects were complete, a remainder of 0.4654 acres of the parcel was left on the east side of the new Paradise Road section, adjacent to Assessor's Parcel Numbers 250-280-09 to the east, and 250-030-26 to the south (Attachment B).

On June 19, 2017, the Development Services Director approved a Development Review Permit for the construction of a 309,690 square foot industrial building (NEI Building 18) with related site and landscape improvements. A portion of that approved plan proposes to use the remainder of the property discussed above for a bioretention basin, for storm drainage. As the City no longer has any use for the remainder of the property, it will be sold to the private developer to allow for this bioretention use and become a part of their project site. In order for that sale to occur, the City must vacate the public right-of-way.

Whenever a public agency proposes to dispose of real property, California Government Code Section 65402 requires a finding of consistency with the General Plan. If the Planning Commission determines that the public right-of-way vacation is consistent with the General Plan, the City Council will conduct a public hearing and decide whether or not to vacate the property.

Site and Project Description

The site and adjacent properties have a General Plan land use designation of Industrial (I) and are located within the Northeast Industrial Specific Plan (NEI). The requested vacation of right-of-way is consistent with the General Plan, Zoning Ordinance, and Northeast Industrial Specific Plan because it will return the land to industrial use.

Environmental Document

The proposed right-of-way vacation is categorically exempt from the California Environmental Quality Act, pursuant to Section 15312 of the CEQA Guidelines. This exemption pertains to surplus government property sales. In compliance with CEQA Guidelines Section 15312, the right-of-way property proposed for vacation does not have significant value for wildlife habitat or other environmental purposes.

RECOMMENDATION

Staff recommends that the Planning Commission determine that the vacation of public right-of-way adjacent to Paradise Road, a portion of Assessor's Parcel Number 250-030-02, is consistent with the City of Tracy General Plan, based on the findings contained in the Planning Commission Resolution dated September 27, 2017 (Attachment C).

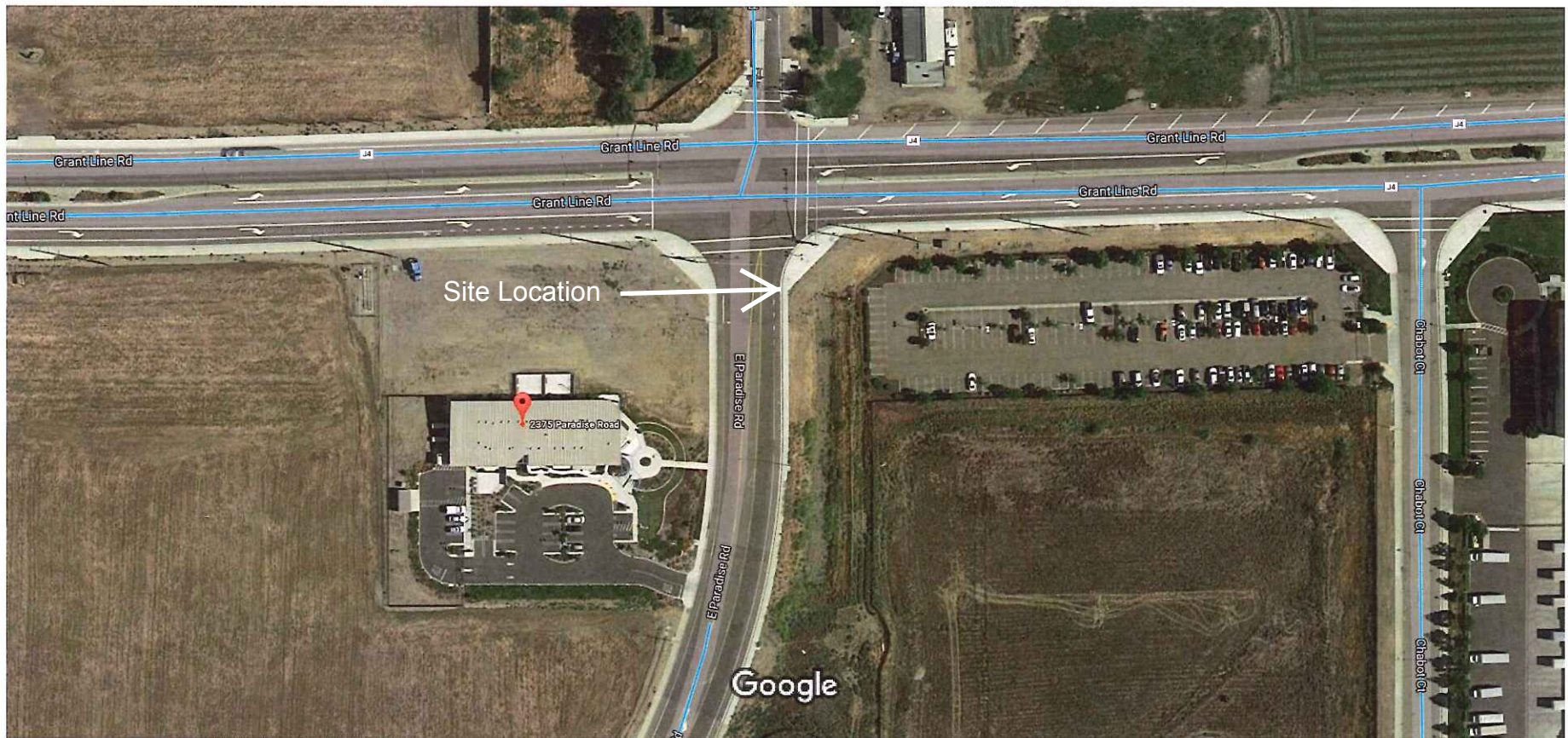
MOTION

Move that the Planning Commission determine that the vacation of public right-of-way adjacent to Paradise Road, a portion of Assessor's Parcel Number 250-030-02, is consistent with the City of Tracy General Plan, based on the findings contained in the Planning Commission Resolution dated September 27, 2017.

Prepared by: Victoria Lombardo, Senior Planner  
Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

- A: Location Map
- B: Vacation of Right-of-Way Map
- C: Planning Commission Resolution



# LOCATION MAP

# LEGEND

AC	ACRES
OR	OFFICIAL RECORDS
M	MAPS
P.O.B.	POINT OF BEGINNING
S.F.	SQUARE FEET
---	PROPERTY LINE

RECEIVED

SEP 21 2017

CITY OF TRACY  
DEVELOPMENT SERVICES



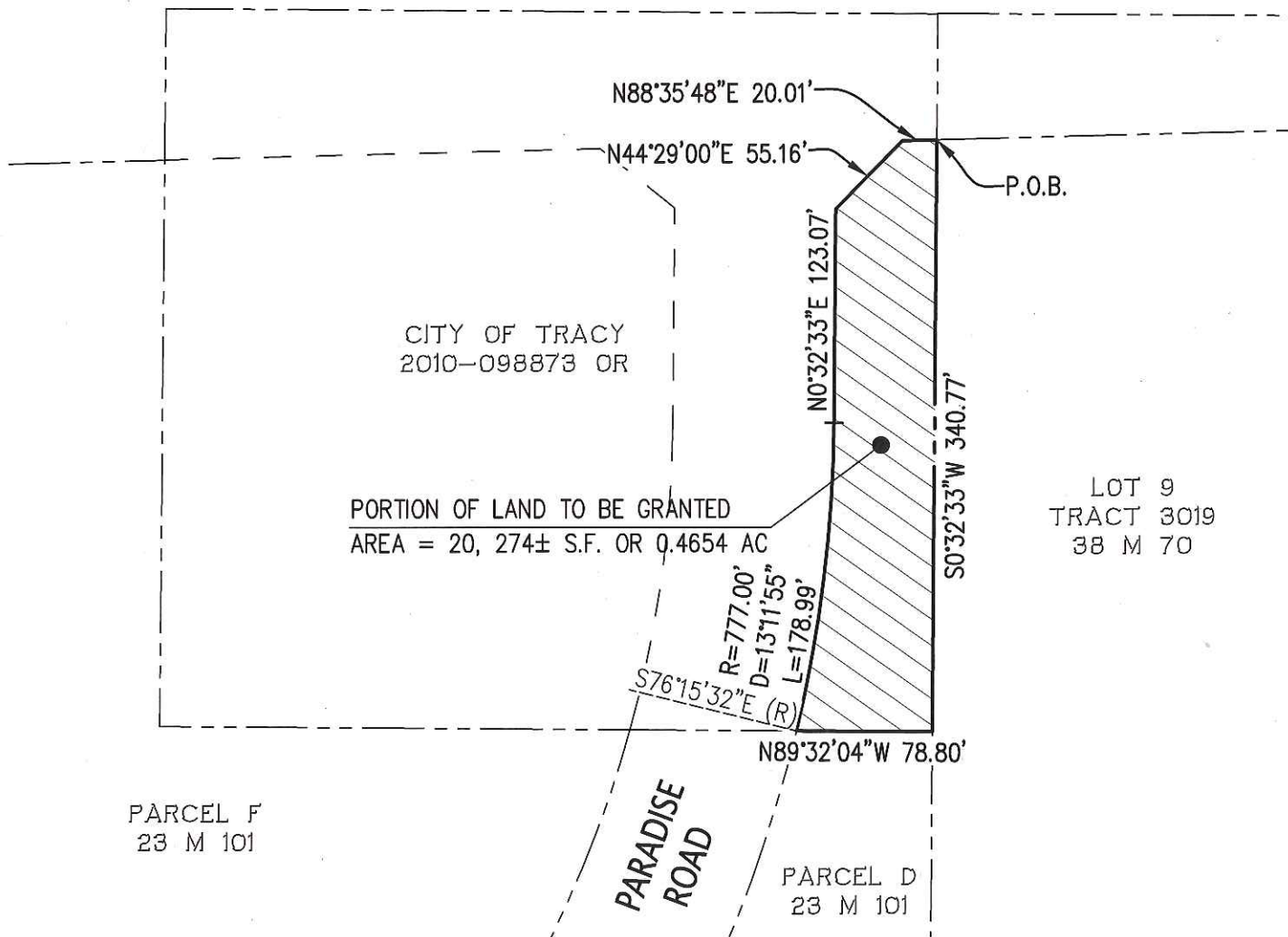
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Scale 1" = 100'



*[Handwritten signature]*  
9/21/17

## GRANT LINE ROAD



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
2850 Collier Canyon Road Phone (925) 245-8788  
Livermore, California 94551 Fax (925) 245-8796

## EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL  
DESCRIPTION

TRACY,

CALIFORNIA

DATE	APRIL, 2017
SCALE	1" = 100'
BY	JAK
JOB NO.	A10546-21
SHEET	1 OF 1

RESOLUTION 2017-\_\_\_\_\_

**DETERMINATION THAT THE VACATION OF PUBLIC RIGHT-OF-WAY AFFECTING THE SOUTHEAST CORNER OF GRANT LINE AND PARADISE ROADS IS CONSISTENT WITH THE CITY OF TRACY GENERAL PLAN, APPLICATION NUMBER DET17-0003**

WHEREAS, Upon completion of the construction of the Tracy Animal Shelter and Paradise Road on Parcel Number 250-030-02, a 0.4654-acre portion of the parcel remains on the east side of Paradise Road, adjacent to an approved development project (Application Number D17-0005) for a project located at the southeast corner of Grant Line and Paradise Roads that would use the property for bioretention, and

WHEREAS, The City of Tracy initiated a vacation of public right-of-way for this 0.4654-acre portion of Parcel Number 250-030-02 for the use of the adjacent parcel, and

WHEREAS, The site has a General Plan land use designation of Industrial (I), and

WHEREAS, The requested vacation of public right-of-way is consistent with the General Plan because it will allow industrial use of the land, and

WHEREAS, The proposed vacation of public right-of-way is categorically exempt from the California Environmental Quality Act pursuant to Section 15312 of the CEQA Guidelines;

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission hereby finds the vacation of public right-of-way affecting Chabot Court is consistent with the General Plan.

\* \* \* \* \*

The foregoing Resolution 2017-\_\_\_\_\_ was adopted by the Planning Commission on the 27th day of September, 2017, by the following vote:

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

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
STAFF LIAISON