

**MINUTES  
TRACY CITY PLANNING COMMISSION  
OCTOBER 10, 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 Gable and Wood present, Commissioner Kaur absent. Also present were: Bill Dean, Assistant Development Services Director; Robert Armijo, City Engineer; Leticia Ramirez, Assistant City Attorney; Scott Claar, Senior Planner; Genevieve Federighi, Assistant Planner; Nanda Gottiparthi, Consultant, SNG and Associates; and Peggy Abundiz, Recording Secretary.

**MINUTES**

Chair Orcutt introduced the Minutes of the September 26, 2018, meeting.

**ACTION:** It was moved by Chad Wood, and seconded by Vice Chair Hudson, that the Planning Commission meeting minutes of September 26, 2018, be approved. A voice vote found all in favor, 4-0-1-0; passed and so ordered.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

Bill Dean stated that there were no modifications to the agenda.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. PUBLIC HEARING TO CONSIDER THE RENEWAL OF A CONDITIONAL USE PERMIT FOR EIGHTEEN MONTHS FOR A DAY CARE CENTER TO OCCUPY AN EXISTING STRUCTURE ON THE NORTHEAST CORNER OF W 7TH AND B STREET (89 W 7TH STREET, ASSESSOR'S PARCEL NUMBER 235-065-14) – THE APPLICANT IS SHANIKA TENNAKON; THE PROPERTY OWNER IS BAY AREA INVESTMENTS COMPANY, INC– APPLICATION NUMBER EXT18-0006

Genevieve Federighi presented the staff report and stated that at the February 28, 2018, Planning Commission meeting the Commission had added a condition, shown in Exhibit A as D.10, requiring that the building be tested for lead. Ms. Federighi further stated that staff encourages the Commission to include that condition in this extension.

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

As no one came forward, Chair Orcutt closed the public hearing.

**ACTION:** It was moved by Vice Chair Hudson, and seconded by Commissioner Gable, that the Planning Commission approve the Renewal of the Conditional Use Permit for Montessori on the Prairie, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated October 10, 2018, with the condition of testing for lead added.

A voice vote found all in favor, 4-0-1-0; passed and so ordered.

- B. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE REDBRIDGE PLANNED UNIT DEVELOPMENT AND A DEVELOPMENT REVIEW PERMIT TO INSTALL COMMUNITY GATES AND A GUARD HOUSE FOR THE REDBRIDGE SUBDIVISION. THE APPLICANT IS THE REDBRIDGE OWNERS ASSOCIATION. APPLICATION NUMBERS PUD18-0001 AND D18-0014

Scott Claar presented the staff report and addressed questions from the Commission.

Chair Orcutt opened the public hearing at 7:22 p.m.

The following individuals spoke in favor of installing a gate at Redbridge: Mike Noonan, Tony Marshall, Amara Morrison, Brenda Dayton, Tom Rauch (who presented three display photos of the gate located at Summergate), Shaun O'Neill, Jim Willis, Al Ayubi, Christopher Rogers, Steve Perea, Steve Askin, Scott Stewart, Sonia Bradley, Jason O'Reilly, Claudette Zir, Heather Hanier, Ed Lewis, Mary Ann Davidson, Aron Weck, MaryBeth Lee-Perea, Carolyn Perez, Moadiah Polee, Sean Pedersen, and Larry Perea.

There were no speakers in opposition to installing a gate at Redbridge.

Chair Orcutt closed the public hearing at 8:22 p.m.

Staff and the applicant addressed additional questions from the Commissioners. Chair Orcutt inquired as to the results of a vote that had been taken of homeowners regarding the gate. Mike Noonan, President of the Redbridge Homeowners Association, presented a tally sheet to the Commission.

Comments by the Commissioners followed.

**ACTION:** It was moved by Commissioner Hudson, and seconded by Commissioner Gable, that, as stated in the Planning Commission Resolution, Exhibit H, dated October 10, 2018, the Commission recommend that the City Council:

- Approve the proposed amendment to the Redbridge Planned Unit Development (Application Number PUD18-0001) and
- Approve the Development Review permit to install community gates and a guard house for the Redbridge subdivision (Application Number D18-0014), subject to conditions of approval pertaining to both gates as stated in Exhibit 1.

A roll call vote found all in favor, 4-0-1-0; passed and so ordered.

Closing comments from the Commissioners followed. The Commissioners encouraged the audience to attend the City Council hearing on this item.

**2. ITEMS FROM THE AUDIENCE**

None.

**3. DIRECTOR'S REPORT**

Bill Dean thanked the Commissioners for their time and added that he was glad to see them in attendance at the APA Conference.

**4. ITEMS FROM THE COMMISSION**

None.

**5. ADJOURNMENT**

It was moved by Chair Orcutt, and seconded by Commissioner Gable, to adjourn. Voice vote found all in favor; passed and so ordered.

Time: 8:37 p.m.



STAFF LIAISON

  
CHAIR

ATTACHMENTS:

- Five Letters Submitted to Commission after Agenda Packet Distribution, prior to meeting
- Sign-In Sheet: Speakers from the Audience
- Poster Board Sized Photos of Summergate presented during the meeting (reduced copies)
- Tally Sheet presented to Commission during the meeting

REDBRIDGE GATE  
COMMENTS RECEIVED

PUBLIC VIEWING COPY  
**DO NOT REMOVE**

**From:** Stephanie Voress  
**To:** Council; Planning Commission  
**Subject:** Redbridge gate meeting  
**Date:** Tuesday, October 9, 2018 11:16:45 AM

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Please read this from someone who is a NO vote on the gate that is currently being considered for Redbridge.

I was surprised to see on the agenda for the 10/10/2018 Planning Commission meeting, Agenda Item 1.B in the Background section under "Discussion" states that Redbridge was approved as a gated community in 1999. The attachment that is supposed to corroborate this, Attachment A, is also available to review. In reviewing the attachment, I found NO mention of a gate. I currently own 2 properties in Redbridge. I purchased in 2005, as the second owner of the home we currently live in, and in 2006, as original owner of a rental in Redbridge. However my daughter purchased in Redbridge as a new owner in 2000. Therefore, I am familiar with the original plans and a gate was NEVER promised or approved to any of us. We were told that if Schulte ever came through that a gate would be discussed.

In the original Redbridge 'gate vote' there was a plan for a 'guarded gate, 24/7' and a cost for the total project that has been far exceeded and there is no secured plan even still. I believe there were 192 yes votes out of 428 homes - clearly not a majority of homes, simply a majority of those who were able to vote. Since then, the plan has changed substantially so as to not be the same gate we voted on. In addition, 100 homeowners have moved out of Redbridge since the vote was taken and none of the new owners have had an opportunity to weigh in.

In recent months, the community has seen a bitter split on the opinion of whether the community should move forward on the gate project because so much of what we voted on back the has changed. I would like to ask the Planning Commission and the City Council to simply make sure that you are voting on what the majority of the community wants and what is in the best interest of the community.

Unfortunately, there is a coordinated effort to silence those opposed to a gate, and those who favor a new vote. Those who have spoken out at board meetings, on social media, or on the Neighborhood community bulletin board have been bullied, called out as liars, trouble makers, and if you can believe it, pieces of SH\*@! This has turned into a very contentious situation in our neighborhood and you should know that although you may be hearing from all the 'PRO' gate residents, those of us who oppose the gate have been intimidated to keep silent.

I would just ask that if you consider approval of the gate, please add a contingency that it could be approved ONLY after a new vote has been taken of the current residents which could easily be accomplished. The cost for such an election is a small price to pay to be sure this is something the community actually supports. In this new vote, the exact specifics could be given such as hours of operation, type of gate, increase in dues to homeowners. As I said, all of these things are completely unknown to the residents as the proposal voted on is NOT what is before you now.

Thank you for your time and consideration and feel free to call or email me if you have any questions.

Stephanie Voress  


October 9, 2018

City of Tracy Planning Commission Members,

I am a Redbridge resident. I am OPPOSED to the gate proposal.

I moved to Redbridge in 2003 from the Bay Area. I admired the openness of the community and the country feel. When we purchased our home, there were no indications or references to a gated community. If I had wanted to live in a gated community, I would have moved to Blackhawk (assuming I could afford it).

Now, after 14 years, a heavily biased board and minority block of homeowners seek to alter the daily quality of life for thousands of residents, both inside and outside of Redbridge by advancing this proposal to retrofit our entrance with a gate.


The comments in Staff's report that Redbridge "was pre-approved" as a gated community is pure fiction. Not one of the original documents provided by staff mention a gate, much less an "approval" for one.

Security in Redbridge is not an issue. We have a sophisticated 25-camera security system with inbound and outbound license plate readers. Crooks are not stopped by gates. Statistics show most crime occurs from within the community.

Just because an HOA votes for a gate does not mean it should be gated.

Please respect the Tracy General Plan to maintain open borders in our community. Recommend a DO NOT ACCEPT for this gate application.

David Lieberman  
Redbridge resident  
2600 Mocking Bird Lane

A handwritten signature in black ink, appearing to read "David Lieberman", written over the typed name and address.

To: Planning Commissioners

October 10,2018

Re: Consideration of Gate at Redbridge Development

I have lived in Redbridge for 18 years, being one of the original homeowners. I have loved living here, but there is a situation evolving right now over the question of gating the community. I am not for this, due to many reasons, but I will be brief. It was not gated when I purchased, and I was told it was not built to be gated, that the guard house, etc., was for aesthetics. However, at some point people were using our streets as a cut through to Schulte and then to the freeway. We were able to erect a gate, which eliminated this cut through traffic. After George Kelley was built, some homeowners were upset that our streets were being used to access the school. In my opinion, that is perfectly OK. How many communities deal with this everyday? It is the cost of living near a school. The homeowners association board, decided to take a vote to stop this traffic. This vote was manipulated to be very one sided, with no cons listed, only pros, We were told our home values would rise, our home insurance rates could decline, we would have no more school traffic, crime would go down, etc. Redbridge is not a major crime area. We have highly rated video systems, with license plate camera technology, plus a roving security monitoring company. The board commissioned a drawing of the proposed gate, said a "guessestimate" received from one contractor, was for \$350,000, the gate would be closed 24 hours a day, eliminating the school traffic, and would be guarded 24 hours a day, and our dues would increase \$20 for 3 years until construction was completed. It has now been 3 ½ years and no shovel has hit the dirt. They never stated a maximum amount to be raised, so this gate could escalate to \$1,000,000 and we would still be paying. There has never been any research or information gathered as to how much dues would increase to maintain, repair, and replace the gates. It could mean another \$100 a month increase, and I could be priced out of my home. This Board has endorsed a flawed, misleading, untruthful, and possibly illegal (per Davis Stirling regulations) vote. Since the vote 3 years ago, 115 homes have changed ownership, and these homeowners have had no say in this important decision. More reasons against the gate are..it goes against the City General Plan, when the traffic survey was done, there were some issues that were not favorable, (we were not told what they were), but the city agreed to forgo those issues, evidently. In summarization, we voted for a gate at \$350,000 which increased in cost 1 ½ years later to \$450,000 (who knows what the actual cost could be now, 2 years later? It was to stay closed at all times, and now they are offering to leave it open to the very traffic they claim is the reason for the gate. There is no projection for the increased dues for maintenance, repair, and replacement. At the very least, this needs to go back to the membership living here currently, with a true and accurate cost bid (from 3 contractors), and accurate financial projections. The city Council is elected to make decisions for the benefit and betterment of all Tracy residents. How does this gate benefit the rest of Tracy residents who will be inconvenienced?

I have tried to make my concerns known to the homeowners, but they don't want to hear anything negative. Subsequently, I have been bullied, insulted, ridiculed, and been referred to as a POS. There are others who have contacted me to let me know they agree with me, but are afraid to put their opinions out to the public, because of what I have endured. In my opinion, this is completely crazy. I hope you take all of this into consideration when you make your recommendation to city council. This gate was never approved before, we knew what our dues paid for when we moved in, and this is not in the best interest for the rest of Tracy homeowners.

Thank you

Sue Rainey

To : City of Tracy Planning Commission  
Date : 09Oct18

Re : Redbridge Gate

Members of the Planning Commission,

I am a Redbridge resident and former Redbridge HOA Board member. Outlined below are concerns re : the Redbridge gate proposal.

I hope these concerns will be taken into consideration when reviewing this proposal. There are Redbridge residents on both sides of this issue.

\* The proposed gate does not align with the City of Tracy General Plan. In 2000, when I purchased a home in Redbridge, Surland disclosures stated Redbridge would not be a gated community. Per the General Plan, Redbridge could not be gated until Schulte Road was completely built out and this has not happened-to-date. **Why would the Planning Commission and/or City Council go against the General Plan as well as go against a previous City Council that stated there would be a gate could not be considered until Schulte Road was built out?**

\* Out of the 438 homes in Redbridge, only 203 votes were in favor of the gate - **this is less than 50% of the homeowners that voted for the gate.** 192 homeowners voted against the gate - the vote passed by a small margin (46% vs 44% of the membership) and not the overwhelming majority that has been portrayed to the Planning Commission and City Council. The Redbridge gate vote took place in 2015. In the time since the vote 3 years ago, 115 homes have sold in Redbridge. The landscape of the Redbridge homeownership has changed in the past 3 years and the vote may no longer accurately represent wishes of the homeowners. The # of new homeowners coupled with the biased proposal warrants a new vote in the Redbridge community.

\* A grave concern for Redbridge homeowners is the impact of the gate cost on home values related to HOA due increases. The Redbridge Board has not quantified this potentially large liability for the Redbridge homeowners. Per Board Member, Mary Ann Davidson, the original "guesstimate" was \$350K and has now been revised to \$450K. Since RFQs have not been part of the gate process, there is no way to validate the "guesstimate". With this unknown large liability, there is a possibility of out pricing our homes with high HOA dues and this would be detrimental to the City of Tracy as well as Redbridge homeowners. **Due diligence in determining and understanding gate costs has not been met.**

\* The Gate proposal put forth by the Redbridge Board to the homeowners was incomplete, one-sided and not forthright or objective. An upper limit in terms of cost and duration was not included in the Redbridge vote nor was this highlighted by the Redbridge Board. During my Redbridge Board reelection campaign, I spoke with many homeowners and the feedback I received was that homeowners did not realize they voted in an "open check" and voiced concern and remorse re : their "for" vote. This "open check" proposal could be detrimental to both the City of Tracy and Redbridge residents as noted in the item above.

\* In reviewing crime statistics, Tracy has one of the lowest crime rates in California. The area of Tracy that Redbridge is located in is one of the lowest crime rates within Tracy. The Tracy

crime rate is lower than the California average and is also lower than the national average crime rate (<http://www.usa.com/tracy-ca-crime-and-crime-rate.htm>). Out of 466 California cities with "crime index" data, Tracy is ranked # 187 (<http://www.usa.com/rank/california-state--crime-index--city-rank.htm?hl=Tracy&hlst=CA>) (the top 40% of cities in California with "crime index" data). Based on these crime statistics and living within Redbridge for the past 17+ years, the gate is not warranted. In light of the cost concerns, the unknown costs and impact far outweigh the perceived minimal benefits of a gate and we respectfully request that the Planning Commission consider our input and not recommend the Redbridge Gate project to the City Council.

\* There are passionate views on both sides of the Redbridge gate proposal. This issue has been polarizing in the Redbridge community and some residents have felt lash back for differing views. For this reason, I prefer to remain anonymous.

Respectfully,

A concerned Redbridge Resident and former Redbridge HOA Board Member



**LETTER TO PLANNING COMMISSION**

**MEMBERS OF THE PLANNING COMMISSION:**

We, the undersigned residents of the Redbridge development, want to inform you that we are **against** building a gate to hinder access to our homes. Our reasons are:

- ❖ The recommendation by the City Planners (Staff Report) refers to Redbridge as an "approved gated community". We disagree with this statement. There have never been any plans or references to a "gate" in the original Redbridge application or the Conditions of Approval (Attachment A).
- ❖ Just because Redbridge streets and parks are maintained by the Association, it does not mean private.
- ❖ Closing borders by erecting a gate violates seven elements of the City's General Plan as stated in the Ventner Traffic Study (Attachment E) page 34.
- ❖ Based on historical experience with traffic patterns, we anticipate a gate will introduce major traffic backups at the Lammers Road entrance during commute and school hours.
- ❖ The community vote taken in 2015 carried in favor by a mere 172 households out of 438 homes. Since that vote was taken, 115 homes have changed hands. This vote does not represent the majority of or the best interests of the community as a whole.
- ❖ The community vote in 2015 was orchestrated by a board biased in favor of the gate. The information presented at that time was inaccurate and incomplete. The HOA has been put on legal notice that the proposed method of funding potentially violates the David-Stirling act.
- ❖ The costs, timelines and conditions-of-approval of the proposed gate in no way resemble what was voted upon in 2015.
- ❖ This is a major capital improvement impacting thousands of households both inside and outside of Redbridge with the potential to inflate HOA dues and diminish property values.

**PLEASE DECLINE APPROVAL / RECOMMENDATION  
OF THE REDBRIDGE GATE PROPOSAL**

Judy [Signature]  
Shawn [Signature] 2600 Maple Ridge

Paul [Signature]  
Stephanie [Signature] 1381 Rowland Ct

Krista [Signature]  
Will [Signature] 2609 HANOVER WAY

Chede [Signature] 624 Serra Ranch

Rebecca [Signature] 1608 NEWTON DR  
Bob [Signature]

Marshall [Signature] / Janice [Signature]

CITY OF TRACY  
 PLANNING COMMISSION MEETING  
 Speakers from the Audience Sign-In Sheet  
 October 10, 2018

NAME (Please print legibly)	ADDRESS
Mike Neenan	2944 Rosewood Rd
Tony Marshall	1242 Dupont Court, Manteca
Amara Morrison	1111 Broadway Oakland CA
TOM RAUCH	2818 HANDSTAND WY
Shawn O'Neill	2959 Perry Ln.
Brenda Depton	709 Belmont Lane
Jim Willis	2691 Mockingbird Ln
AL Ayubi	3101 Hutton place, T
Christopher Rogers	2616 Green Haven Ct.
Steve Askin	3113 Pennington Way
STEPHEN PEREA	2757 Green Haven Dr
Scott Stewart	1394 Meadow Ct
Susan O'Reilly	2854 Redbridge Rd.
Sonja Bradley	2718 HANDSTAND WY
C. Jr	515 Delwood Ave
Ed Lewis	1150 Kaden Ln.
Heather Humer	559 Belmont Lane
Mary Ann Davidson	540 BELMONT LN
ARON WELK	2724 Redbridge Rd
Cheryl Perez	2904 Redbridge Rd.
KEVIN PETERSEN	2664 REDBRIDGE RD
MaryBeth Lee-Perea	2757 Green Haven Dr.
Mozellah Polee	574 Serpa Ranch Rd.

LARRY PERBA 2904 FREDRIDGE RD.



GRANTLINE

The Village  
at Sunnyside

PRIVATE PROPERTY  
NO THROUGH TRAFFIC  
NO UNLAWFUL USE

VS

PRIVATE PROPERTY  
NO THROUGH TRAFFIC  
NO UNLAWFUL USE

illage  
nergate

The property is managed by  
**TRINE**  
299-521-1500

**VS**



The Village  
at Summergate

This property is produced by  
**TRINE**  
209-521-1590

VS



REDBRIDGE OWNERS' ASSOCIATION  
2015 Gate Project Vote Tally Sheet

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RESOLUTION #1  
Construction of Entry Gate and Guard House

FOR

203

271

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AGAINST

68

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RESOLUTION #2  
Increase in Regular Assessment of \$20 per Month per Lot

FOR

192

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AGAINST

78

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