

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, June 13, 2018
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 – 05/09/18

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 APPROVING A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT THE TRACY HILLS COMMUNITY GATEWAY ICON, LOCATED AT THE NORTHWEST CORNER OF I-580 AND THE INTERCHANGE WITH CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBER 253-360-15. APPLICANT IS JOHN PALMER. PROPERTY OWNER IS TRACY BPS, LLC. APPLICATION NUMBER D18-0004

2. ITEMS FROM THE AUDIENCE

3. DIRECTOR'S REPORT

- APA Conference

4. ITEMS FROM THE COMMISSION

5. ADJOURNMENT

Posted: June 7, 2018

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
MAY 9, 2018, 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 Hudson, and Commissioners Kaur, and Wood present. Commissioner Gable was absent. Also present were: Leticia Ramirez, Assistant City Attorney; Scott Claar, Senior Planner; Kenny Lipich, Assistant Planner; and Gina Peace, Recording Secretary.

MINUTES

Chair Orcutt introduced the Minutes from the April 25, 2018, meeting.

ACTION: It was moved by Vice Chair Hudson, and seconded by Commissioner Wood, that the Planning Commission meeting minutes of April 25, 2018, be approved. A voice vote found Chair Orcutt, Vice Chair Hudson, Commissioner Kaur, and Commissioner Wood in favor; Commissioner Gable absent; 4-0-1-0, passed and so ordered.

DIRECTOR'S REPORT REGARDING THIS AGENDA

None.

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

- A. REPORT OF CONFORMITY WITH THE CITY OF TRACY GENERAL PLAN FOR TRACY UNIFIED SCHOOL DISTRICT'S POTENTIAL ACQUISITION OF PROPERTY LOCATED AT 455 EAST ELEVENTH STREET. APPLICANT IS THE TRACY UNIFIED SCHOOL DISTRICT. PROPERTY OWNER IS THE SAN JOAQUIN LUMBER COMPANY. APPLICATION NUMBER DET18-0004

Kenny Lipich presented the staff report.

Chair Orcutt opened the public hearing at 7:05 p.m.

Casey Goodall, Tracy Unified School District, was available to answer questions. No other speakers came forward. Chair Orcutt closed the public hearing at 7:08 p.m.

ACTION: It was moved by Vice Chair Hudson, and seconded by Chair Orcutt, that the Planning Commission report that Tracy Unified School District's acquisition of property located at 455 East Eleventh Street, for expansion of a school site, is in conformance with the City of Tracy General Plan, as stated in the Planning Commission resolution dated May 9, 2018. A voice vote found Chair Orcutt, Vice Chair Hudson, Commissioner Kaur, and Commissioner Wood in favor; Commissioner Gable absent; 4-0-1-0, passed and so ordered.

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

None.

4. ITEMS FROM THE COMMISSION

Chair Orcutt mentioned he will be absent due to military service from May 22, 2018 through June 29, 2018, and thanked Vice Chair Hudson in advance for covering as Chair for any Planning Commission meetings during that time.

5. ADJOURNMENT

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

Time: 7:10 p.m.

CHAIR

STAFF LIAISON

AGENDA ITEM 1.A

REQUEST

PUBLIC HEARING TO CONSIDER APPROVING A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT THE TRACY HILLS COMMUNITY GATEWAY ICON, LOCATED AT THE NORTHWEST CORNER OF I-580 AND THE INTERCHANGE WITH CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBER 253-360-15. APPLICANT IS JOHN PALMER. PROPERTY OWNER IS TRACY BPS, LLC. APPLICATION NUMBER D18-0004

DISCUSSION

The Tracy Hills Specific Plan was originally approved and annexed to the City in 1998. A comprehensive update to the Tracy Hills Specific Plan was approved by City Council on April 5, 2016. The Tracy Hills Specific Plan is the detailed plan and regulatory document for the development of the entire Tracy Hills Specific Plan area, which includes approximately 2,732 acres located in the vicinity of Interstate 580, Corral Hollow Road, and Lammers Road. The Tracy Hills Specific Plan envisions up to 5,499 residential units in primarily low density neighborhoods with areas identified for medium and high density. The Specific Plan also envisions over five million square feet of non-residential land uses, including office, retail, and light industrial uses, in addition to parks, schools, and open space.

The Tracy Hills Specific Plan includes a conceptual design for a Community Gateway Icon (Attachment A – Conceptual Design for the Community Gateway Icon in the Tracy Hills Specific Plan). The Tracy Hills Specific Plan states that, “The Community Gateway Icon will be the landmark of the new community and establish a unifying community identity while providing a strong statement of community, commitment, and quality.” The conceptual design shown in the Specific Plan for the Community Gateway Icon is that of a windmill structure with a maximum height of 50 feet, although the Specific Plan states that the windmill is a conceptual idea and any final concept shall be subject to Development Review approval by City Council.

Pursuant to the requirements of the Tracy Hills Specific Plan, on March 22, 2018, an application was submitted for a Development Review Permit to construct the Community Gateway Icon. The Community Gateway Icon would be located at the northwest corner of I-580 and the interchange with Corral Hollow Road, as shown in the Tracy Hills Specific Plan. The proposed Community Gateway Icon has been revised from the conceptual windmill design shown in the Specific Plan to a new design that consists of a 40-foot high landscape feature with stacked stone veneer, corten steel panels with laser-cut lettering, and Tracy Hills branding (Attachment B – Proposed Community Gateway Icon). The Community Gateway Icon would be placed atop an approximately 5-foot high man-made mound and be set back approximately 25 feet from the right-of-way line of the westbound on-ramp to I-580. The Community Gateway Icon would be surrounded by landscaping, including a backdrop of trees and other plants, and would be 13 feet wide at the base and angle to a narrow point at the top.

Environmental Document

An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan project, including the Community Gateway Icon.

RECOMMENDATION

Staff recommends that Planning Commission recommend that City Council approve a Development Review Permit to construct the Tracy Hills Community Gateway Icon, located at the northwest corner of I-580 and the interchange with Corral Hollow Road, Assessor's Parcel Number 253-360-15, Application Number D18-0004, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated June 13, 2018 (Attachment C – Planning Commission Resolution).

MOTION

Planning Commission recommends that City Council approve a Development Review Permit to construct the Tracy Hills Community Gateway Icon, located at the northwest corner of I-580 and the interchange with Corral Hollow Road, Assessor's Parcel Number 253-360-15, Application Number D18-0004, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated June 13, 2018.

Prepared by: Scott Claar, Senior Planner

Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

- A – Conceptual Design for the Community Gateway Icon in the Tracy Hills Specific Plan
- B – Proposed Community Gateway Icon
- C – Planning Commission Resolution

Tracy Hills Specific Plan

3. DESIGN GUIDELINES



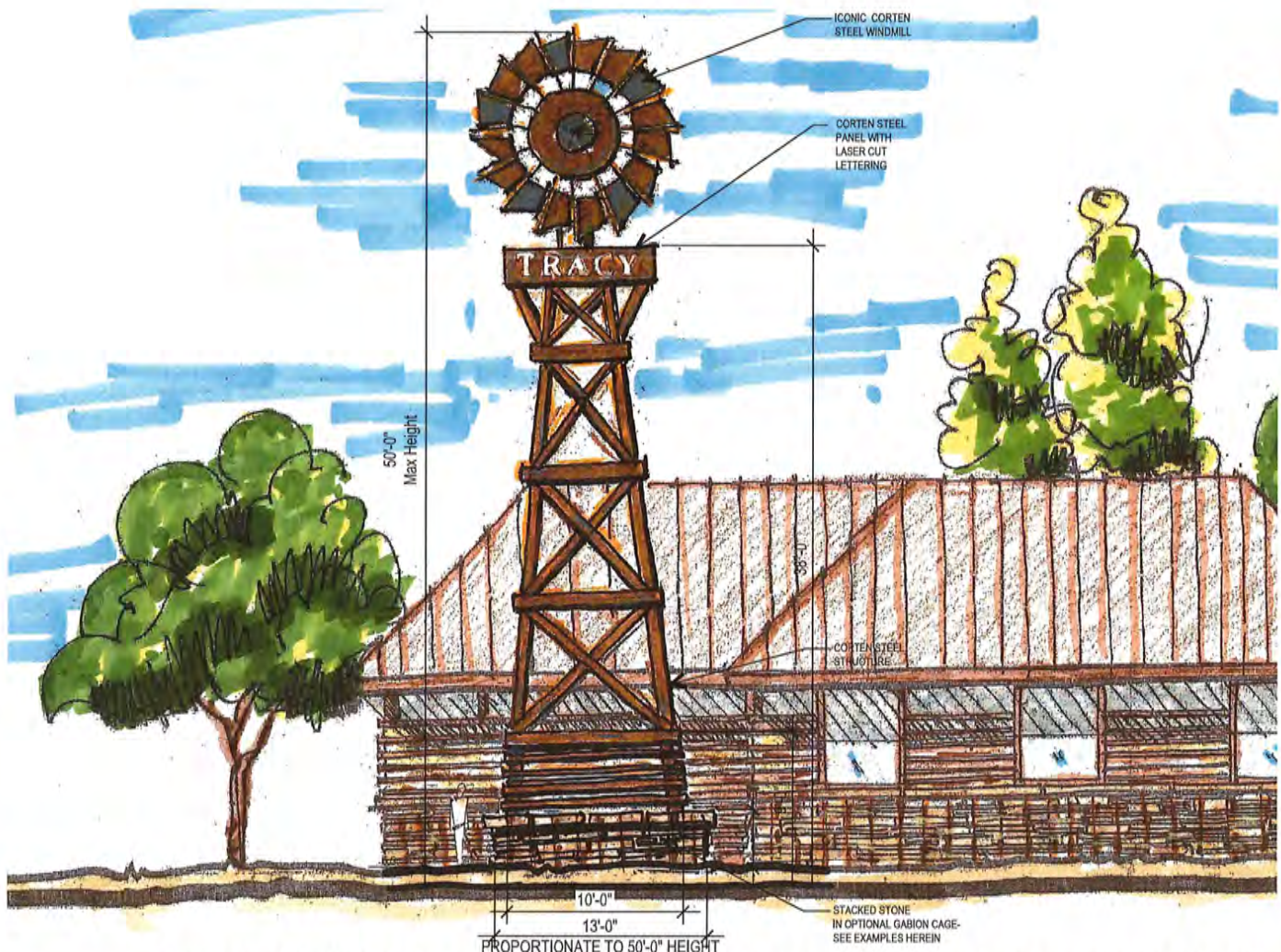
3.4.5 Community Monumentation

1. Community Gateway Icon

The Community Gateway Icon will be the landmark of the new community and establish a unifying community identity while providing a strong statement of community, commitment, and quality. A potential idea is proposed for a modern barn-like building coupled with an updated windmill sculpture that will comprise the Community Gateway Icon, conveying the agricultural heritage of the project site and serve as a “Welcome Home” center. Following use by the developer for marketing purposes, this building can serve as a potential neighborhood market and mail center for the community, or be used for any other community use that is permitted by this Specific Plan. The Community Gateway Icon shall be privately maintained. The Community Gateway Icon shall be subject to Development Review approval by City Council, as specified in Section 5.1.2 of this Tracy Hills Specific Plan.

All public right-of-way landscaping and other improvements, such as monumentation, walls and fences, furniture and accessories, and lighting, shall be reviewed by the City through the Improvement Plans.

All landscaping and other improvements which are located on private property shall be subject to Development Review, as specified in the Tracy Municipal Code.



**Conceptual Windmill design provided for thematic purposes. Dimensions provided for proportion scale only.*

Tracy Hills Community Gateway Icon

Owner:

Tracy BPS, LLC
888 San Clemente Drive, Suite 100
Newport Beach, CA 92660
(949) 720-3612

Landscape Architect:

FORMA Design, Inc.
3050 Pullman Street
Costa Mesa, CA 92626
(714) 673-6200

Sheet Index:

| | |
|----|------------------------------------|
| CS | Cover Sheet |
| L1 | Site Plan |
| L2 | Business Park Parcel C Site Plan |
| L3 | Business Park Parcel C Enlargement |
| L4 | Illustrative Site Plan |
| L5 | Community Icon Elevation |
| L6 | Community Icon Detail |
| L7 | Materials Examples |
| L8 | Landscape Plant Palette |
| L9 | Landscape Plant Palette |



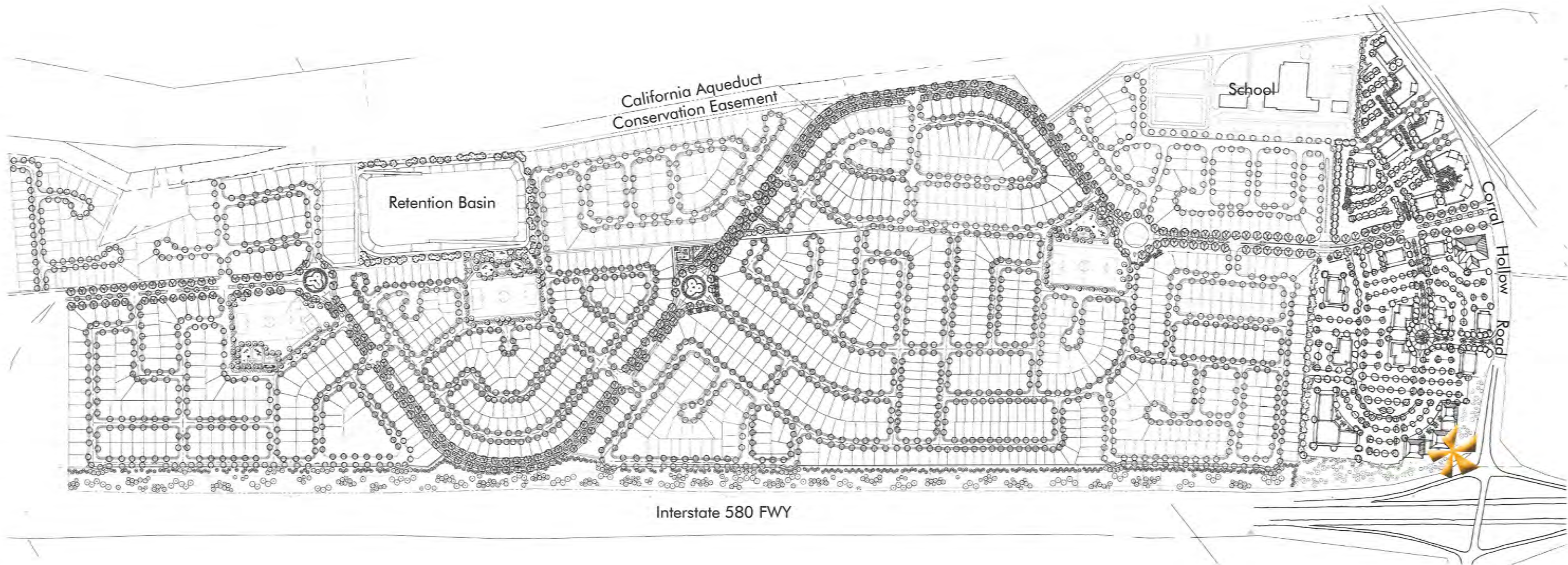
Project Description:

The Tracy Hills Community Gateway Icon is a landscape feature that identifies and serves as a landmark for the project. The Community Gateway Icon shall be located adjacent to Corral Hollow Road, just north of Interstate 580, in the area designated Mixed Use Business Park in the approved Specific Plan. The Community Gateway Icon will establish unifying community identification while providing a strong statement of community, commitment, and quality. The Community Gateway Icon will incorporate natural stone wall elements with corten steel panels and shall be privately maintained. Construction of the Community Gateway Icon shall be completed prior to the issuance of the Certificate of Occupancy for the five hundredth (500th) residential dwelling unit in the project.

RECEIVED

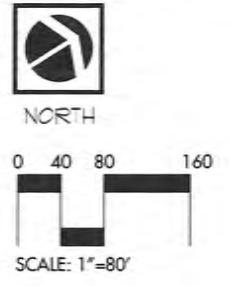
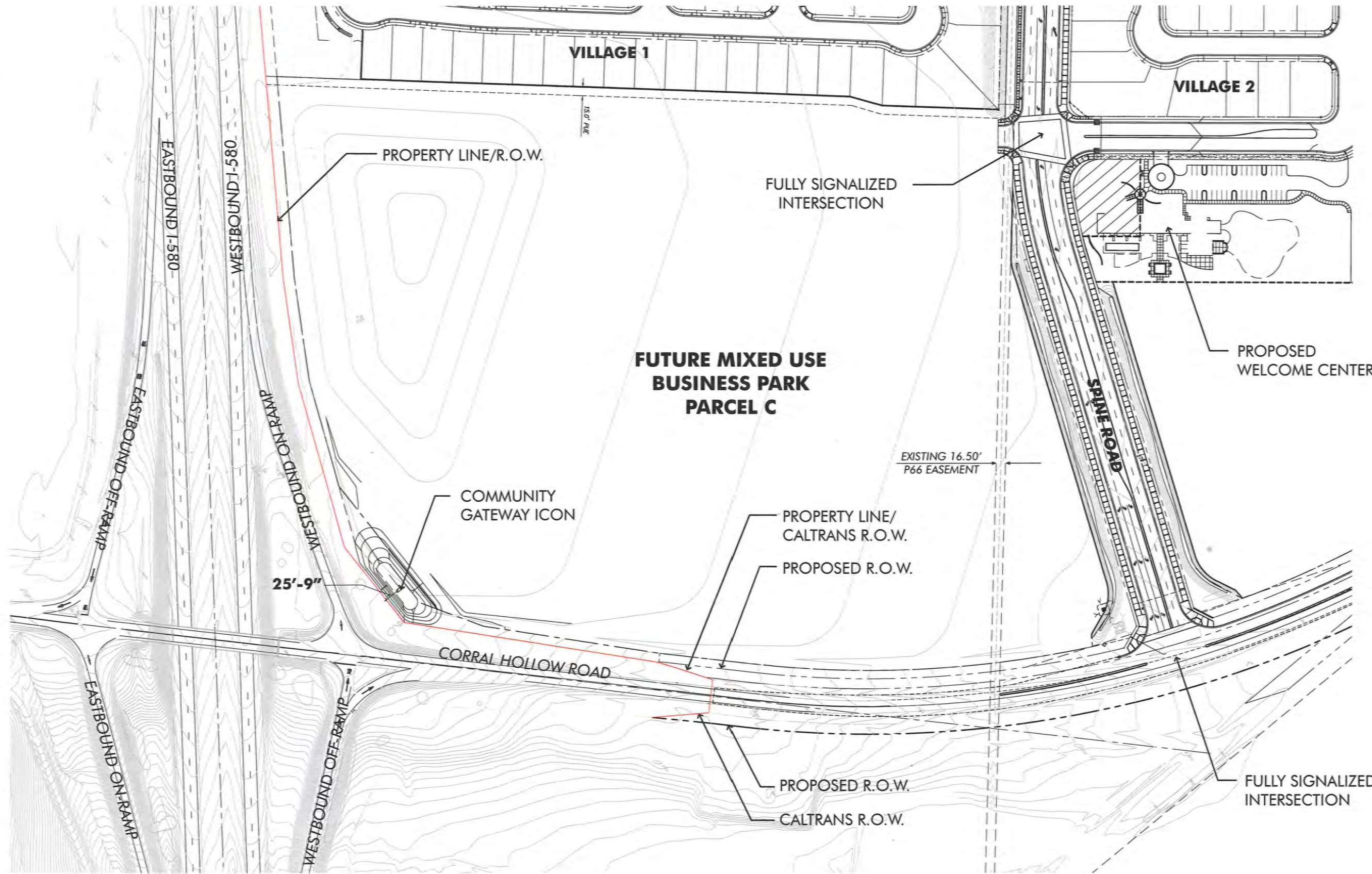
MAY 29 2018

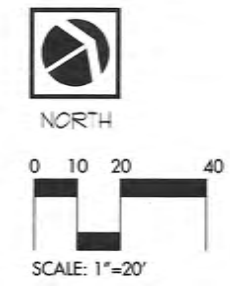
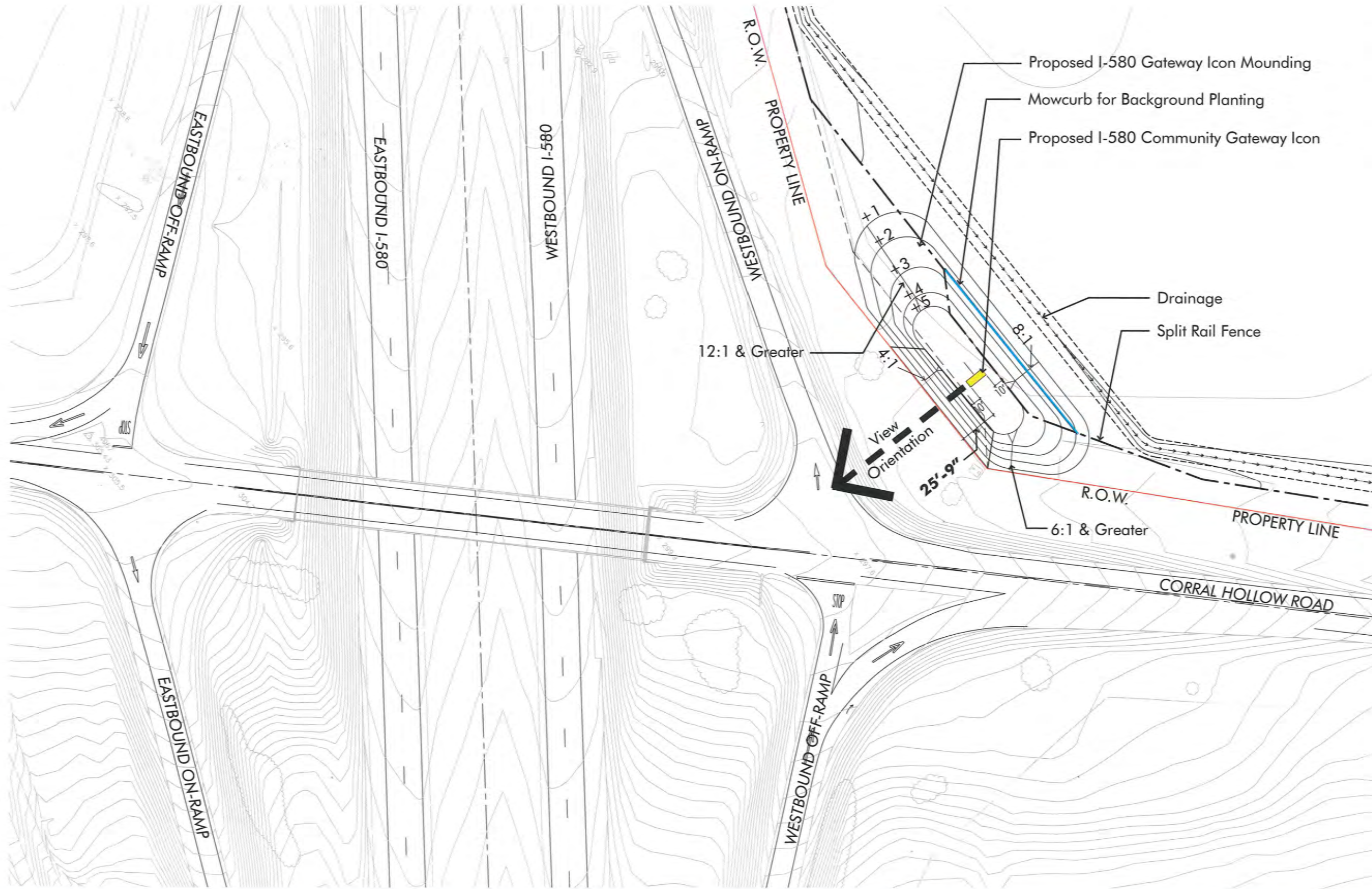
CITY DEVELOPMENT

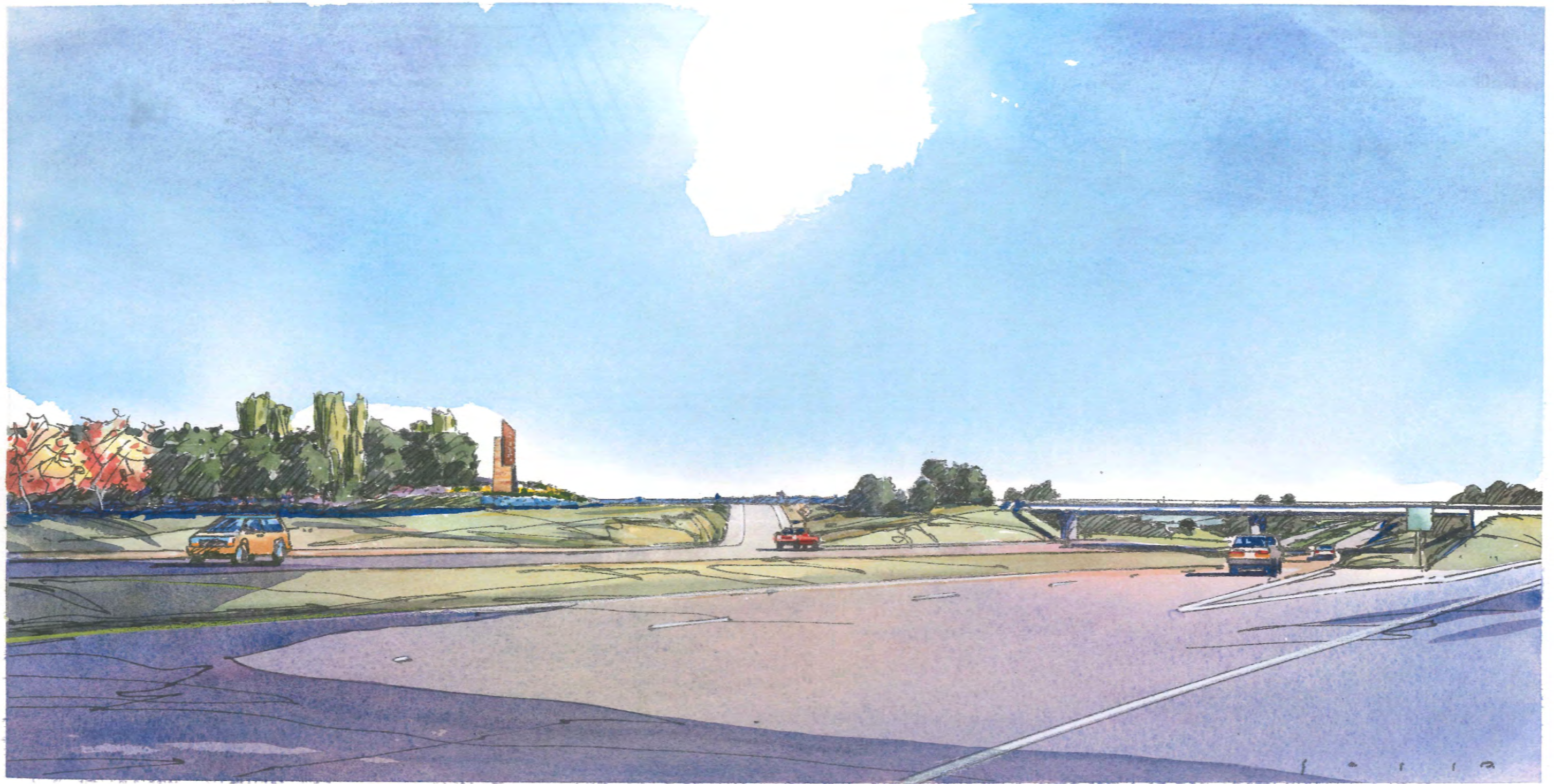


Legend

| Symbol | Description/Location |
|---|--|
|  | Community Gateway Icon - Develop a vertical icon to create a unifying community identity and statement of community commitment and quality that is visible from the I-580. |







TRACY HILLS

Community Gateway Icon

View From Eastbound I-580

SHEET: L4


INTEGRAL
Communities
A DIVERSIFIED REAL ESTATE COMPANY


FORMA
March 2018

Proposed 5' grade differential Gateway Icon mounding

Pinus eldarica,
informal groupings flanking both sides of monument

Lantana montevidensis yellow variety,
for color

Phormium tenax 'Atropurpureum',
architecturally planted for texture

Agave parryi,
architecturally planted for texture

Yucca filamentosa,
architecturally planted

Proposed I-580
Community Gateway Icon

Split Rail Fence

Populus nigra 'Italica',
informal groupings

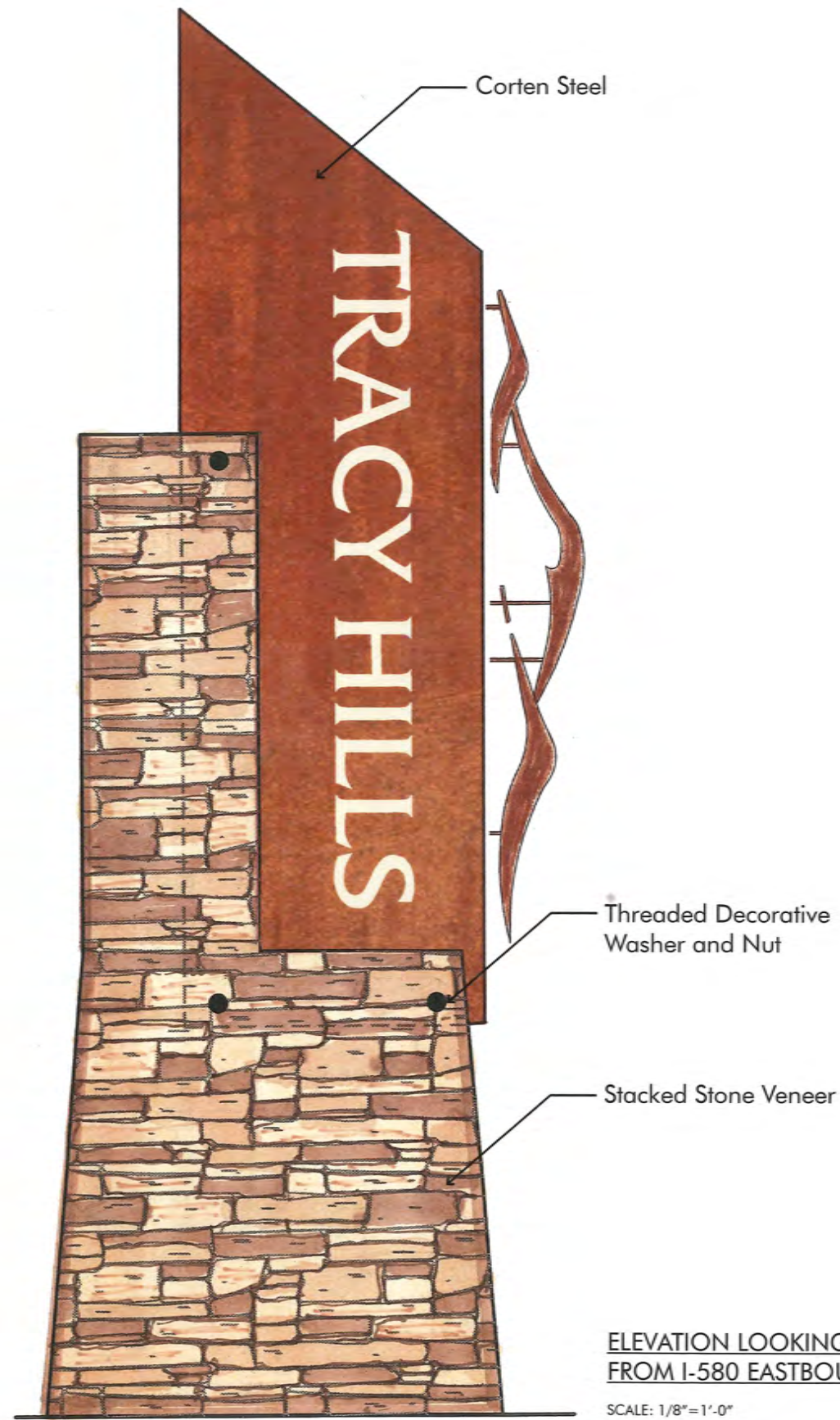
Platanus x acerifolia 'Bloodgood',
informal groupings





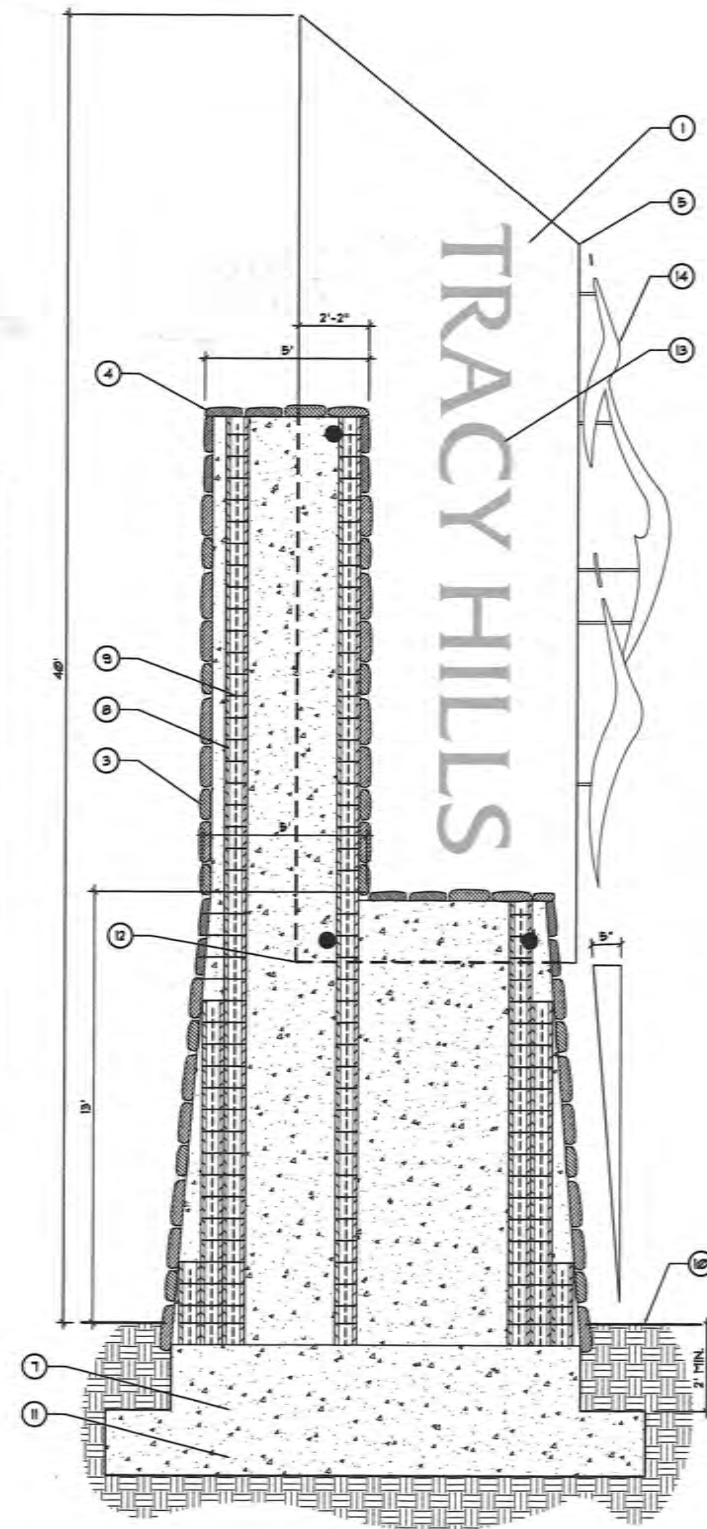
ELEVATION LOOKING
FROM I-580 WESTBOUND

SCALE: 1/8" = 1'-0"



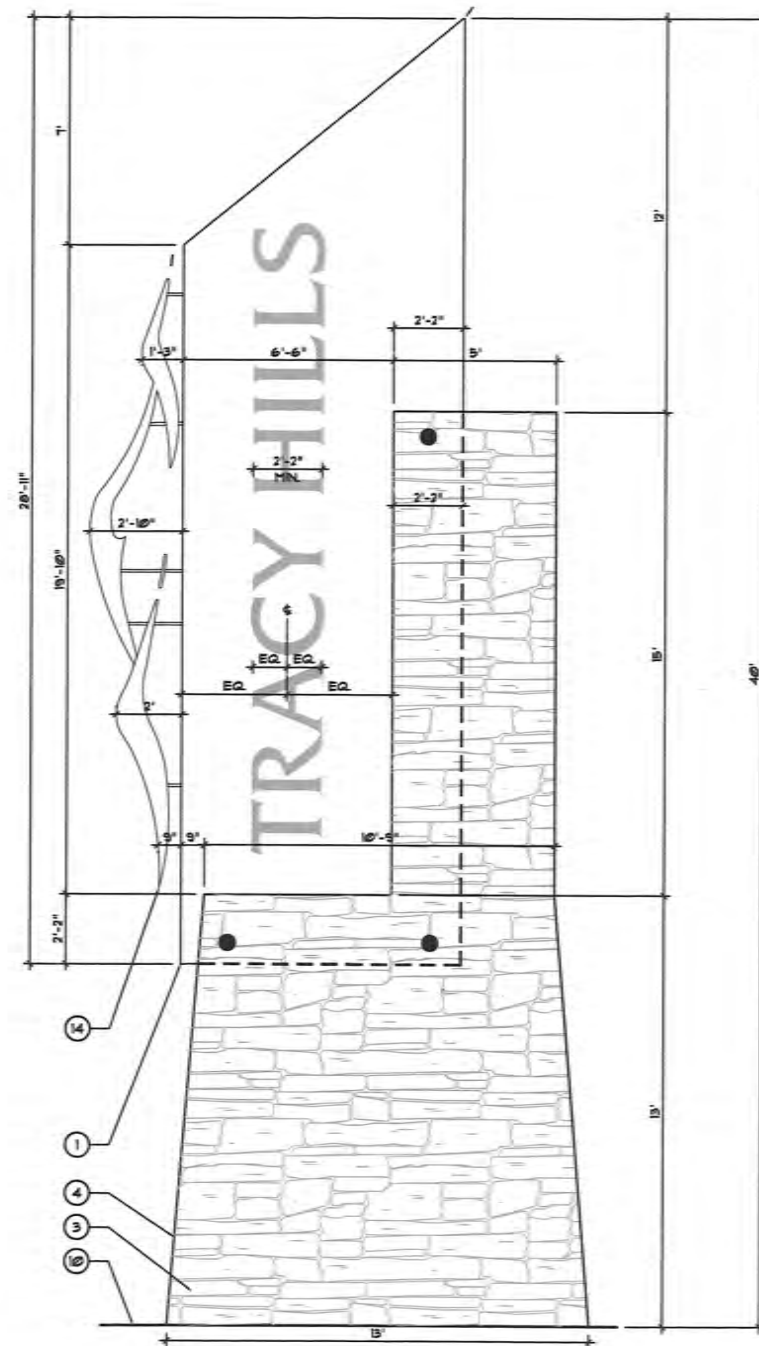
ELEVATION LOOKING
FROM I-580 EASTBOUND

SCALE: 1/8" = 1'-0"

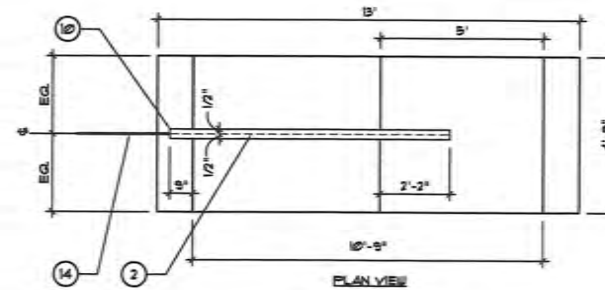


Section Looking From I-580 Eastbound

d1560m



Elevation Looking From I-580 Westbound



PLAN VIEW

- ① TWO (2) 1/2" THICK CORTEN STEEL PANELS WITH LASER-CUT/ WATER-CUT LETTERING TO READ FROM BOTH DIRECTIONS. ATTACH TO CMU BLOCK BASE PER STRUCTURAL ENGINEER'S DETAILS. REFER TO LC-0 FOR FINISH.
- ② 1/16" THICK ALUMINUM SKIN PANEL EXTEND TO ALL EDGES-POWDERCOAT BOTH SIDES, SANDWICH AND BOLT BETWEEN (2) CORTEN STEEL PANELS. SEAL ALL EDGES WITH CLEAR WATERPROOF CAULKING OR OTHER AS RECOMMENDED BY SIGNAGE CONTRACTOR. REFER TO SHEET LC-0 FOR COLOR.
- ③ STACKED STONE VENEER, MORTAR INTO PLACE. EXTEND 6" BELOW FINISH GRADE.
- ④ MITER CORNERS OR STAGGER AND ALTERNATE STONE AT CORNERS FOR NATURAL LOOK.
- ⑤ 1/8" RADIUS AT CORTEN PANEL CORNERS
- ⑥ NOT USED
- ⑦ CONCRETE FOOTING AND REINFORCING PER STRUCTURAL ENGINEER'S DETAILS AND CALCS.
- ⑧ CMU BLOCK. GROUT SOLID ALL CELLS.
- ⑨ REINFORCING PER STRUCTURAL DETAILS AND CALCS.
- ⑩ FINISH GRADE
- ⑪ COMPACTED SUBGRADE PER GEOTECHNICAL REPORT.
- ⑫ EPOXY BED
- ⑬ COMMUNITY LOGO BY CLIENT'S MARKETING/BRANDING CONSULTANT. TYPEFACE/ FONT STYLE SHALL BE DESIGNED BY MARKETING/BRANDING CONSULTANT AND SUBMITTED VIA SHOP DRAWING FOR APPROVAL PRIOR TO CONSTRUCTION. BASED ON BRANDING CONSULTANT'S LOGO DESIGN, MONUMENTATION CONFIGURATION MAY BE ALTERED TO ACCEPT LOGO.
- ⑭ TRACY HILLS LOGO GRAPHIC PER CLIENT'S MARKETING/BRANDING CONSULTANT. ATTACH LASER CUT/ WATER CUT 1/2" THICK CORTEN PANEL OF HILLS GRAPHIC TO 'FLOAT' ABOVE CORTEN 'BLADE'. SEE NOTE B.
- ⑮ LOGO/GRAPHIC PINS TO ATTACH CORTEN SIGNAGE. SIGNAGE CONTRACTOR TO SUBMIT SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO MANUFACTURING.

CONTRACTOR TO SUBMIT SHOP DRAWINGS TO OWNER AND LANDSCAPE ARCHITECT FOR REVIEW PRIOR TO FABRICATION.

NOTES:
 1. REINFORCING, CONNECTION AND FOOTING DESIGN PER STRUCTURAL ENGINEER.
 2. REFER TO PRODUCT AND MATERIAL SCHEDULE ON SHEET LC-0 FOR ALL MATERIALS, COLORS AND FINISHES.



Stone Specification:
Creative Mines Manufacturer
60% Barley
Quarry Chisel Ledge
40% Nutmeg
Quarry Stack Ledge



Corten Steel Examples



Community Plant Theming



Agave parryi



Lantana 'New Gold'



Community Plant Theming



Pennisetum spathiolatum



Westringia fruticosa



Lantana montevidensis 'Lavender Swirl'



Festuca mairei



Xylosma congestum



Platanus x acerifolia 'Bloodgood'



Populus nigra 'Italica'



Pinus eldarica



Yucca filamentosa 'Color Guard'



Phormium tenax 'Atropurpureum'



Grevillea Noellii

RESOLUTION 2018-_____

RECOMMENDING CITY COUNCIL APPROVAL OF A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT THE TRACY HILLS COMMUNITY GATEWAY ICON, LOCATED AT THE NORTHWEST CORNER OF I-580 AND THE INTERCHANGE WITH CORRAL HOLLOW ROAD ASSESSOR'S PARCEL NUMBER 253-360-15, APPLICATION NUMBER D18-0004

WHEREAS, The Tracy Hills Specific Plan was originally approved and annexed to the City in 1998; and

WHEREAS, A comprehensive update to the Tracy Hills Specific Plan was approved by City Council on April 5, 2016; and

WHEREAS, The Tracy Hills Specific Plan includes a conceptual design for a Community Gateway Icon; and

WHEREAS, The Tracy Hills Specific Plan states that, "The Community Gateway Icon will be the landmark of the new community and establish a unifying community identity while providing a strong statement of community, commitment, and quality;" and

WHEREAS, The Tracy Hills Specific Plan states that the Community Gateway Icon shall be subject to Development Review approval by City Council; and

WHEREAS, On March 22, 2018, an application was submitted for a Development Review permit to construct the Community Gateway Icon; and

WHEREAS, The Community Gateway Icon would be located at the northwest corner of I-580 and the interchange with Corral Hollow Road, as shown in the Tracy Hills Specific Plan; and

WHEREAS, The proposed Community Gateway Icon consists of a 40-foot high landscape feature with stacked stone veneer, corten steel panels with laser-cut lettering, and Tracy Hills branding; and

WHEREAS, The subject property is zoned Tracy Hills Specific Plan Zone and designated Mixed Use Business Park (MUBP) by the Tracy Hills Specific Plan and Commercial by the General Plan; and

WHEREAS, An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan project, including the Community Gateway Icon; and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the application on June 13, 2018;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council approve a Development Review permit to construct the Tracy Hills Community Gateway Icon, located at the northwest corner of I-580 and the interchange with Corral Hollow Road, Assessor's Parcel Number 253-360-15, Application Number D18-0004, subject to the conditions as stated in Exhibit "1" attached and made part hereof and based on the following findings:

1. The proposal increases the quality of the project site and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy because the Tracy Hills Community Gateway Icon includes an attractive design that consists of a 40-foot high landscape feature with stacked stone veneer, corten steel panels with laser-cut lettering, and Tracy Hills branding. The Community Gateway Icon would be placed atop an approximately 5-foot high man-made mound and be set back approximately 25 feet from the right-of-way line of the westbound on-ramp to I-580. The Community Gateway Icon would be surrounded by landscaping, including a backdrop of trees and other plants, and would be 13 feet wide at the base and angle to a narrow point at the top.

2. The proposal conforms to Chapter 10.08, Zoning Regulations, of the Tracy Municipal Code, the Tracy Hills Specific Plan, the City of Tracy General Plan, the Citywide Design Goals and Standards, applicable Infrastructure Master Plans, and other City regulations.

The foregoing Resolution 2018-_____ was adopted by the Planning Commission on the 13th day of June, 2018, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

**City of Tracy
Development Review
Conditions of Approval**

Tracy Hills Community Gateway Icon
Northwest Corner of I-580 and the Interchange with Corral Hollow Road
Assessor's Parcel Number 253-360-15
Application Number D18-0004
June 13, 2018

These Conditions of Approval shall apply to the Development Review permit to construct the Tracy Hills Community Gateway Icon, located at the northwest corner of I-580 and the interchange with Corral Hollow Road, Assessor's Parcel Number 253-360-15, Application Number D18-0004 (hereinafter "Project"), proposed by John Palmer (hereinafter "Applicant").

A. Definitions.

The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "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 term "Developer" shall include all successors in interest.
3. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, the Development Services Director, or the City Engineer, to perform the duties set forth herein.
4. "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.
5. "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 Hills Specific Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
6. "Conditions of Approval" means these conditions of approval applicable to the Development Review permit to construct the Tracy Hills Community Gateway Icon, located at the northwest corner of I-580 and the interchange with Corral Hollow Road, Assessor's Parcel Number 253-360-15, Application Number D18-0004.
7. "Property" means the subject property of the Development Review permit to construct the Tracy Hills Community Gateway Icon, located at the northwest corner of I-580 and

the interchange with Corral Hollow Road, Assessor's Parcel Number 253-360-15, Application Number D18-0004.

B. Planning Division Conditions of Approval

1. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project boundaries, 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 the California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").
2. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
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 that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall commence on the date of the conditional approval of this Project. If the Developer fails to file a protest of the Exactions 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 of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the City.
4. The project shall be developed in substantial compliance with the plans received by the Development Services Department on May 29, 2018, to the satisfaction of the Development Services Director.
5. Prior to the issuance of a building permit, the developer shall submit 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, Tracy Hills Specific Plan, City's Design Goals and Standards, City's Water Efficient Landscape Ordinance, and all other applicable City regulations, to the satisfaction of the Development Services Director.
6. Prior to the issuance of a building permit, an Agreement for the Maintenance of Landscape and Irrigation Improvements, installed in compliance with the plans referenced in Condition of Approval Number B.5., above, shall be executed and financial security submitted to the Development Services Department. The Agreement shall ensure maintenance of the 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 landscape and irrigation improvements, or \$2.50 per square foot of landscape area.

7. Prior to issuance of a building permit, the construction documents shall comply with California Building Standards Commission (Cal Green Code Emergency Standards; Title 24, Part 11) regarding landscaping and irrigation water efficiency to the satisfaction of the Utilities Director.
8. Prior to issuance of a building permit, the Developer shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), to the satisfaction of the APCD.

C. Engineering Division Conditions of Approval

C.1. General Conditions

Developer shall comply with the applicable sections of approved documents and/or recommendations of the technical analyses/reports prepared for the Project listed as follows:

1. Tracy Hills Specific Plan approved by City Council during the April 5, 2016 Council Meeting by Resolution 2016-063 dated April 5, 2016 and any amendments thereto (**THSP**).
2. Final Environmental Impact Report certified by City Council during the February 1, 2011 Council Meeting by Resolution 2011-028 (**EIR**).
3. Tracy Hills Project Traffic Impact Study in the City of Tracy, prepared by Kimley-Horn Associates, dated April 27, 2015 (**Traffic Analysis**).
4. Tracy Hills Phase 1A and 1B Sanitary Sewer Study Technical Memorandum prepared by Rugerri-Jensen-Azar, dated December 12, 2013 (**Sanitary Sewer Study**)
5. Tracy Hills Water Study Technical Memorandum prepared by Rugerri-Jensen-Azar, dated December 5, 2014 (**Water Study**)
6. Tracy Hills Storm Drainage Master Plan prepared by Rugerri-Jensen-Azar, dated October 2014 (**Storm Drainage Master Plan**)
7. Tier 2 Storm Drainage Study for Tracy Hills Phase 1A, prepared by Rugerri-Jensen-Azar, dated December 2014 (**Tier 2 Storm Drainage Study**)

C.2. Grading Permit

All grading work (on-site and off-site, if applicable) shall require a Grading Permit. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Geotechnical Engineer. The City will not

accept a Grading Permit application for the Project until the Developer provides all 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. The Developer has completed all requirements set forth in this section.
- C.2.2. The Developer has obtained the approval (i.e. recorded easements for slopes, drainage, utilities, access, parking, temporary construction etc.) of all other public agencies and/or private entities with jurisdiction over the required public and/or private facilities and/or property.
- C.2.3. The Improvement Plans for all improvements to serve the Project (in-tract and off-site) including the Grading and Drainage Plans shall be prepared in accordance with the City's Subdivision Ordinance (Tracy Municipal Code (TMC) Chapter 12.36) and City Design Documents, and these Conditions of Approval.
- C.2.4. On-site/In-tract Grading and Drainage Plans (Grading Plans) prepared on a 24-inch x 36-inch size 4-millimeter thick polyester film (mylar) using the City's title block. Improvement Plans shall be prepared under the supervision of, stamped and signed by a Registered Civil Engineer and Registered Geotechnical Engineer. The Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by Chief Building Official and Fire Code Official prior to submitting the mylars to Engineering Division for City Engineer's signature. Erosion control measures shall be implemented in accordance with the Improvement Plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall specify all proposed erosion control methods and construction details to be employed and specify materials to be used during and after the construction. Project's design professionals shall adhere to the review comments
- C.2.5. 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.2.6. Prior to the issuance of the Grading Permit, the Developer shall submit a copy 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#).
 - 1. 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.

2. The cost of preparing the SWPPP, NOI and NOT, including the filing fee of the NOI and NOT, shall be paid by the Developer.
 3. 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.2.7. A copy of the Project's Geotechnical Report signed and stamped by a licensed Geotechnical 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.2.8. Provide documentation or letter from the San Joaquin Valley Air Pollution Control District (SJVAPCD) stating that this Project meets their requirements related to dust control and a copy of the approved Air Impact Assessment/Indirect Source Review from SJVAPCD.
- C.2.9. Provide a copy of Hydrologic and Storm Drainage Calculations for the design of the on-site and off-site storm drainage.
- C.2.10. If required, Construction Easements or agreements with the owners of the adjacent properties shall be obtained prior to the start of any construction encroaching onto the adjacent properties.
- C.2.11 Site Grading
1. 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.
 2. 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.
 3. When the grade differential between the Project Site and adjacent property(s) exceeds 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. Structural calculations shall be submitted with the Grading and Storm Drainage Plans.

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

C.2.12 Site Storm Drainage

1. The Developer shall design and install storm drain lines and connection to existing storm drains per City Regulations.
2. 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. 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.
3. Prior to the issuance of the building certificate of occupancy, 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.2.13 Water System

1. Developer shall comply with the recommendations of the *Water Analysis*.
2. During the construction 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 approved by the City of Tracy Fire Code Official.
3. Interruption to the water supply to the existing businesses and other users will not be allowed to facilitate construction of improvements related to the Project. 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. 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.
4. Irrigation Water Services – The Developer shall design and install domestic and irrigation water service connection, including a remote-read 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. The City shall maintain water lines from the water meter to the point of connection with the water distribution main (inclusive) only. Repair and maintenance of all on-site water lines, laterals, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer.

5. All costs associated with the installation of the Project's water connection(s) including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings on existing street or parking area(s) that may be disturbed with the installation of the permanent water connection(s), or domestic water service, and other improvements shall be paid by the Developer.

C.2.14 Stormwater Treatment

1. Storm water treatment is required for the interim condition with Temporary Retention Basin(s). However, the Permanent Drainage System when the SDMP Storm Drain Line is connected to master plan facilities (build-out condition), shall meet City Regulations and shall comply with the applicable requirements of the *Multi-Agency Post-Construction Stormwater Standards Manual* and storm water regulations that were adopted by the City Council in July 2015 and any subsequent amendments. Developer shall complete design and construction of the modifications needed to the onsite Temporary Retention Basin(s) to provide required treatment capacity within the basins when connection to master plan facilities is made per the Deferred Improvement Agreement.
2. Prior to the issuance of the building certificate of occupancy, 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.3. Encroachment Permit

The irrigation water connection for the community monument is on the Spine Road landscape plans. Therefore any encroachment, as defined in Title 7 of the Tracy Municipal Code, on Corral Hollow Road is prohibited. If differing site conditions warrant a design change that requires an encroachment from Corral Hollow Road, then the Developer is required to submit an application for an encroachment permit. However, no application for an 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. Off-site/Public Infrastructure Improvement Plans prepared on a 24-inch x 36-inch size 4-millimeter thick mylar that incorporate all requirements described in the documents described in Section C.1, C.2, the City's title block, and these Conditions of Approval. The Developer shall use the latest title block and, if necessary, contain a signature block for the Chief Building Official and Fire Code Official. 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. The Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by Building Official and Fire Code Official prior to submitting the mylars to Engineering Division for City Engineer's signature. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:
 - 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. If required, 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. The Developer's obligations in the DIA shall be deemed to be satisfied upon the release of the Improvement Security.
 - C.3.5. 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 May 16, 2017, per Resolution 2017-098.
 - C.3.6. Traffic Control Plan signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.

C.3.7 Off-Site Improvement Plans

The irrigation water connection for the community monument is on the Spine Road landscape plans. Therefore any construction on Corral Hollow Road is prohibited. If differing site conditions warrant a design change that requires any construction from Corral Hollow Road, then the Developer is required to submit Off-Site Improvement Plans and shall contain design, construction details, and specifications of all improvements necessary to serve the Project. The Improvement Plans shall be drawn on a 24-inch x 36-inch size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, 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:

1. The Improvement Plans, including the Grading and Drainage Plans, shall be prepared in accordance with the City's Subdivision Ordinance and Design Standards. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:
2. All existing and proposed utilities such as domestic water line, irrigation service, fire service line, storm drain, and sanitary sewer, including the size and location of the pipes.
3. All supporting engineering calculations, materials information or technical specifications, cost estimate, and technical reports.
4. Three (3) copies of the Project's Geotechnical /Soils Report, prepared or signed and stamped by a Geotechnical Engineer.
5. The Project's on-site drainage connections to City's storm drainage system and on-site storm water treatment as approved by the City Engineer. Improvement Plans to be submitted with the hydrology and storm drainage calculations for the sizing of the on-site storm drainage system.

C.3.8. Traffic Control Plan

Prior to starting the work for any work within City's right-of-way, the Developer shall submit a Traffic Control Plan for each phase of work, 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.3.9 Joint Utility Trench Plans

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 PUE.

1. Overhead utilities along the frontage of the project (with the exception of the high-voltage transmission lines with voltages greater than 34.5 KV) shall be placed in an underground facility in accordance with Tracy Municipal Code Chapter 11.08.
2. The Developer shall submit Joint Trench Utility improvement plans for the installation of new electric, gas, telephone and TV cable lines to serve the Project. These utilities shall be installed within the 10-foot wide Public Utility Easement (PUE) that will be offered for dedication to the City.
3. The Developer will be required to pay 50% of the cost of undergrounding overhead utilities located along the north side of Grant line Road into an underground facility (In-Lieu Fee). The limits of the undergrounding work, for the purpose of determining the In-Lieu Fee, shall be the length of the Project's frontage on Grant Line Road. The In-Lieu Fee shall be paid by the Developer at the time of issuance of the Building Permit.

C.3.10 Street Cut(s)

The irrigation water connection for the community monument is on the Spine Road landscape plans. Therefore any street cut on Corral Hollow Road is prohibited. If differing site conditions warrant a design change that requires a utility connection from Corral Hollow Road, then the Developer is required to install 2-inch 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. The limits of the 2-inch asphalt concrete overlay shall conform to Section 3.14 of the 2008 Design Standards.

C.3.11 Street Repairs:

The Developer shall be responsible for any repairs or reconstruction of street pavement, curb, gutter and sidewalk and other public improvements along the frontage of the Project along Grant Line Road, if determined by the City Engineer to be in poor condition or damaged by construction activities related to the Project.

C.4. Building Permit:

No building permit within the Project boundaries 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.4.1. Payment of the Development Impact Fees.

C.5. Building Permit Final:

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

C.5.1. The Developer has satisfied all the requirements set forth in Condition C.4, above.

C.5.2. Prior to issuance of the Certificate of Occupancy for the project, the Developer shall grant access rights to the City for the use, operation, repair, and maintenance of traffic detecting loops, wires, conduits, and pull boxes that will be located within the Property. The Developer shall submit a signed and notarized Grant of Easement and provide legal description and plat map that describes the easement area. The Developer shall pay for the cost of dedicating easement and preparing the legal description and plat map.

C.5.3. 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, and contingency).

C.6. Special Conditions

C.6.1. 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.6.2. 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.6.3. If tile drain system (irrigation system installed decades ago by farmers or irrigation districts) exists within the Project that also runs to the adjacent properties, the Developer shall coordinate with the owners of the neighboring properties for the relocation of affected tile drains, installation of interceptors and reconnecting to the outfall system. The Developer is fully responsible for any damage, repair and maintenance from the Project's activities including but not limited to all type of construction, the weight of the building and vehicular movements to existing tile drain system within the Project. The Developer shall indemnify, defend, and hold harmless the City (including its elected officials, officers, agents, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from or arising out of merely the existence of the tile drain system and interceptors or from damaged or undamaged existing underground tile drain system issues by Developer or Developer's agents, representatives, contractors, subcontractors, or employees, adjacent property owner or adjacent property owner's agents, representatives, contractors, subcontractors, or employees.
- C.6.4. 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.6.5. 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.