

MINUTES
TRACY CITY PLANNING COMMISSION
WEDNESDAY, July 24, 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 7:01p.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, Cris Mina, Senior Civil Engineer, Scott Claar, Associate Planner, Victoria Lombardo, Senior Planner Bill Sartor, Assistant City Attorney and Jan Couturier, Recording Secretary.

MINUTES APPROVAL

Chair Ransom requested a review of the June 26, 2013 minutes and asked for comments. Commissioner Orcutt made a motion to approve the minutes from June 26, 2013, Vice Chair Sangha seconded; all in favor, none opposed.

DIRECTOR'S REPORT REGARDING THIS AGENDA – None

ITEMS FROM THE AUDIENCE – None

1. **OLD BUSINESS** – None

2. **NEW BUSINESS**

- A. **PUBLIC HEARING TO CONSIDER RECOMMENDING CITY COUNCIL APPROVAL OF A REZONE OF A 47.1-ACRE PARCEL FROM LOW DENSITY RESIDENTIAL TO PLANNED UNIT DEVELOPMENT, APPROVAL OF A CONCEPT, PRELIMINARY AND FINAL DEVELOPMENT PLAN, AND APPROVAL OF A VESTING TENTATIVE SUBDIVISION MAP FOR A 252-LOT RESIDENTIAL SUBDIVISION, KNOWN AS KAGEHIRO PHASE 3, LOCATED AT THE SOUTHEAST CORNER OF CORRAL HOLLOW ROAD AND KAGEHIRO DRIVE, ASSESSOR'S PARCEL NUMBER 242-040-36. THE APPLICANT AND PROPERTY OWNER IS CORRAL HOLLOW DEVELOPMENT, LLC. APPLICATION NUMBERS PUD13-0001 AND TSM12-0001**

Chair Ransom reviewed item 2A and called for a staff report.

Scott Claar, Associate Planner, presented the staff report stating that the project consisted of a rezone from Low Density Residential to Planned Unit Development, approval of a Concept, Preliminary and Final Development Plan, and approval of a Vesting Tentative Subdivision Map to create 252 residential lots for single-family homes.

Mr. Claar reviewed the location of the project and advised that the applicant's proposal to rezone the property from Low Density Residential to Planned Unit Development has been

used throughout many areas of the City to achieve creative site plans that do not fit within the constraints of a particular zone, such as Low Density Residential.

The proposed Planned Unit Development zoning regulations would allow lot sizes that are slightly smaller and narrower than allowed in the Low Density Residential zone, houses that are slightly closer together, and houses that cover slightly more of the lot. The proposed setbacks and lot sizes are similar to many other Planned Unit Developments that have been approved throughout the City.

He further stated that the proposed architecture consisted of six plan types; all single-family detached homes with four to five different elevations per plan for a total of 28 different house designs. He added that these plans were in keeping with the City of Tracy's Design Goals and Standards. He then reviewed the fact that the proposed Vesting Tentative Subdivision Map would subdivide the 47.1 acre parcel into 252 residential lots and public streets with sidewalks and landscaping.

Mr. Claar indicated that the developer had conducted a neighborhood meeting with approximately 30 residents in attendance. He added there were some concerns relative to additional traffic caused by the development, but that projects to address these issues were in the design phase. Mr. Claar added that the California Environmental Quality Act Analysis indicated no significant impacts.

Mr. Claar reviewed the amended conditions of approval which were handed out to the commissioners prior to the meeting relating to certain of the streets in the proposal. He also advised that although the Development Fee impacts have not yet been approved by City Council, but that this project will be subject to the new fee structure.

Commissioner Mitracos, requested clarification about the Commission's ability to approve the project without an accurate vesting tentative map. Mr. Claar advised the Commission would approve the project as it is and any modifications would be brought back to the Commission.

Mr. Dean added clarification about the letter which had been sent to him from the developer waiving their rights relative to their vesting status of the Development Impact Fees.

Mr. Claar concluded that staff was recommending approval of rezoning of the project from Low Density Residential to Planned Unit Development and a concept, preliminary and final development plan, and approval of a Vesting Tentative Subdivision Map.

Chair Ransom commented about the need to have a break in the meeting to allow the Commissioners time to review the recent revisions prior to voting on the project and then brought the meeting to the commission.

Commissioner Orcutt asked about the use of the use of "expand" relative to the existing park. Mr. Claar provided clarification indicating that there is extra land into which the park can be expanded.

Commissioner Johnson asked if the in lieu fees could be used in that immediate area or for that specific area. Mr. Claar indicated that the intent is to use within that project.

Chair Ransom asked about the changes to the zoning from Low Density Residential to Planned Unit Development which Mr. Claar explained and provided a review of the Design Goals and Standards.

Chair Ransom asked about the waste water treatment standards and then asked what options developers have. Mr. Claar commented that the storm water requirements are in accordance with state law and added this was the first development to go through this process. Mr. Dean clarified that because these requirements were new, the city is learning how to work within these guidelines.

Commissioner Mitracos asked about the stop sign analysis. Criseldo Mina reviewed the warrant analysis indicating it is a study conducted which counts the number of cars that pass through an intersection and provided the requirements for adding a stop sign. Commissioner Mitracos then asked if speed of traffic was taken into consideration. Mr. Mina advised the warrant analysis is based on volume, not speed.

Commissioner Mitracos asked about the landscape strip between the street and sidewalk and asked about the types of trees and who makes the decision about the list of approved trees. He felt the specific tree should be included in the project specification. Mr. Dean advised that a review of the list of approved trees would be used. Commissioner Mitracos stated that he felt the specific tree was important enough to be included in the project packet.

Chair Ransom opened the public hearing at 7:35

The applicant, Jerry Finch, provided some background to the project. He then provided a review of the project and the design guidelines process and advised the project was intended to meet existing standards. He reviewed the market conditions, spoke to traffic design and then spoke of upgraded amenities for the homes in the project. He reviewed the placement of parks and how they fit into the development.

Mr. Finch indicated that the developers plan to pay their sewer fees in advance which will provide 1650 additional hook ups for the area. He also discussed Residential Growth Allotments and that this development would likely build out completely in 6 to 7 years and that building would begin some time in 2014.

Dan Hale from Hunt, Hale, Jones and Associates provided a PowerPoint presentation covering the design elements of the project. He spoke to the process of design, the number of elevations and styles and other architectural and landscape details. He then summarized the attention to the site plan as well as the design elements to make the neighborhood inviting.

Chair Ransom continued the public hearing at 8:00 p.m. and asked if there were additional public comments; there were none.

Chair Ransom asked if there were any questions from the Commission. Commissioner Orcutt asked about the side entrance design. Mr. Hale responded that the non-traditional approach to the residence would be guided by a short wall and arbor. It makes it more interesting. The floor plan makes more sense once you enter the home.

Commissioner Orcutt asked how non-traditional the side entrance design would be laid out in the development relative to the residences next to it. Mr. Finch provided scenarios that would work.

Commissioner Mitracos expressed surprise at the size of the homes adding that he felt the market would demand smaller homes. Mr. Finch advised that the market place would prefer a larger home.

Chair Ransom called for a break to provide the commissioners with an opportunity to review the new revisions to the project packet at 8:10 p.m.

Chair Ransom resumed the public comments session and asked if there were further questions from the public at 8:21 p.m. There were none, so Chair Ransom closed the public hearing and asked if the Commissioners had further questions.

Commissioner Orcutt asked for clarification about the revision C4.1. Mr. Mina provided clarification. Commissioner Orcutt then asked about the status of Lot 36 in the project. Mr. Mina provided clarification.

Chair Ransom expressed her thanks for allowing the Commissioners time to review the revisions and requested if there were further questions from the Commissioners.

Commissioner Johnson advised of his professional status adding that he felt he could be fair and impartial. He then made a motion to that the Planning Commission recommend that City Council take the following actions, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated July 24, 2013:

1. Approve a rezone from Low Density Residential to Planned Unit Development for a 47.1-acre parcel located at the southeast corner of Corral Hollow Road and Kagehiro Drive, Assessor's Parcel Number 242-040-36, known as Kagehiro Phase 3, Application Number PUD13-0001;
2. Approve a Concept, Preliminary and Final Development Plan for Kagehiro Phase 3, a 252-lot residential subdivision, Application Number PUD13-0001; and
3. Approve a Vesting Tentative Subdivision Map for Kagehiro Phase 3, a 252-lot residential subdivision, Application Number TSM12-0001.

And also the memorandum dated July 24, 2013 with the amended conditions of approval. The motion was seconded by Commissioner Orcutt seconded; all in favor, none opposed.

B. PUBLIC HEARING TO CONSIDER AN APPLICATION TO AMEND A VESTING TENTATIVE SUBDIVISION MAP ON AN 18.6-ACRE PARCEL TO CREATE 105 LOTS, AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN (PDP/FDP) AMENDMENT TO ALLOW FOR THE CONSTRUCTION OF 105 SINGLE-FAMILY HOMES LOCATED WITHIN THE 18.6 ACRE INFILL SITE ON THE WEST SIDE OF MAC ARTHUR DRIVE, NORTH OF VALPICO ROAD. THE APPLICANT IS VALLEY OAK PARTNERS AND OWNERS ARE DERONE W. AND D.A THRASHER- APPLICATION NUMBERS TSM13-0002 AND Planned Unit Development13-0002

Chair Ransom reviewed agenda item 2B and called for a staff report. Victoria Lombardo, Senior Planner introduced the project stating that the project was not a new vesting tentative subdivision map, but an amendment to an existing vesting tentative subdivision map which had been approved by City Council in March of 2007. She advised there had been a number of automatic extensions. Valley Oak partners is the current developer amending the project to 105 lots to accommodate a new product type.

Ms. Lombardo advised that the street layout is substantially consistent with the originally approved project and reviewed the site plan. She suggested that overall the project was a Single Family Home subdivision that was originally zoned Low Density Residential and which was rezoned to a Planned Unit Development in 2007.

Ms. Lombardo advised that this project provided for the future needs of the residents by accommodating possible modifications of future owners. She reviewed the variety of floor plans and elevations which would meet the Design Goals and Standards. She added that because the project is already a vesting map that that is to be amended, these are vested into the 2005 growth management ordinance and guidelines.

She provided an overview of parks and schools advising that the project was not of a size to support a school site or parks and that the developer had worked out an MOU with Tracy Unified School District and the City of Tracy to pay in lieu fees.

Ms. Lombardo reviewed a letter that had been given to her prior to the Commission meeting from a resident of Ashley Park Subdivision, Sam Muaddi. She advised that the letter requested only single story homes adjacent to his home and that the resident and the developer had reached an agreement which offered three single story homes. Mr. Muaddi also voiced concerns about a potential grade difference between his property and the proposed project.

Staff recommended that Planning Commission approve the proposal from the developer as written in the packet based on conditions as presented. The agreement discussed between Mr. Muaddi and the developer is not to be included in this project as a condition of approval.

Chair Ransom brought it back to the Commission at 8:40 p.m. Commissioner Orcutt advised that he lives 514 feet from the property, just to advise the commission.

Commissioner Mitracos asked about the grade difference. Ms. Lombardo advised there would not be any significant grade difference and stated that the grading plan showed that there would be a difference of no more than six inches where the project is adjacent to the Ashley Park subdivision. He then commented that the agreement with the developer relative to the properties adjacent to Mr. Muaddi should not be codified.

Chair Ransom questioned the agreement citing that Design Goals and Standards call for a certain amount of variety and she wondered if this agreement would meet that requirement. Ms. Lombardo reviewed the requirements for the commission and advised that it would meet that goal. She also added that developers need to respond to the market demands while still adhering to the standards.

Ransom then asked about privacy issues with the second story houses will stare into the lower elevations. Ms. Lombardo advised that the foot print of a two story will have a smaller foot print therefore a greater set back, thus somewhat alleviating this issue.

Chair Ransom then asked about traffic impacts inquiring if any studies had been done to determine the impact of this project. Mr. Mina advised the developer would do multiple final maps and discussed the variations that would be possible. Ms. Ransom mentioned that there might be more outlets onto the two main arteries. Mr. Mina gave some examples of how the developer might map their lots to offset this situation.

Mr. Dean advised that any project must meet engineering and City standards and stated that this project was considered to be in compliance. Chair Ransom then asked if the traffic from this project was considered along with the impact of the MacDonald and Valpico Apartment projects. Mr. Mina advised that this project is likely to build out before the apartment projects and therefore much of the traffic issue would be addressed.

Chair Ransom requested further information as to when the additional outlets or access points would the developer be required to open. Mr. Mina suggested it would depend on the economy, but that the need would be required once a certain threshold of houses built is met.

Commissioner Mitracos asked about the remainder parcels at the North West corner of the site. Ms. Lombardo advised that when this area was rezoned in 2007 the out parcels were also rezoned.

Commissioner Mitracos asked about Residential Growth Allotments adding that because this project is infill how would they be prioritized. Lombardo advised that the City Council allowed the City of Tracy to go up to the RHNA numbers. She added that there are enough available that will more than cover for the next two to three years.

Chair Ransom opened the public hearing and invited the applicant to speak at 9:03 p.m.

Doug Rich, with Valley Oak Partners, was the applicant and indicated that this was the first community for which they are applying in Tracy advising that they wish to have a long term relationship in the City of Tracy. He summarized the project touching on the fact that it was an existing approved project that they examined to allow for a better fit in the present community.

Chair Ransom invited other attendees to speak.

Sam Muaddi, the property owner requested single story homes adjacent to his existing property spoke. He advised that his residence sits ten feet from the fence line. He provided examples of multiple single story homes that are in proximity to one another throughout the City of Tracy. He also stated that he was satisfied with the private agreement reached between himself and the developer that stated they would build three single-story houses adjacent to his residence.

Douglas Gonsalves, 2455 South MacArthur, a local resident who lives on one of the out-parcels of the project spoke to the Commission. Mr. Gonsalves remarked about the location of single story homes, and asked about the grading of a lot adjacent to his home. He then expressed some concern about access to his home due both to a utility pole at the end of his drive and the speed with which people drive on South MacArthur. He asked how he might go about getting an access driveway off of Deronne Drive. Ms. Lombardo suggested adding a curb cut for temporary access and Mr. Mina advised of a possible location for it. Mr. Gonsalves was asked to come in to City Hall to investigate this possibility and issues about sound walls.

There was a general discussion about traffic on South MacArthur Drive and the turn lanes.

Chair Ransom closed public hearing at 9:25 p.m. and asked the Commission if they had further discussion.

Commissioner Orcutt asked about the remainder lot and how fees would be handled in the future. Ms. Lombardo advised that fees would be applied at that future date.

Commissioner Johnson stated that he has worked with the engineer and that he could remain fair and impartial. He met with applicant and felt he addressed his concerns. Commissioner Johnson asked about the connection with Valpico. Mr. Mina advised that the new road would allow for access to the property. Commissioner Johnson suggested that would be the key to make this work.

Commissioner Mitracos asked about the status of the Valpico and MacDonald Apartment project and was advised by Ms. Lombardo that it might go forward early 2014.

Commissioner Orcutt moved that the Planning Commission recommend that the City Council approve the amendment to the Tiburon Village Vesting Tentative Subdivision Map, Application Number TSM13-0002, and the amendment to the Preliminary and Final Development Plans, Application Number PUD13-0002, based on the findings and subject to the conditions contained in the Planning Commission Resolution (Attachment E) dated July 24, 2013. The motion was seconded by Commissioner Johnson; all in favor, none opposed.

3. **ITEMS FROM THE AUDIENCE** Mr. Muaddi asked advised that he had a home on South MacArthur and was advised to speak to staff at City Hall.

4. **DIRECTOR'S REPORT**

A. DISCUSSION OF AGENDA PACKET DELIVERY

Mr. Dean reviewed the present level of administrative staffing in Development Services and the issues relating to the delivery of the Planning Commission packet. He added that based on the results of a formal desk audit which was performed that recommended that Planning Commission begin to pick up the packets at City Hall.

Mr. Dean's request met with some opposition from Commissioner Mitracos indicating he would not make that transition. Commissioner Orcutt advised that his packet is mailed which works well for him. Chair Ransom advised that she was opposed to printing the packet. Not completely objecting to picking it up, but said she is very busy. Mr. Dean advised that the packet would be ready no later than 3:00 p.m. on Thursdays.

Commissioner Johnson offered to deliver the packets. Commissioner Sangha said she would also help deliver it. There was a general discussion about the timing of the information being available. Mr. Dean advised that Commissioners would be advised when the packets are ready via email and that if a packet has not been picked up staff will contact the commissioner.

Mr. Sartor advised the Commissioners to be aware of any Brown Act violations when delivering packets to one another.

Mr. Dean thanked the Planning Commission for agreeing to a special meeting on Cordes Ranch on Tuesday July 30, 2013 and asked that Commissioners contact him and ask him any questions. Commissioner Johnson asked if there were changes which Mr. Dean clarified.

5. ITEMS FROM THE COMMISSION Commissioner Mitracos discussed the foreclosure crisis.
6. ADJOURNMENT

Commissioner Orcutt moved to adjourn at 9:50 p.m.


STAFF LIAISON


CHAIR