

## 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 11, 2019  
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

ELECTION OF VICE CHAIR

MINUTES – 8/14/19

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2015-052 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Commission Member to sponsor the item for discussion at a future meeting.*

#### 1. NEW BUSINESS

- A. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE TRACY MUNICIPAL CODE OFF-STREET PARKING AREA LANDSCAPING REQUIREMENTS (TMC SECTION 10.08.3560) – THE APPLICANT IS ADM GROUP, INC ON BEHALF OF KAISER FOUNDATION HEALTH PLAN, INC. – APPLICATION NUMBER ZA19-0001

#### 2. ITEMS FROM THE AUDIENCE

#### 3. DIRECTOR'S REPORT

#### 4. ITEMS FROM THE COMMISSION

#### 5. ADJOURNMENT

Posted: September 6, 2019

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  
AUGUST 14, 2019, 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 Commissioner Wood present. Commissioner Kaur absent. Also present were: Leticia Ramirez, Interim City Attorney; Bill Dean, Assistant Development Services Director; Robert Armijo, City Engineer/Assistant Development Services Director; Alan Bell, Senior Planner; Nanda Gottiparthi, Contract Engineer, SNG & Associates; and Gina Peace, Recording Secretary.

**ELECTION OF CHAIR**

**ACTION:** It was moved by Vice Chair Hudson, and seconded by Commissioner Wood, that Commissioner Orcutt be appointed as Chair. A voice vote found all in favor, 3-0-1-0; passed and so ordered.

**MINUTES**

Chair Orcutt introduced the Minutes from the May 8, 2019, meeting.

**ACTION:** It was moved by Vice Chair Hudson and seconded by Commissioner Wood that the Planning Commission Meeting Minutes of May 8, 2019, be approved. A voice vote found all in favor, 3-0-1-0; passed and so ordered.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

None.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. PUBLIC HEARING TO CONSIDER A 264-UNIT RESIDENTIAL APARTMENT PROJECT ("VALPICO GLENBRIAR APARTMENTS"), INCLUDING PARKING AND RELATED ON-SITE IMPROVEMENTS ON APPROXIMATELY 11.62 ACRES LOCATED ON THE NORTH SIDE OF VALPICO ROAD AT GLENBRIAR DRIVE, 501 E. VALPICO ROAD (ALSO KNOWN AS 2605 AND 2795 S. MACARTHUR DRIVE), ASSESSOR'S PARCEL NUMBERS 246-140-13 AND 14. THE APPLICANT IS KATERRA, INC.

Alan Bell presented the staff report, and provided a PowerPoint presentation.

Chair Orcutt opened the public hearing at 7:13 p.m.

Dan Nethercott, and Greg Kaiser, both representing the applicant Katerra, Inc., addressed the Commission, and provided a PowerPoint presentation.

Craig Curtis, Chief Architect with Katerra, Inc. addressed the Commission.

The following residents addressed the Commission in opposition to the Project:

Jim Haynes, 394 Derone Lane  
Theresa English-Soto, Glenbriar neighborhood resident  
Alice English, Edgewood neighborhood resident  
Vivian Johnson, 1983 Merritt Drive  
Mary Leal, De Bord Drive  
Alessia Davis, Edgewood neighborhood resident  
Byron Lance, 514 Derone Lane  
Ms. Ferriz, De Bord Drive  
Gilbert Ceja, 364 Glenbriar Circle  
Veronica Ceja, 364 Glenbriar Circle  
Raquel Fairfield, Edgewood neighborhood resident

Pete Mitracos, 363 W. Eaton Avenue, addressed the Commission in support of the Project.

Chair Orcutt closed the public hearing at 8:17 p.m.

Commission discussion followed.

Robert Armijo, City Engineer, introduced Chris Kinzel with TJKM Traffic Consultants, who addressed the Commission and answered questions about the traffic study conducted in 2012.

Further discussion followed.

Chair Orcutt re-opened the public hearing at 9:07 p.m.

The following residents addressed the Commission in opposition to the Project:

Theresa English-Soto, Glenbriar neighborhood resident  
Alice English, Edgewood neighborhood resident  
Michelle Lecata, Derone Lane  
Sharon Lance, 514 Derone Lane

Chair Orcutt closed the public hearing at 9:28 p.m.

Further discussion followed.

**ACTION:** It was moved by Vice Chair Hudson and seconded by Commissioner Wood, that the Planning Commission approve Development Review Application Number D19-0018, including a 20 percent parking space reduction, as indicated in the Planning Commission Resolution dated August 14, 2019.

A roll call vote found Vice Chair Hudson, and Commissioner Wood in favor; Chair Orcutt opposed; 2-1-1-0; motion failed.

**2. ITEMS FROM THE AUDIENCE**

None.

**3. DIRECTOR'S REPORT**

Bill Dean, Assistant Development Services Director, mentioned he was looking forward to the upcoming APA Conference in Santa Barbara.

**4. ITEMS FROM THE COMMISSION**

None.

**5. ADJOURNMENT**

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

Time: 9:44 p.m.

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CHAIR

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STAFF LIAISON

AGENDA ITEM 1.A

REQUEST

**PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE TRACY MUNICIPAL CODE OFF-STREET PARKING AREA LANDSCAPING REQUIREMENTS (TMC SECTION 10.08.3560) – THE APPLICANT IS ADM GROUP, INC ON BEHALF OF KAISER FOUNDATION HEALTH PLAN, INC. – APPLICATION NUMBER ZA19-0001**

DISCUSSION

Background

Tracy Municipal Code (TMC) Title 10, Article 26 establishes landscaping requirements for off-street parking areas, including the quantity, size, and placement of trees. Trees provide multiple benefits, including aesthetics, shading, carbon sequestration, habitats, and reduction of heat island effect. TMC subsections 10.08.3560 (c) and (d) read as follows:

*(c) Landscaping shall consist of plant materials and shall include a combination of trees, shrubs, and ground cover.*

*(d) Trees shall be of a type approved by the Director of Community Development. Trees shall be required at the rate of one tree per each five (5) required auto parking spaces. Such trees shall be a minimum fifteen (15) gallons in size. Canopy trees shall be evenly distributed throughout the parking area so that forty (40%) percent of the area shall be shaded at tree maturity. Canopy trees shall be the type that normally achieves a minimum canopy diameter of twenty-five (25') feet, as approved by the Community Development Director.*

City staff has been gaining increasing interest from property owners desiring to install photovoltaic array (also known as solar panel) carports over their parking areas. Because the solar panels need to be unobstructed from the sunlight for maximum efficiency, large trees cannot be over or adjacent to these structures. Many existing parking areas would not be able to meet the required minimum canopy tree shading requirement of 40% of the parking area if there are no trees planted near the solar panel carports.

On March 5, 2019, ADM Group, on behalf of Kaiser Foundation, submitted an application to amend TMC Section 10.08.3560 to allow an exemption from canopy tree shading requirements for parking areas covered by solar panel carports. Should the TMC be amended to provide such an exemption, Kaiser would then submit a Development Review Permit application to construct solar panel carports over a large portion of their parking area at their site on Grant Line Road.

Staff worked with the applicant on TMC language that would be easy to understand and enforce as well as comply with the City's Design Goals and Standards for landscape design. The proposal is to exempt the areas covered by solar panel carports from the canopy tree shading requirement. This approach is modeled after City of Sacramento's, of which City of Sacramento staff said is working well. The proposed amendment will also clarify that, at planting, landscaping shall adhere to the Citywide Design Goals and Standards and applicable specific plan and clarify that the required rate of one tree per

five parking spaces is a minimum requirement. This proposed amended TMC Section 10.08.3560 is contained in the draft Ordinance, Exhibit 1 to the attached Planning Commission Resolution, Attachment B. For reference and ease of understanding, the proposed amendment is below in redline:

*(c) Landscaping shall consist of plant materials and shall include a combination of trees, shrubs, and ground cover. At planting, landscaping shall be of the size established in the Citywide Design Goals and Standards and applicable specific plan.*

*(d) Trees shall be of a type approved by the Director of ~~Community~~ Development Services and shall be provided as follows:*

*(1) Trees shall be required planted at the a minimum rate of one tree per each five (5) required auto parking spaces. ~~Such trees shall be a minimum fifteen (15) gallons in size.~~*

*(2) Canopy trees shall be evenly distributed throughout the parking area so that a minimum of forty (40%) percent of the parking area is shall be shaded at tree maturity. Canopy trees shall be the type that normally achieves a minimum canopy diameter of twenty-five (25') feet, as approved by the Community Development Director.*

*(3) Where photovoltaic array carports are located in the parking area, the portions of the parking area that are directly beneath the footprint of the photovoltaic array carports are exempt from the requirements of subsection (d)(2) of this section.*

The applicant provided information of Kaiser's intent for the size and location of their solar panel carports at their Grant Line Road facility. Their proposed solar panel carports and parking area trees (once all the missing trees are replanted) work with the proposed amended TMC language above. As can be seen in Attachment A, which is an exhibit of Kaiser's parking area, the site would still maintain a substantial number of trees to be primarily located on the perimeter of the parking area.

## RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the proposed amendment to the Tracy Municipal Code regarding landscaping requirements for parking areas.

## SUGGESTED MOTION

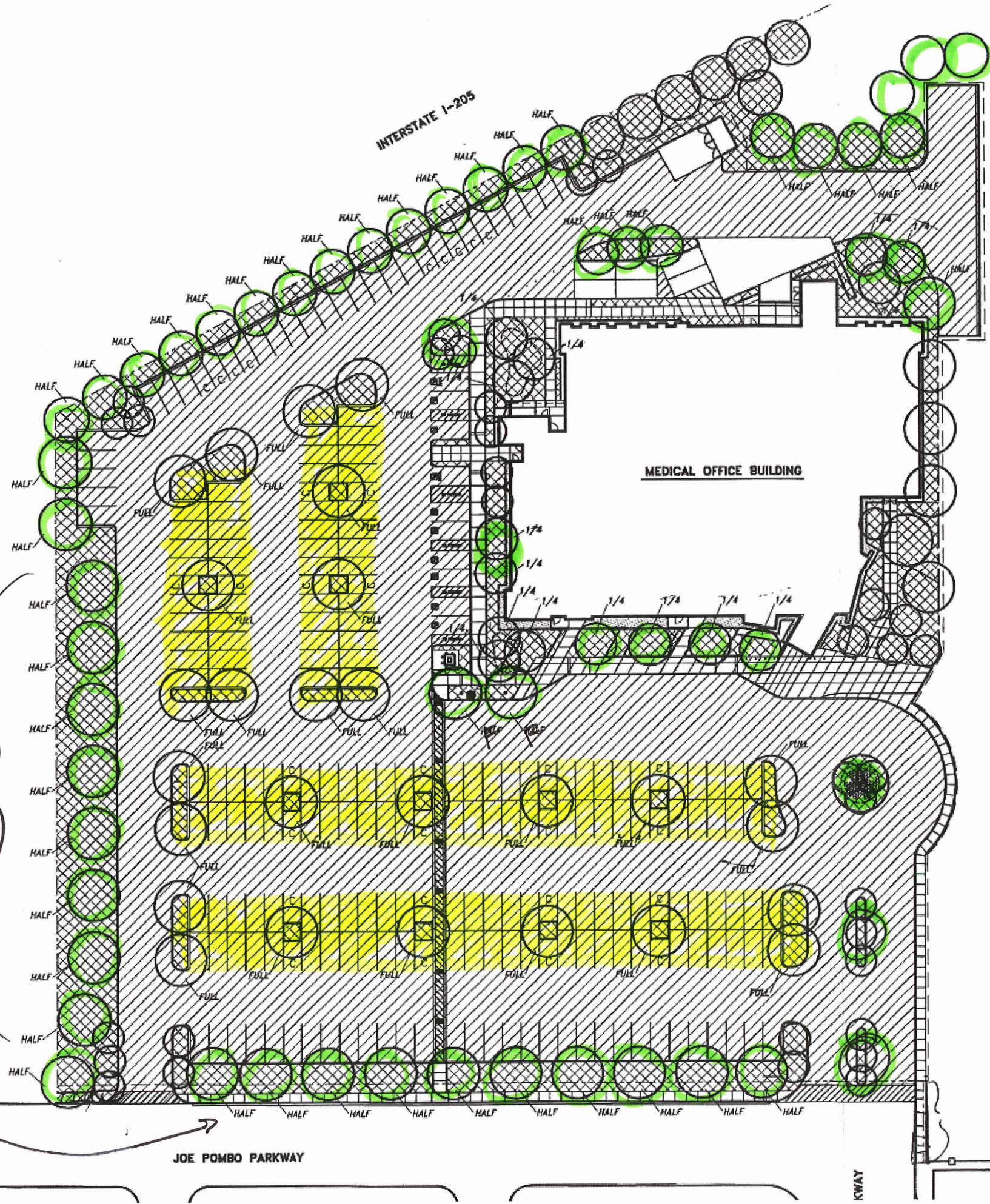
Move that the Planning Commission recommend that the City Council approve the attached Ordinance, amending the Tracy Municipal Code Sections 10.08.3560(c) and (d) regarding landscaping requirements for parking areas.

Prepared by: Kimberly Matlock, Associate Planner  
Approved by: Bill Dean, Assistant Development Services Director

## ATTACHMENTS



Attachment A – Exhibits of Kaiser's Parking Area  
Attachment B – Planning Commission Resolution with Draft City Council Ordinance

*These would get full credit if planted such that canopies are completely on site.*



**LANDSCAPE/SHADE CALCULATION**

PARKING LOT AREA = 111,805 S.F. (- 30,720 = 81,085 sq.)  
 LANDSCAPED AREA REQ'D. @ 20% = 22,361 S.F.  
 LANDSCAPE AREA PROVIDED = 34,973 S.F.  
 SHADED AREA REQ'D. @ 40% = 44,722 S.F. 32,434 sq.  
 TREE AREA COVERAGE:  
 FULL = 962 SQ. FT.  
 THREE-QUARTER = 721 SQ. FT.  
 HALF = 481 SQ. FT.  
 QUARTER = 240 SQ. FT.  
 SHADED AREA PROVIDED = 31,219 S.F. 40,657 sq. 44.9%  
 Trees req'd : 49  
 Trees provided : >59

-  = canopy shade tree
-  = PV carport area, exempt from tree canopy shading (trees in this area to be removed)



RESOLUTION 2019-\_\_\_\_\_

RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 10.08.3560 OF THE TRACY MUNICIPAL CODE RELATING TO OFF-STREET PARKING AREA LANDSCAPING REQUIREMENTS – THE APPLICANT IS ADM GROUP, INC ON BEHALF OF KAISER FOUNDATION HEALTH PLAN, INC. – APPLICATION NUMBER ZA19-0001

WHEREAS, The Tracy Municipal Code (TMC) contains zoning regulations related to off-street parking areas and landscaping within them (TMC Chapter 10.08, Article 26), and

WHEREAS, On March 5, 2019, the City received an application to amend TMC Section 10.08.3560 to allow an exemption from canopy tree shading requirements for parking areas covered by solar panel carports, and

WHEREAS, The proposed amendments will also clarify that, at planting, landscaping shall adhere to the Citywide Design Goals and Standards and applicable specific plan and clarify that the required rate of one tree per five parking spaces is a minimum requirement, and

WHEREAS, The proposed amendments to the TMC are not a project within the meaning of the California Environmental Quality Act (CEQA) because it does not have the potential for causing a significant effect on the environment [CEQA Guidelines, 14 California Code of Regulations, §15061(b)], and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on September 11, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby recommend that the City Council adopt an ordinance (Exhibit 1 to this Resolution) approving an amendment to Tracy Municipal Code Section 10.08.3560.

\*\*\*\*\*

The foregoing Resolution 2019-\_\_\_\_\_ was adopted by the Planning Commission on the 11<sup>th</sup> day of September 2019, by the following vote:

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

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Staff Liaison

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY AMENDING SECTION 10.08.3560 OF THE TRACY MUNICIPAL CODE RELATING TO OFF-STREET PARKING AREA LANDSCAPING REQUIREMENTS – THE APPLICANT IS ADM GROUP, INC ON BEHALF OF KAISER FOUNDATION HEALTH PLAN, INC. – APPLICATION NUMBER ZA19-0001

The Tracy City Council hereby ordains as follows:

**SECTION 1.** Subsections (c) and (d) of Section 10.08.3560, Landscaping requirements for parking areas, of Title 10 (Planning and Zoning) of the Tracy Municipal Code is amended to read as follows:

**“10.08.3560 Required improvements and maintenance of parking areas.**

- (c) Landscaping shall consist of plant materials and shall include a combination of trees, shrubs, and ground cover. At planting, landscaping shall be of the size established in the Citywide Design Goals and Standards and applicable specific plan.
- (d) Trees shall be of a type approved by the Director of Development Services and shall be provided as follows:
  - (1) Trees planted at a minimum rate of one tree per each five required auto parking spaces.
  - (2) Canopy trees shall be evenly distributed throughout the parking area so that a minimum of 40 percent of the parking area is shaded at tree maturity. Canopy trees shall be the type that normally achieves a minimum canopy diameter of 25 feet.
  - (3) Where photovoltaic array carports are located in the parking area, the portions of the parking area that are directly beneath the footprint of the photovoltaic array carports are exempt from the requirements of subsection 10.08.3560(d)(2).”

**SECTION 3.** This Ordinance takes effect 30 days after its final passage and adoption.

**SECTION 4.** This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk’s office at least five days before the Ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the Ordinance. (Gov’t. Code §36933.)

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and finally adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk