

MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, May 22, 2013
7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA

CALL TO ORDER Chair Ransom called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE Chair Ransom led the pledge of allegiance

ROLL CALL Roll Call found Chair Ransom, Vice Chair Sangha, Commissioner Johnson, Commissioner Mitracos, and Commissioner Orcutt. Also present were staff members Bill Dean, Assistant Development Services Director, Victoria Lombardo, Senior Planner, Kimberly Matlock, Assistant Planner, Criseldo Mina, Senior Civil Engineer, Bill Sartor, Assistant City Attorney and Jan Couturier, Recording Secretary.

MINUTES APPROVAL Chair Ransom commented that the March 27, 2013 minutes had been approved as amended at the April 24, 2013 Planning Commission meeting.

Chair Ransom requested comments on the April 24, 2013 minutes. Commissioner Mitracos moved that the Commission approve the April 24, 2013 minutes. Commissioner Orcutt seconded; all in favor, none opposed.

DIRECTOR'S REPORT REGARDING THIS AGENDA – None

In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2008-140, 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 item shall be placed on an agenda within 30 days

ITEMS FROM THE AUDIENCE - None

1. **OLD BUSINESS – None**

2. **NEW BUSINESS**

- A. PUBLIC HEARING TO CONSIDER APPLICATIONS FOR A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW FOR A PRESCHOOL BUILDING, OUTDOOR PLAY AREA, AND PARKING AREA IMPROVEMENTS AT 160 W. BEVERLY PLACE - APPLICANT IS SCHACK & COMPANY, INC. AND OWNER IS PASTOR OF ST. BERNARD'S CHURCH - APPLICATION NUMBERS CUP13-0002 & D13-0004**

Chair Ransom reviewed agenda item 2A. She requested the staff report for this item.

Kimberly Matlock, Assistant Planner introduced the agenda item and advised it was two projects in one. She provided a summary of St. Bernard's Church & School located on Eaton Avenue in Tracy. She advised that the applicant planned to start a pre-school and had purchased the property located at 160 West Beverly Place with the intent of demolishing the existing single family home and build a three classroom building with an administrative building and play area.

The site is zoned High Density Residential and the surrounding area is residential and school uses. Schools are conditionally permitted in the HDR zone and require a Conditional Use Permit to operate. She added that the building and site improvements require development review approval prior to construction.

The building designed to match the present architecture. Parking for staff is accommodated. Student pick-up and drop-off will occur on Eaton Avenue to mitigate the impact of traffic on Beverly Place. The preschool will operate in conjunction with the main campus and will serve up to sixty students with an enclosed play area. She said the principal at Saint Bernard's had made several attempts to meet with all affected neighbors about the project and had not encountered any opposition.

Ms. Matlock stated that the applicant requested a five year validity period extension to complete the build out based on potential funding issues. She further advised that the Planning Commission has granted similar extended approval periods in the past.

Ms. Matlock concluded by recommending that the Planning Commission approve the Conditional Use Permit application to establish a preschool with outdoor play area at 160 W. Beverly Place, approve the Development Review application and approve a validity period of one year and approve four subsequent consecutive one-year extensions for the complete construction of the project.

Chair Ransom requested questions or comments from the Commissioners regarding the staff report.

Commissioner Johnson commented about the current zoning as HDR and asked if the project was non-conforming. Ms. Matlock replied that the proposed use of a school requires a Conditional Use Permit.

Commissioner Johnson asked about easements that are proposed to be abandoned. Mr. Mina advised that if the easements are no longer needed, the applicant can request removal. The easements were originally used for utilities but are no longer required. Ms. Matlock also referred the question to the applicant.

Commissioner Mitracos addressed the issue of student pick-up and drop-off and indicated that the traffic in the area becomes congested at these times. He asked how the traffic issues would be enforced. Ms. Matlock indicated it would be up to the school staff to enforce.

Mr. Dean added that the applicant would need to demonstrate to their staff that they enforce this rule.

Mr. Orcutt asked when Saint Bernard staff had connected with the neighbors. Ms. Matlock indicated that it was during the review period the most recent being within the last two weeks.

Mr. Orcutt requested information on the fencing surrounding the property suggesting that the present configuration would cut the new building off from direct access to the campus. Ms. Matlock advised that the fence at the back of the property would be removed.

Chair Ransom asked about public noticing. Ms. Matlock advised that the public was properly noticed and that staff had not received any comments. Chair Ransom asked what radius was used by the city went for the noticing. Ms. Matlock advised that the City expanded beyond the 300 foot requirement and by using 500 feet.

Chair Ransom asked what the project would look like in the unfinished state prior to the extension periods. Ms. Matlock advised that the building would be complete and the additional area might be used for additional play area or landscaping.

Chair Ransom opened up the Public Hearing at 7:15 p.m.

The applicant, Dan Schack 1025 Central Avenue, gave some background on his firm, Schack and Company. He added that Gary Abate, the principal of Saint Bernard's, was also available to answer questions; along with members of the Schack and Company staff. He indicated that this project was an extension of the present use of the facility that would better control student placement and involvement. Mr. Schack confirmed that the school staff had recently performed the neighborhood canvassing.

Mr. Schack reviewed the traffic issues adding that traffic patterns would continue to be as they are at present. He stated that Saint Bernard's School would not be adding students, but simply repositioning the students on campus. Mr. Schack addressed Chair Ransom's concern regarding completion of the building and said the first phase of the building would be completely constructed.

Commissioner Johnson asked for clarification about the number of students to be added. Mr. Schack advised that the project was primarily to provide additional space, not add students. Commissioner Mitracos asked about the need for extra class rooms and Mr. Schack advised that it would allow for more space.

Mr. Schack addressed the issue of easements indicating that at the time the original structure was built they were required for utilities. He added this was no longer the case; that this was the reason to request their removal.

Commissioner Johnson asked about the parking lot grade. Mr. Schack advised that the goal was to minimize the amount of storm drainage and indicated that there would be some increased run off based on the grading, but some would be retained on site with the final objective of less water that would run into the storm drain.

Vice Chair Sangha asked for clarification on the issue of additional students requesting how many more students would be attending. Mr. Abate advised that the number of extra students would be approximately 20 pre-school students.

Chair Ransom asked for public comment at 7:25 p.m. There were none.

Chair Ransom asked if the Commission had any further comments. Commissioner Johnson advised that any issues were all addressed in the report.

Commissioner Mitracos commented that the traffic controls in place were suitable.

Commissioner Orcutt advised that he felt the traffic the plan was viable.

Commissioner Johnson moved that the Planning Commission approve the Conditional Use Permit application to establish a preschool with outdoor play area at 160 W. Beverly Place, approve the Development Review application for an approximately 4,500 square foot building, outdoor play area, and parking, landscape, and hardscape improvements at 160 W. Beverly Place, and approve a validity period of one year and approve four subsequent consecutive one-year extensions for the complete construction of the project and establishment of the use, based on the findings and subject to the conditions as stated in the Planning Commission Resolutions dated May 22, 2013. Vice Chair Sangha seconded, all approve, none opposed.

- B. PUBLIC HEARING TO CONSIDER APPROVAL OF A 61-LOT TENTATIVE SUBDIVISION MAP ON AN 11.8-ACRE PARCEL LOCATED ON THE NORTH SIDE OF STARFLOWER DRIVE AT HUMMINGBIRD WAY, EAST OF CORRAL HOLLOW ROAD FOR THE CONSTRUCTION OF 61 SINGLE-FAMILY HOMES. THE APPLICANT IS MACKAY AND SOMPS AND OWNER IS STANDARD PACIFIC HOMES- APPLICATION NUMBER TSM13-0001**

Chair Ransom reviewed agenda item 2B and requested a staff report.

Ms. Lombardo reviewed the project, indicating that it was the last of the Murifield Project advising that it had been split into thirds and gave some history of the project and zoning. She advised that the map was slightly outdated referring to the renaming of Kyle Dayton Drive.

Ms. Lombardo commented that the developers worked with the School District and the City of Tracy to pay in lieu fees, due to project size, for both school and park fees. She mentioned that due to the fact that the map is non-vesting and the site is zoned Low Density; the project is exempt from architecture review. She also reviewed the new site had obtained sewer capacity. Ms. Lombardo advised that staff had examined the architecture and was confident that it would conform to the neighborhood.

Chair Ransom asked the Commission if they had questions. Commissioner Johnson recused himself.

Commissioner Mitracos asked about the area south of the site on the east side. Ms. Lombardo indicated that area is for park expansion. Commissioner Mitracos then requested information about the Saddlebrook site. Ms. Lombardo advised that site had a potential developer.

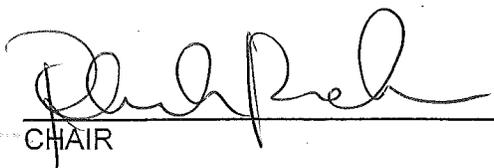
Commissioner Mitracos stated this approval was no different than the approval at a previous Commission meeting. He also asked about the number of Residential Growth Allotments and the effect of this project's need on any other developments. Ms. Lombardo advised that city has 750 available and she did not anticipate having a demand that would exceed the number available.

Chair Ransom opened public hearing at 7:35 p.m. There were none.

Chair Ransom closed the public hearing and asked the Commissioners if they had any further comments or questions.

Commissioner Orcutt moved that the Planning Commission approve the Muirfield 7 Phase 4 61-lot Tentative Subdivision Map, Application Number TSM13-0001, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated May 22, 2013. Commissioner Mitracos seconded with Vice Chair Sangha and Chair Ransom in approval and Commissioner Johnson abstaining.

3. **ITEMS FROM THE AUDIENCE** None
4. **DIRECTOR'S REPORT** – 1 Mr. Dean mentioned that the Cordes Ranch project will be presented at the June 26, 2013.
5. **ITEMS FROM THE COMMISSION** – Commissioner Mitracos congratulated staff on the minutes.
6. **ADJOURNMENT** – Commissioner Orcutt moved to adjourn at 7:39 p.m.



CHAIR



STAFF LIAISON