

**MINUTES  
TRACY CITY PLANNING COMMISSION  
OCTOBER 23, 2019, 7:00 P.M.  
CITY OF TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Vice Chair Hudson led the pledge of allegiance.

**ROLL CALL**

Roll Call found Chair Orcutt absent. Vice Chair Hudson, Commissioner Atwal, Commissioner Francis, and Commissioner Wood were present. Also present were: Leticia Ramirez, City Attorney; Bianca Rodriguez, Deputy City Attorney; Bill Dean, Assistant Development Services Director; Gina Peace, Recording Secretary; Paula Venegas, Administrative Assistant (Training); Alan Bell, Senior Planner; Victoria Lombardo, Senior Planner; Genevieve Federighi, Assistant Planner; Robert Armijo, City Engineer/Assistant Development Services Director; Ana Contreras, Community Preservation Manager; Karin Schnaider, Finance Director; and Al Gali, Associate Civil Engineer.

**MINUTES**

Vice Chair Hudson tabled the minutes of September 11, 2019 until the next regularly scheduled Planning Commission meeting. The October 9, 2019 minutes were also tabled to be revised.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

None.

**ITEMS FROM THE AUDIENCE**

Resident Debbie Meleen approached the Commission regarding an unrelated issue. A staff member was assigned to help the resident with her issue.

**1. NEW BUSINESS**

**A. PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL TO APPROVE AN AMENDMENT TO SECTION 10.08.3196 OF THE TRACY MUNICIPAL CODE REGARDING ESTABLISHING ZONING AND LOCATION REQUIREMENTS FOR COMMERCIAL CANNABIS BUSINESSES, APPLICATION NUMBER ZA19-0002**

Bill Dean delivered the staff report.

Mr. Dean read Robert Tanner's email as part of the record in the staff report.

Commission questions and discussion regarding the Project followed.

Vice Chair Hudson opened the public hearing at 7:23 p.m.

Alice English addressed the Commission regarding the agenda packet.

Zack Drivon, attorney, addressed the Commission in support of adopting the Ordinance.

Vice Chair Hudson closed the public hearing at 7:31 p.m.

Commission continued discussion regarding the Ordinance.

**ACTION:** It was moved by Vice Chair Hudson and seconded by Commissioner Atwal to consider a recommendation to the City Council to approve an amendment to section 10.08.3196 of the Tracy Municipal Code regarding establishing zoning and location requirements for commercial cannabis businesses, Application Number ZA19-0002

A roll call vote found Commissioner Atwal, Commissioner Francis, Commissioner Wood, and Vice Chair Hudson in favor; Chair Orcutt absent; 4-0-1-0; passed and so ordered.

**B. PUBLIC HEARING TO CONSIDER AN APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S REVOCATION OF A HOME OCCUPATION PERMIT FOR AUTO DETAILING AT PROPERTY LOCATED AT 1881 NEWPORT COURT IN VIOLATION OF TRACY MUNICIPAL CODE SECTION 10.08.4600. THE APPELLANT IS GABRIEL HERNANDEZ. CODE ENFORCEMENT CASE 19CD-0917**

Ana Contreras delivered the staff report.

Commission questions and discussion regarding the Project followed.

Mr. Hernandez addressed the Commission pleading his case.

Mr. Hernandez handed the clerk a handout for the Commission.

Corrina Gomes who lives on the corner of Newport and Michelle addressed the Commission opposing Mr. Hernandez's business.

Vice Chair Hudson opened the public hearing.

Vice Chair Hudson closed the public hearing at 8:15 p.m.

Victoria Lombardo addressed the Commission regarding the Home Occupation Ordinance.

**ACTION:** It was moved by Vice Chair Hudson and seconded by Commissioner Atwal to uphold the revocation of a home occupation permit for auto detailing at property located at 1881 Newport Court in violation of Tracy Municipal Code Section 10.08.4600.

A roll call vote found Commissioner Atwal, Commissioner Francis, and Vice Chair Hudson in favor; Commissioner Wood opposed; Chair Orcutt absent; 3-1-1-0; passed and so ordered.

**C. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW PERMIT TO CONVERT AN EXISTING SINGLE FAMILY RESIDENCE TO A DAY CARE CENTER LOCATED AT 1525 WILBANKS LANE (ASSESSOR'S PARCEL NUMBER 242-240-36) – THE APPLICANT AND OWNER IS MARIA CARINA DIAZ DE BARAJAS – APPLICATION NUMBERS CUP19-0003 AND D19-0016**

Genevieve Federighi presented the staff report.

Commission questions and discussion regarding the Project followed.

Maria Carina Diaz De Barajas, Applicant, addressed the Commission to answer questions.

Vice Chair Hudson opened the public hearing at 8:34 p.m.

Stephanie Booth, 1517 Parkside Ct., addressed the Commission in opposition of the Project.

Debbie Meleen, resident, approached the Commission in opposition of the Project.

Martin Bell, who lives directly south of applicant, approached the Commission with concerns of noise levels and transportation.

Vice Chair Hudson closed the public hearing at 8:43 p.m.

**ACTION:** It was moved by Commissioner Wood and seconded by Commissioner Atwal to approve a conditional use permit and development review permit to convert an existing single-family residence to a day care center located at 1525 Wilbanks Lane.

A roll-call vote found Commissioner Atwal, Commissioner Francis, Commissioner Wood, and Vice Chair Hudson in favor; Chair Orcutt absent; 4-0-1-0; passed and so ordered.

**D. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE PERMITTED USES IN THE GENERAL HIGHWAY COMMERCIAL ZONE OF THE RESIDENTIAL AREAS SPECIFIC PLAN (SPA19-0003) AND A DEVELOPMENT REVIEW PERMIT FOR AN ASSISTED LIVING AND MEMORY CARE FACILITY (D19-0019) ON APPROXIMATELY 2.73 ACRES LOCATED AT THE NORHTWEST CORNER OF CORRAL HOLLOW ROAD AND ALEGRE DRIVE (2050 W. GRANT LINE ROAD – THE APPLICANT IS SUMMIT SENIOR LIFE, LLC.**

Alan Bell delivered the staff report. He also presented an email at the dais from a resident that was received in opposition of the Facility.

Commission questions and discussion regarding the Project followed.

Robert Ashin, representing the Applicant, addressed the Commission.

Vice Chair Hudson opened the public hearing at 9:10 p.m.

Travis Fife, Grant Line Commons, LLC owner of the buildings adjacent to the potential new facility, approached the Commission in support of the Project, but with concerns on the parking count.

Greg Irwin, Irwin Partners Architects, addressed the Commission to answer questions on parking.

Vice Chair Hudson closed the public hearing at 9:14 p.m.

**ACTION:** It was moved by Commissioner Wood and seconded by Commissioner Atwal to consider an amendment to the permitted uses in General Highway Commercial zone of the residential areas specific plan and a development review permit for an assisted living and memory care facility.

A roll call vote found Commissioner Atwal, Commissioner Francis, Commissioner Wood, and Vice Chair Hudson in favor; Chair Orcutt 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

Vice Chair Hudson welcomed the two new Commissioners.


## 5. ADJOURNMENT

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

Voice vote found all in favor; passed and so ordered.

Time: 9:20 p.m.

  
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STAFF LIAISON

  
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CHAIR