

Wednesday, March 9, 2022, 7:00 P.M.

Tracy City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION PURSUANT TO GOVERNMENT CODE SECTION 54953(e).

IN ACCORDANCE WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH GUIDELINES, UNIVERSAL MASKING INDOORS IS RECOMMENDED FOR ALL PERSONS REGARDLESS OF VACCINATION STATUS.

MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHOD:

As always, the public may view the Planning Commission meetings live on the City of Tracy's website at CityofTracy.org or on Comcast Channel 26/AT&T U-verse Channel 99. To view from the City's website, open the "Government" menu at the top of the City's homepage and select "Planning Commission", then select "[Planning Commission Meeting Videos](#)" under the "Boards and Commissions" section.

If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.

Remote Public Comment:

During the upcoming Planning Commission meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
 - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following
 - **Event Number:** 2552 894 7772 and **Event Password:** Planning
 - **If you would like to participate in the public comment anonymously**, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.
 - Join by phone by dialing +1-408-418-9388, enter 25528947772#75266464# Press *3 to raise the hand icon to speak on an item.
- *Protocols for commenting via WebEx:*
 - *If you wish to comment on the "New Business" or "Items from the Audience" portions of the agenda:*
 - Listen for the Chair to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.
 - If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.
 - *Comments for the "New Business" or "Items from the Audience" portions of the agenda will be accepted until the public comment for that item is closed.*

Comments received on Webex outside of the comment periods outlined above will not be included in the record.

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

Addressing the Council on Items on the Agenda - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker's name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the "Items from the Audience/Public Comment" portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Addressing the Council on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council's Meeting Protocols and Rules of Procedure provide that in the interest of allowing Council to have adequate time to address the agendized items of business, "Items from the Audience/Public Comment" following the Consent Calendar will be limited to 15-minutes maximum period. "Items from the Audience/Public Comment" listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

Notice - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

Full copies of the agenda are available on the City's website: www.cityoftracy.org

MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – 02/23/22 REGULAR MEETING

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Council Meeting Protocols and Rules of Procedure, adopted by Resolution No. 2019-240, a five-minute maximum time limit per speaker will apply to all individuals speaking during “Items from the Audience/Public Comment”. For non-agendized items, Planning Commissioners may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to the Planning Commission.*

1. NEW BUSINESS

- A. PUBLIC HEARING TO CONSIDER A TIME EXTENSION OF THE DEVELOPMENT REVIEW PERMIT FOR THE TRACY ASSISTED LIVING AND MEMORY CARE FACILITY (D19-0019) LOCATED ON APPROXIMATELY 2.73 ACRES AT THE NORHTWEST CORNER OF CORRAL HOLLOW ROAD AND ALEGRE DRIVE (2050 W. GRANT LINE ROAD) – THE APPLICANT IS RACHEL MARQUIZ, MEDCORE, LLC, FOR TRACY ASSISTED LIVING, LLC; APPLICATION NUMBER EXT21-0003
- B. PUBLIC HEARING TO CONSIDER APPLICATIONS FOR A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW PERMIT FOR THE EXPANSION OF A PLACE OF WORSHIP AT 350 N. CORRAL HOLLOW ROAD - APPLICANT IS PETE MITRACOS AND THE PROPERTY OWNER IS ISLAMIC SOCIETY OF TRACY - APPLICATION NUMBERS CUP19-0004 & D19-0017.
- C. PUBLIC HEARING TO CONSIDER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR ELLIS LIMITED USE AREA, CONSISTING OF NINE APPROXIMATELY ONE-ACRE RESIDENTIAL LOTS AND AN APPROXIMATELY 32-ACRE REMAINDER PARCEL ON APPROXIMATELY 42.22 ACRES LOCATED WEST OF CORRAL HOLLOW ROAD, SOUTHEAST OF ELLIS TOWN DRIVE, AND SOUTHWEST OF SUMMIT DRIVE WITHIN THE ELLIS SPECIFIC PLAN AREA, ASSESSOR'S PARCEL NUMBER 240-140-41. THE APPLICANT IS THE SURLAND COMPANIES AND THE PROPERTY OWNER IS ELLIS STORAGE, LLC. APPLICATION NUMBER TSM21-0002.

- D. PUBLIC HEARING TO CONSIDER A VESTING TENTATIVE SUBDIVISION MAP FOR THE AVENUES NEIGHBORHOOD CONSISTING OF 480 RESIDENTIAL LOTS, A PARK, AND ASSOCIATED ROADS ON APPROXIMATELY 95.83 ACRES, LOCATED SOUTH OF VALPICO ROAD AND APPROXIMATELY 1,500 FEET WEST OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 240-140-49, 240-140-05, 240-700-13, & 240-700-14, APPLICATION NUMBER TSM21-0001.

- 2. ITEMS FROM THE AUDIENCE
- 3. DIRECTOR'S REPORT
- 4. ITEMS FROM THE COMMISSION
- 5. ADJOURNMENT

Posted: March 4, 2022

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection via the City of Tracy website at www.cityoftracy.org.

**MINUTES
TRACY CITY PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 23, 2022 7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA**

Due to the COVID-19 emergency, the regular meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20, which suspends certain requirements of the Ralph M. Brown Act. Residents participated remotely via email, and WebEx during the meeting.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chair Hudson led the pledge of allegiance.

ROLL CALL

Roll Call found Commissioner Atwal, Commissioner Francis, Vice Chair Wood, and Chair Hudson present. Commissioner Orcutt was absent. Also present were: Scott Claar, Senior Planner; Kenneth Lipich, Assistant Planner; Nancy Ashjian, Assistant City Attorney; and Kellie Jones, Administrative Assistant.

MINUTES

Chair Hudson introduced the Regular Meeting Minutes from the February 09, 2022 meeting.

ACTION: It was moved by Commissioner Wood and seconded by Commissioner Francis to approve the February 09, 2022 Planning Commission Regular meeting minutes. A voice vote found all in favor. Passed and so ordered; 4-0-1-0.

DIRECTOR'S REPORT REGARDING THIS AGENDA

None.

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

A. PUBLIC HEARING TO CONSIDER APPROVAL OF A DEVELOPMENT REVIEW PERMIT FOR EXTERIOR MODIFICATIONS AND CONSTRUCTION OF A 2,700 SQUARE FOOT ADDITION TO AN EXISTING HINDU TEMPLE AT 831 W. CLOVER RD. APPLICANT IS ANSHUMAN SEHDEV AND PROPERTY OWNER IS SHRI PARAMHANS ADVAIT MAT ONTARIO, INC. APPLICATION NUMBER D21-0030.

Kenneth Lipich, Assistant Planner, presented the staff report.

Anshuman Sehdev, Applicant, addressed questions from the Commission.

Staff addressed questions from the Commission.

Chair Hudson opened the Public Hearing at 7:12 p.m.

Chair Hudson closed the Public Hearing at 7:13 p.m.

ACTION: It was moved by Commissioner Atwal and seconded by Commissioner Francis that the Planning Commission approve the Development Review Permit for exterior modifications and construction of a 2,700 square foot addition to an existing Hindu temple at 831 W. Clover Rd. Application Number D21-0030, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated February 23, 2022.

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

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

None.

4. ITEMS FROM THE COMMISSION

None.

5. ADJOURNMENT

ACTION: It was moved by Commissioner Wood and seconded by Commissioner Atwal to adjourn.

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

Time: 7:16 p.m.

CHAIR

STAFF LIAISON

AGENDA ITEM 1.A.

REQUEST

PUBLIC HEARING TO CONSIDER A TIME EXTENSION OF THE DEVELOPMENT REVIEW PERMIT FOR THE TRACY ASSISTED LIVING AND MEMORY CARE FACILITY (D19-0019) LOCATED ON APPROXIMATELY 2.73 ACRES AT THE NORHTWEST CORNER OF CORRAL HOLLOW ROAD AND ALEGRE DRIVE (2050 W. GRANT LINE ROAD) – THE APPLICANT IS RACHEL MARQUIZ, MEDCORE, LLC, FOR TRACY ASSISTED LIVING, LLC; APPLICATION NUMBER EXT21-0003

DISCUSSION

Executive Summary

The Tracy Assisted Living and Memory Care Facility received Development Review Permit approval on December 3, 2019. Prior to the two-year expiration of the permit, the applicant submitted a request to extend the life of the permit by an additional three years. City staff is recommending that the Planning Commission recommend that the City Council grant the three-year time extension request.

Background

The Tracy Assisted Living and Memory Care Facility Development Review Permit was reviewed by the Tracy Planning Commission on October 23, 2019 (received a 4-0 vote to recommend City Council approval) and was unanimously approved by the Tracy City Council on December 3, 2019.

In accordance with Tracy Municipal Code Section 10.08.3980, a Development Review Permit lapses after two years unless a building permit is issued or the property owner applies for an extension of the permit. Prior to the permit's expiration, the owner submitted a time extension request (Attachment A).

The 2019 project approval also included an amendment to the Residential Areas Specific Plan, to allow dependent living facilities. That Plan Amendment is a permanent change, not subject to time expiration.

Status of the Project

Following the initial Development Review Permit approval, the project and property ownership changed in 2021. The new owner, Tracy Assisted Living, LLC, critically evaluated the approved project and proposed some changes to the building floor plans and very minor revisions to the building exterior. These minor revisions are described below.

Designing these revisions, of course, took time and a building permit application for the project was submitted in December 2021. The owner has received the first round of plan check comments and intends to submit revised construction documents in March. The owner is also initiating the process to obtain construction bids for the project.

Understandably, at this point, this sequence of events, combined with the City's review time of the construction documents, will result in building permit issuance after the two-year life of the Development Review Permit. Therefore, the owner submitted the request for the time extension.

Although the owner intends to begin construction within the next several months, the request is for a three-year extension, just in case there are unforeseen circumstances that might affect construction timing.

Project Description

The project is to construct a 101-unit assisted living and memory care facility on the vacant, 2.73-acre site, at the northwest corner of Corral Hollow Road and Alegre Drive. The original approval was for 100 units. Five of the units contain two bedrooms and the remaining 96 units are one-bedroom or studio units. Attachment B identifies the location of the proposed project. The site is located on the rear (southern) parcel in the Grant Line Center (Chili's/Western Dental Care) commercial center.

Attachments C through F include the project's previously approved and proposed site plans, floor plans, exterior building elevations, and color board. Attachment G is a color rendering of the front (north side) of the building.

The proposed building contains three floors, with a total of 91,997 square feet. The floor plans, Attachment D, show that the second floor contains less area than the first floor, and the third floor contains significantly less area than the second floor. Due to the second and third floor setback from the first floor, on the south side of the building, the result is a building that appears to be two and three stories from the north side, and appears to be one and two stories from the south side. This creates a considerably less visual impact on the adjacent residential neighborhood to the south.

Care facilities, such as the one proposed, have limited parking demands, as most of the parking is used by employees or visitors. Accordingly, City standards require only one, off-street parking space per three beds. Based on this standard, the 106-bed facility would require 35 parking spaces. This project exceeds that standard by providing 59 spaces.

The exterior building elevations and color rendering are depicted in Attachments E and G, respectively. Together with the site plan (Attachment C) and the floor plans (Attachment D), they illustrate the building's significant "movement" (horizontal relief) as one advances around the perimeter of the building.

The west end of the building includes an open courtyard, bench seating, stone garden with pilasters and accent planter pots, a dining terrace with decorative pavers, ornamental landscaping, and other amenities. The east half of the building is designed to surround an outdoor courtyard containing flowering accent trees, decorative pavers and artificial turf, a raised planter surrounding a large focal point tree, and bench and lounge seating. The south side of the building contains a dining room, seating, and landscaping.

The proposed building is the same architectural character, scale, and general footprint of the building approved in 2019. The architecture includes significant interest and variety to create a positive addition to this site, and successful transition between the active area of this commercial center (to the north) and the adjacent residential neighborhood (to the south).

All of the recommended Conditions of Approval are the same as the project's previous approval in 2019 except for Condition Numbers B.20 and B.21, which are proposed to be added. These new requirements are added to incorporate the City's current policy to impose assessments ("special taxes" through a Community Facilities District) to finance maintenance costs for certain public improvements and services.

Land Use Compatibility

The project site plan is well integrated with the circulation and parking plan of the existing commercial center. Furthermore, the one- and two-story portions of the building facing south toward Alegre Drive are respectful of the scale of the single-family homes on the south side of Alegre Drive.

Recommended Condition of Approval B.16 (Exhibit 1 to the Resolution, Attachment H) requires the existing eight-foot-tall masonry wall adjacent to the project's south boundary, along the north side of Alegre Drive, to be reduced in height to approximately four feet. The reason for this recommendation is related, primarily, to the appearance of Alegre Drive and the project site, and also of the view from the first-floor windows of the new facility. The eight-foot-tall, flat, masonry wall offers limited opportunity for aesthetic appeal. The proposed building, by contrast, will contain windows, wood siding, stucco with accent score lines, and three colors. The building will be located approximately 25 to 35 feet north of the Alegre Drive curb. This space will be occupied by trees, shrubs, ground cover, and a portion will contain a new walkway. City staff recommends this condition because lowering the height of the wall will result in a more attractive view of the building and landscaping than the flat masonry wall.

The wall was required in the early 1990s when the residential subdivision was approved because the expectation, at the time, was that a grocery store/drug store shopping center would be built on the commercial side of the wall, and the wall would help mitigate noise and other impacts associated with deliveries, roll-up doors, and trash compactors of the shopping center. With the proposed assisted living facility, a wall will not be necessary to mitigate noise, light, or glare.

CEQA Documentation

The project is an infill development, consistent with the City's General Plan and zoning, on a site of less than five acres, substantially surrounded by urban uses, has no value as habitat for threatened or endangered species, and will not result in significant effects on City utilities or services. Therefore, the project is categorically exempt from CEQA review in accordance with Guidelines Section 15332.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve a three-year extension of the Tracy Assisted Living and Memory Care Facility Development Review Permit, to December 3, 2024.

RECOMMENDED MOTION

Move that the Planning Commission recommend that the City Council approve a three-year extension of the Tracy Assisted Living and Memory Care Facility Development Review Permit, Application Number D19-0019, to December 3, 2024, extension request Application Number EXT21-0003.

Prepared by Alan Bell, Senior Planner

Approved by Bill Dean, Interim Development Services Director

ATTACHMENTS

Attachment A – Property Owner Time Extension Request

Attachment B – Project Vicinity

Attachment C – Previously Approved and Proposed Site Plans (two pages)

Attachment D – Previously Approved and Proposed Floor Plans (six pages)

Attachment E – Previously Approved and Proposed Exterior Elevations (six pages)

Attachment F – Previously Approved and Proposed Color Boards

Attachment G – Color Rendering of Building Front (north side)

Attachment H – Planning Commission Resolution to Extend Development Review Permit Time Limit

Exhibit 1-- Conditions of Approval



PAID
\$545.00

RECEIVED
December 6, 2021
City of Tracy
Development Services

December 2, 2021

Via Email to: PlanningAdmin@CityofTracy.org

Mr. Alan Bell, Senior Planner
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

RE: Extension of the Development Application for Tracy Assisted Living and Memory Care
(D19-0019)

Mr. Alan Bell:

On behalf of the owner, Tracy Assisted Living, LLC, we are requesting an extension of the permit noted above. Our partnership is sincerely grateful for our working relationship with the City of Tracy. As with any great success of a project, it is recognized that it takes a joint effort with the City to meet or exceed the end users' needs and expectations.

As you may recall, this project has passed through many hands to get us to the dream team we have in place now. Now with the right teams and attention is in place, we have what the Tracy project needs to become a successful for all parties involved. We all have been working through refinement of the drawings that we inherited to add value and enhance the building that will be delivered. With the reallocation of resources and capital required to develop a project is tasking, therefore is the reason we are seeking the extension.

We expect to submit a complete building permit application with construction documents in December 2021 and intend to begin construction this Spring (2022). Therefore, to account for unforeseen delays, we respectfully request an extension of the Development Review Permit for three (3) years, to December 13, 2024.

We have an opportunity to develop a tremendous amenity and asset to the greater community of Tracy. Our partnership and team in place have proven track records of developing and operating some of the highest quality senior living retirement communities in the country. We are requesting an extension to enable us to bring that quality of living to the City of Tracy. With your continued support, I know this development will achieve all parties' goals and objectives. If you would like to discuss this project in more detail or have any questions, please do not hesitate to contact me.

Sincerely,

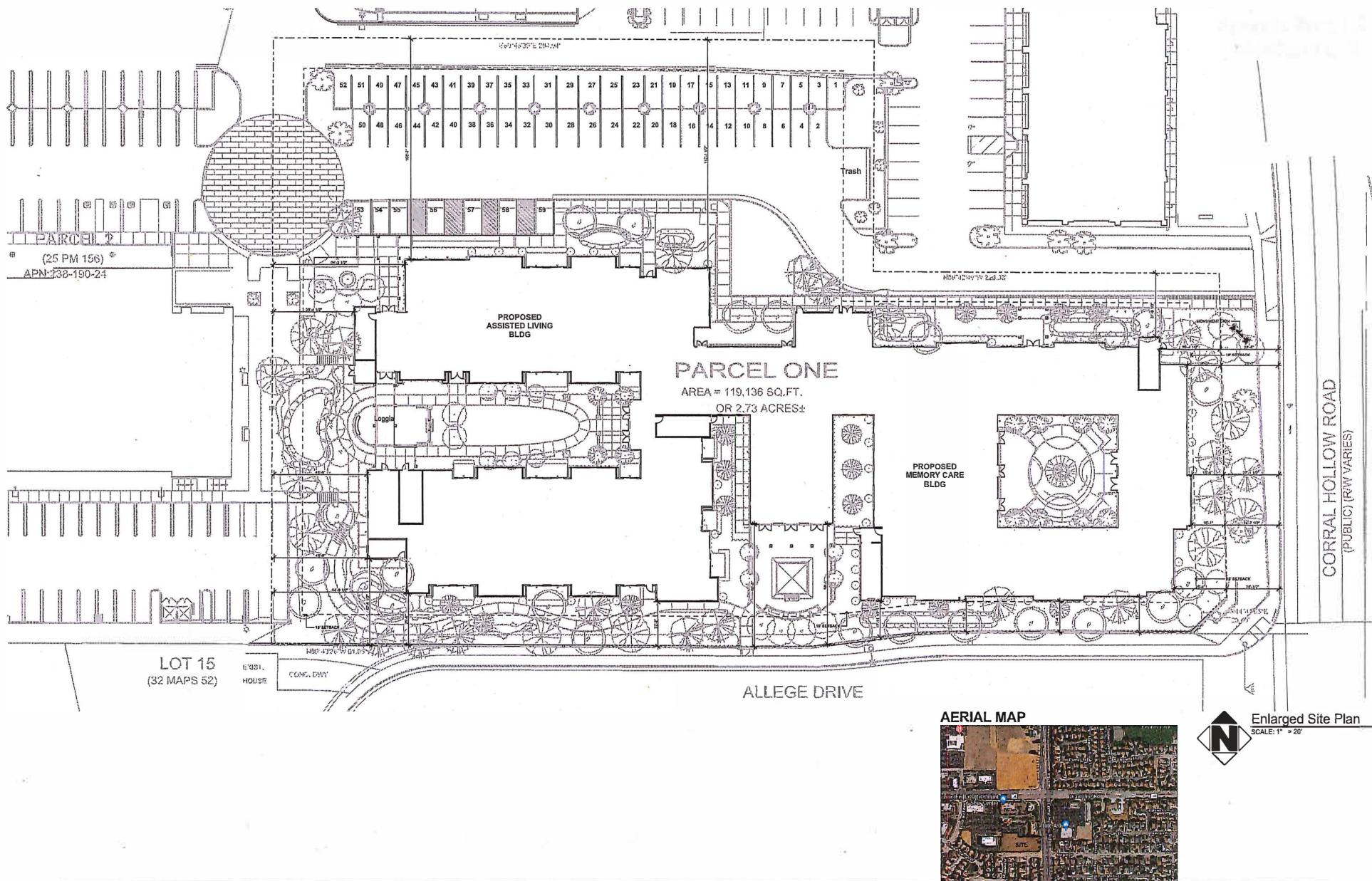
Rachel Marquis
Development Manager

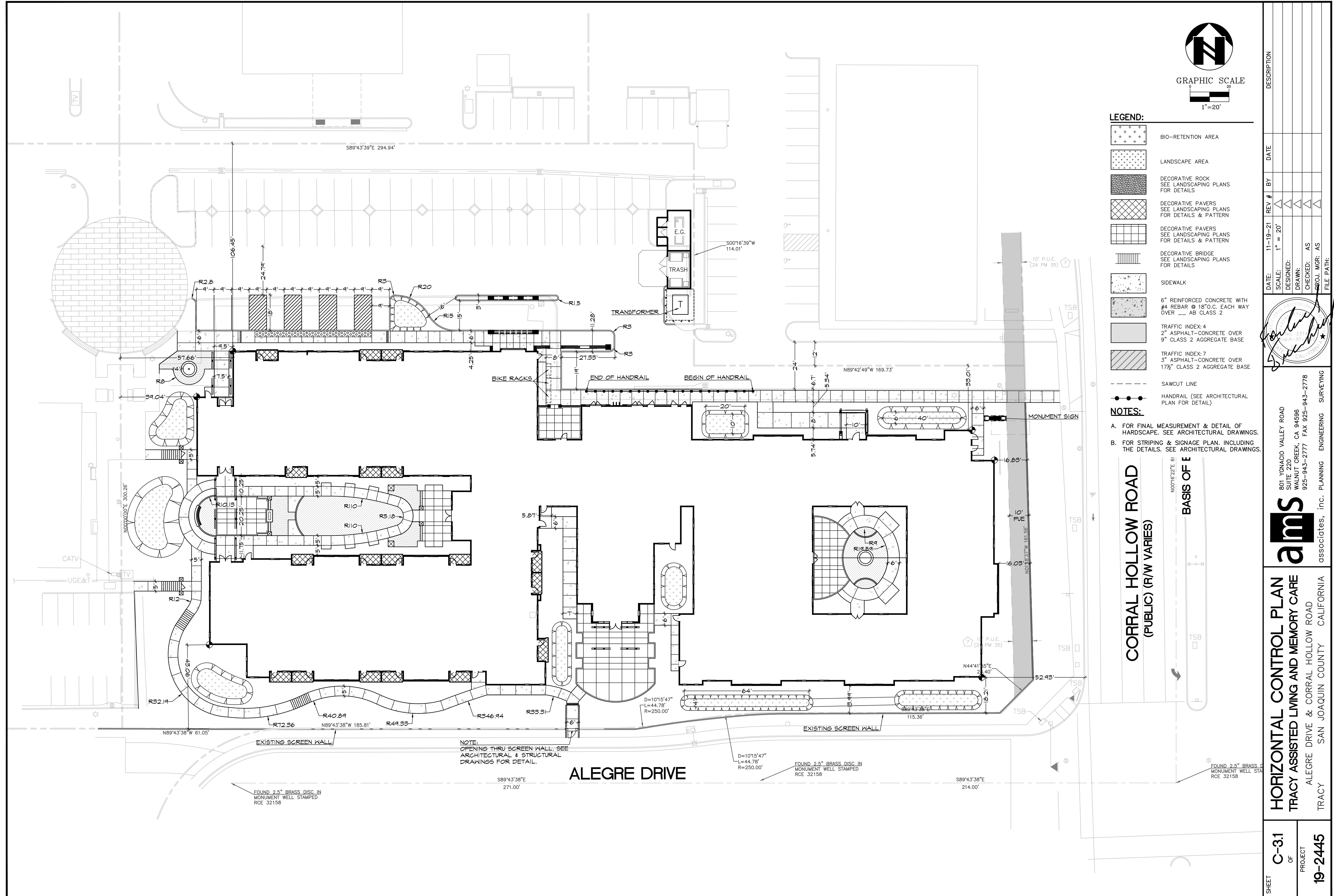
THIS PAGE INTENTIONALLY LEFT BLANK

Grant Line Road



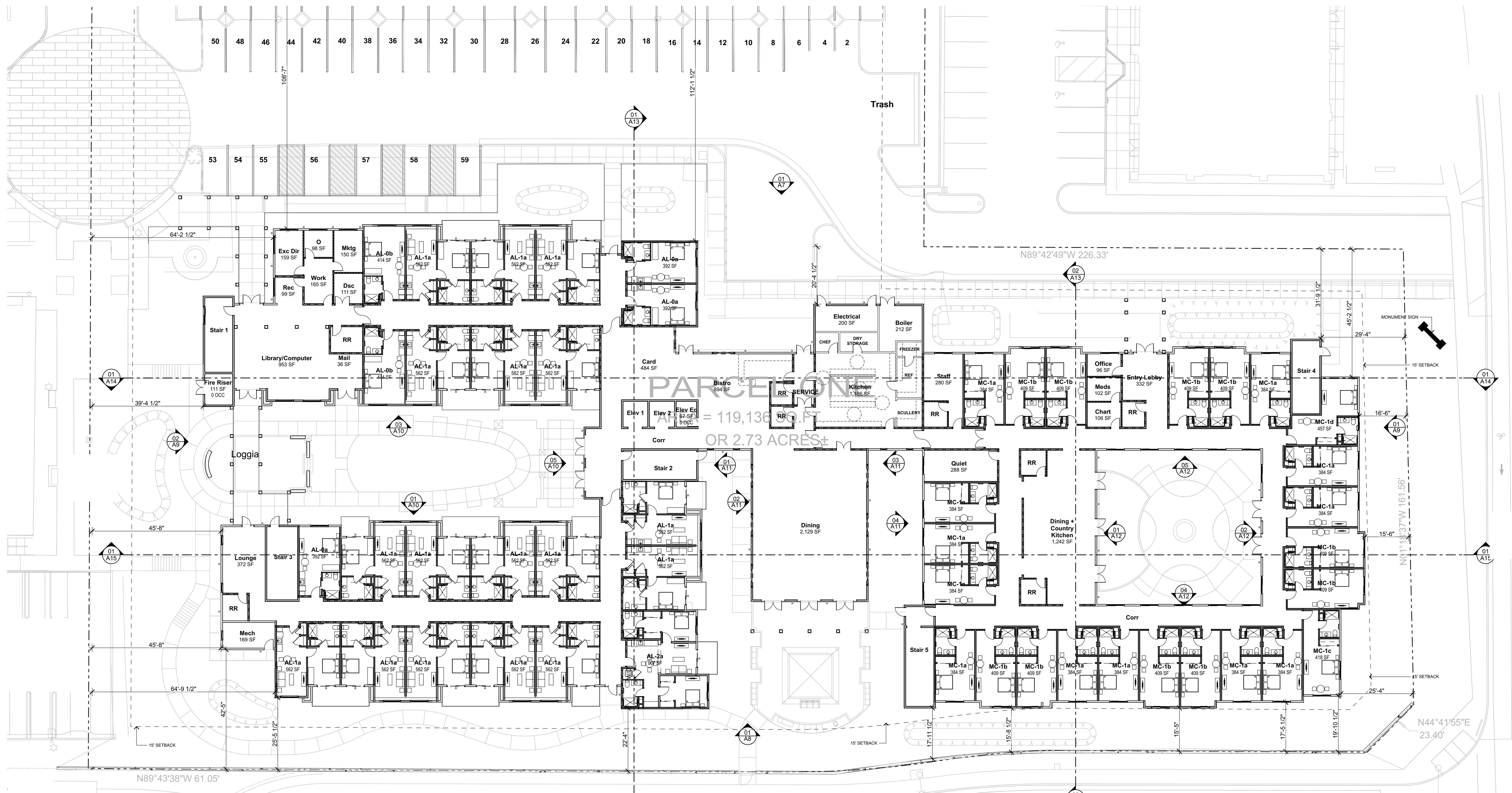
THIS PAGE INTENTIONALLY LEFT BLANK





CORRAL HOLLOW ROAD

(PUBLIC) (R/W VARIES)



245 Fischer Avenue, Suite B-2 Costa Mesa CA 92626
(714) 557 2448 www.ipaoc.com
ARCHITECTURE PLANNING CONSULTING

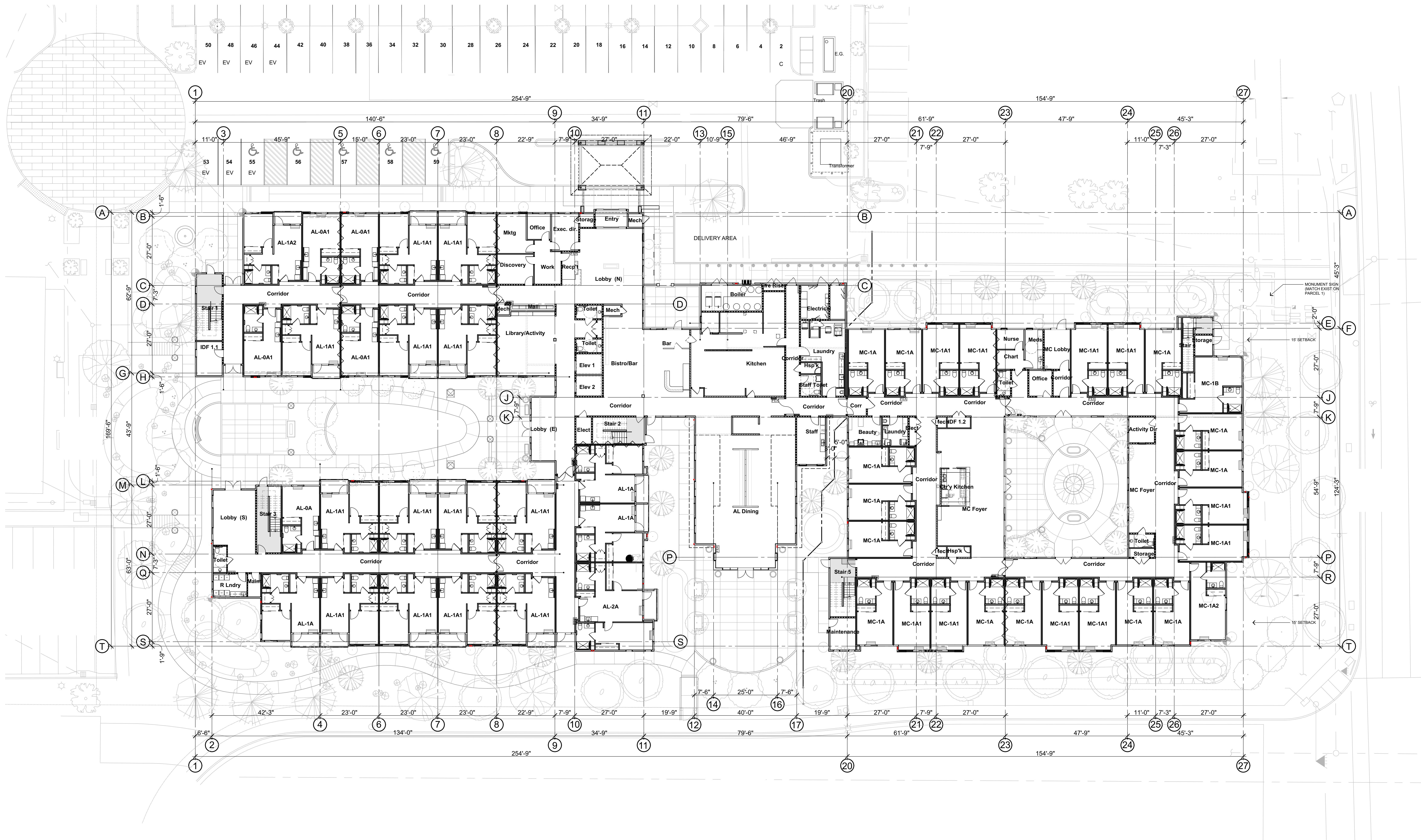
Tracy Assisted Living and Memory Care

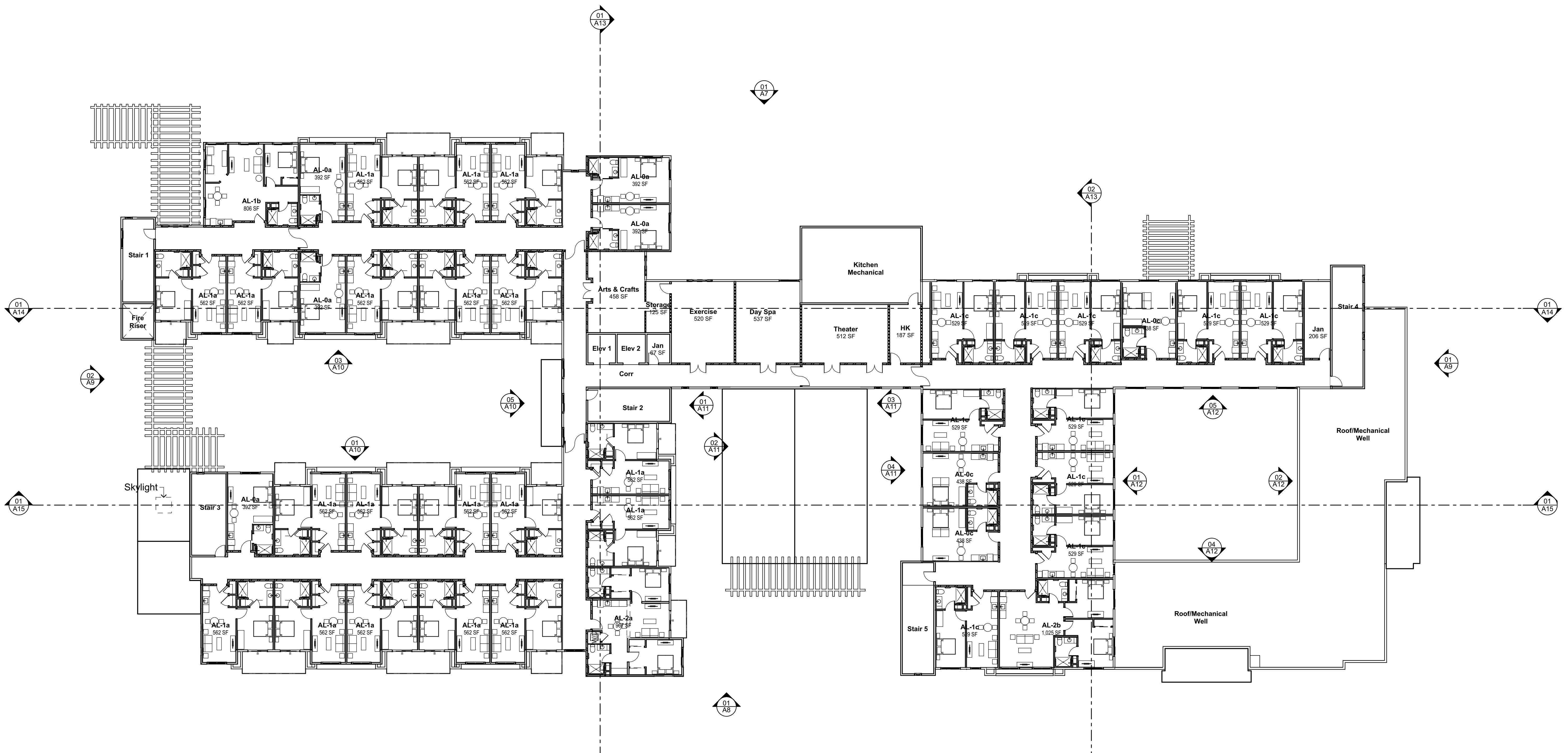
**Tracy Assisted Living, LLC
2050 W. Corral Hollow Rd Tracy CA 95377**

FIRST FLOOR PLAN - ORIGINAL APPROVAL

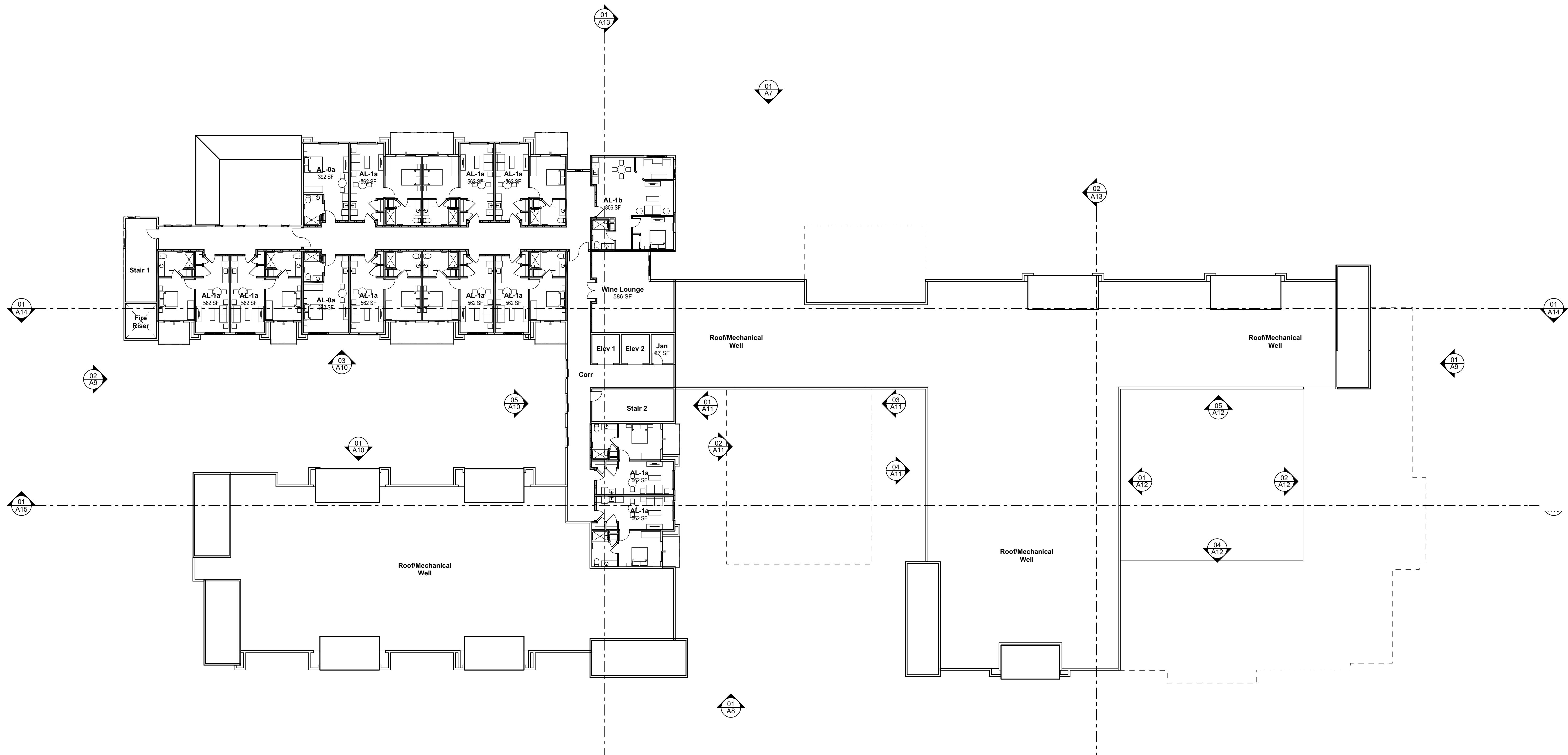
A1.1

PROJECT NO: 19000.00
PLOT DATE: 2/22/2022
19000 Tracy CD









245 Fischer Avenue, Suite B-2 Costa Mesa CA 92626
(714) 557 2448 www.ipaoc.com
ARCHITECTURE PLANNING CONSULTING

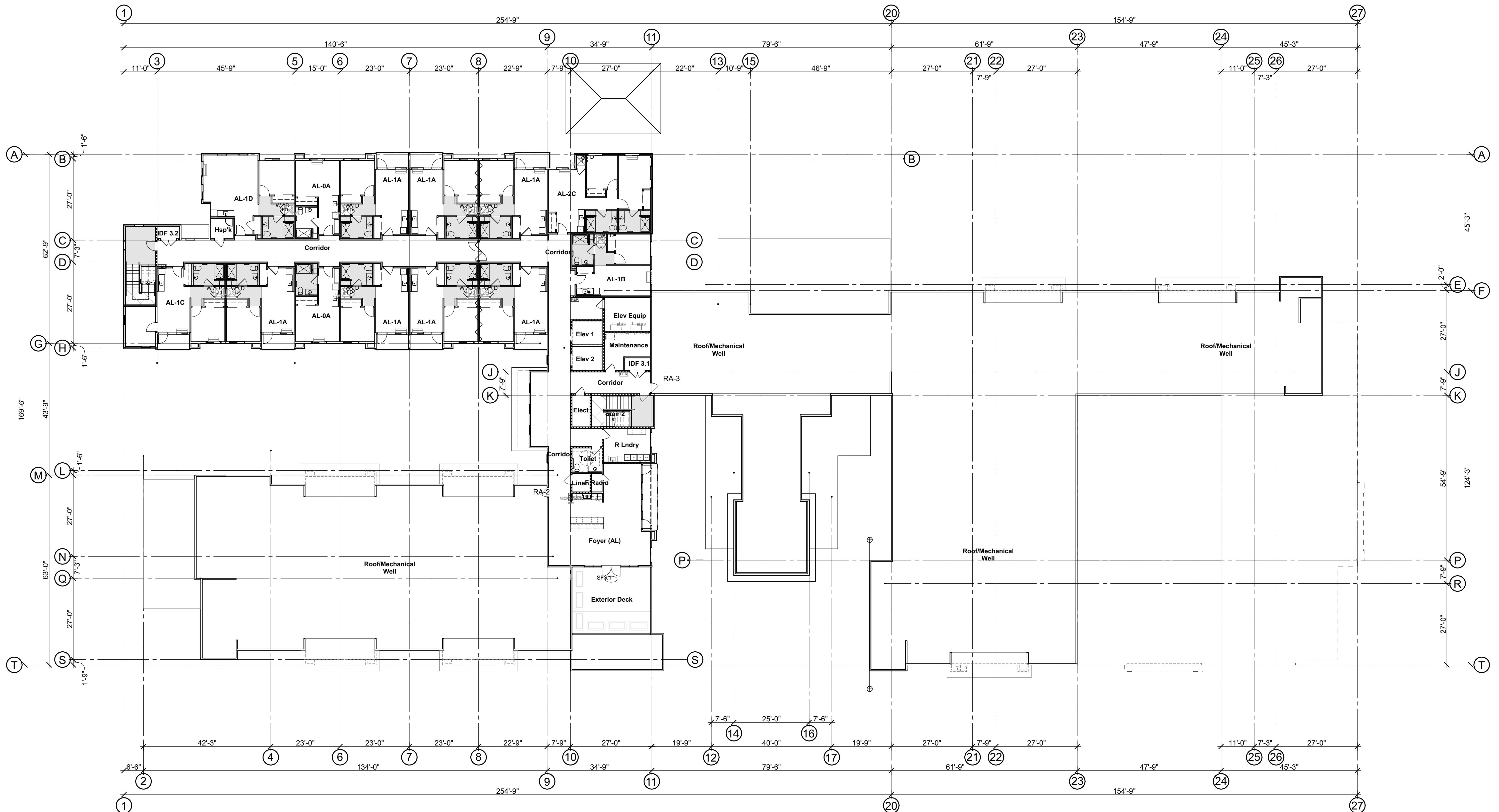
Tracy Assisted Living and Memory Care

Tracy Assisted Living, LLC
2050 W. Corral Hollow Rd Tracy CA 95377

THIRD FLOOR PLAN - ORIGINAL APPROVAL

A3.1

PROJECT NO: 19000.00
PLOT DATE: 2/22/2022
19000 Tracy CD



245 Fischer Avenue, Suite B-2 Costa Mesa CA 92626
(714) 557 2448 www.ipaoc.com
ARCHITECTURE PLANNING CONSULTING

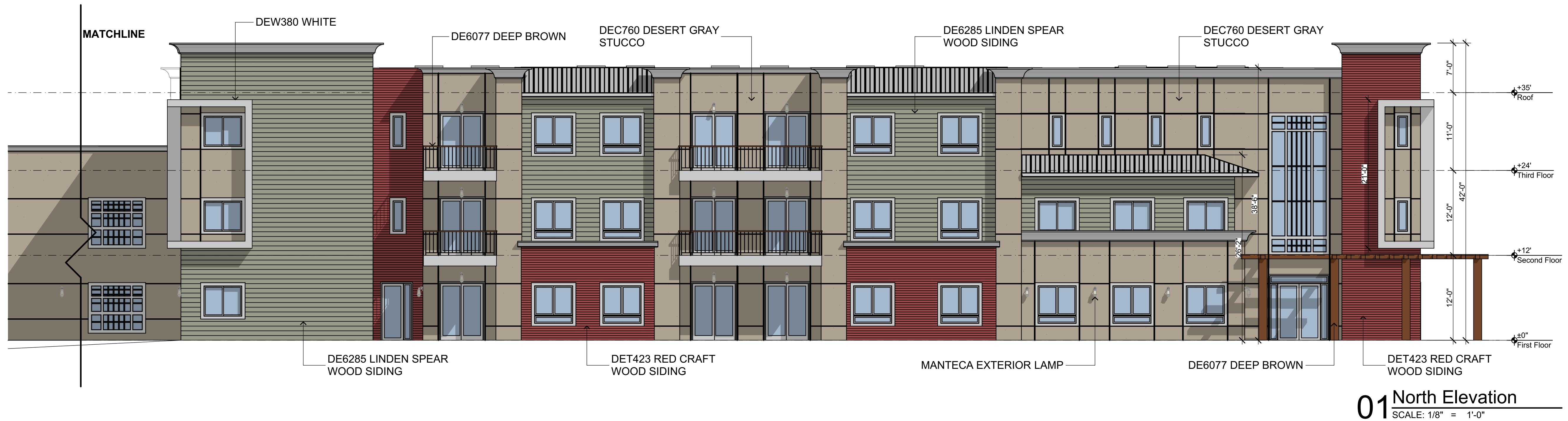
Tracy Assisted Living and Memory Care

**Tracy Assisted Living, LLC
2050 W. Corral Hollow Rd Tracy CA 95377**

THIRD FLOOR PLAN - PROPOSED

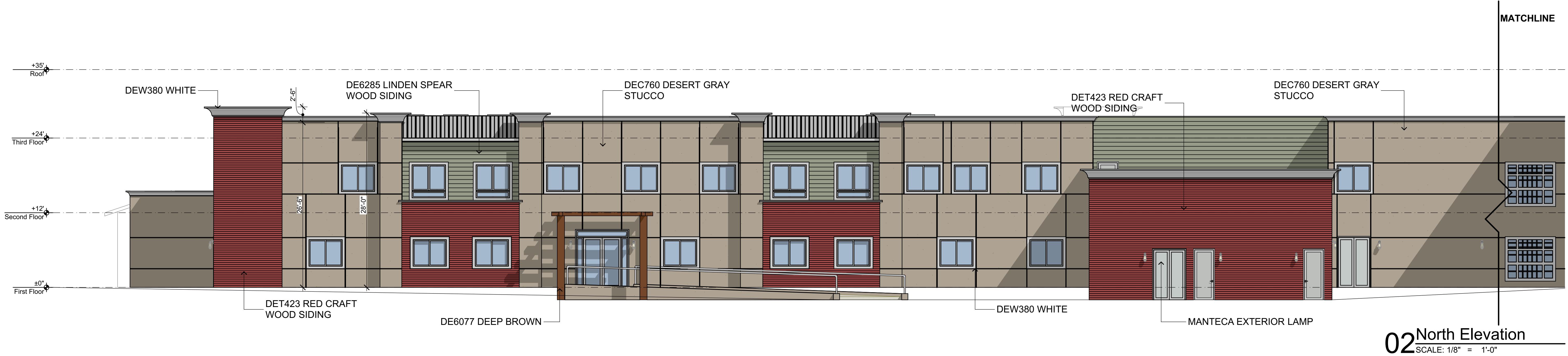
A3.2

PROJECT NO: 19000.00
PLOT DATE: 2/22/2022
19000 Tracy CD



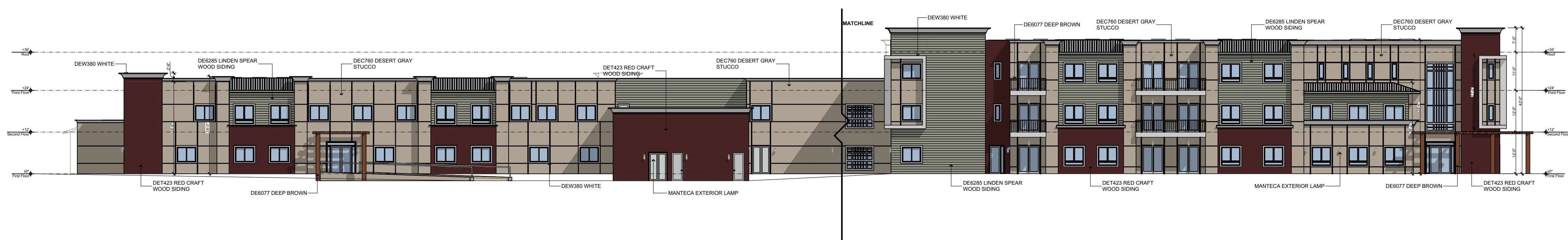
01 North Elevation

SCALE: 1/8" = 1'-0"



02 North Elevation

SCALE: 1/8" = 1'-0"

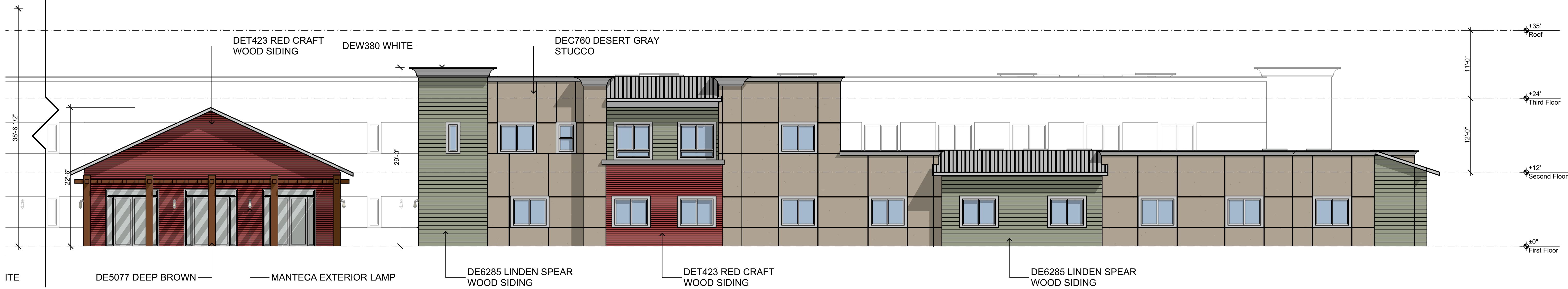


02 North Elevation-Overall

SCALE: 1/16" = 1'-0"



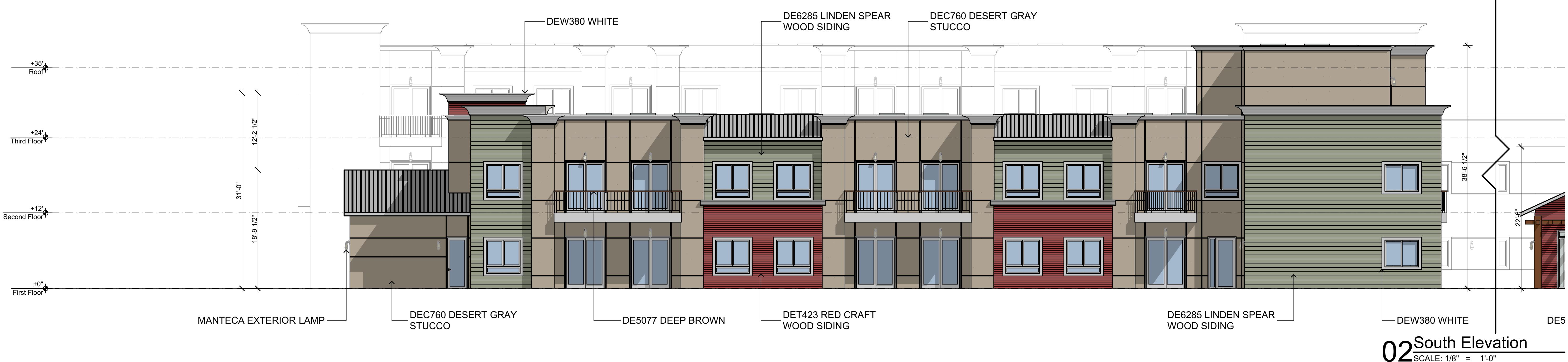
MATCHLINE



01 South Elevation

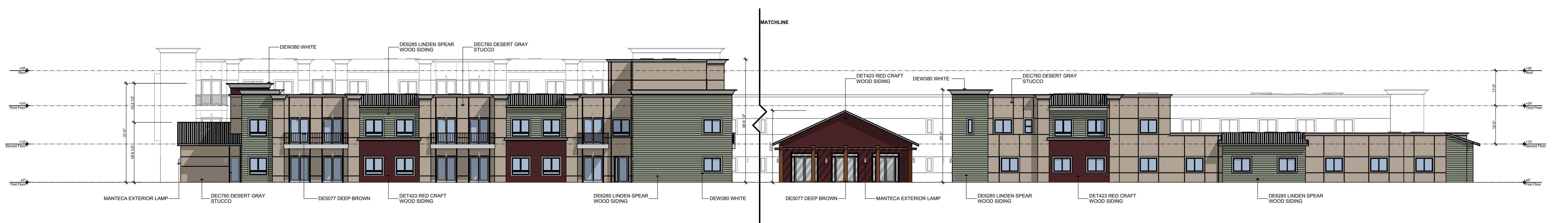
LE: 1/8" = 1'-0"

MATCHLINE



02 South Elevation

1/8" = 1'-0"



03 South Elevation-Overall

1'-0"



245 Fischer Avenue, Suite B-2 Costa Mesa, CA 92626

(714) 557-2448 www.ipaoc.com

ARCHITECTURE PLANNING CONSULTING

Tracy Assisted Living and Memory Care

Tracy Assisted Living, LLC
2050 W. Corral Hollow Rd. Tracy CA 95377

Elevations - ORIGINAL APPROVAL

A6.1

PROJECT NO: 19000.00
PLOT DATE: 2/22/2022
19000 Tracy CD



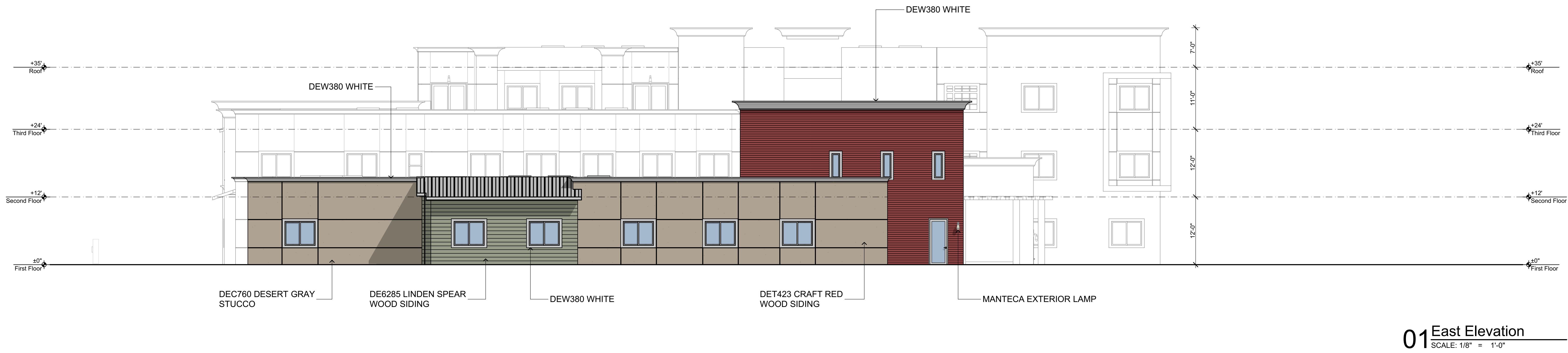
01 South Elevation
SCALE: 1/8" = 1'-0"



02 South Elevation
SCALE: 1/8" = 1'-0"



03 South Elevation-Overall
SCALE: 1/16" = 1'-0"



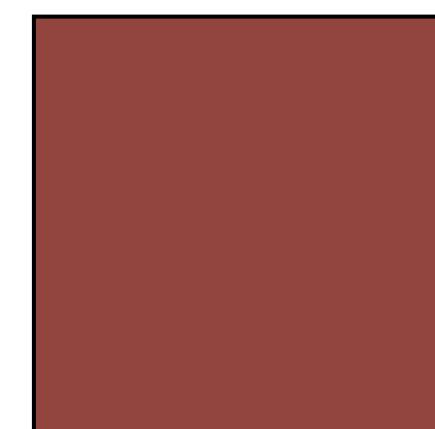
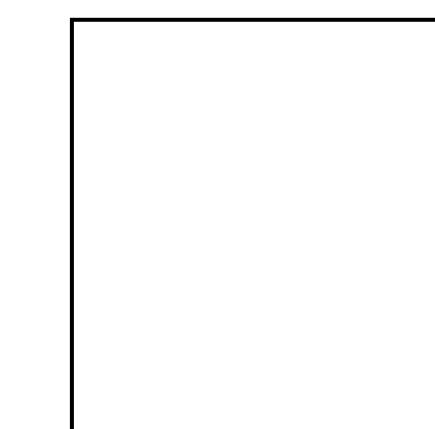
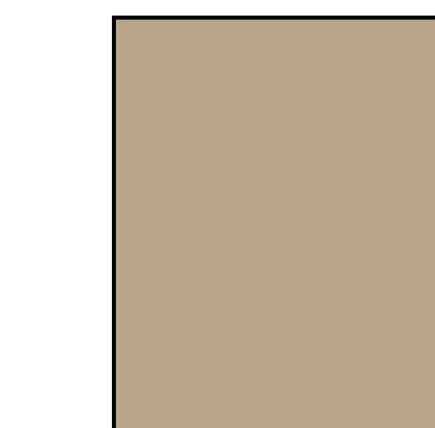


01 East Elevation
SCALE: 1/8" = 1'-0"



02 West Elevation
SCALE: 1/8" = 1'-0"

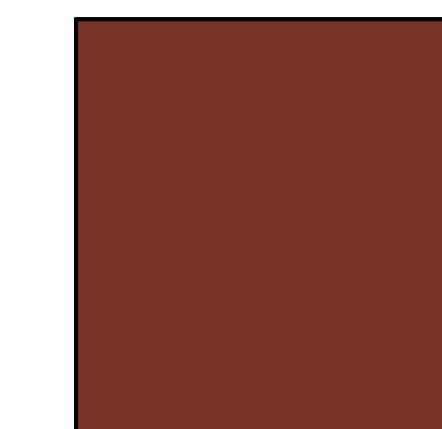
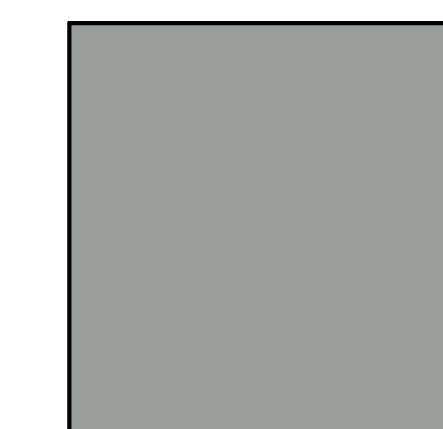
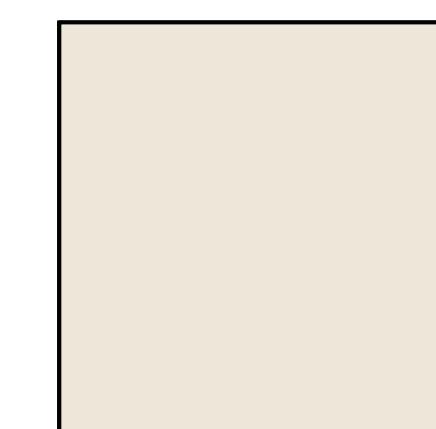
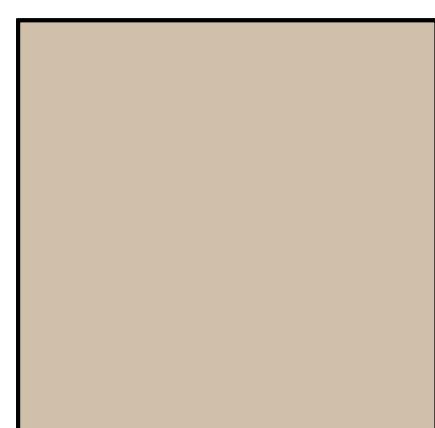
ORIGINAL APPROVAL COLORS

Tracy Assisted Living & Memory Care
Color BoardThe Garland Company
Standing Seam RoofManteca Lighting
Lighthouse Outdoor LightDET 423
Red Craft
Horizontal SidingDE 6077
Deep Brown
Wood TrimDEW 380
White
Accent Trim & Window TrimDE 6285
Linden Spear
Horizontal SidingDEC 760
Desert Gray
Base StuccoSUMMIT
SENIOR LIVING LLC

PROJECT: 19000

IRWIN PARTNERS
ARCHITECTS

PROPOSED COLORS

Tracy Assisted Living & Memory Care
Color BoardMetal Sales Manufacturing Corporation
Standing Seam RoofLuminis
Scirocco Wall SconceKim Lighting
Gem Performance BollardsSW 2839
Roycroft Copper Red
Horizontal SidingSW 7660
Earl Grey
Wood TrimSW 7012
Creamy
Accent Trim & Window TrimSW 9130
Evergreen Fog
Horizontal SidingSW 9110
Malabar
Base Stucco

IRWIN PARTNERS
ARCHITECTS

PROJECT: 19000

THIS PAGE INTENTIONALLY LEFT BLANK

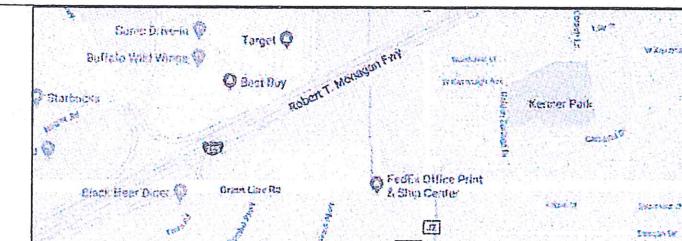
Tracy Assisted Living and Memory Care



SHEET INDEX

T1	TITLE SHEET
A1.1	FIRST FLOOR PLAN - ORIGIN
A1.2	FIRST FLOOR PLAN - PROPC
A2.1	SECOND FLOOR PLAN - ORI
A2.2	SECOND FLOOR PLAN - PRC
A3.1	THIRD FLOOR PLAN - ORIGII
A3.2	THIRD FLOOR PLAN - PROPC
A4	EXTERIOR COLORS
A5.1	ELEVATION - ORIGINAL APPF
A5.2	ELEVATION - PROPOSED
A6.1	ELEVATION - ORIGINAL APPF
A6.2	ELEVATION - PROPOSED
A7.1	ELEVATION - ORIGINAL APPF
A7.2	ELEVATION - PROPOSED
A8.1	ELEVATION - ORIGINAL APPF
A8.2	ELEVATION - PROPOSED
A9.1	ELEVATION - ORIGINAL APPF
A9.2	ELEVATION - PROPOSED
A10.1	ELEVATION - ORIGINAL APPF
A10.2	ELEVATION - PROPOSED

VICINITY MAP



THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION 2022-_____

RECOMMENDING APPROVAL OF A THREE-YEAR TIME EXTENSION OF
THE DEVELOPMENT REVIEW PERMIT FOR TRACY ASSISTED LIVING AND
MEMORY CARE FACILITY LOCATED ON APPROXIMATELY 2.73 ACRES
AT THE NORTHWEST CORNER OF CORRAL HOLLOW ROAD AND ALEGRE DRIVE,
(2050 W. GRANT LINE ROAD, ASSESSOR'S PARCEL NUMBERS 238-190-25 AND -26)
APPLICATION NUMBER EXT21-0003

WHEREAS, On December 3, 2019, the Tracy City Council approved the Development Review Permit for the Tracy Assisted Living and Memory Care Facility, Application Number D19-0019, and

WHEREAS, In accordance with Tracy Municipal Code Section 10.08.3980, a Development Review Permit lapses two years after it becomes effective unless a building permit is issued or the owner requests an extension, and

WHEREAS, A building permit has not been issued, but the owner requested an extension of the Development Review Permit prior to its expiration, and

WHEREAS, Subsequent to Development Review Permit approval, ownership of the property and the project changed, the new owner undertook interior floor plan changes, made minor modifications to the building exterior, and submitted a building permit application, and

WHEREAS, A building permit could not be issued prior to expiration of the Development Review Permit, and

WHEREAS, The owner submitted a request to extend the Development Review Permit for three years;

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission recommends that the City Council approve a time extension of three years, to December 3, 2024, for the Tracy Assisted Living and Memory Care facility (D19-0019) on approximately 2.73 acres at the northwest corner of Corral Hollow Road and Alegre Drive (2050 W. Grant Line Road, Assessor's Parcel Numbers 238-190-25 and -26), Application Number EXT21-0003, subject to the conditions contained in Exhibit 1 and based on the following findings:

1. The proposal increases the quality of the project site, and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy.

The project involves the construction of an approximately 99,997 square foot Assisted Living and Memory Care facility with 59 off-street parking spaces, associated landscaping, irrigation, utilities, and site work.

The facility and site design is compatible with the single-family home neighborhood to the south of the project site because the Assisted Living and Memory Care facility will have less traffic than retail, restaurant, or consumer-service businesses of comparable size (also permitted at the site), and therefore, less traffic noise, light and glare that could affect the adjacent residential neighborhood; vehicle driveways, loading parking, and other

circulation will occur on the north, east, and west sides of the building, directed away from the adjacent residential neighborhood, thus minimizing traffic noise and other effects of the project on adjacent residences. The proposed building, located within an existing commercial center, is at the rear of the site, has very limited visibility from Grant Line Road, and therefore, is well suited for this low-impact, destination land use that does not rely on pass-by traffic for marketing, as would a retail or consumer-oriented use. The building architecture is consistent with building materials and color themes of surrounding uses, and includes meaningful exterior glazing, trim, accent features, and vertical and horizontal relief to create an attractive building for this site.

2. The proposal conforms to Tracy Municipal Code Chapter 10.08, the General Plan, the Design Goals and Standards, and the City's Infrastructure Master Plans.

The subject property is designated Office by the City's General Plan and General Highway Commercial within the Residential Areas Specific Plan (RSP). The Assisted Living and Memory Care facility is a permitted use within the General Plan and zoning of the site. The project documents compliance with the City's landscaping, parking, requirements and architectural guidelines; and the storm drainage, water, wastewater, traffic and other improvements are consistent with the utility and requirements of the infrastructure master plans.

The foregoing Resolution 2022-_____ was adopted by the Planning Commission on the 9th day of March, 2022, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

**Tracy Assisted Living and Memory Care
Conditions of Approval
Application Number EXT21-0003
Time Extension for D19-0019
Planning Commission
March 9, 2022**

These Conditions of Approval shall apply to the real property described as Tracy Assisted Living and Memory Care, Development Review Application Number D19-0019 (Time Extension EXT21-0003). The approximately 2.73-acre subject property is located at the northwest corner of Corral Hollow Road and Alegre Drive, 2050 W. Grant Line Road (Assessor's Parcel Numbers 238-190-25 and -26).

A. The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
3. "City Regulations" means all written laws, rules and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design documents (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, Multi-Agency Post-Construction Stormwater Standards Manual, and Relevant Public Facilities Master Plans).
4. "Conditions of Approval" shall mean the conditions of approval applicable to the Tracy Assisted Living and Memory Care facility, Development Review Application Number D19-0019 (Time Extension EXT21-0003).
5. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
6. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

B. General Conditions of Approval:

1. Unless specifically modified by these Conditions of Approval, the Project shall comply with all City Regulations.
2. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all mitigation measures identified in the General Plan Environmental Impact Report, dated February 1, 2011.

3. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
4. Except as otherwise modified by these Conditions of Approval, all construction shall be consistent with the plans received by the Development Services Department on August 22, 2019 and as modified by plans submitted on February 25, 2022.
5. Prior to the issuance of a building permit, the applicant shall provide a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code Section 10.08.3560, and the City's Design Goals and Standards, to the satisfaction of the Development Services Director, and consistent with the applicable Department of Water Resources 2015 Model Efficient Landscape Ordinance on private property and Tracy Municipal Code Chapter 11.28 to the satisfaction of the Utilities Director; and the applicant shall prepare and submit an electronic MWELD Project Information Sheet to the satisfaction of the Utilities Director. Said landscape plans shall include documentation which demonstrates there is no less than 20 percent of the new parking area in landscaping, and 40 percent canopy tree coverage at tree maturity in accordance with City Regulations. Newly planted, on-site trees shall be a minimum size of 24-inch box and shrubs shall be a minimum size of five gallons. Root barriers (two-feet deep by eight feet long) shall be installed along all buildings or edge of planter where a tree is within ten feet of building or edge of planter.
6. Prior to the issuance of a building permit, an Agreement for Maintenance of Landscape and Irrigation Improvements shall be executed and financial security submitted to the Development Services Department. The Agreement shall ensure maintenance of the on-site landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the on-site landscape and irrigation improvements, or \$2.50 per square foot of on-site landscape area.
7. Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or direct spray of light onto adjacent residential property, to the satisfaction of the Development Services Director.
8. Prior to the issuance of a building permit, the developer shall document compliance with Tracy Municipal Code Chapter 11.34 and the City of Tracy Multi-Agency Post-Construction Stormwater Standards Manual (Manual) to the satisfaction of the Utilities Director, which includes the requirement for Site Design Control Measures, Source Control Measures and Treatment Control Measures under the guidelines in a project Stormwater Quality Control Plan (SWQCP). Compliance with the Manual includes,

but is not limited to, addressing outdoor storage areas, loading and unloading areas, trash enclosures, parking areas, any wash areas and maintenance areas. The SWQCP must conform to the content and format requirements indicated in Appendix D of the Manual and must be approved by the Utilities Director prior to issuance of grading or building permits.

9. All on-site construction activity associated with development of this Tracy Assisted Living and Memory Care facility shall be limited to daylight hours or 7:00 a.m. to 8:00 p.m.
10. No roof mounted equipment, including, but not limited to, HVAC units, fans, antennas, vents, ladders, and dishes whether proposed as part of this application, potential future equipment, or any portion thereof, shall be visible from Corral Hollow Road, Alegre Drive, Grant Line Road, or any other public right-of-way to the satisfaction of the Development Services Director. The building permit construction documents shall demonstrate that the building's exterior parapet wall is at least as tall as all HVAC units, vents, fans, antennas, or any other roof equipment or utilities.
11. All vents, gutters, downspouts, flashing, electrical conduit, gas meters, electrical panels and doors, and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.
12. Prior to the issuance of a building permit, bicycle parking spaces shall be provided in accordance with Tracy Municipal Code Section 10.08.3510 to the satisfaction of the Development Services Director.
13. All PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development Services Director.
14. Prior to the installation of any signs, the applicant shall submit a sign permit application and receive approval from the Development Services Director in accordance with City Regulations.
15. Prior to the issuance of a building permit, the building permit construction documents shall include an enclosure for all trash or recycling receptacles. The trash enclosure exterior wall shall be of masonry construction, finished with stucco material and color to match the existing trash enclosures on site; include solid metal doors painted to match the enclosure; and a solid roof (painted to match the color(s) of the building) to the extent required by City stormwater quality regulations. The enclosure should also contain an interior concrete curb to prevent the trash dumpsters and containers from hitting and damaging the walls.
16. The approximately eight-foot tall, masonry wall along the north side of Alegre Drive shall be reduced in height to approximately four feet tall (excluding where adjacent to the lot at 2193 Misquez Lane, APN 238-140-15). The wall shall include a decorative

trim cap along the top of the wall. Prior to the issuance of a building permit, the developer shall include plans detailing how this will be designed, to the satisfaction of the Development Services Director, and the wall shall be completed prior to the occupancy or final inspection. An opening with a gate shall be installed along the wall in accordance with the California Fire Code standards to the satisfaction of the Fire Marshal.

17. Prior to the issuance of a building permit, the developer shall submit to the City and cause to be recorded, a lot line adjustment or other instrument to effectively merge lots or otherwise relocate property lines, consistent with City standards, to result in no property lines passing through or underneath buildings, to the satisfaction of the Development Services Director. The developer shall prepare and record easement(s), agreement(s), or other instruments to ensure all lots affected by this project have access to utilities, parking, and circulation, to the satisfaction of the Development Services Director.
18. Prior to occupancy or final inspection, all dead or missing trees or other on-site landscaping shall be replaced or restored in accordance with City standards to the satisfaction of the Development Services Director.
19. Developer shall comply with all performance, monitoring, and reporting requirements of the San Joaquin Valley Air Pollution Control District, as identified in APCD correspondence dated July 24, 2019, to the satisfaction of the District.
20. Streets, Streetlights and Sidewalks

Before issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required PG&E), by doing one of the following, subject to the approval of the City's Finance Director:

Community Facilities District (CFD). Developer shall enter into an agreement with the City, to be signed by the Finance Director, which shall be recorded against the Property, which requires that prior to the final inspection, Developer shall complete the annexation of the Property to City of Tracy Community Facilities District in compliance with the requirements of the Mello – Roos Community Facilities Act of 1982 (Gov. Code § 53311 et seq.) including, without limitation, affirmative votes, and the recordation of a Notice of Special Tax Lien. Developer shall be responsible for all costs associated with the CFD proceedings.

Or

- a. POA and dormant CFD. If the POA is the chosen funding mechanism, Developer must do the following:

- 1) Form a Property Owner's Association (POA) or other maintenance association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required by PG&E);
- 2) Cause the POA to enter into an agreement with the City, in a form to be approved by the City and to be recorded against the Property prior to the final inspection, setting forth, among other things, the required maintenance obligations, the standards of maintenance, and all other associated obligation(s) to ensure the long-term maintenance by the POA for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property;
- 3) Before final inspection, annex into a CFD in a "dormant" capacity, to be triggered if the POA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property. The dormant tax or assessment shall be disclosed to all property owners, even during the dormant period.

Or

- b. Direct funding. Developer shall enter into an agreement with the City, which shall be recorded against the Property, which requires that prior to approval of final inspection, Developer shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required PG&E).

If the provisions for adequate funding of the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required PG&E) are met prior to issuance of the building permit for the Property, subject to the Finance Director's review and approval, the terms of this condition shall be considered to have been met and this condition shall become null and void.

21. Landscaping Maintenance

Prior to issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of operation, maintenance and replacement

for public landscaping for the Property at a high-quality service level as determined by the Public Works Director by doing one of the following, subject to the approval of the City's Finance Director:

- a. CFD or other funding mechanism. The Developer shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates the following: (1) prior to issuance of a building permit, the Developer shall form or annex into a Community Facilities District (CFD) for funding the on-going costs related to maintenance, operation, repair and replacement of public landscaping, public walls and any public amenities included in the Project, and ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan; (2) the items to be maintained include but are not limited to the following: ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems; masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks, and public open space areas and trails; (3) formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien; (4) upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment; (5) prior to issuance of a building permit, the Developer shall deposit an amount equal to the first year's taxes; and (6) the Developer shall be responsible for all costs associated with formation or annexation of the CFD.

Or

- b. POA and dormant CFD. If the POA is the chosen funding mechanism, the Developer must do the following:
 1. Form a Property Owner's Association (POA) or other maintenance association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going maintenance of all public landscaping areas that will serve the Property;
 2. Cause the POA to enter into an agreement with the City, in a form to be approved by the City and to be recorded against the Property prior to the final inspection, setting forth, among other things, the required maintenance obligations, the standards of maintenance, and all other associated obligation(s) to ensure the long-term maintenance by the POA of all public landscape areas that will serve the Property;
 3. Make and submit to the City, in a form reasonably acceptable to the City, an irrevocable offer of dedication of all public landscape areas that will serve the Property;
 4. Before final inspection, annex into a CFD in a "dormant" capacity, to be triggered if the POA fails (as determined by the City in its

sole and exclusive discretion) to perform the required level of public landscape maintenance. The dormant tax or assessment shall be disclosed to all property owners, even during the dormant period.

Or

- c. Direct funding. The Developer shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates that prior to issuance of a building permit, the Developer shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full on-going maintenance costs related to maintenance, operation, repair and replacement of public landscaping, public walls and any public amenities included in the Project, and ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan. The items to be maintained include but are not limited to the following: ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems, masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks, and public open space areas and trails.

C. Engineering Division Conditions of Approval

C.1. General Conditions

Developer shall comply with the applicable sections of approved documents and/or recommendations of the technical analyses/reports prepared for the Project listed as follows:

- 1) Traffic Memorandum prepared by Kimley Horn and Associates dated October 17, 2019.
- 2) Storm Drain Memorandum by Storm Water Consultants dated October 7, 2019.
- 3) Water Supply Memorandum by Black Water Consulting Engineers dated October 17, 2019.
- 4) Sanitary Sewer Memorandum by Black Water Consulting Engineers yet to be completed.

C.2. RESERVED
C.3. RESERVED

C.4. Grading Permit

All grading work (on-site and off-site) shall require a Grading Plan. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Geotechnical Engineer. The City will not accept a Grading Permit application for the Project until Developer provides all documents related to said Grading Permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

- C.4.1 Developer has completed all requirements set forth in this section.
- C.4.2 Developer has obtained the approval (i.e. recorded easements for slopes, drainage, utilities, access, parking, etc.) of all other public agencies and/or private entities with jurisdiction over the required public and/or private facilities and/or property. Written permission from affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit.
- C.4.3 Developer has obtained a demolition permit to remove any existing structure located within the project's limits.
- C.4.4 All existing on-site water well(s), septic system(s), and leech field(s), if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. Developer shall be responsible for all costs associated with the abandonment or removal of the existing well(s), septic system(s), and leech field(s) including the cost of permit(s) and inspection. Developer shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.
- C.4.5 The Improvement Plans for all improvements to serve the Project (on-site and off-site) including the Grading and Drainage Plans shall be prepared in accordance with the City's Subdivision Ordinance (TMC Chapter 12.36), City Design Documents as defined in Title 12 of the TMC, and these Conditions of Approval.

C.4.6 On-site Grading/Drainage Plans and Improvement Plans shall be prepared on a twenty-four (24) inch x thirty-six (36) inch size four (4) millimeter thick polyester film (mylar). These plans shall use the City's Title Block. Improvement Plans shall be prepared under the supervision of, stamped and signed by a Registered Civil Engineer and Registered Geotechnical Engineer. Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by the Fire Marshal prior to submitting the mylars to Engineering Division for City Engineer's signature. Erosion control measures shall be implemented in accordance with the Improvement Plans approved by the City Engineer for all grading work. All grading work not completed before October 15 may be subject to additional requirements as applicable. Improvement Plans shall specify all proposed erosion control methods and construction details to be employed and specify materials to be used during and after the construction.

C.4.7 Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

C.4.8 For Projects on property larger than one (1) acre: Prior to the issuance of the Grading Permit, Developer shall submit to the Utilities Department (stephanie.hiestand@cityoftracy.org) one (1) electronic copy and one (1) hard copy of the Storm Water Pollution Prevention Plan (SWPPP) as submitted in Stormwater Multiple Applications and Reporting Tracker System (SMARTS) along with either a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID) or a copy of the receipt for the NOI. After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Developer. Developer shall comply with all the requirements of the SWPPP, applicable Best Management Practices (BMPs) and the Stormwater Post-Construction Standards adopted by the City in 2015 and any subsequent amendment(s).

For Projects on property smaller than one (1) acre: Prior to the issuance of the Grading Permit, the Developer shall submit to the Utilities Department (stephanie.hiestand@cityoftracy.org) one (1) electronic copy and 1 hard copy of the City of Tracy Erosion and Sediment Control Plan (ESCP) for approval. Cost of preparing the ESCP including any annual storm drainage fees shall be paid by the Developer. Developer shall comply with all the requirements of the

ESCP, applicable BMPs and the Post-Construction Stormwater Standards adopted by the City in 2015 and any subsequent amendment(s).

C.4.9 Developer shall provide a PDF copy of the Project's Geotechnical Report signed and stamped by a Registered Geotechnical Engineer. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, compaction recommendations, retaining wall recommendations, if necessary, paving recommendations, paving calculations such as gravel factors, gravel equivalence, etc., slope recommendations, and elevation of the highest observed groundwater level.

C.4.10 Minor Retaining – Developer shall use reinforced or engineered masonry blocks for retaining soil at property lines when the grade differential among the in-tract lots exceeds twelve (12) inches. Developer will include construction details of these minor retaining walls with the on-site Grading and Drainage Plan. Developer may use slopes among the lots to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical) unless a California licensed geotechnical engineer signs and stamps a geotechnical report letter that supports a steeper slope gradient. Slope easements may be required and will be subject to approval by the City Engineer.

Minor Retaining along Project Perimeter – Developer shall use reinforced or engineered masonry blocks for retaining soil along the Project boundary and adjacent property(s) when the grade differential exceeds 12-inches. Developer will include construction details for these minor retaining walls with the on-site Grading and Drainage Plan. Developer may use slopes to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical). Slope easements may be subject to approval by the City Engineer and if adjacent and affected property(s) owner(s) grants said easements.

Slopes are an acceptable option as a substitute to engineered retaining walls, where cuts or fills do not match existing ground or final grade with the adjacent property or public right of way, up to a maximum grade differential of two (2) feet, subject to approval by the City Engineer.

Slope easements will be recorded, prior to the issuance of the Grading Permit. The Developer shall be responsible to obtain and record slope easement(s) on private properties, where it is needed to protect private improvements constructed within and outside the Project, and a copy of the recorded easement document must be provided to the City, prior to the issuance of the Grading Permit.

Walls - Developer shall show proposed retaining walls and masonry walls on the on-site Grading and Drainage Plan. The Developer is required to submit improvement plans, construction details, and structural calculations for retaining walls and masonry walls to Building and Safety. Retaining wall and masonry wall design parameters will be included in the geotechnical report.

- C.4.11 Developer shall provide a copy of the approved Incidental Take Minimization Measures (ITMM) habitat survey [San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)] from San Joaquin Council of Governments (SJCOG), if applicable.
- C.4.12 Developer shall provide a copy of the approved Air Impact Assessment (AIA) with an Indirect Source Review (ISR) from San Joaquin Valley Air Pollution Control District (SJVAPCD).
- C.4.13 Developer shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Developer will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.
- C.4.14 If the Project contains overhead utilities, the Developer shall underground existing overhead utilities such as electric, TV cable, telephone, and others. Each dry utility shall be installed at the location approved by the respective

owner(s) of dry utility and the Developer shall coordinate such activities with each utility owner. All costs associated with the undergrounding shall be the sole responsibility of the Developer and no reimbursement will be due from the City. Developer shall submit undergrounding plans. Exempt from this condition are high voltage power lines along the Project's northerly property line, if any.

C.4.15 If at any point during grading that the Developer, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Developer shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR; and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.

C.4.16 Per the recommendation of SWC, Developer shall set the building's finish floor at least one (1) foot above a top-of-curb elevation. Please review SWC's technical memorandum for the precise location and other mitigations.

C.5. Improvement Agreement(s)

All construction activity involving public improvements will require a fully executed improvement agreement (Off-site, Subdivision, and/or Inspection). Any construction activity involving public improvements without a fully executed improvement agreement is prohibited. All public improvements shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Civil Engineer. The City will not start writing any improvement agreement or schedule any improvement agreement to be approved by City Council for the Project until the Developer provides all documents related to said improvements required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.5.1. Off-site and/or Public Infrastructure Improvement Plans prepared on a 24-inch x 36-inch size 4-millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Developer shall use the latest title block and, if necessary, contain a signature block for the Fire Marshal. Improvement Plans shall be prepared

under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by Fire Marshal to submitting the mylars to Engineering Division for City Engineer's signature. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

- C.5.1.a. All existing and proposed utilities such as domestic water line, irrigation service, fire service line, storm drain, and sanitary sewer, including the size and location of the pipes.
- C.5.1.b. All supporting engineering calculations, materials information or technical specifications, cost estimate, and technical reports. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers such as benchmarks.
- C.5.1.c. A PDF copy of the Project's Geotechnical/Soils Report, prepared or signed and stamped by a Registered Geotechnical Engineer. The technical report must include relevant information related to street pavement thickness, materials, compaction and other pertinent information.
- C.5.1.d. Storm Water - The Project's on-site storm water drainage connection to the City's storm water system shall be approved by the City Engineer. Drainage calculations for the sizing of the on-site storm drainage system. Improvement Plans to be submitted with the hydrology and storm water.

Storm drainage release point is a location at the boundary of the Project adjacent public right-of-way where storm water leaves the Property, in a storm event and that the Property's on-site storm drainage system fails to function or it is clogged. Site grading shall be designed such that the Project's storm drainage overland release point will be directly to an adjacent public right-of-way with a functional storm drainage system and the existing storm drainage line has adequate capacity to drain storm water from the Property. The storm drainage release point is recommended to be at least 0.70-feet lower than the building finish floor elevation and shall be designed and improved to the satisfaction of the City Engineer.

The Project's permanent storm drainage connection(s) shall be designed and constructed in accordance with City Regulations. The design of the permanent storm drainage connection shall be shown on the Grading and Drainage Plans with calculations for the sizing of the storm drain pipe(s), and shall comply with the applicable requirements of the City's storm water regulations adopted by the City Council in 2012 and any subsequent amendments.

Developer shall construct a storm water quality treatment basin.

Developer and its heirs (i.e. apartment complex owner) shall be responsible for repairing and maintaining the on-site storm water system and treatment basin at the Developer's (and heirs') sole cost and expense.

C.5.1.e. Sanitary Sewer - It is the Developer's responsibility to design and construct the Project's permanent on-site sanitary sewer (sewer) improvements including the Project's sewer connection in accordance with the City's Design Standards, City Regulations and Standard Specifications. Sewer improvements shall include but not limited to, replacing asphalt concrete pavement, reconstructing curb, gutter and sidewalk, restoring pavement marking and striping, and other improvements that are disturbed as a result of installing the Project's permanent sewer connection. Developer shall submit improvement plans that include the design of the sewer line from the Property to the point of connection. Developer shall also construct the recommended mitigations from the sanitary sewer technical memorandum.

C.5.1.g. Water Distribution - Developer shall design and construct domestic and irrigation water service that comply with the City Regulations. Water line sizing, layout and looping requirements for this Project shall comply with City Regulations. During the construction of the Project, the Developer is responsible for providing water infrastructure (temporary or permanent) capable of delivering

adequate fire flows and pressure appropriate to the various stages of construction and as approved by the Fire Marshal.

Interruption to the water supply to the existing businesses and other users will not be allowed to facilitate construction of improvements related to the Project. Developer shall be responsible for notifying business owner(s) and users, regarding construction work. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least seventy-two (72) hours before start of work. Prior to starting the work described in this section, the Developer shall submit a Work Plan acceptable to the City that demonstrates no interruptions to the water supply, and Traffic Control Plan to be used during the installation of the off-site water mains and connections.

The Project's water service connections shall use a remote-read (radio-read) master water meter (the water meter to be located within City's right-of-way) and a Reduced Pressure Type back-flow protection device in accordance with City Regulations. The domestic and irrigation water service connection(s) must be completed before the inspection of the building. The location of the meters shall be approved by the City Engineer.

After improvement acceptance, repair and maintenance of the water service from the water meter to the point of connection with the water distribution main in the street shall be the responsibility of the City. Water service repairs after the water meter is the responsibility of the Developer or individual lot owner(s).

Prior to improvement acceptance, repair and maintenance of all on-site water lines, laterals, sub-water meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer or the individual lot owner(s).

All costs associated with the installation of the Project's water connection(s) including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings on existing street or parking area(s) that may be disturbed with the installation of the permanent water connection(s), or domestic water service, and other improvements shall be paid by the Developer.

Fire Service Line – Location and construction details of fire service line including fire hydrant(s) that are to serve the Project shall be approved by the Fire Marshal. Prior to the approval of the Improvement Plans by the City Engineer, the Developer shall obtain written approval from the Fire Marshal, for the design, location and construction details of the fire service connection to the Project, and for the location and spacing of fire hydrants that are to be installed or planned to serve the Project.

C.5.1.h. Streets – Developer shall construct their frontage improvements. Frontage improvements include but are not limited to the following: curb, gutter, sidewalk, street widening, landscaping, street lighting, undergrounding of overhead utilities and other improvements. All streets and utilities improvements within City right-of-way shall be designed and constructed in accordance with City Regulations, and City's Design Standards including the City's Facilities Master Plan for storm drainage, roadways, wastewater, and water as adopted, amended, and updated by the City, or as otherwise specifically approved by the City.

All proposed public street widths and cross sections shall conform to the 2012 Transportation Master Plan (TMP).

Corral Hollow Road

Developer will construct the new commercial driveways per Standard Detail 133. Developer shall dedicate a ten (10) feet wide Public Utility Easement on all public streets if the easement is not present.

Developer shall construct driveways that conform to Section 3.09(F) of the 2008 Design Standards. Driveways shall have one and half (1.5) feet of full-height (i.e. six (6) inches) of vertical curb from the driveway's edge. Driveways shall be fire truck accessible to the satisfaction of the City Engineer.

Developer shall use existing utility stubs. If the stubs are not present or unusable or additional utility connections are required, the pavement restoration shall conform to C.8.1 of these Conditions.

On the west side of Corral Hollow Road, Developer shall landscape and irrigate the existing area as per current adopted City landscape standards. Landscape and irrigation plans shall be prepared on a 24-inch x 36-inch size 4-millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Developer shall use the latest title block. Said landscape and irrigation plan shall be prepared by a California licensed landscape architect. Developer can either protect-in-place the existing sidewalk and repair any cracked, settled, and/or damaged sidewalk or remove and replace the sidewalk so long as the replacement sidewalk is similar to the current sidewalk, i.e. similar width, meanders, etc. Developer shall also install street trees in the landscaped area between the existing meandering sidewalk and the curb and gutter. On the opposite side of the sidewalk, Developer shall install additional street trees, shrubs, ground cover, and other landscaping as required. The landscaping and irrigation shall conform to MWELO standards. If recommended, Developer shall use structural soil if the street trees' well is narrower than five (5) feet wide. Developer shall also remove existing sign monument and its appurtenances, and any other existing items such as bollards, mailboxes, etc.

C.5.2. Joint Trench Plans and Composite Utility Plans, prepared on a twenty-four (24) inch x thirty-six (36) inch size four (4) millimeter thick mylar for the installation of dry utilities such as electric, gas, TV cable, telephone, and

others that will be located within the twenty-four (24) feet wide to forty-six (46) feet wide [the width varies] PUE to be installed to serve the Project. All private utility services to serve Project must be installed underground or relocated to be underground, and to be installed at the location approved by the respective owner(s) of the utilities from the street or an existing or proposed utility easement to the building(s). If necessary, the Developer shall dedicate twenty-two (22) feet wide PUE for access to these new utilities for re-installation, replacement, repair, and maintenance work to be performed by the respective utility owner(s) in the future.

C.5.3. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans. The cost estimate shall show the cost of designing the public improvements.

Payment of applicable fees required by these Conditions of Approval and City Regulations, including but not limited to, plan checking, grading and encroachment permits and agreement processing, construction inspection, and testing fees. The engineering review fees will be calculated based on the fee rate adopted by the City Council on September 2, 2014, per Resolution 2014-141 and on May 16, 2017, per Resolution 2017-098. Developer shall submit payment in the form of a check for the aforementioned fees.

C.5.5. Traffic Control Plan - Prior to starting the work for any work within City's right-of-way, the Developer shall submit a Traffic Control Plan (TCP). TCP can be split among the different construction phases. TCP will show the method and type of construction signs to be used for regulating traffic at the work areas within these streets. TCP shall conform to the Manual on Uniform Traffic Control Devices as amended by the State of California, latest edition (MUTCD-CA). TCP shall be prepared under the supervision of, signed and stamped by a Registered Civil Engineer or Registered Traffic Engineer.

Access and Traffic Circulation to Existing Businesses/Residents - Developer shall take all steps necessary to plan and construct site improvements such that construction operations do not impact safety and access (including emergency vehicles) to the existing businesses and residents throughout the duration of construction. Developer shall coordinate with the owners and cooperate to minimize impacts on existing businesses. All costs of measures needed to provide safe and functional access shall be borne by the Developer.

- C.5.6. No street trench shall be left open, uncovered, and/or unprotected during night hours and when the Developer's contractor is not performing construction activities. Appropriate signs and barricades shall be installed on the street and on all trenches during such times. If the Developer or its contractor elects to use steel plates to cover street trenches, said steel plates will be skid-resistance, and shall be ramped on all sides. Ramps will be a minimum two-foot wide and will run the entire length of each side.
- C.5.7. If at any point during utility installation or construction in general that the Developer, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Developer shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR; and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.
- C.5.8 On-site Private Improvements - Prior to the Developer commencing construction of on-site, in-tract public and private improvements, Developer shall possess a fully executed Grading Permit. Developer shall also complete all of the following requirements to the satisfaction of the City Engineer:

Developer has received City signed improvement plans.

Developer has paid all required processing fees including plan check and inspection fees.

- C.5.9 Off-site Public Improvements - Prior to the Developer commencing construction of off-site public improvements, Developer shall possess a fully executed Off-site Improvement Agreement (OIA. Developer shall also complete all of the following requirements to the satisfaction of the City Engineer:

Developer has received City signed improvement plans.

Developer has paid all required processing fees including plan check and inspection fees.

Improvement Security - Developer shall provide improvement security for all public facilities, as required by the Improvement Agreement. The form of the improvement security may be a bond, or other form in accordance with the Government Code, and the TMC. The amount of the improvement security shall be in accordance with Title 12 of the TMC.

Insurance – Developer shall provide written evidence of insurance coverage that meets the terms of the Improvement Agreement.

C.6. Building Permit

No building permit within the Project boundaries will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

- C.6.1 Developer has completed all requirements set forth in Condition C.1, through C.5, above.
- C.6.2 Developer pays the applicable development impact fees as required in the TMC, these Conditions of Approval, and City Regulations.

C.7 Acceptance of Public Improvements

Public improvements will not be considered for City Council's acceptance until after the Developer demonstrates to the reasonable satisfaction of the City Engineer, completion of the following:

- C.7.1 Developer has satisfied all the requirements set forth in these Conditions of Approval.
- C.7.2 Developer submitted the Storm Water Treatment Facilities Maintenance Agreement (STFMA) to the Utilities Department.
- C.7.3 Developer has satisfactory completed construction of all required/conditioned improvements. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Developer shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Developer shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).
- C.7.4 Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Developer, the City, at its sole discretion, temporarily release the original mylars of the Improvement Plans to the Developer so that the Developer will be able to document revisions to show the "As-Built" configuration of all improvements. Developer shall also provide the Project's CADD files to the City.
- C.7.5 Developer shall be responsible for any repairs or reconstruction of street pavement, curb, gutter and sidewalk and other public improvements along the frontage of the Project, if determined by the City Engineer to be in poor condition or damaged by construction activities related to the Project.
- C.7.6 Developer has completed the ninety (90) day public landscaping maintenance period.
- C.7.7 Per Section 21107.5 of the California Vehicle Code, Developer shall install signs at all entrance(s) of the Project stating that the streets are privately owned and maintained and are not subject to the public traffic regulations or

control. Said signs must be conspicuously placed, plainly visible, and legible during daylight hours from a distance of one hundred (100) feet.

C.7.8 Release of Security – Release of improvement security shall be in accordance with the requirements of Title 12 of the TMC. Monumentation Bond will be released to the Developer after City Council's acceptance of the public improvements and if the Developer meets the terms set in Section 66497(c) of the Subdivision Map Act. All survey monuments shown on the Final Map must be installed. Any altered, damaged, or destroyed survey monuments and/or benchmarks shall be re-established. Developer shall submit centerline tie sheets or a record of survey for the following: new public streets; re-established survey monuments, and/or benchmarks. If the Developer destroyed, altered, and/or reconstructed any existing curb returns, Developer shall also submit corner records. Any survey document will be submitted the City and to the San Joaquin County Surveyor to comply with California Business and Professions Code Section 8771(c). Said work shall be executed by a California licensed Land Surveyor at the Developer's sole expense.

C.8 Special Conditions

C.8.1 When street cuts are made for the installation of utilities, the Developer shall conform to Section 3.14 of the 2008 Design Standards and is required install a two (2) inch thick asphalt concrete (AC) overlay with reinforcing fabric at least twenty-five (25) feet from all sides of each utility trench. A two (2) inch deep grind on the existing AC pavement will be required where the AC overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. This pavement repair requirement is when cuts/trenches are perpendicular and parallel to the street's direction.

C.8.2 Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the improvement plans, prior to the City Engineer's signature on the improvement plans, and prior to issuance of Grading Permit, Encroachment Permit,

Building Permit, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Developer shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.

- C.8.3 If water is required for the project, the Developer shall obtain an account for the water service and register the water meter with the Finance Department. Developer shall pay all fees associated with obtaining the account number for the water service.
- C.8.4 Developer shall obtain an account for the water service to the Project and register the water meter with the Finance Department. Developer shall prepare and submit a map depicting the location of the water meter on a 8.5-inch X 11-inch sheet to Finance Department.
- C.8.5 Project Entrance: As stipulated by Section 5.17 of the 2008 Design Standards, a PCC valley gutter is prohibited in the City's right-of-way.

THIS PAGE INTENTIONALLY LEFT BLANK

March 9, 2022

AGENDA ITEM 1.B.

REQUEST

PUBLIC HEARING TO CONSIDER APPLICATIONS FOR A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW PERMIT FOR THE EXPANSION OF A PLACE OF WORSHIP AT 350 N. CORRAL HOLLOW ROAD - APPLICANT IS PETE MITRACOS AND THE PROPERTY OWNER IS ISLAMIC SOCIETY OF TRACY - APPLICATION NUMBERS CUP19-0004 & D19-0017.

DISCUSSION

Background

On March 25, 2009, the Planning Commission approved a conditional use permit and a development review permit to establish a place of worship at 350 N. Corral Hollow Road. The project was constructed and occupied in 2012, and on May 17, 2019, the applicant submitted applications for a conditional use permit and a development review permit to expand the place of worship. The applicant paused activity on the application at the end of 2019 and resumed action in mid-2021 with a revised application. The proposal consists of an approximately 2,588 sf building addition which includes of ground floor and second floor additions, minor parking area modifications, and revised architecture to the entire building.

Project Analysis

The existing place of worship was constructed from the conversion of a house. The proposal today is to modify the entirety of the exterior by removing the tile roof and introducing of elements traditional of a mosque, including a dome above the prayer hall, a minaret on the south end of the building, window panels with geometric forms around the building. There is a proposed 800 sf ground floor addition and a 1,724 sf second floor addition, which includes an unoccupied dome. The resulting ground floor will be comprised of the prayer hall, a community room, restroom, and foyer, and the second floor will be used for classrooms relating to the religious assembly.

Currently, the worship services take place on Friday afternoons from 12:30 – 1:30 pm and religious classes on Monday through Thursday from 5:00 pm to 7:00 pm and on Saturday from 11:00 am to 1:30 pm. The place of worship proposes to add a second Friday worship service from 1:30 to 2:00 pm in the future. According to the applicant, community room will be used for serving food, during training sessions, funeral receptions after burial services, and during other special religious events. The community room will be available for use by the members of the Islamic Society of Tracy primarily to be used on the weekends. It will not be available for rental by outside parties. All worship, gathering, and classroom activities will be conducted inside of the building.

The site currently has 56 parking spaces, and four are proposed to be removed for the building addition. The required parking for the expanded place of worship is 43, which is less than the provided 52 parking spaces resulting after the expansion.

Project Expiration

Per the Tracy Municipal Code (TMC) Development Review Permit approvals are valid for two years following ten days from the date of approval (TMC Section 10.08.4080) and Conditional Use Permit approvals are valid for six months following fifteen days from the date of approval unless a building permit is issued and construction is commenced (TMC Section 10.08.4350). The TMC also permits Planning Commission to grant a greater time limit for Conditional Use Permit approvals (TMC Section 10.08.4360).

According to the applicant, the project will be constructed in phases that will take longer than six months. Therefore, the applicant has requested that the validity period of the Conditional Use Permit match that of the Development Review Permit to allow sufficient time for buildup of the project. The Commission has granted extended validity periods for Conditional Use Permits over the years, including approving the initial Conditional Use Permit for this place of worship to be valid for three years rather than the typical six months.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Conditional Use Permit Application Number CUP19-0004 and Development Review Permit Application Number & D19-0017 for an expansion of the place of worship and associated site and building modifications at 350 N. Corral Hollow Road, and for the validity period of the Conditional Use Permit to align with the Development Review Permit, based on the findings and subject to the conditions as stated in the Planning Commission Resolution dated March 9, 2022 (Attachment B).

MOTION

Move that the Planning Commission approve the Conditional Use Permit Application Number CUP19-0004 and Development Review Permit Application Number & D19-0017 for an expansion of the place of worship and associated site and building modifications at 350 N. Corral Hollow Road, and for the validity period of the Conditional Use Permit to align with the Development Review Permit, based on the findings and subject to the conditions as stated in the Planning Commission Resolution dated March 9, 2022.

Prepared by Kimberly Matlock, Associate Planner

Reviewed by Scott Claar, Senior Planner

Approved by Bill Dean, Interim Development Services Director

ATTACHMENTS

Attachment A—Vicinity Map, Site Plan, Floor Plan, Elevations, Landscape Plans dated October 14, 2021

Attachment B—Planning Commission Resolution
Exhibit 1--Conditions of Approval



ADDITION OF CLASSROOMS & A COMMUNITY ROOM TO THE ISLAMIC SOCIETY OF TRACY



ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376

REVISIONS

CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

TITLE SHEET

A-01

DATE 10/12/2021

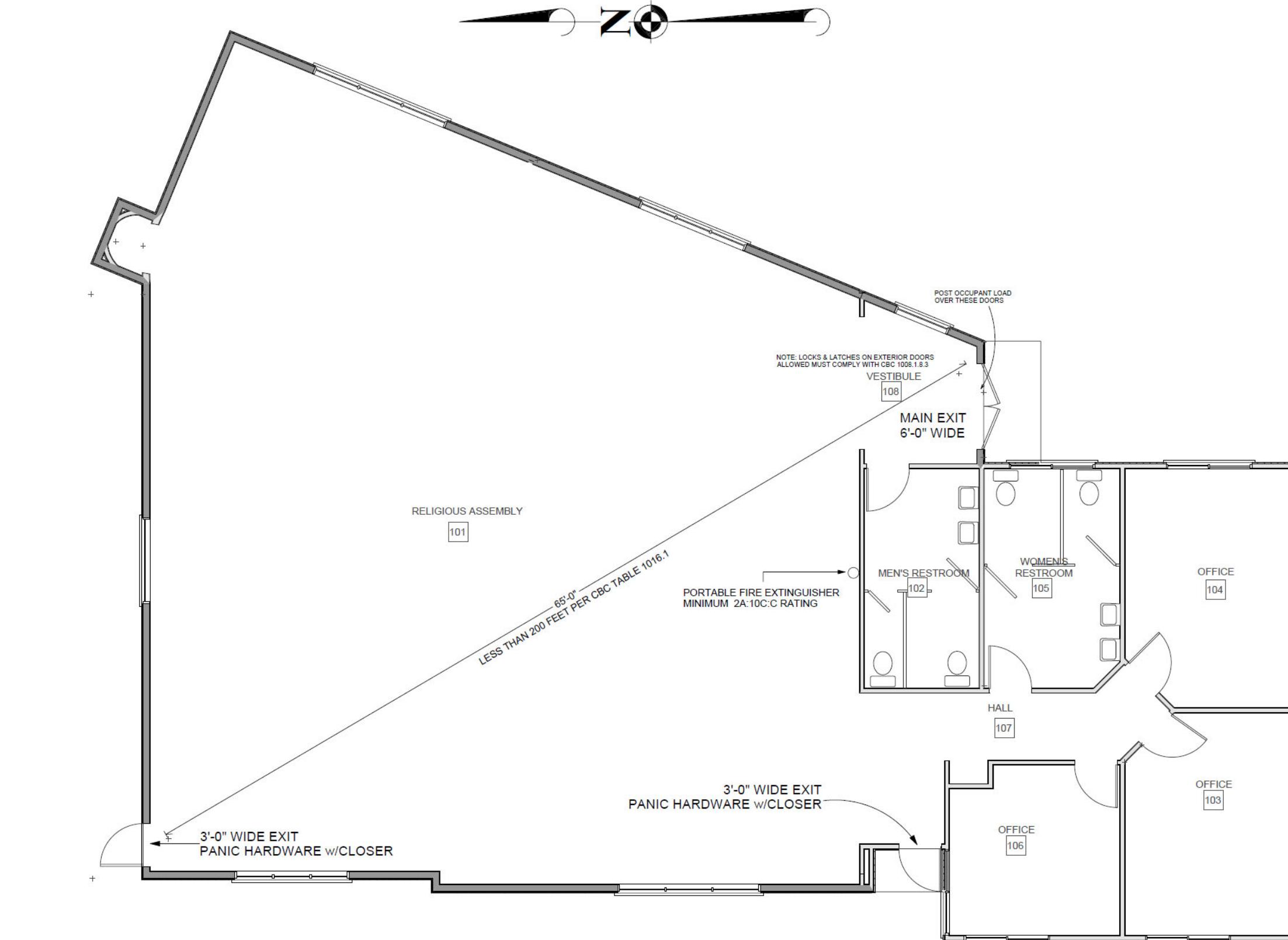
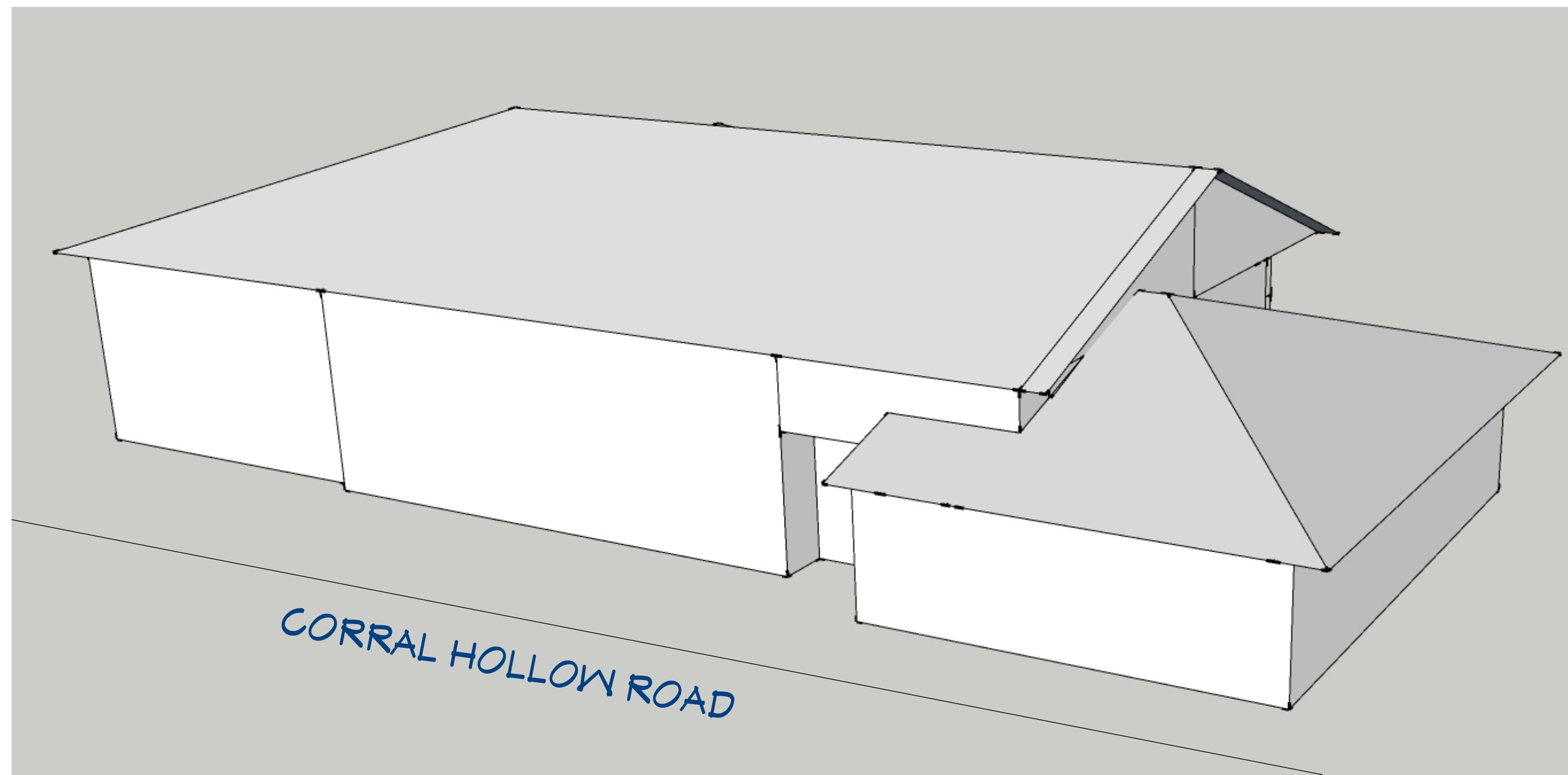
VICINITY MAP	PROJECT TEAM	PROJECT DATA	PROJECT SCOPE
	<p>PROJECT TEAM</p> <p>PROJECT OWNER: ISLAMIC SOCIETY OF TRACY 350 N. CORRAL HOLLOW RD. TRACY, CA 95376</p> <p>PROJECT CONTACT: MOHEB ARGAND 350 N. CORRAL HOLLOW RD. TRACY, CA 95376 Phone: 209.814.5691 Email: mohebargand@gmail.com</p> <p>PROJECT DESIGN: PETE MITRACOS PO BOX 261 TRACY, CA 95378 Phone: 209 835.0270 Email: pete@mitracos.com</p>	<p>PROJECT DATA</p> <p>PROJECT LOCATION: 350 N. CORRAL HOLLOW RD., TRACY, CA 95376 APN: 234-210-29 LAND USE ZONING: LDR - LOW DENSITY RESIDENTIAL - CUP 08-0002 OCCUPANCY: A-3, B - COMMUNITY ROOMS ADDED TO EXISTING RELIGIOUS ASSEMBLY WITH OFFICES</p> <p>CONSTRUCTION TYPE: V-B STORIES: TWO EXISTING BUILDING: 3,708 SQUARE FEET ADDITION: 2,588 SQUARE FEET PROPOSED TOTAL BUILDING: 6,296 SQUARE FEET SITE AREA: 36,155 SQUARE FEET NEW TOTAL FOOTPRINT: 4,508 SQUARE FEET - 12.5% SITE COVERAGE PARKING AREA: 20,179 SQUARE FEET - 55.8% SITE COVERAGE PARKING SPACES REQUIRED: 43 EXISTING PARKING SPACES: 56 AFTER ADDITION SPACES: 52</p>	<p>EXISTING - RELIGIOUS ASSEMBLY FACILITY - PLACE OF WORSHIP</p> <ol style="list-style-type: none"> 1. CONDITIONAL USE PERMIT - CUP08-0002 2. DEVELOPMENT REVIEW - D08-0004 3. CONSTRUCTED UNDER BUILDING PERMIT #09-1707 4. CERTIFICATE OF OCCUPANCY ISSUED APRIL 25, 2012 <p>PROPOSED ADDITION - COMMUNITY ROOMS</p> <p>PROPOSED GROUND FLOOR ADDITION OF 800 SQ. FT. PROPOSED SECOND FLOOR ADDITION OF 1,736 SQ. FT. TOTAL PROPOSED ADDITION IS 2,588 SQ. FT.</p> <p>USE OF COMMUNITY ROOMS</p> <p>THE ADDITION PROVIDES COMMUNITY ROOMS FOR FELLOWSHIP. THE PROPOSED ADDITION DOES NOT INCREASE THE WORSHIP / CONGREGATION AREA. THE PROPOSED ADDITION DOES NOT INCREASE THE OCCUPANCY LOAD. THE CONGREGATION MOVES FROM THE WORSHIP AREA TO THE FELLOWSHIP AREA. FOOD MAY BE SERVED IN THE COMMUNITY ROOMS. NO ON-SITE KITCHEN IS PROPOSED. THERE WILL BE TABLE SEATING. THE ADDITION WILL ALSO BE USED TO STORE TABLES, CHAIRS, ETC. IT MAY ALSO BE USED FOR CLASSES ONCE A WEEK DURING WEEKENDS.</p> <p>PARKING FOUR PARKING SPACES ARE LOST TO THE ADDITION - THE REMAINING 52 SPACES EXCEED THE REQUIRED 43 SPACES.</p> <p>LANDSCAPING THE IMPACT TO THE EXISTING LANDSCAPING IS MINIMAL. SEE ATTACHED LANDSCAPE PLAN.</p> <p>LIGHTING THE LIGHTING FOR THE PARKING LOT REMAINS UNCHANGED EXCEPT FOR ONE FIXTURE THAT WILL BE MOVED TO THE NEW ADDITION'S EAST WALL NEAR THE SOUTH CORNER.</p>

SHEET INDEX			
TITLE SHEET	A-01	ELEVATIONS SIDES	A-07
SITE PLAN	A-02	BUILDING SECTION	A-08
EXISTING SITE & BUILDING	A-03	WINDOW SCREEN DETAIL	A-09
FLOOR PLANS	A-04	LANDSCAPE PLAN	L-1
FRONT ELEVATION	A-05	LANDSCAPE PLAN	L-2
BACK ELEVATION	A-06		

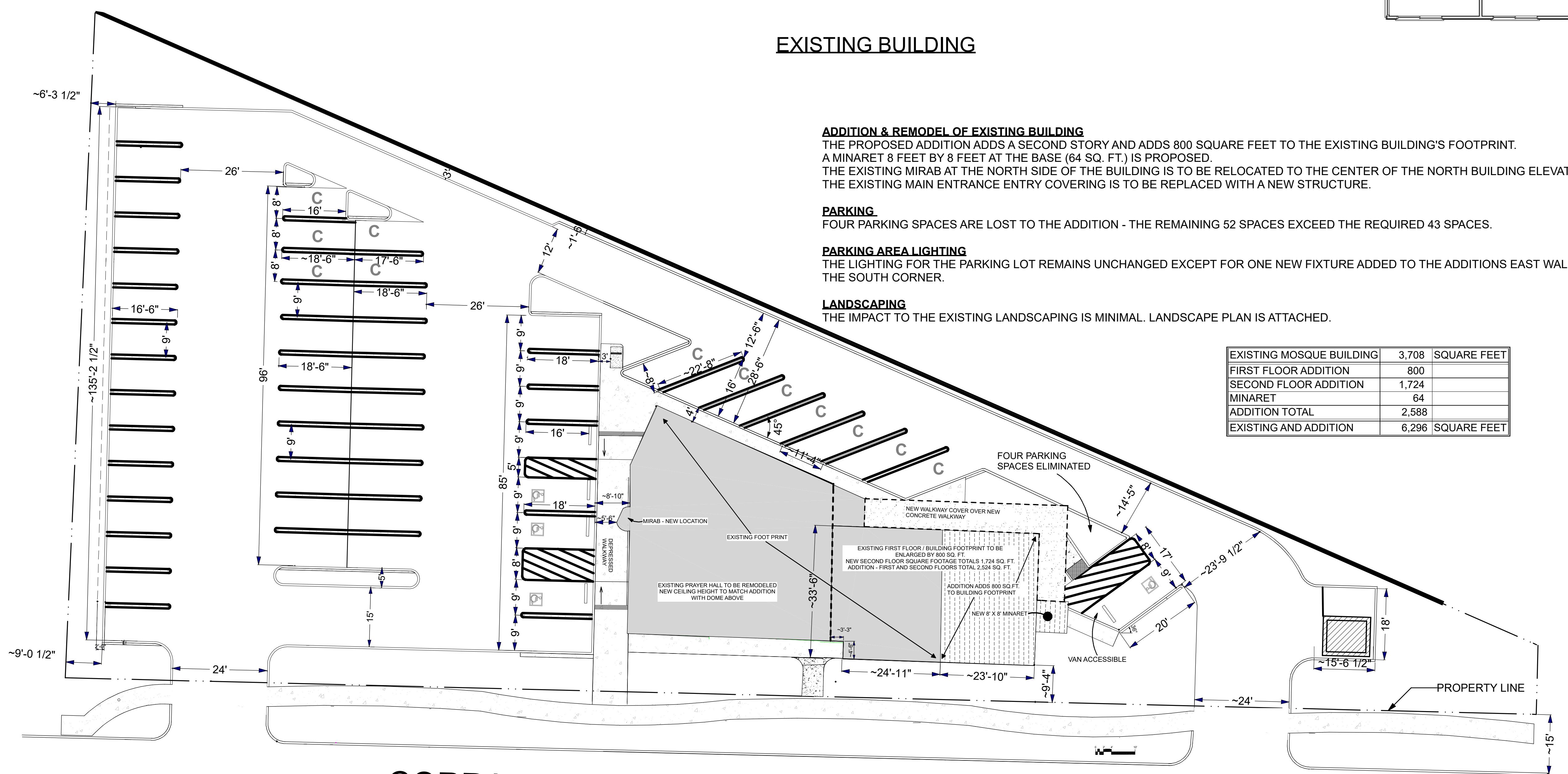
Pete Mitracos

ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376



EXISTING BUILDING



REVISIONS

CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

SITE PLAN

CORRAL HOLLOW ROAD

A-02

DATE 10/12/2021

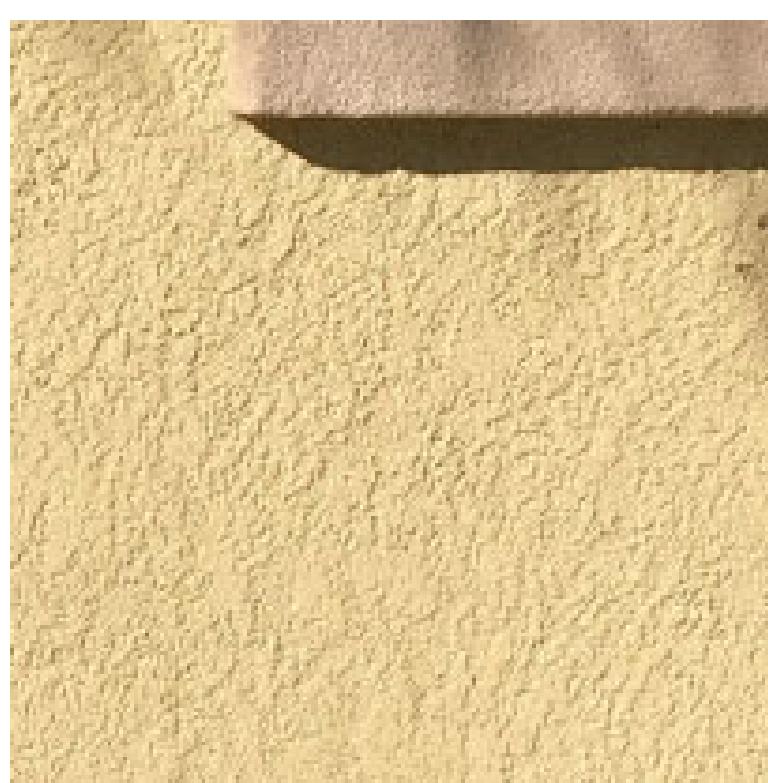
Pete Mitracos



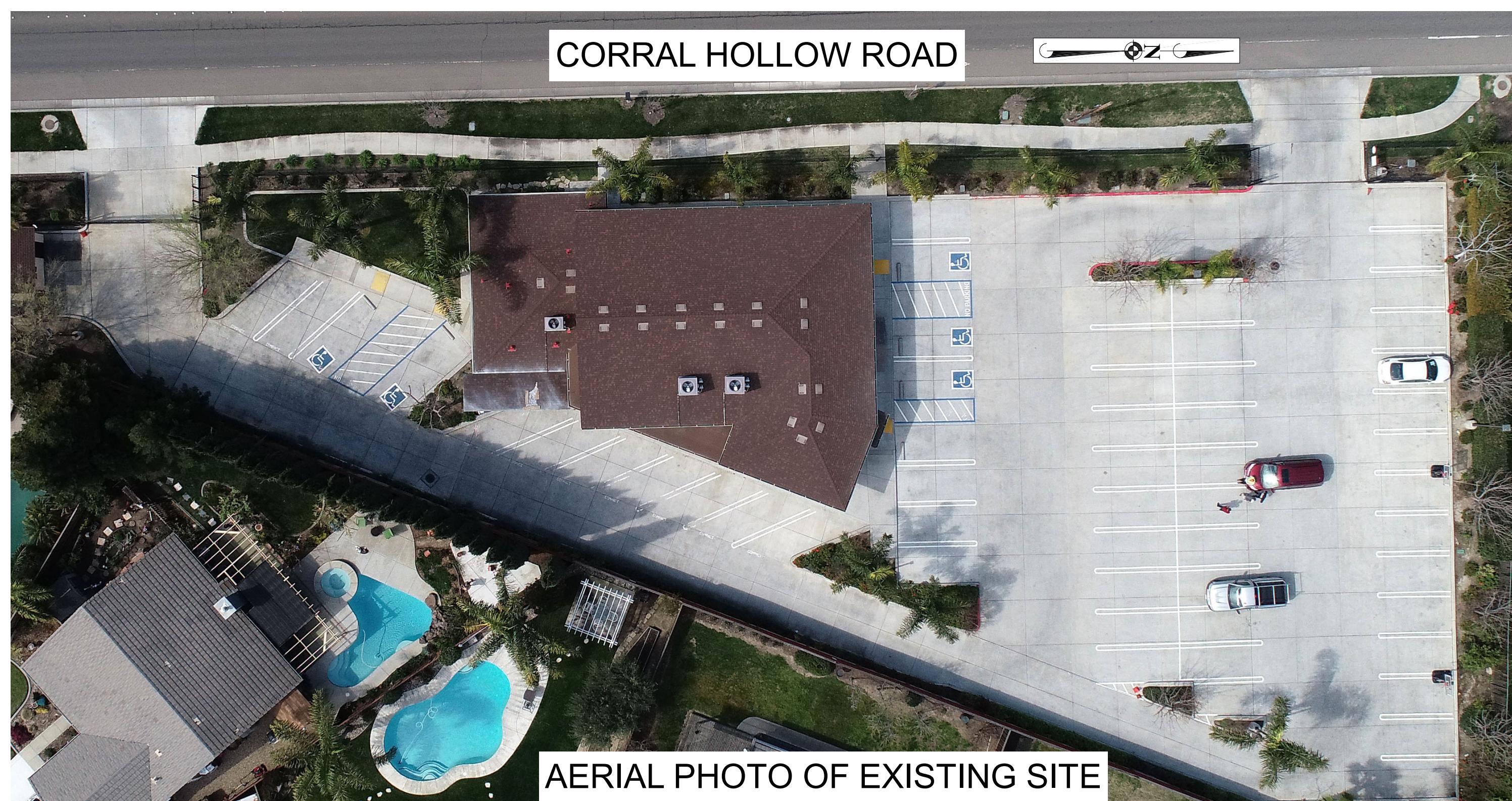
SOUTH WEST ELEVATION



WEST ELEVATION



EXISTING STUCCO WALL AND TRIM COLORS



ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376

REVISIONS

CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

EXISTING SITE &
BUILDING



SOUTH ELEVATION



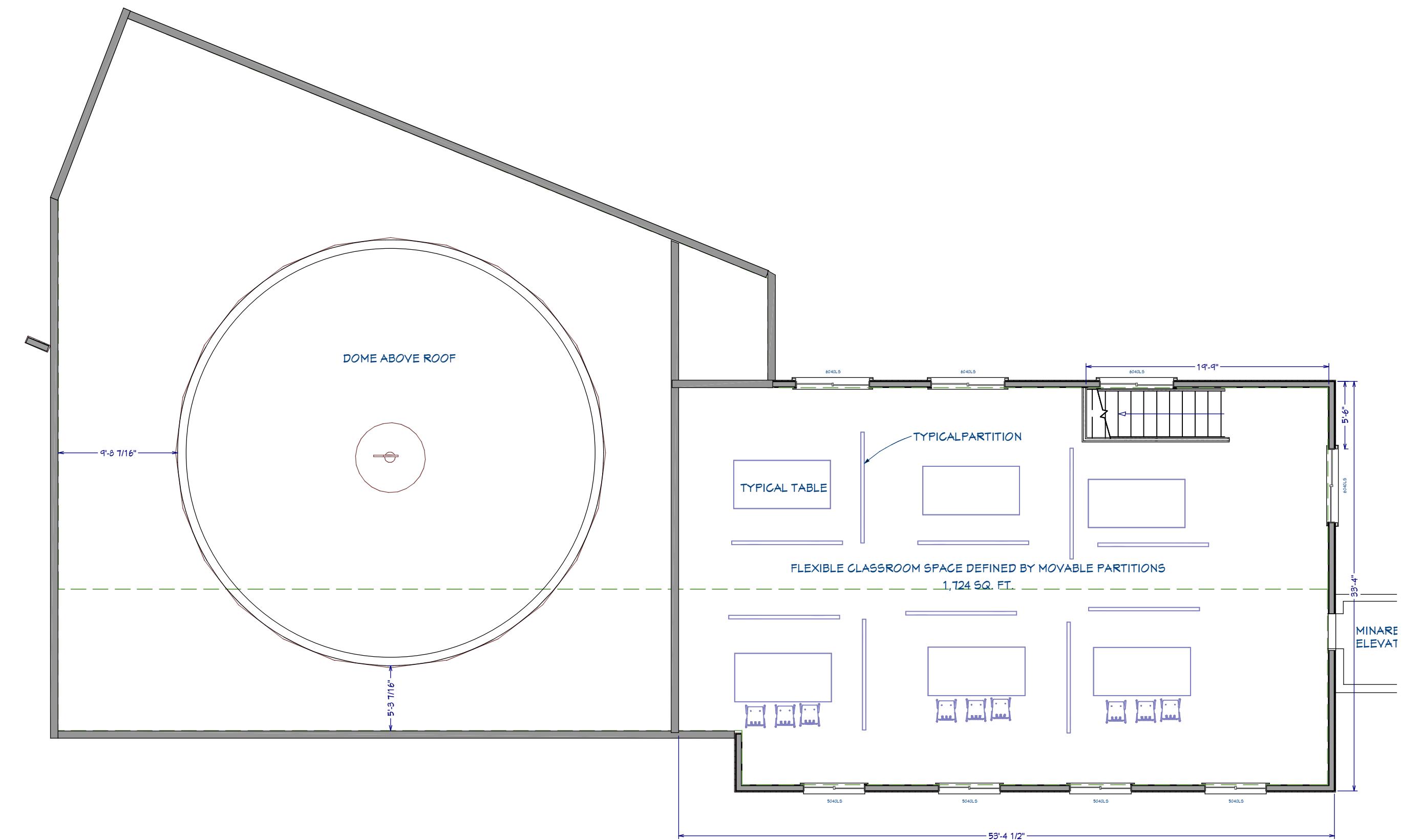
NORTH ELEVATION

EXISTING SITE AND ELEVATIONS

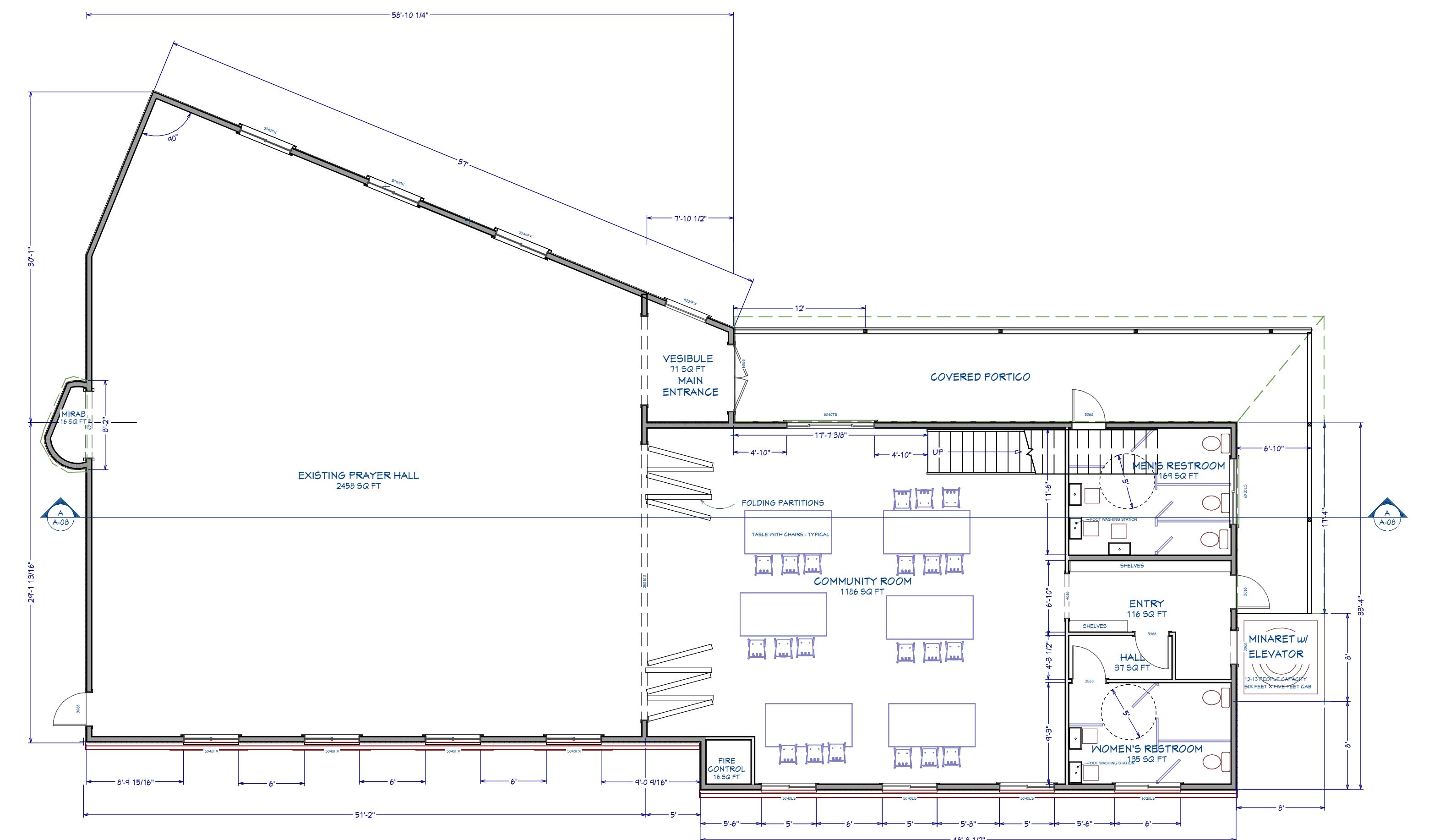
A-03

DATE 10/12/2021

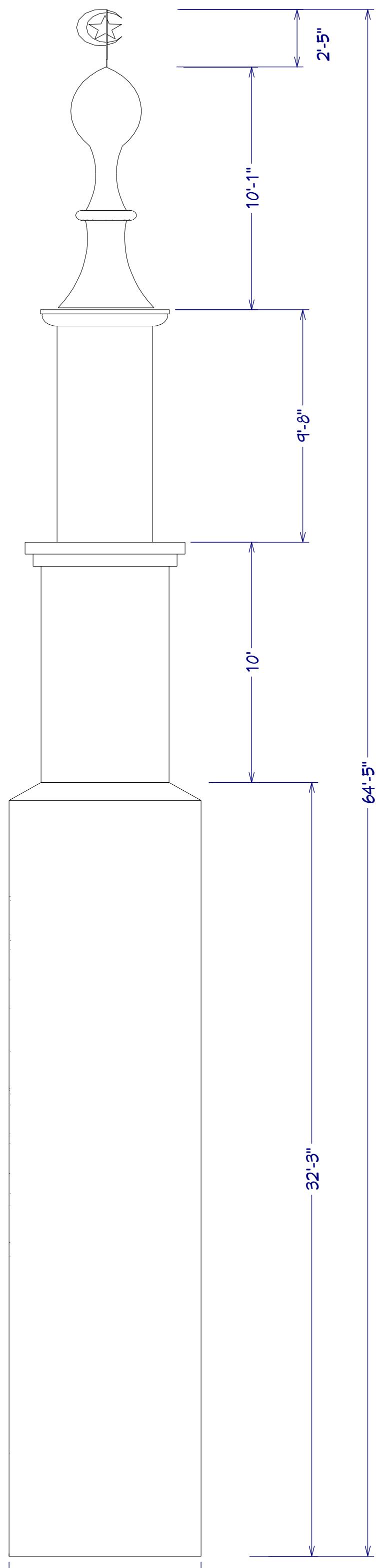
Pete Mitracos



SECOND FLOOR



FIRST FLOOR



MINARET ELEVATION

ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376

REVISIONS

CLIENT
ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

NEW FLOOR PLAN

A-04

Pete Mitracos

A-05

**ISLAMIC SOCIETY OF TRACY
ADDITION**

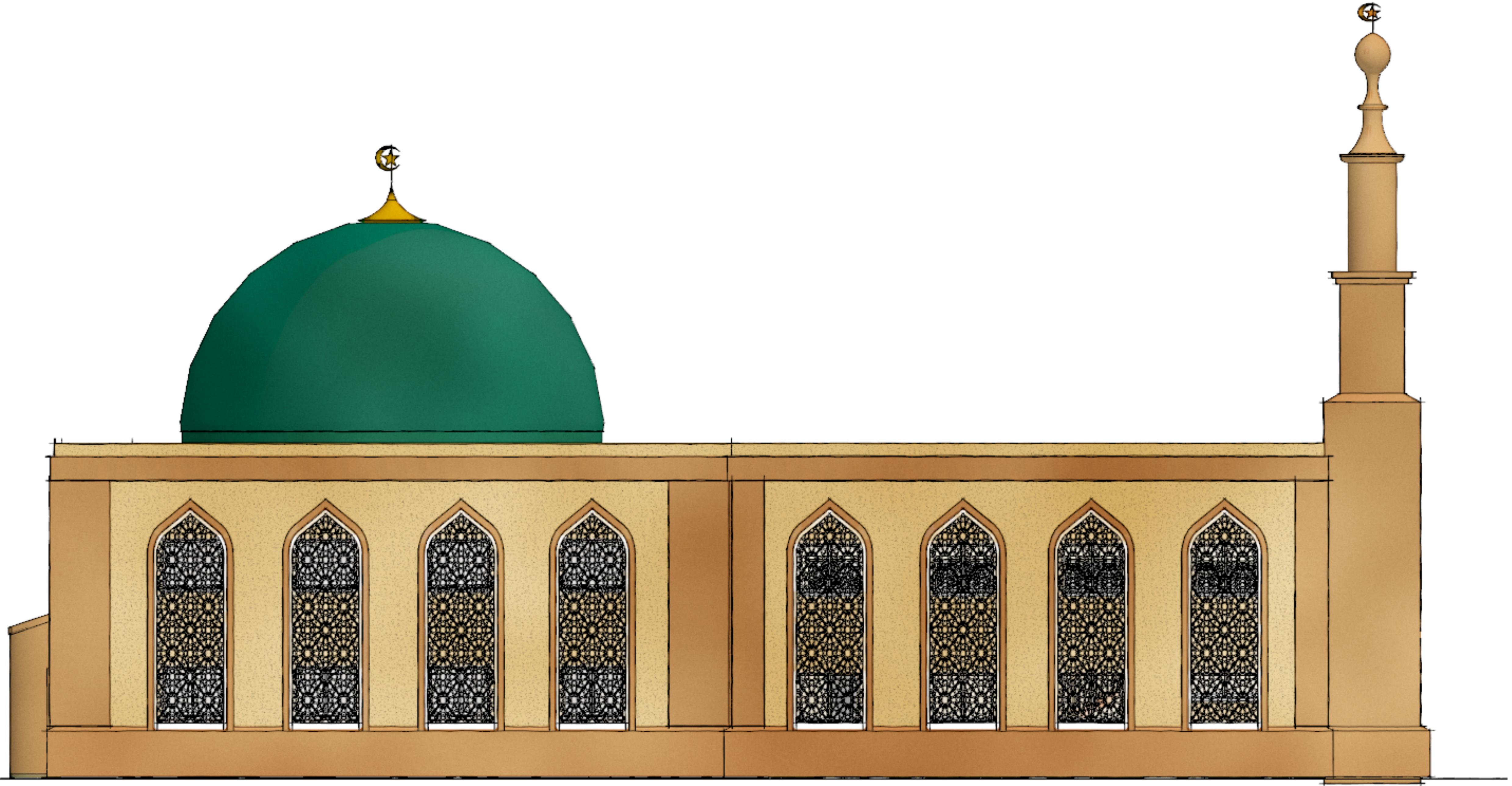
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376

REVISIONS

CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

FRONT ELEVATION



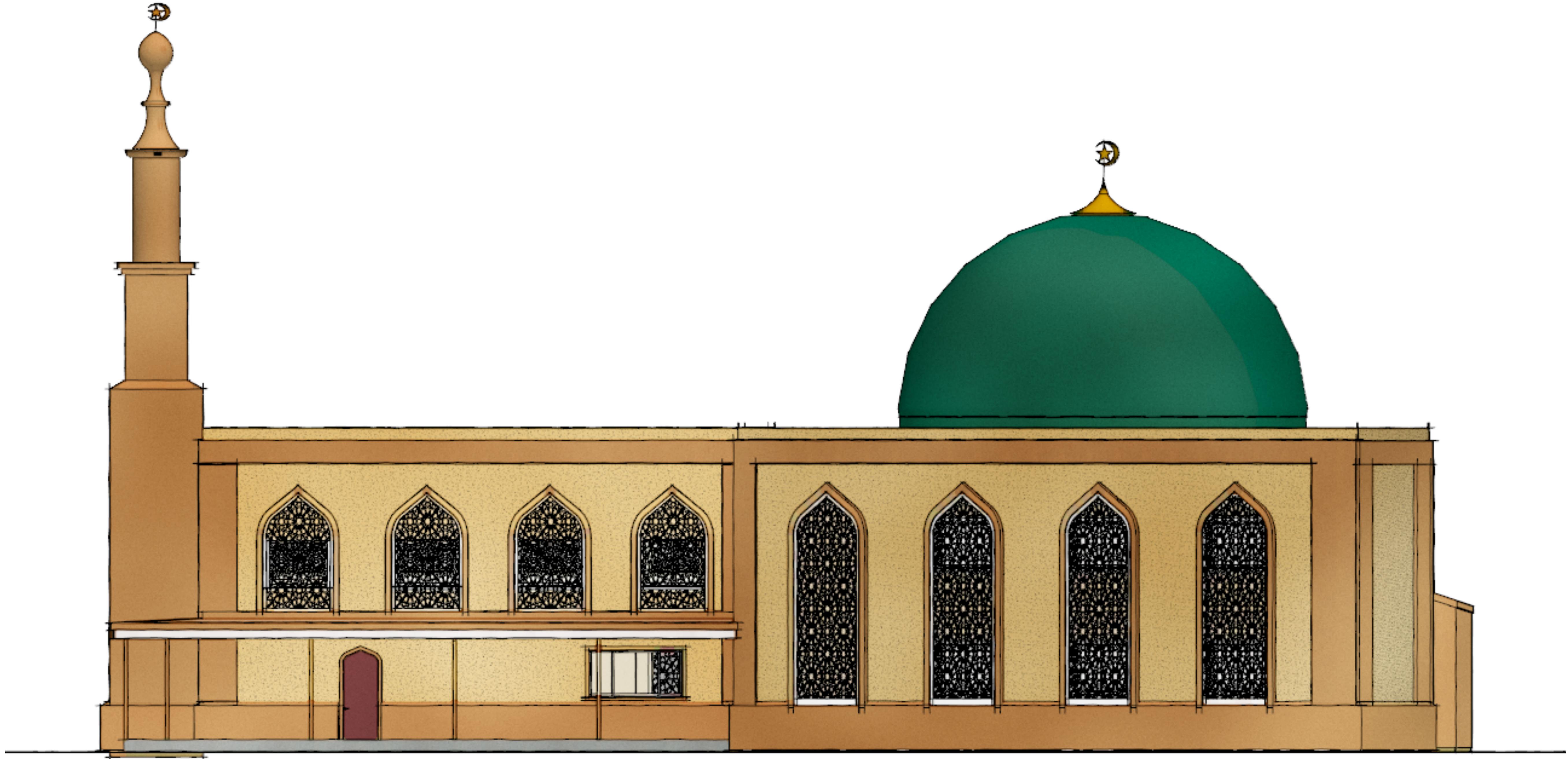
WEST / FRONT ELEVATION

DATE 10/12/2021

Pete Mitracos

ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376



CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

BUILDING
ELEVATIONS

EAST / BACK ELEVATION

A-06

DATE 10/12/2021

Pete Mitracos

ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376

REVISIONS

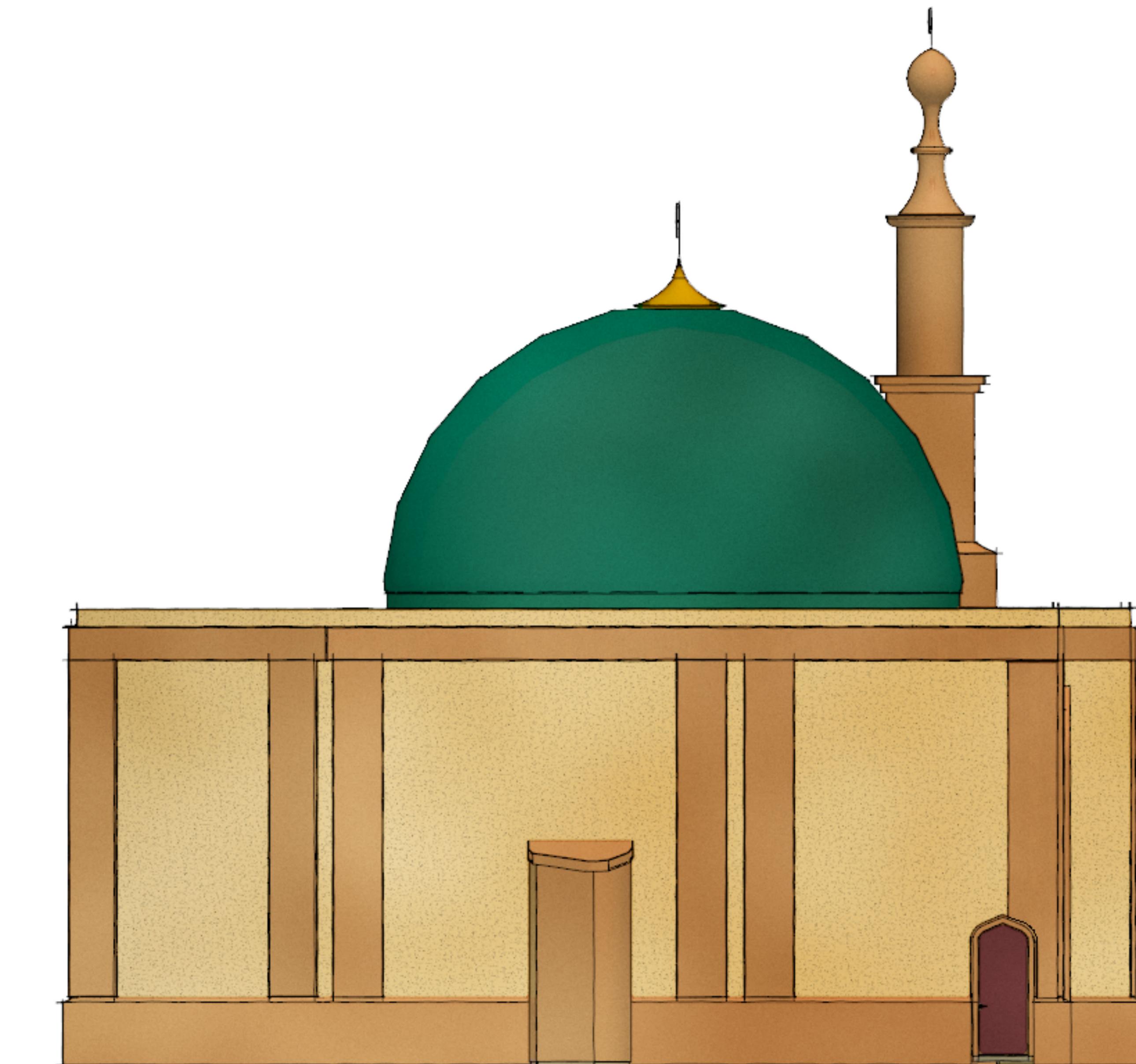
CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

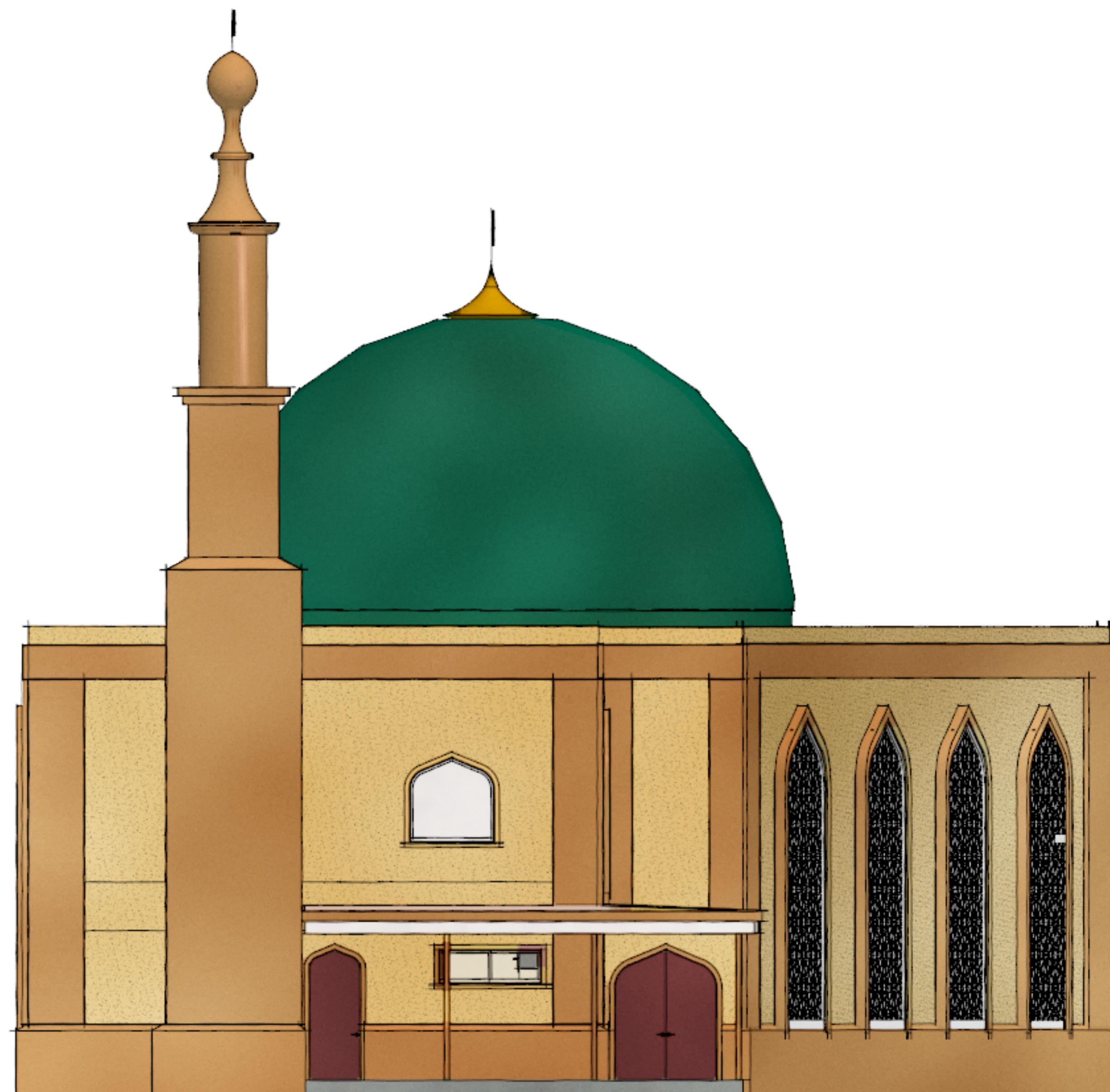
BUILDING
ELEVATIONS

A-07

DATE 10/12/2021



NORTH ELEVATION

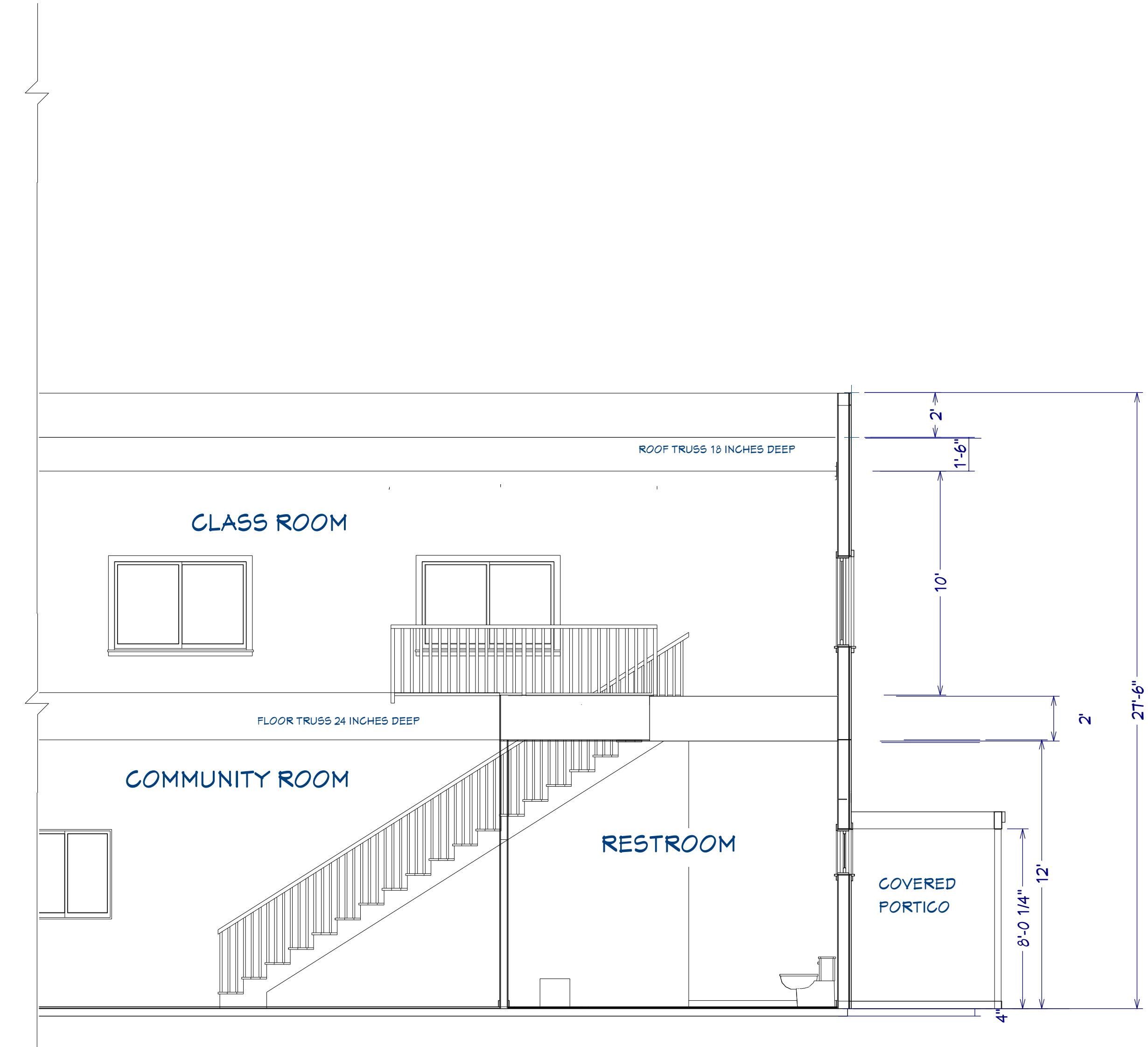
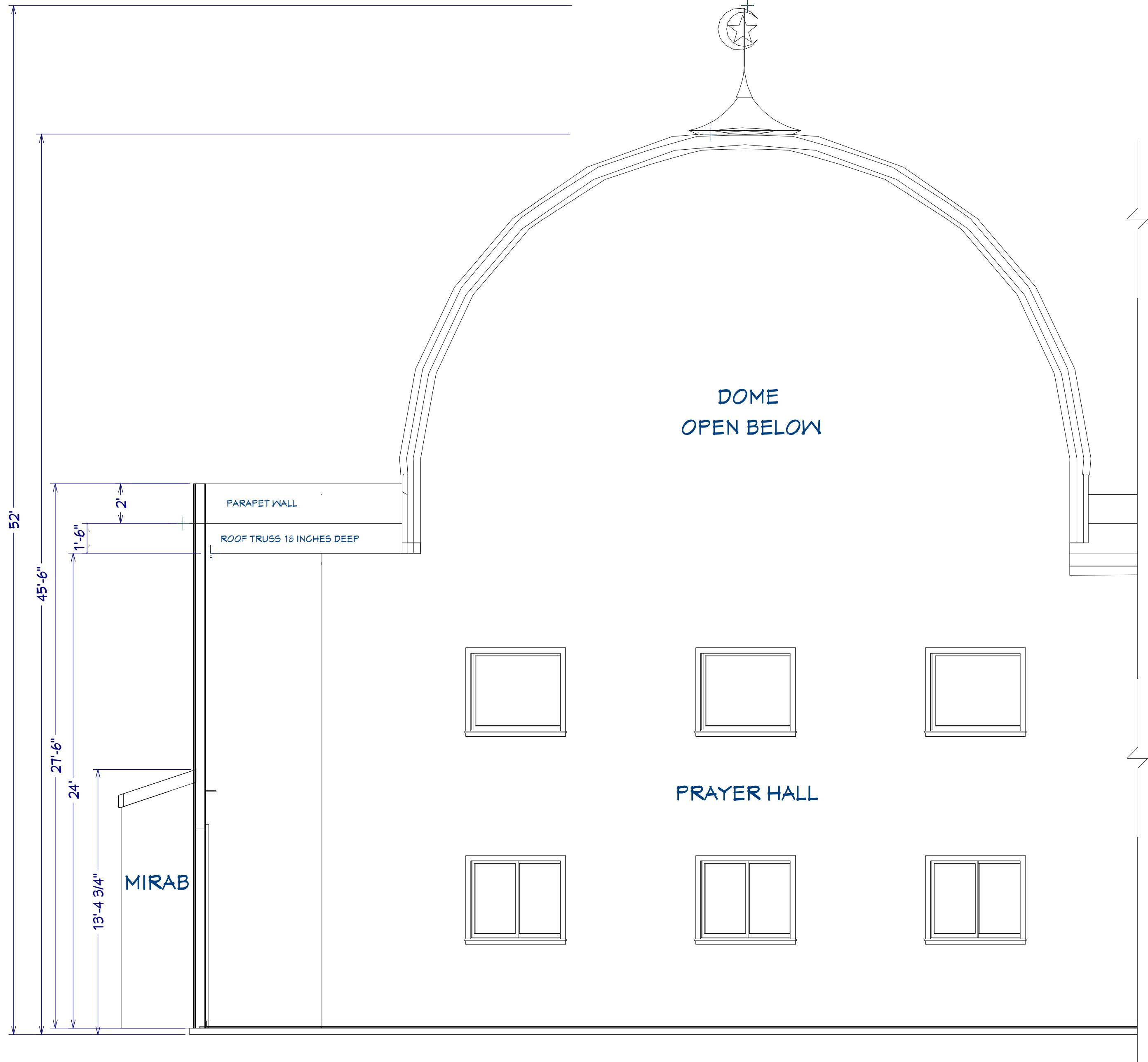


SOUTH ELEVATION

Pete Mitracos

ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376



REVISIONS

CLIENT

ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

BUILDING SECTION

A-08

DATE 10/12/2021

Pete Mitracos

ISLAMIC SOCIETY OF TRACY ADDITION

350 N. CORRAL HOLLOW RD.
TRACY, CA 95376

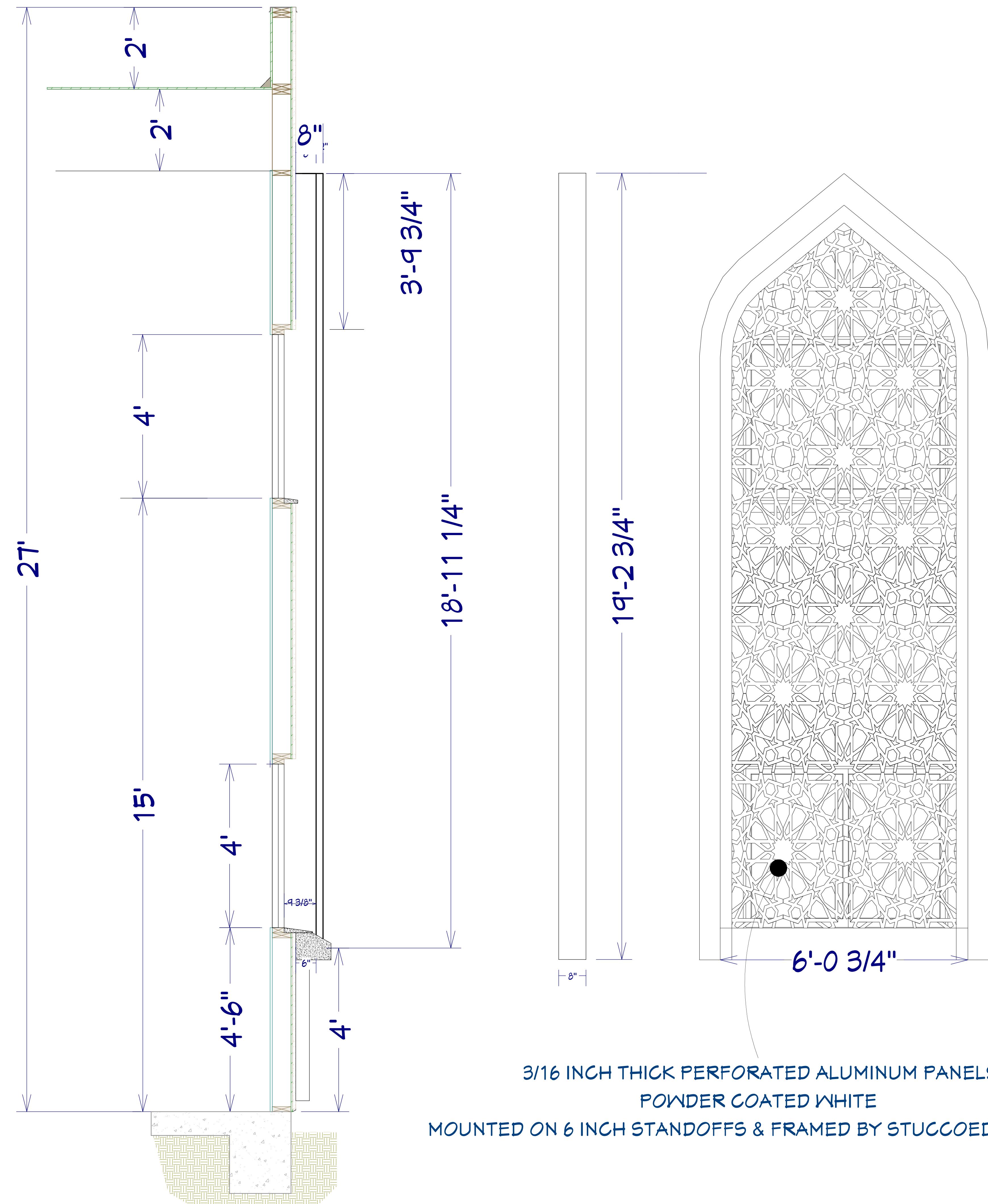
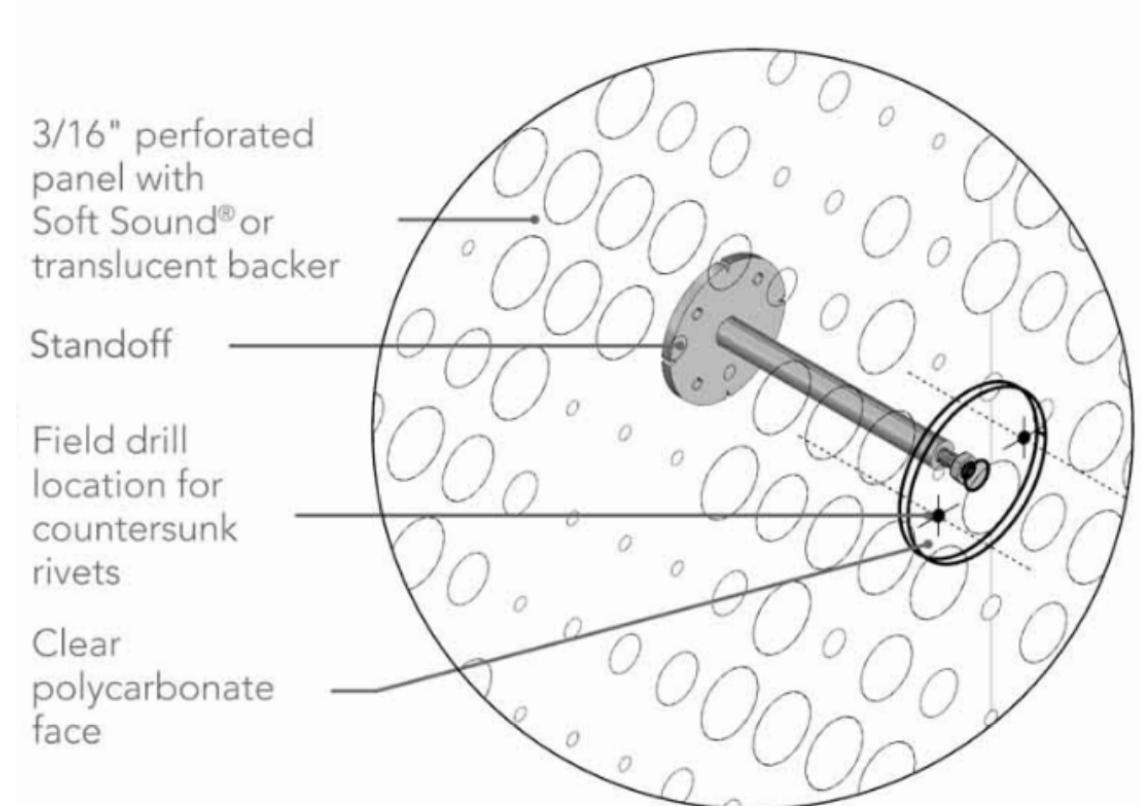
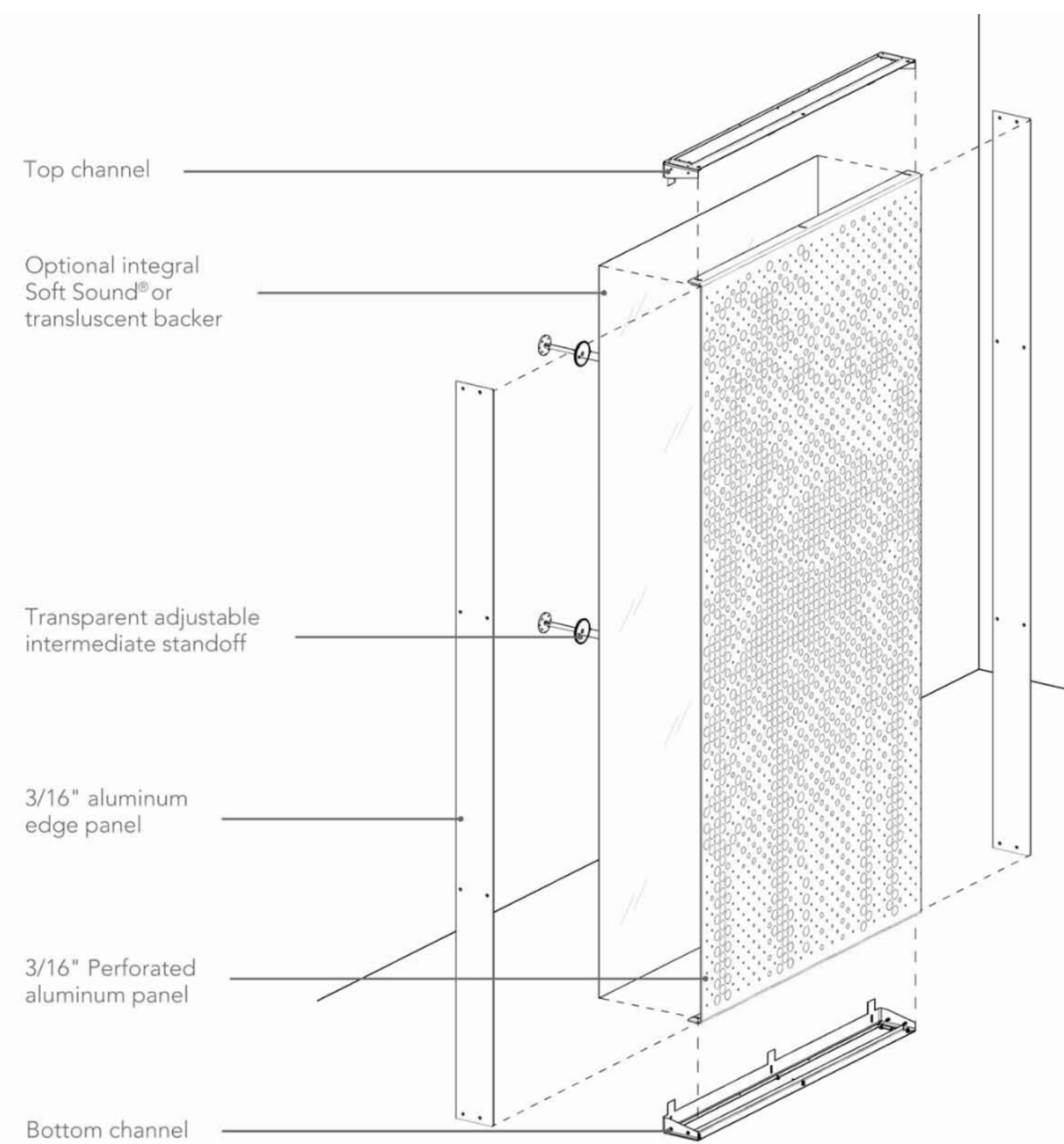
REVISIONS

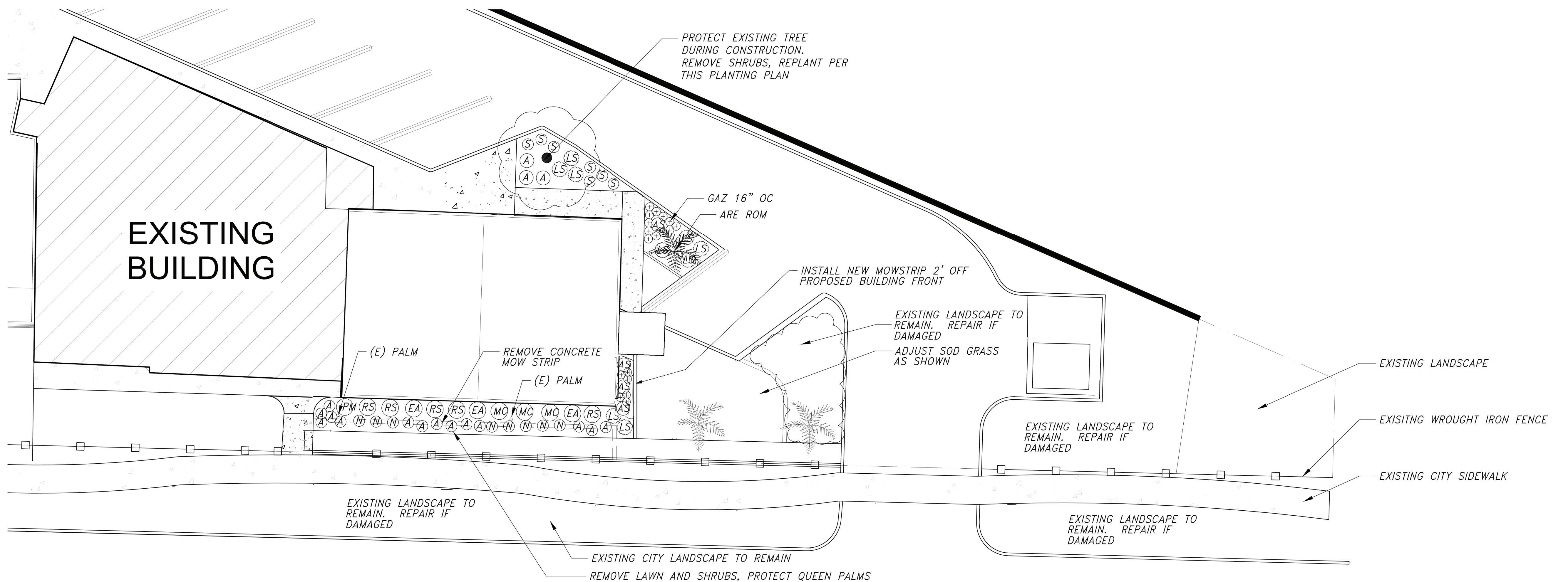
CLIENT
ISLAMIC SOCIETY OF TRACY
350 N. CORRAL HOLLOW RD.
TRACY, CA 95376
209.814.5691

**WINDOW
SCREEN DETAIL**

A-09

DATE 10/12/2021





CORRAL HOLLOW ROAD

PLANT LEGEND

SYMBOL	SIZE	QUANTITY	BOTANICAL NAME	COMMON NAME
ARE	ROM 15 Gal	1	<i>Arecastrum romanizoffianum</i>	Queen Palm
AS	5 Gal	5	<i>Aloe striatus</i>	Aloe
EA	5 Gal	3	<i>Euonymus j. Aureomarginata</i>	Golden Euonymu
MC	5 Gal	3	<i>Myrtus communis compacta</i>	Myrtle
PM	5 Gal	4	<i>Phormium tenax Maori Queen</i>	Flax
RS	5 Gal	5	<i>Rhaphiolepis i. Springtime</i>	Indian Hawthorr

INSTALLATION AND PLANTING NOTES

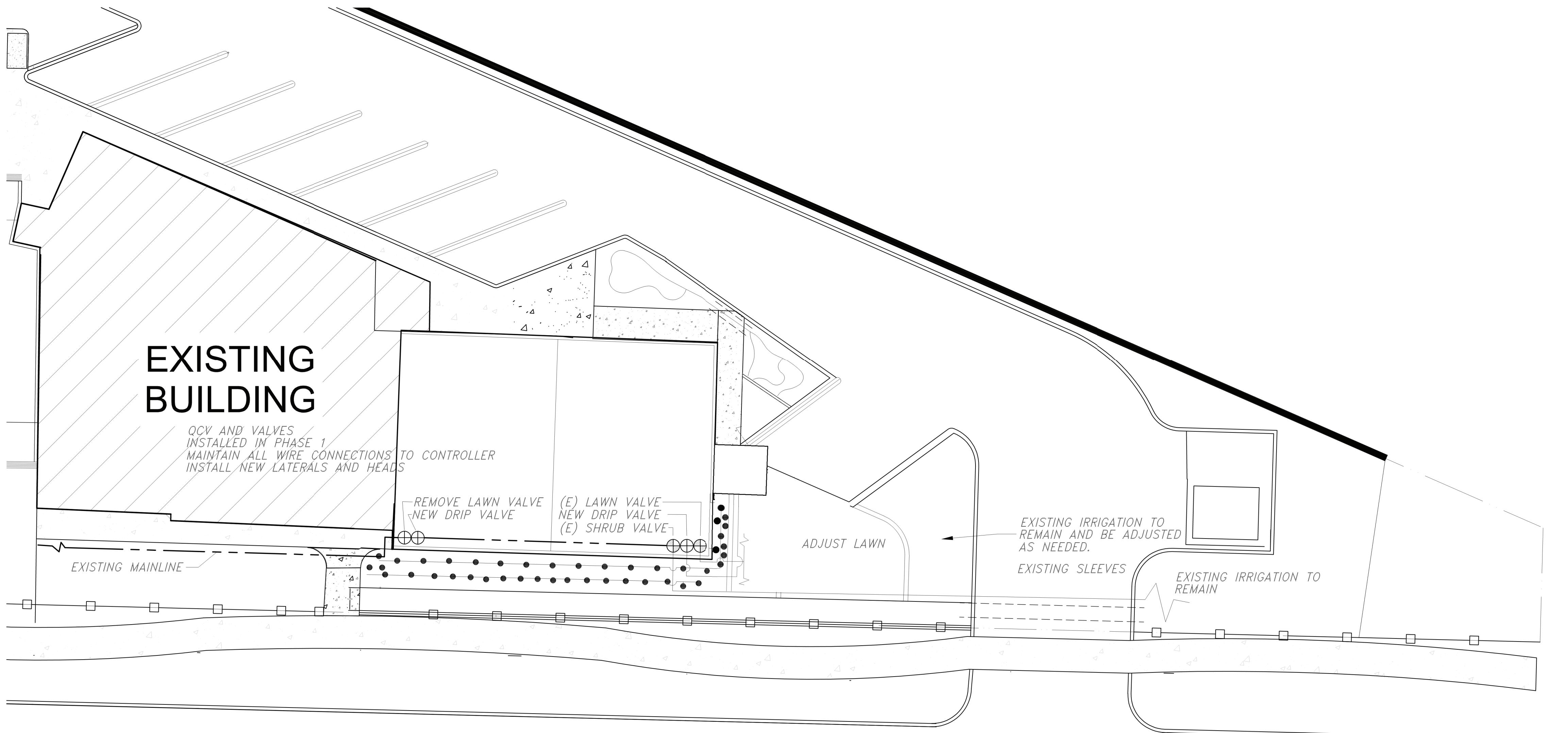
1. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LOCAL CODES
2. THE LANDSCAPE CONTRACTOR SHALL INSPECT THE SITE AND BE FAMILIAR WITH ALL EXISTING SITE CONDITIONS PRIOR TO SUBMITTING A BID. THE LANDSCAPE CONTRACTOR SHALL REVIEW RELATED DRAWINGS AND SHALL ENSURE COORDINATION WITH ALL APPLICABLE TRADES PRIOR TO SUBMITTING A BID.
3. REMOVE CONCRETE AND CONSTRUCTION RESIDUE PLANTER BEDS BEFORE SOIL PREP
4. BERMUDA GRASS SHALL BE EFFECTIVELY TREATED AND CONTROLLED PRIOR TO ANY PLANTING.
5. THE LANDSCAPE CONTRACTOR IS TO NOTIFY THE OWNER 48 HOURS PRIOR TO PLANTING FOR A SITE OBSERVATION AND APPROVAL.
PRIOR TO FINAL SITE OBSERVATION, ALL LANDSCAPE AREAS ARE TO BE WEED FREE AND ALL PLANTS IN A HEALTHY THRIVING CONDITION.
6. THE CONTRACTOR IS RESPONSIBLE FOR ALL SURFACE DRAINAGE, AND ALL PLANTING AREAS. NO SPOTS WHICH HOLD STANDING WATER WILL BE ACCEPTED
7. DIG PLANTING PITS TWO TIMES THE HEIGHT AND WIDTH OF THE ROOT BALL. BACKFILL ROOTBACKFILL PITS WITH 3/4 PARTS NATIVE SOIL AND 1/4 PARTS NITRIFIED REDWOOD SHAVINGS (NRSA) AND PLANT PITS ARE ALSO TO RECEIVE PLANTING TABLETS AT THE FOLLOWING RATES. 1-1G, 2-5G 4-15G, AND 6-24" BOX.
8. WIRES TO CONTROLLER EXIST. INSTALL NEW CONTROL VALVES WITH PRESSURE REGULATOR AND FILTER FOR DRIP SYSTEM. INSTALL ONE Emitter PER 1 GALLON PLANT AND 2 PER 5 GALLON PLANT.
9. INSTALL NEW MULCH, MATCH TYPE USED IN PHASE 1. APPLY 3" THICK LAYER THROUGHOUT.

ODYSSEY LANDSCAPING, INC.
5400 W. HIGHWAY 12, LODI, CA 95252
(209) 369-6197 (209) 369-6965 FAX
CA CONT. LIC # 424613

LANDSCAPE PLAN SHEET TITLE:

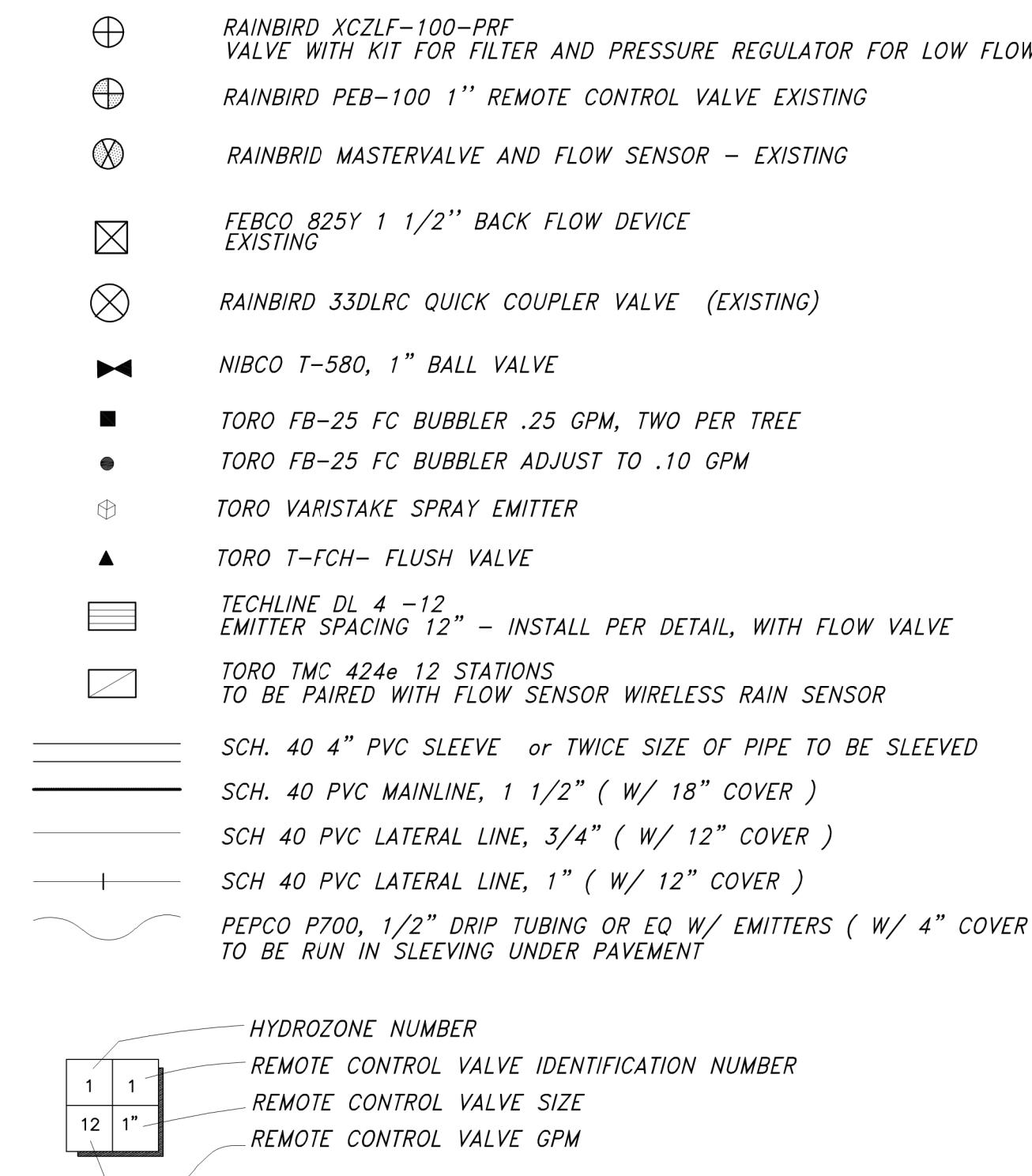
ISLAMIC SOCIETY OF
TRACY - EXPANSION
350 N. CORRAL HOLLOW
TRACY, CALIFORNIA

DATE: 4/15/19
SCALE: 1'' = 10'
DRAWN: JKB
REVIEWED:
SHEET
1
OF 3 SHEET



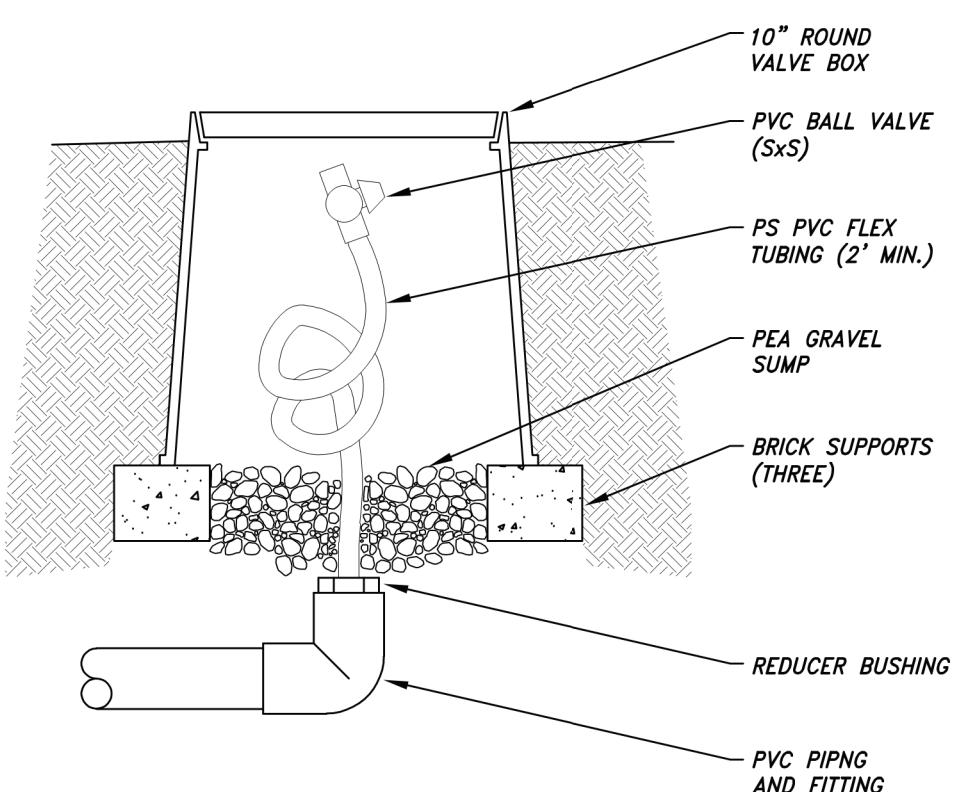
CORRAL HOLLOW ROAD

IRRIGATION LEGEND



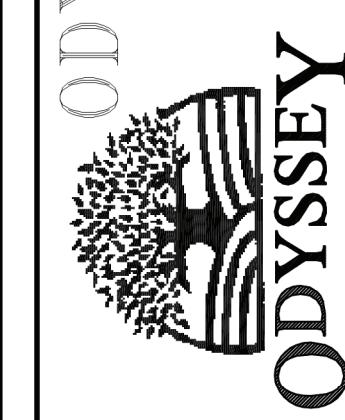
IRRIGATION NOTES

- IRRIGATION SYSTEM SHALL BE FULLY AUTOMATIC AND UNDERGROUND, AND SHALL CONFORM TO CITY, COUNTY, AND OTHER APPROPRIATE CODES AND REGULATIONS.
- PLAN IS DIAGRAMATIC AND IS NOT INTENDED TO SHOW EXACT LOCATIONS OF PIPING, VALVES, ETC. INSTALL PIPE IN PLANTED AREAS WHENEVER POSSIBLE.
- ELECTRICAL SUBCONTRACTOR TO PROVIDE 110V SERVICES TO CONTROLLER LOCATION IN EQUIPMENT ROOM. INSTALL CHASES INTO BUILDING FOR WIRES. LANDSCAPE CONTRACTOR TO MAKE THE FINAL CONNECTION AND PROVIDE PROPER GROUNDING PER CONTROLLER MANUFACTURERS INSTRUCTIONS.
- POINT OF CONNECTION SHOWN ARE APPROXIMATE. ACTUAL LOCATIONS TO BE DETERMINED IN FIELD.
- VALVES TO BE LOCATED IN VALVE BOXES WITH PLANTER AREAS. LOCATION SHOWN ON PLAN IS FOR DESIGN CLARITY ONLY.
- 4" SCH 40 PVC SLEEVES SHALL BE INSTALLED UNDER PARKING AREAS AND UNDER CONCRETE PRIOR TO ANY PAVING
- INSTALL DRIP EMITTERS AS FOLLOWS: (1) 1-GPH PER 1 GALLON SHRUB OR GROUND COVER (2) 2-GPH PER 5 GALLON SHRUB
- SEE IRRIGATION DETAILS FOR ADDITIONAL INFORMATION.
- AT TIME OF CONSTRUCTION IF BUILDING CONSTRUCTION IS PHASED, RUN EXTRA WIRES TO ALLOW FOR FUTURE PHASE LANDSCAPE IRRIGATION. MODIFICATIONS TO DESIGN SHALL BE APPROVED BY OWNER.
- IRRIGATION CONTROLLERS SHOULD BE SET TO WATER BETWEEN 10:00 P.M. AND 5:00 A.M. AND BE PROGRAMMED TO AVOID RUNOFF. ESTABLISH AN IRRIGATION SCHEDULE ACCORDING TO THE WATER NEEDS OF THE PLANTS WITHIN EACH CIRCUIT.



12 FLUSH VALVE
INSTALLATION DETAIL
NO SCALE

BY
DATE: 8/17/16
COA comments
DATE: 9/14/16
City comments
5400 W. HIGHWAY 12, LODI, CA 95232
(209) 369-6197 (209) 369-6965 FAX
CA CONT. LIC # 424613
www.odysseylandscape.com



IRRIGATION PLAN
SHEET TITLE:

TRACY MOSQUE
EXPANSION
350 N. CORRAL HOLLOW
TRACY, CALIFORNIA

DATE: 4/15/19
SCALE: 1" = 10'
DRAWN: JKB
REVIEWED:
SHEET
L2
OF 3 SHEETS

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION 2022-__

**APPROVING A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW PERMIT FOR
THE EXPANSION OF A PLACE OF WORSHIP AT 350 N. CORRAL HOLLOW ROAD -
APPLICANT IS PETE MITRACOS AND THE PROPERTY OWNER IS ISLAMIC SOCIETY OF
TRACY - APPLICATION NUMBERS CUP19-0004 & D19-0017**

WHEREAS, On March 25, 2009, the Planning Commission approved Conditional Use Permit Application Number CUP08-0002 and Development Review Permit Application Number D08-0004 to establish a place of worship at 350 N. Corral Hollow Road, and

WHEREAS, On May 17, 2019, the applicant submitted applications for a conditional use permit and a development review permit to expand the place of worship by approximately 2,588 sf consisting of ground floor and second floor additions, minor parking area modifications, and revised architecture, and

WHEREAS, A conditional use permit is necessary for the expansion of the conditionally permitted land use, and

WHEREAS, A Conditional Use Permit is valid for six months, unless a longer time is granted by the Commission in accordance with Tracy Municipal Code Section 10.08.4360; and

WHEREAS, A Development Review Permit is valid for two years, and

WHEREAS, The applicant has requested that the Conditional Use Permit validity period to match that of the Development Review Permit, and

WHEREAS, The project has been determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332, pertaining to infill development smaller than five acres surrounded by urban uses. No further environmental assessment is necessary, and

WHEREAS, The Planning Commission held a public meeting to review and consider the applications on March 9, 2022.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission does hereby approve the Conditional Use Permit Application Number CUP19-0004 and Development Review Permit Application Number & D19-0017 for an expansion of the place of worship and associated site and building modifications at 350 N. Corral Hollow Road, and for the Conditional Use Permit to valid for the same length of time as the Development Review Permit, subject to the conditions as stated in Exhibit "1" attached and made part hereof, based on the following findings:

1. There are circumstances applicable to the use which make the granting of a use permit necessary for the preservation and enjoyment of substantial property right, because the existing place of worship needs to be expanded to better accommodate the needs of the members, and a use permit is necessary to expand the place of worship.
2. The proposed location of the use and the conditions under which it would be operated or maintained is in accordance with the objectives of the Tracy Municipal Code and the purposes of the Low Density Residential zone in which the site is located, because the

expansion of the place of worship will be conducted in a manner compatible with the neighborhood, the use will be wholly indoors during daytime hours, and all required parking is provided onsite. Because the place of worship, including the community room will only be used by its members during worship times and not available for use by outside parties, no additional noise or traffic will result from the project.

3. The project will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use, or to the general welfare of the City because the project, as conditioned, complies with the Tracy Municipal Code, the City of Tracy General Plan, the Design Goals and Standards, City Standards, California Building Codes, California Fire Codes, and California air quality regulations.
4. The proposal increases the quality of the project site and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy, because the proposed project will update the building from a single-story house to a two-story mosque building that includes a dome, a minaret, and window panels with geometric forms that are characteristic of traditional Islamic patterns.
5. The proposal, as conditioned, conforms to the Tracy Municipal Code, the City of Tracy General Plan, the Citywide Design Goals and Standards, applicable City Standards, California Building Codes, and California Fire Codes, including land use (with granting of a conditional use permit), building design, off-street parking and circulation, and landscaping design.

The foregoing Resolution 2022-____ of the Planning Commission was adopted by the Planning Commission on the 9th day of March, 2022, by the following vote:

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

Chair

ATTEST:

Staff Liaison

**City of Tracy
Conditions of Approval**
Islamic Society of Tracy Expansion
Application Numbers CUP19-0004 & D19-0017

A. General Provisions and Definitions

A.1. General. These Conditions of Approval apply to:

The Project: A first and second story expansion to an existing mosque, and associated parking area improvements (known as Islamic Society of Tracy)

The Property: 350 N. Corral Hollow Road, Assessor's Parcel Number 234-210-29

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer."
- b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
- c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
- d. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
- e. "Conditions of Approval" shall mean the conditions of approval applicable to Project located at the Property, Application Numbers CUP19-0004 & D19-0017. The Conditions of Approval shall specifically include all City of Tracy conditions set forth herein.
- f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the plans received by the Development Services Department on October 14, 2021. These plans include the site plan, floor plan, elevations, and color rendering.

A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.

A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:

- the Planning and Zoning Law (Government Code sections 65000, et seq.)
- the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
- the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").

A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and Design Goals and Standards.

A.7. Protest of fees, dedications, reservations, or other exactions. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.

B. Planning Division Managed Conditions

Contact: Kimberly Matlock (209) 831-6430 kimberly.matlock@cityoftracy.org

B.1. Landscaping & irrigation installation. Prior to final inspection or certificate of occupancy, all landscaping and irrigation substantially conforming with the development review permit plans and the approved building permit construction plans shall be installed to the satisfaction of the Development Services Director. All existing landscaping to remain shall be preserved and protected during construction and replanted with like-plants if lost during construction.

B.2. Parking lot.

B.2.1. Before the approval of a building permit, the applicant shall provide detailed plans that demonstrate new parking stalls are designed in accordance with City Standard Plan 154.

B.2.2. Before the approval of a building permit, the applicant shall provide site plans and construction details that demonstrate 12-inch wide concrete curbs along the perimeter of landscape planters where such planters are parallel and adjacent to vehicular parking spaces to provide access to vehicles without stepping into the landscape planters.

B.2.3. Before the approval of a building permit, the applicant shall provide detailed plans that demonstrate a minimum of one foot candle per Standard Plan 154 throughout the parking area as defined in TMC Section 10.08.3450.

- B.2.4. Before final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way and onto any adjacent private property to the satisfaction of the Development Services Director.
- B.3. Landscaping & irrigation. Before the approval of a building permit, the applicant shall provide detailed landscape and irrigation plans to address the following:
 - B.3.1. Said plans shall demonstrate that no less than 40% of the total parking area, excluding areas not defined as part of the parking area for customers and employees, is shaded in canopy tree coverage at tree maturity.
 - B.3.2. Said plans shall demonstrate that all planters be comprised of trees, shrubs, and groundcover. Trees shall be a minimum of 24" box size, shrubs shall be a minimum size of 5 gallon, and groundcover shall be a minimum size of 1 gallon.
 - B.3.3. Where trees are planted ten feet or less from a sidewalk or curb, root barriers dimensioned 8 feet long by 24 inches deep shall be provided adjacent to such sidewalk and curb, centered on the tree.
- B.4. Screening utilities and equipment.
 - B.4.1. Before final inspection or certificate of occupancy, all vents, gutters, downspouts, flashing, and electrical conduits shall be internal to the structures and bollards and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surfaces or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.
 - B.4.2. Before final inspection or certificate of occupancy, no roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes, whether proposed as part of this application, potential future equipment, or any portion thereof, shall be visible from any public right-of-way to the satisfaction of the Development Services Director. Plans to demonstrate such compliance shall be submitted to the City prior to the issuance of a building permit.
 - B.4.3. Before final inspection or certificate of occupancy, all PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures, walls, or landscaping, to the satisfaction of the Development Services Director.
 - B.4.4. No bollards, chain link, or similar improvements that are industrial in nature shall be readily visible to the public.

C. Building Division Managed Conditions

Contact: Phillip Rainone (209) 831-6413 phillip.rainone@cityoftracy.org

- C.1. At the time of building permit submittal, applicant shall submit the construction documents which shall be prepared by a licensed design professional as per CBC section 107.1.

C.2. At time of building permit submittal, applicant to submit construction documents which shall clarify use and occupancy of each space as per CBC Chapter 3. Note the following based on development plans:

- i. A3 – Assembly for worship
- ii. A2 – Assembly uses for food and/or drink consumptions
- iii. B – offices
- iv. A3 – Religious educational rooms which are accessory to places of religious worship in accordance with Section 303.1.4 and have occupant loads of less than 100 per room or space shall be classified as Group A-3
- v. U – Minaret
- vi. S-1 – Storage of tables and chairs

C.3. Cover sheet indicates “the proposed addition does not increase the occupancy load.” At time of building permit submittal, Applicant to submit construction documents with appropriate occupant load calculations since the occupant load is based on the capacity of the building and the calculated occupant load will increase from the 2,467 sf addition as per CBC Section 1004 and Table 1004.1.2.

C.4. At time of building permit submittal, applicant to submit construction documents that clarify whether the classroom can be used for religious or for also public education. The Cover sheet indicates that the proposed addition may also be used for classes once a week during weekends. If it is not used for religious education, it cannot be considered accessory to places of religious worship and will be classified as group E as per CBC section 305.1.1 (not noted in above list of occupancies).

C.5. At time of building permit submittal, applicant to submit construction documents that clarify if the building is non-sprinklered or if the proposed addition will be fire sprinklered as per CBC 903.

C.6. At time of building permit submittal, applicant to submit construction documents which show the means of egress plans with the 2nd story classroom and 1st story multipurpose rooms with an assumed occupancy of A-3 will have 2 exits.

C.7. At time of building permit submittal, applicant to submit construction documents that clarify and graphically show any rated walls and rated assemblies. Based on proposed minaret height of 64 feet from grade, the minaret must have a firewall and be of Type IIA or Type IIIA construction to extend to that height or the existing structure must be upgraded to a higher construction type as per Table 504.3. Per Section 504.3, “towers, spires, steeples, and other roof structures shall be constructed of materials consisted with the required type of construction of the building consistent with the required type of construction of the building. The structures shall be unlimited in height where of noncombustible materials and shall not extend more than 20 feet above the allowable building height where of combustible materials.” Based on Table 504.3, a Type VB nonsprinklered building has an allowable height of 40 feet.

C.8. At time of building permit submittal, applicant to submit construction documents that provide details of the existing conditions demonstrating compliance with the applicable requirements of Chapter 11B. For any non-compliant elements, applicant to provide

details of the work to be performed in order meet accessibility requirements. When alterations are made to existing buildings, an accessible path of travel to the specific area of alteration shall be provided per CBC §11B-202.4. The primary accessible path of travel includes a primary entrance to the building. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops.

C.9. Prior to construction of any structures, applicant must submit construction documents, plans, specifications and/or calculations to the Building Safety Division which meet all requirements of Title 24 California Code of Regulations, as applicable per Title 24 California Code of Regulations.

D. South San Joaquin County Fire Authority Managed Conditions

Contact: Fire Marshal (209) 831-6707 fire.plancheck@sjcfire.org

D.1. Prior to construction, applicant shall submit construction documents to the South San Joaquin County Fire Authority for review and approval.

- a. Construction documents shall be designed to the current edition of the California Code of Regulations, Title 24, as amended by the City of Tracy Municipal Code.
- b. Deferred submittals shall be listed on the coversheet of each page. Each deferred submittal shall be submitted, reviewed and approved by SSJCFA prior to installation.
- c. Fire protection water supply must be submitted separately from construction permit. All piping and installation shall be in accordance with CFC §507 & NFPA standards. Approval of grading and/or on-site improvements does not grant installation of underground fire service.
- d. Fire sprinklers shall be designed by a licensed fire protection contractor or engineer. Hydraulic calculations, specifications and plans shall be submitted prior to issuance of building permit.
- e. A request for fire flow shall be submitted to the South San Joaquin County Fire Authority and results shall be approved by the Fire Marshal prior to construction. Fire flow requirements shall be in accordance with CFC Appendix B.
- f. Fire department connections shall be installed in accordance with CFC §912 and NFPA standards. A hydrant shall be placed within 100' of the FDC, in accordance with NFPA 14 §6.4.5.4. FDC locations shall be approved by the fire code official prior to issuance of construction permit.
- g. Fire control room locations shall be approved by the fire code official prior to the issuance of construction permit. Fire control rooms shall be adjacent to the electrical room and accessible from the fire apparatus access road.

D.2. Engineering and building permit applications received by our offices are subject

to the current feeschedule for South San Joaquin County Fire Authority. Contact our offices for additional information.

- a. Application processing fees and minimum plan review fees are due at time of submittal ofconstruction documents.
- b. Additional plan review fees, minimum inspection fees and administrative fees are calculatedon approval of project and shall be paid prior to issuance of permit.
- c. Permit holder is responsible for any additional inspection fees incurred, and shall be paidprior to final inspection.

D.3. Prior to construction, all-weather fire apparatus access roads shall be installed. Fire apparatus access roads during construction shall have a minimum 20' unobstructed width in accordance withCFC §503.

D.4. All hydrants shall be installed, inspected and tested prior to bringing combustible materials onsite,including storage.

D.5. Knox boxes shall be required. The operator of the building shall immediately notify the Fire Authority and provide the new key where a lock is changed or rekeyed. The key to such shall be secured in the key box.

D.6. The installation of security gates across a fire apparatus access road shall require, prior to installation, approval by the fire code official. Where security gates are installed, they shall have anapproved means of emergency operation. The security gates and the emergency operation shall bemaintained operational at all times. All electrically operated automatic gates across fire apparatus access roads shall be equipped with traffic preempting optical signal receivers compatible with theemitters utilized by the Fire Department, which will activate the gate and override all command functions of the gate controller. Knox Switches shall be provided at automatic gates. The traffic preemptive optical signal receiver and key switch shall be provided on both sides of an automatic access gate where an exit loop is not provided. The automatic gate shall have a battery backup or manual mechanical disconnect readily accessible to emergency personnel in case of power failure. All gates must meet Fire Department standards deemed necessary by the fire code official for rapid,reliable access. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply withthe requirements of ASTM F 2200. All manual gates shall be equipped with a Knox-Box containing akey to the gate, or an approved Knox-Padlock.

D.7. Prior to occupancy of each new business, the tenant shall contact South San

Joaquin County Fire Authority for a new business inspection. Additional fees may be required for New Business, Annual and Operational Fire Permits. All fees shall be paid prior to approval of inspections.

D.8. Prior to final inspection, emergency radio responder coverage shall be tested to confirm coverage areas. It is beneficial for the applicant to conduct testing at foundation as retrofitting for the conduit is costly. If coverage is inadequate, a separate permit for emergency radio responder coverage shall be submitted to SSJCFA for review and approval prior to installation. Additional improvements may warrant additional testing to be performed. Testing shall be the determination of the fire code official.

E. The following conditions provide the applicant with options for funding required Citywide services.

Contact: Karin Schnaider (209) 831-6841 karin.schnaider@cityoftracy.org

E.1. Streets, Streetlights and Sidewalks

Before issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required PG&E), by doing one of the following, subject to the approval of the City's Finance Director:

a. Community Facilities District (CFD). Developer shall enter into an agreement with the City, to be signed by the Finance Director, which shall be recorded against the Property, which requires that prior to the final inspection, Developer shall complete the annexation of the Property to City of Tracy Community Facilities District in compliance with the requirements of the Mello – Roos Community Facilities Act of 1982 (Gov. Code § 53311 et seq.) including, without limitation, affirmative votes, and the recordation of a Notice of Special Tax Lien. Developer shall be responsible for all costs associated with the CFD proceedings.

Or

b. POA and dormant CFD. If the POA is the chosen funding mechanism, Developer must do the following:

- 1) Form a Property Owner's Association (POA) or other maintenance association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required by PG&E);
- 2) Cause the POA to enter into an agreement with the City, in a form to be

approved by the City and to be recorded against the Property prior to the final inspection, setting forth, among other things, the required maintenance obligations, the standards of maintenance, and all other associated obligation(s) to ensure the long-term maintenance by the POA for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property;

- 3) Before final inspection, annex into a CFD in a "dormant" capacity, to be triggered if the POA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property. The dormant tax or assessment shall be disclosed to all property owners, even during the dormant period.

Or

- c. Direct funding. Developer shall enter into an agreement with the City, which shall be recorded against the Property, which requires that prior to approval of final inspection, Developer shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required PG&E).

If the provisions for adequate funding of the on-going costs of operation, maintenance and replacement for the streets, traffic signals, streetlights, sidewalks, and street sweeping that will serve the Property (including all costs required PG&E) are met prior to issuance of the building permit for the Property, subject to the Finance Director's review and approval, the terms of this condition shall be considered to have been met and this condition shall become null and void.

E.2. Landscaping Maintenance

Prior to issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of operation, maintenance and replacement for public landscaping for the Property at a high-quality service level as determined by the Public Works Director by doing one of the following, subject to the approval of the City's Finance Director:

- a. CFD or other funding mechanism. The Developer shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates the following: (1) prior to issuance of a building permit, the Developer shall form or annex into a Community Facilities District (CFD) for funding the on-going costs related to maintenance, operation, repair and replacement of public landscaping, public walls and any public amenities included in the Project, and ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan; (2) the items to be maintained include but are not limited to the following: ground cover, turf,

shrubs, trees, irrigation systems, drainage and electrical systems; masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks, and public open space areas and trails; (3) formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien; (4) upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment; (5) prior to issuance of a building permit, the Developer shall deposit an amount equal to the first year's taxes; and (6) the Developer shall be responsible for all costs associated with formation or annexation of the CFD.

Or

- b. POA and dormant CFD. If the POA is the chosen funding mechanism, the Developer must do the following:
 1. Form a Property Owner's Association (POA) or other maintenance association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going maintenance of all public landscaping areas that will serve the Property;
 2. Cause the POA to enter into an agreement with the City, in a form to be approved by the City and to be recorded against the Property prior to the final inspection, setting forth, among other things, the required maintenance obligations, the standards of maintenance, and all other associated obligation(s) to ensure the long-term maintenance by the POA of all public landscape areas that will serve the Property;
 3. Make and submit to the City, in a form reasonably acceptable to the City, an irrevocable offer of dedication of all public landscape areas that will serve the Property;
 4. Before final inspection, annex into a CFD in a "dormant" capacity, to be triggered if the POA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of public landscape maintenance. The dormant tax or assessment shall be disclosed to all property owners, even during the dormant period.

Or

- c. Direct funding. The Developer shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates that prior to issuance of a building permit, the Developer shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full on-going maintenance costs related to maintenance, operation, repair and replacement of public landscaping, public walls and any public amenities included in the Project,

and ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan. The items to be maintained include but are not limited to the following: ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems, masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks, and public open space areas and trails.

March 9, 2022

AGENDA ITEM 1.C.

REQUEST

PUBLIC HEARING TO CONSIDER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR ELLIS LIMITED USE AREA, CONSISTING OF NINE APPROXIMATELY ONE-ACRE RESIDENTIAL LOTS AND AN APPROXIMATELY 32-ACRE REMAINDER PARCEL ON APPROXIMATELY 42.22 ACRES LOCATED WEST OF CORRAL HOLLOW ROAD, SOUTHEAST OF ELLIS TOWN DRIVE, AND SOUTHWEST OF SUMMIT DRIVE WITHIN THE ELLIS SPECIFIC PLAN AREA, ASSESSOR'S PARCEL NUMBER 240-140-41. THE APPLICANT IS THE SURLAND COMPANIES AND THE PROPERTY OWNER IS ELLIS STORAGE, LLC. APPLICATION NUMBER TSM21-0002

BACKGROUND

On January 22, 2013, City Council certified the Final Revised Environmental Impact Report for the Ellis Specific Plan and approved a General Plan amendment, annexation, and the Ellis Specific Plan for the 321-acre site known as Ellis. A development agreement was approved by City Council on March 19, 2013. Annexation of the Ellis site to the City of Tracy was completed by LAFCo on April 16, 2013.

On July 23, 2014, Planning Commission approved a Tentative Subdivision Map for the first phase of the Ellis Specific Plan, consisting of 296 residential lots and six other parcels on approximately 150 acres, located at the northwest corner of Corral Hollow Road and Linne Road, Application Number TSM11-0002.

On May 10, 2017, Planning Commission approved a Tentative Subdivision Map for Ellis Phase 2, consisting of 356 residential lots and nine other parcels on approximately 106 acres, located immediately west of Ellis Phase 1, Application Number TSM16-0003.

On May 8, 2019, Planning Commission approved a Tentative Subdivision Map for Ellis Phase 3, consisting of 310 residential lots, two parks, and five other parcels, on approximately 74.36 acres located immediately west of Ellis Phase 2 and east of Lammers Road, Application Number TSM18-0005.

On May 4, 2021, at request of The Surland Companies, the Tracy City Council adopted Ordinance 1305 to merge the Ellis and Avenues Specific Plans into the Ellis Specific Plan. The Ellis Specific Plan area now includes the original Ellis Specific Plan area, referred to as the "Ellis Neighborhood", and the original Avenues Specific Plan area, referred to as the "Avenues Neighborhood."

DISCUSSION

Tentative Subdivision Map

The Surland Companies has proposed a Tentative Subdivision Map for the residential estate and limited use areas located in the southeastern portion of the Ellis Neighborhood (Attachment A). The subject property consists of approximately 42.22

acres located east of Lammers Road in the vicinity of Ellis Town Drive, bounded by Summit Drive to the north, Corral Hollow Road to the east, Avalon Drive to the south, and Ellis Town Drive to the west. The proposal is to subdivide the site into nine approximately one-acre parcels for residential uses and a 31.93 remainder parcel for an approximately 2.5-acre dog park and other future development.

The area proposed for nine one-acre lots and an approximately 2.5-acre portion of the remainder parcel are designated Residential Estate by the Ellis Specific Plan, which permits 1 to 9.4 dwelling units and public parks. The balance of the project area is designated Limited Use by the Ellis Specific Plan, wherein office, business services, and self-storage uses are permitted by the Plan. The project area is covered under SJCOC's Airport Land Use Compatibility Plan (ALUCP) and designated in the Tracy Municipal Airport Outer Approach/Departure Zone – Zone 4. ALUCP staff reviewed the proposed tentative map for conformity with the Airport Land Use Plan on July 27, 2021.

The design of the proposed Tentative Subdivision Map is consistent with the Ellis Specific Plan. Each residential estate lot is at least one acre in size, consistent with the requirements of the Ellis Specific Plan. The residential lots are designed to front onto the streets, where access to lots 1 through 5 comes from Avalon Drive and access to lots 6 through 9 comes from Summit Drive. As proposed, lots 5 and 6 will have access via 20-ft wide access drives from Avalon and Summit Drives to keep Ellis Town Drive clear of driveways, consistent with the design of this primary roadway throughout Ellis.

No architecture is currently proposed for the residential lots. Since this project is proposed as a Tentative Subdivision Map (not a Vesting Map), architecture is not a submittal requirement for this application. However, conceptual architecture and design guidelines were approved in the Ellis Specific Plan/ Pattern Book. The Ellis Specific Plan requires that proposed development, including architecture and site details, be submitted to the City for Pattern Book Certification. Pattern Book Certification is a review process to ensure that the proposed development complies with the Ellis Specific Plan/ Pattern Book. Pattern Book Certification must be completed and approved by the Development Services Director prior to building permit issuance.

No development is currently proposed on the remainder parcel, other than the City Council-approved dog park on approximately 2.5 acres adjacent to Summit Drive. Prior to issuance of building permits for construction on this site, the project must first apply for and receive Pattern Book Certification from the Development Services Director.

Per Tracy Municipal Code Section 12.16.070, the Planning Commission has approval authority for a Tentative Subdivision Map, rather than making a recommendation for City Council action, as is required for Vesting Tentative Subdivision Maps.

Environmental Document

The project is consistent with the Final Revised Environmental Impact Report (EIR) certified by the City Council on January 22, 2013 for the Ellis Specific Plan, which included the Ellis Specific Plan (SCH#2012022023). Pursuant to CEQA Guidelines Section 15162 and Public Resources Code Section 21166, no subsequent EIR shall be prepared for the project because the project has a certified EIR and no substantial

changes are proposed in the project that would require major revisions to the previous EIR; no substantial changes have occurred with respect to the circumstances under which the project will be undertaken that would require major revisions to the previous EIR; and no new information of substantial importance regarding significant effects, mitigation measures, or alternatives for this project has become known, which was not known at the time the previous EIR was certified as complete. Furthermore, as a residential subdivision that is consistent with a specific plan for which an EIR was certified after January 1, 1980, the project is exempt from the requirements of CEQA pursuant to California Government Code Section 65457. Therefore, no further environmental review is necessary.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Tentative Subdivision Map for Ellis Limited Use Area, comprised of nine approximately one-acre and an approximately 32-acre remainder parcel on approximately 42.22 acres located east of Lammers Road in the vicinity of Ellis Town Drive, bounded by Summit Drive to the north, Corral Hollow Road to the east, Avalon Drive to the south, and Ellis Town Drive to the west (Assessor's Parcel Number 240-140-41), Application Number TSM21-0002, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated March 9, 2022.

MOTION

Move that the Planning Commission approve the Tentative Subdivision Map for Ellis Limited Use Area, comprised of nine approximately one-acre and approximately 32-acre remainder parcel on approximately 42.22 acres located east of Lammers Road in the vicinity of Ellis Town Drive, bounded by Summit Drive to the north, Corral Hollow Road to the east, Avalon Drive to the south, and Ellis Town Drive to the west (Assessor's Parcel Number 240-140-41), Application Number TSM21-0002, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated March 9, 2022.

Prepared by Kimberly Matlock, Associate Planner

Reviewed by Scott Claar, Senior Planner

Approved by Bill Dean, Interim Development Services Director

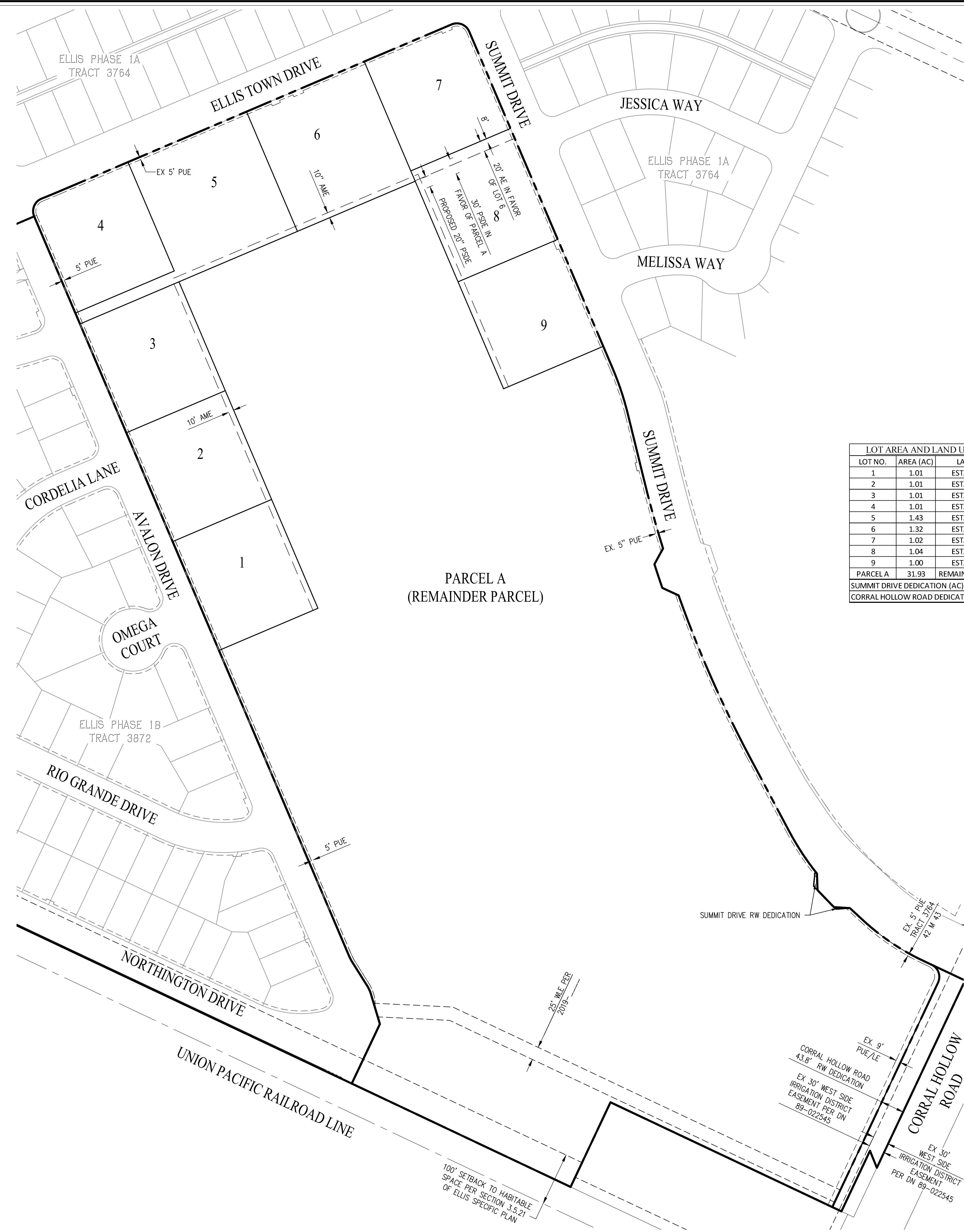
ATTACHMENTS

Attachment A— Vesting Tentative Subdivision Map

Attachment B— Planning Commission Resolution

Exhibit 1—Conditions of Approval

THIS PAGE INTENTIONALLY LEFT BLANK



LEGEND

EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		CURB, GUTTER AND SIDEWALK
		CENTERLINE
		PUBLIC UTILITY EASEMENT-PUE
		SPOT ELEVATIONS
		STORM DRAIN LINE
		SANITARY SEWER LINE
		WATER LINE
		FIBER OPTIC TRENCH (PRIVATE)
		IRRIGATION PIPELINE (PRIVATE)
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		CURB INLET
		FIELD INLET
		FIRE HYDRANT
		MONUMENT
		LOT NUMBER
		FINISH GRADE
		APPROXIMATE STREET SLOPE (MINIMUM 0.40%)
		PERIMETER FENCE
		PERIMETER MASONRY FENCE

x 165.0

+ 170.0

SD

SS

EX SS

EX W

EX FIBER

EX IRRIG

●

●

■

□

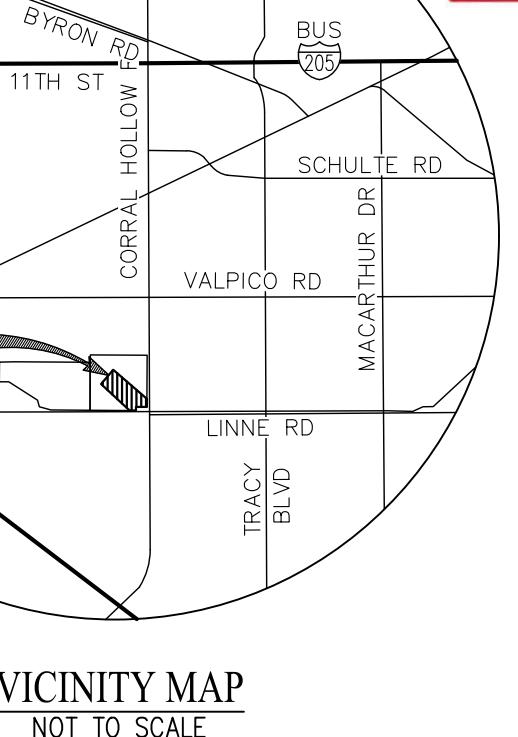
X—X—X

□—□—□

RECEIVED
August 24, 2021
City of Tracy
Development Services

DATE:

N

VICINITY MAP
NOT TO SCALE

GENERAL NOTES

1. OWNER: ELLIS STORAGE, LLC, 1024 N. CENTRAL AVENUE, TRACY, CA 95376
2. SUBDIVIDER: THE SURLAND COMPANIES, 1024 CENTRAL AVENUE, TRACY, CA 95376
3. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC., 2633 CAMINO RAMON, SUITE 350, SAN RAMON, CA 94583, (925) 866-0322, ALBERT PANILIO, R.C.E. 57540
4. GEOTECHNICAL ENGINEER: ENGE, INC., 580 NORTH WILMA AVENUE, SUITE A, RIPPON, CA 95366, (209) 835-0610, STEVE HARRIS
5. ASSESSORS PARCEL NO.: 240-140-410
6. SITE ADDRESS: CORRAL HOLLOW ROAD
7. SITE AREA: 42.22± ACRES
8. EXISTING ZONING: ELLIS SPECIFIC PLAN AREA
9. EXISTING LAND USE: VACANT
10. PROPOSED LAND USE: RESIDENTIAL
11. BENCHMARK: CITY OF TRACY BM#11, 1" BOLT W/ PUNCH IN MONUMENT WELL, LOCATED 280' EAST OF CORRAL HOLLOW ROAD & LINNE ROAD, 40' SOUTH OF THE RAILROAD TRACKS, ELEVATION 171.33 (NAVD 88)
12. SANITARY SEWER: EXISTING SANITARY SEWER SERVICES.
13. STORM DRAIN: EXISTING STORM DRAIN FACILITIES.
14. WATER: EXISTING DOMESTIC WATER SERVICES.
15. FLOOD ZONE: ZONE X PER SAN JOAQUIN COUNTY INSURANCE RATE MAP (FIRM) PANEL 0607C0730F, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANGE (500-YEAR) FLOOD PLAIN.
16. GAS & ELECTRIC: PG&E
17. TELEPHONE: AT&T
18. DIMENSIONS: ALL DIMENSIONS SHOWN ARE PRELIMINARY AND SUBJECT TO FINAL DESIGN AND MAPPING.

ABBREVIATIONS

AME	ACCESS MAINTENANCE EASEMENT
BNDY	BOUNDARY
CL	CENTERLINE
EX	EXISTING
FF	FINISH FLOOR
FL	FLOW LINE
FS	FIRE SERVICE LINE
HP	HIGH POINT
INV	INVERT
L	LENGTH
LF	LINEAL FOOT
LP	LOW POINT
PL	PROPERTY LINE
PUE	PUBLIC UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
R	RADIUS
R/W	RIGHT-OF-WAY
S	SLOPE
SS	SANITARY SEWER
SD	STORM DRAIN
TC	TOP OF CURB
W	WATER
WLE	WATER LINE EASEMENT

CITY ENGINEER'S STATEMENT

I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE TRACY MUNICIPAL CODE AND THE SUBDIVISION MAP ACT AS TO FORM AND CONTENT.

CITY ENGINEER _____ DATE _____

PLANNING COMMISSION FILING CERTIFICATE

TENTATIVE MAP FILED THIS ____ DAY OF ____ 20____ IN THE OFFICE OF THE TRACY PLANNING COMMISSION, TRACY, CALIFORNIA. ACCOMPANIED WITH APPROPRIATE FILING FEES. THIS CERTIFICATE DOES NOT DEEM THIS APPLICATION COMPLETE.

CITY COUNCIL CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF TRACY HAS CONDITIONALLY APPROVED THIS TENTATIVE MAP ON ____ BY RESOLUTION NO. ____.

CITY CLERK _____ DATE _____

ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY CARLSON, BARBEE & GIBSON, INC. UNDER MY DIRECTION

ALBERT PANILIO, R.C.E. 57540 DATE _____

Sheet List Table

Sheet Number	Sheet Title
TM01	TITLE SHEET, GENERAL NOTES & SITE PLAN
TM02	BOUNDARY MAP
TM03	LOTTING PLAN INDEX MAP
TM04	LOTTING PLAN
TM05	LOTTING PLAN
TM06	EXISTING SITE TOPO & UTILITY PLAN

TITLE SHEET, GENERAL NOTES & SITE PLAN
TRACT 3900
TENTATIVE MAP
ELLIS SPECIFIC PLAN
TRACY, CALIFORNIA

SHEET
TM01
OF 6 SHEETS
DATE: AUGUST 2021
8/22/2021 12:00 AM

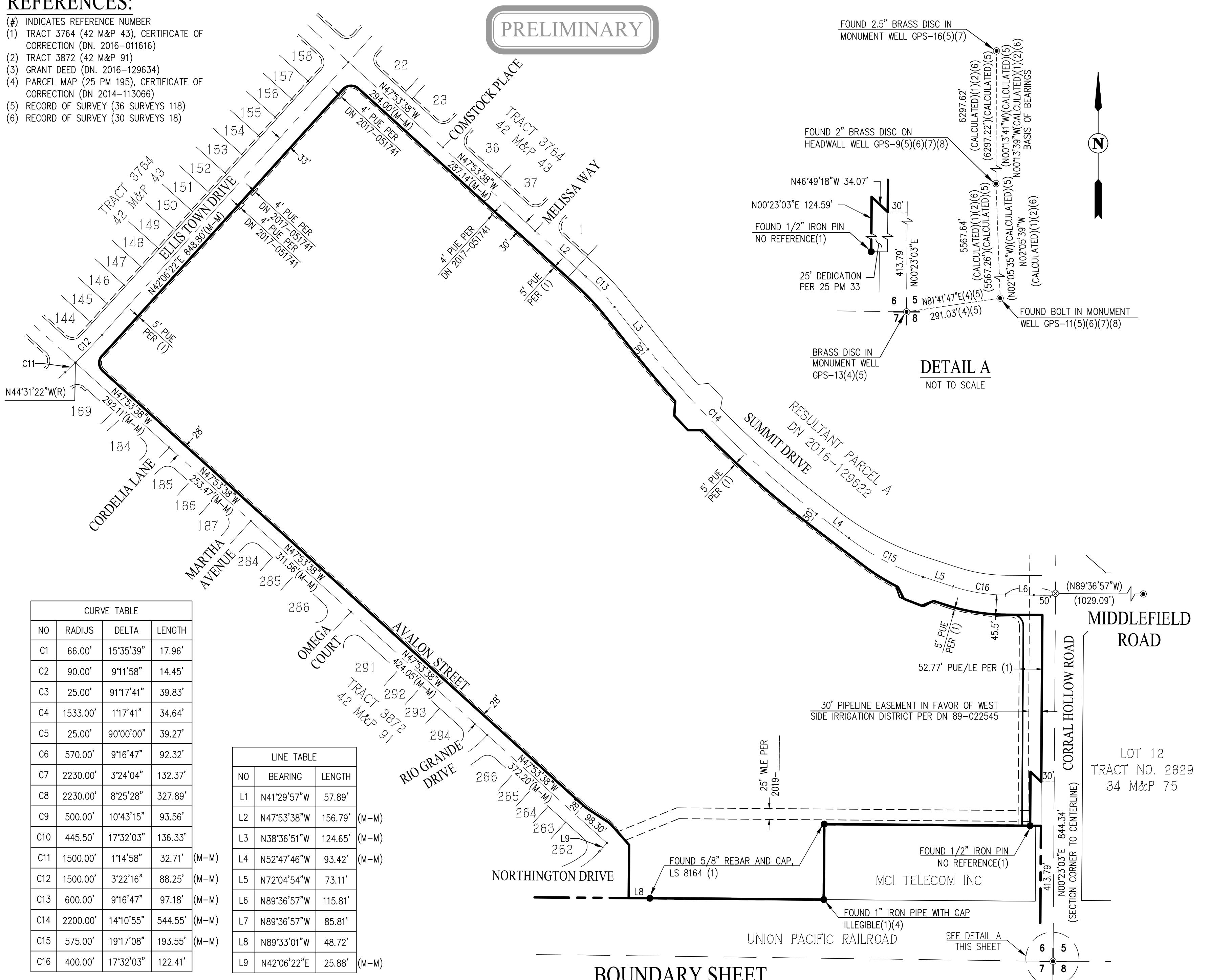
CITY OF TRACY
CITY ENGINEER
ROBERT ANNUO
DATE:

TRACY
THINK INSIDE THE TRIANGLE
www.cbang.com
PLANNERS SURVEYORS CIVIL ENGINEERS

REVISIONS	DESCRIPTION	APPROVED
SYMBOL	DATE	
DESIGNED BY:	ASP	
DRAWN BY:	JFS	
CHECKED BY:	GIZ	
SCALE:	AS SHOWN	

REFERENCES:

(#) INDICATES REFERENCE NUMBER
 (1) TRACT 3764 (42 M&P 43), CERTIFICATE OF CORRECTION (DN. 2016-011616)
 (2) TRACT 3872 (42 M&P 91)
 (3) GRANT DEED (DN. 2016-129634)
 (4) PARCEL MAP (25 PM 196), CERTIFICATE OF CORRECTION (DN. 2014-11066)
 (5) RECORD OF SURVEY (36 SURVEYS 118)
 (6) RECORD OF SURVEY (30 SURVEYS 18)

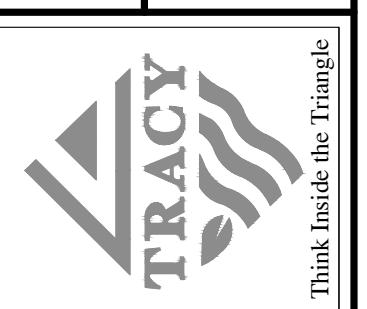


LEGEND

BOUNDARY LINE
 SECTION LINE
 LOT LINE/RIGHT-OF-WAY LINE
 EASEMENT LINE
 CENTERLINE
 CITY LIMIT LINE
 TIE LINE
 RESTRICTED ACCESS
 TOTAL
 RADIAL
 MONUMENT TO MONUMENT
 MONUMENT TO PROPERTY LINE
 FOUND STANDARD STREET MONUMENT PER (2)
 FOUND STANDARD STREET MONUMENT
 FOUND MONUMENT AS NOTED
 SET 5/8" REBAR AND CAP, OR NAIL AND TAG, LS 7960
 PARCEL MAP
 MAPS AND PLATS
 DOCUMENT NUMBER
 LANDSCAPE EASEMENT
 PUBLIC UTILITY EASEMENT
 PRIVATE STORM DRAIN EASEMENT
 WATER LINE EASEMENT
 ACCESS MAINTENANCE EASEMENT
 SHEET LIMIT
 SHEET NUMBER

TM05

CITY OF TRACY	
APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN CITY OF TRACY AND THE UNDERSIGNED ARE NOT RESPONSIBLE FOR ERRORS AND/OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.	
ROBERT ANNUO	CITY ENGINEER



Think Inside the Triangle

cbg	
CIVIL ENGINEERS	
SAN RAMON	(925) 868-0322
ROSEVILLE	(916) 768-4456
www.cbandg.com	
PLANNERS	SURVEYORS

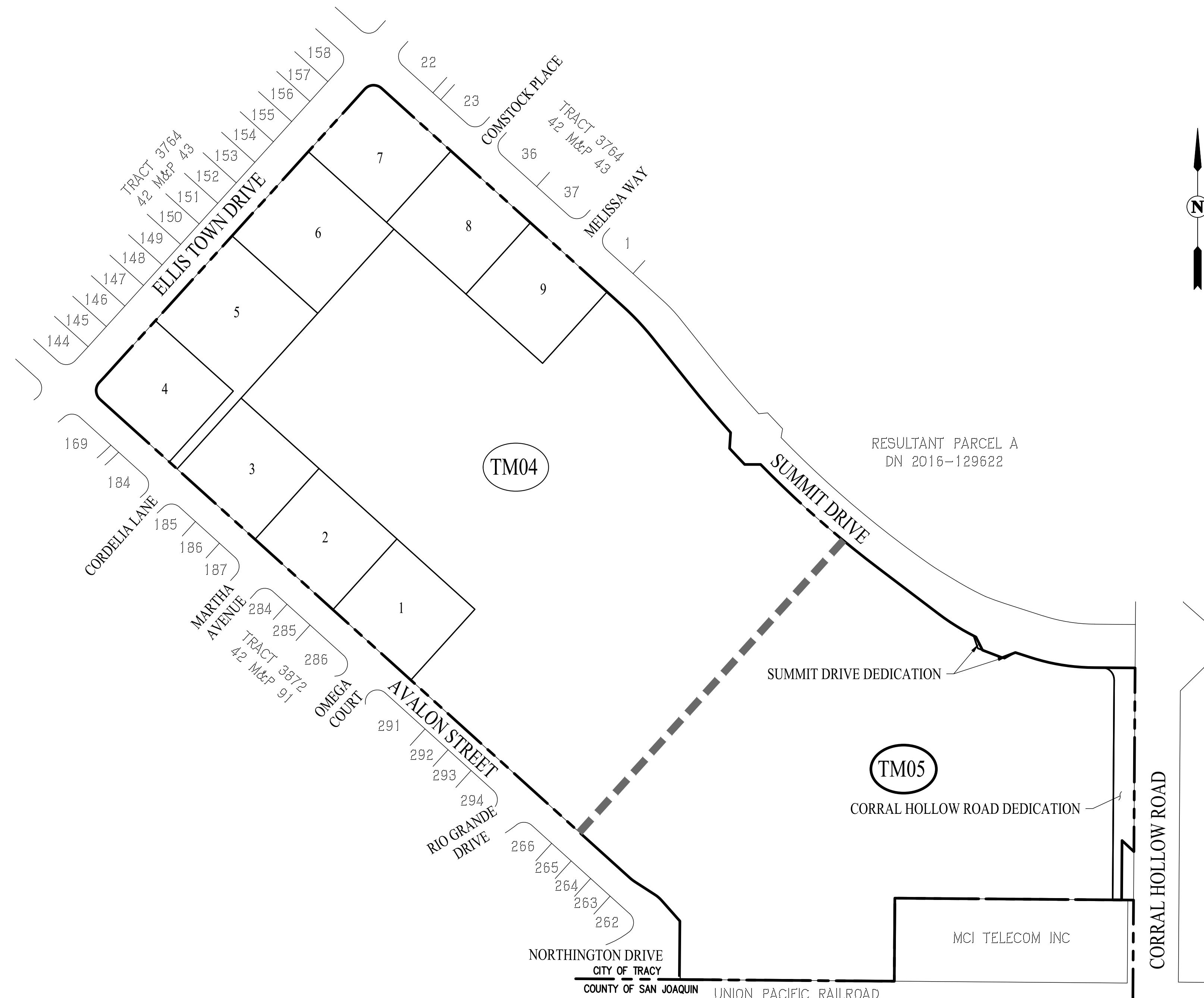
DESIGNED BY:	REVISIONS
ASP	DESCRIPTION
	APPROVED
SYMBOL DATE	
DRAWN BY:	
JFS	
CHECKED BY:	
GIZ	
SCALE:	
AS SHOWN	

BOUNDARY MAP	
TRACT 3900	
TENTATIVE MAP	
ELLIS SPECIFIC PLAN	
TRACY, CALIFORNIA	

SHEET	
TM02	
OF	6
SHEETS	

DATE: AUGUST 2021

8/20/2021 12:20 AM

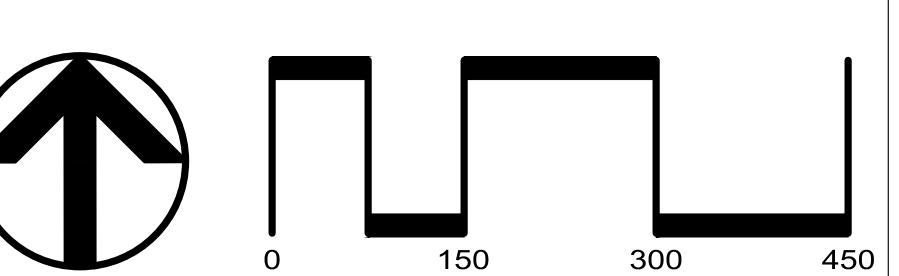


LEGEND

—	BOUNDARY LINE
— — —	SECTION LINE
— — — —	LOT LINE/RIGHT-OF-WAY LINE
- - - - -	EASEMENT LINE
— — — — —	CENTERLINE
— — — — — —	CITY LIMIT LINE
— — — — — — —	TIE LINE
— — — — — — — —	RESTRICTED ACCESS
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
◎	FOUND STANDARD STREET MONUMENT PER (2)
●	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
○	SET 5/8" REBAR AND CAP, OR NAIL AND TAG, LS 7960
PM	PARCEL MAP
M&P	MAPS AND PLATS
DN	DOCUMENT NUMBER
LE	LANDSCAPE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
WLE	WATER LINE EASEMENT
AME	ACCESS MAINTENANCE EASEMENT
— — — — — — — — — —	SHEET LIMIT
— — — — — — — — — — —	SHEET NUMBER

TM05

PRELIMINARY



LOTTING PLAN INDEX MAP
TRACT 3900
TENTATIVE MAP
ELLIS SPECIFIC PLAN
TRACY, CALIFORNIA

SHEET
TM03
OF 6 SHEETS
DATE: AUGUST 2021

CITY OF TRACY
THINK INSIDE THE TRIANGLE
cbg CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON (925) 868-0322
ROSEVILLE (916) 768-4456
www.cbandg.com

APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN.
CITY OF TRACY AND THE UNDERSIGNER ARE NOT RESPONSIBLE FOR
ERROS AND OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.

ROBERT ANIMO CITY ENGINEER

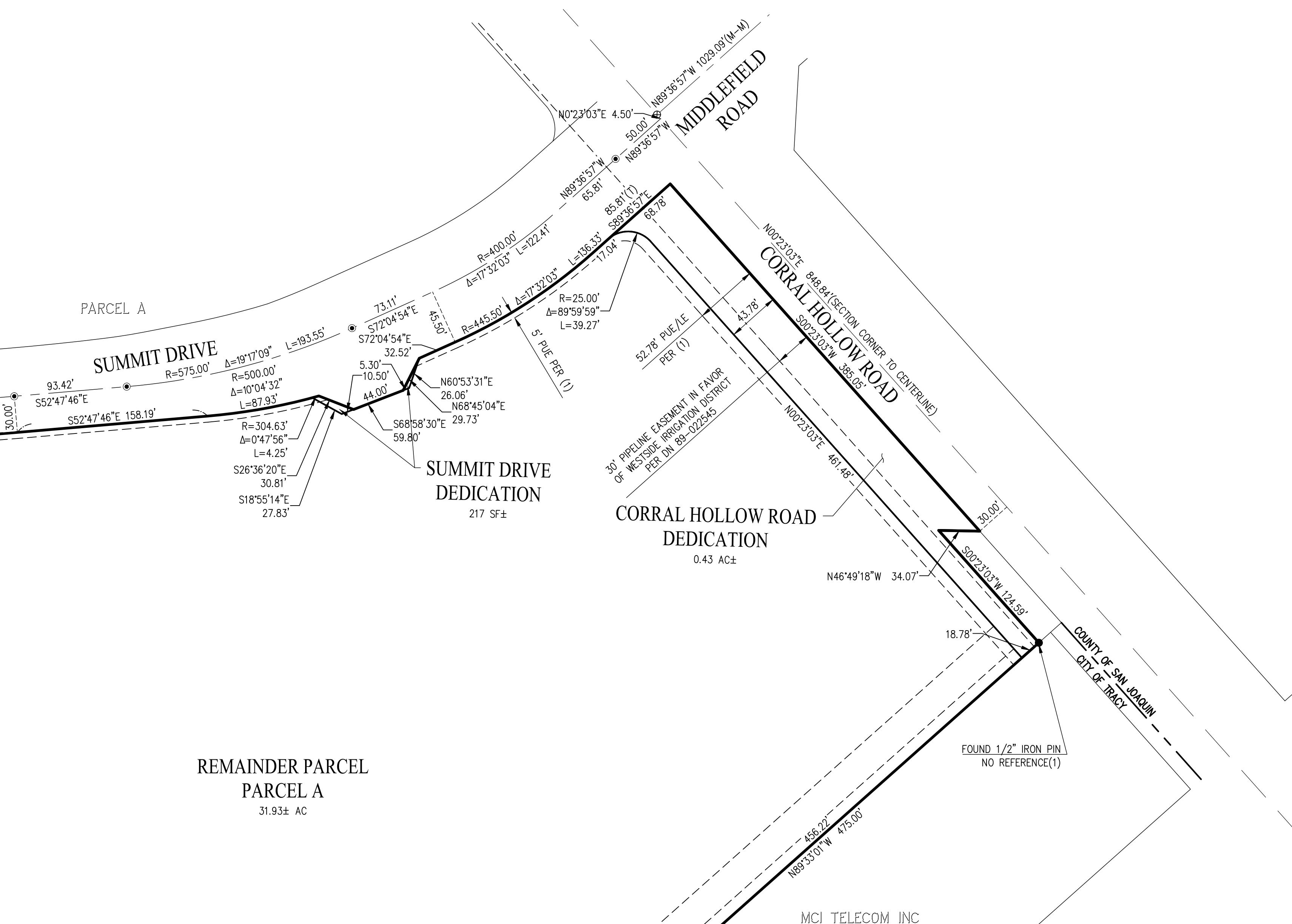
DATE:

8/22/2021 12:20 AM

SEE SHEET TM04

REMAINDER PARCEL
PARCEL A
31.93± AC

PARCEL A



SEE SHEET TM04

AVALON STREET
NORTHINGTON
DRIVE

PARCEL A

31.93± AC

M&P

DN

LE

PUE

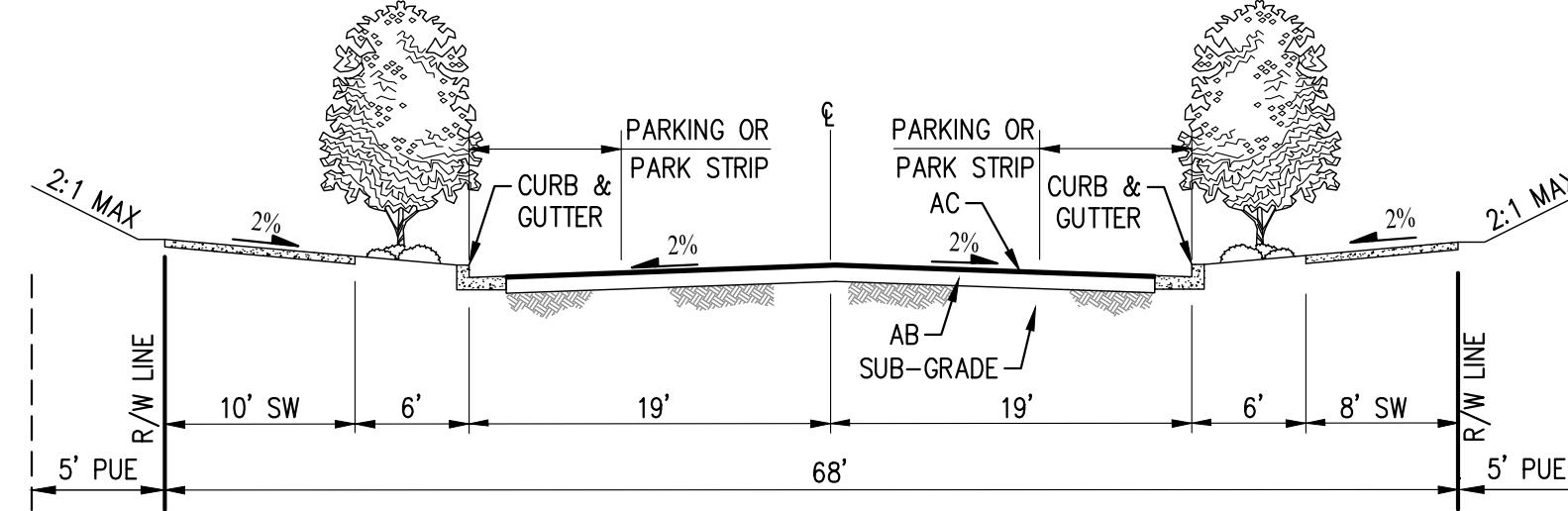
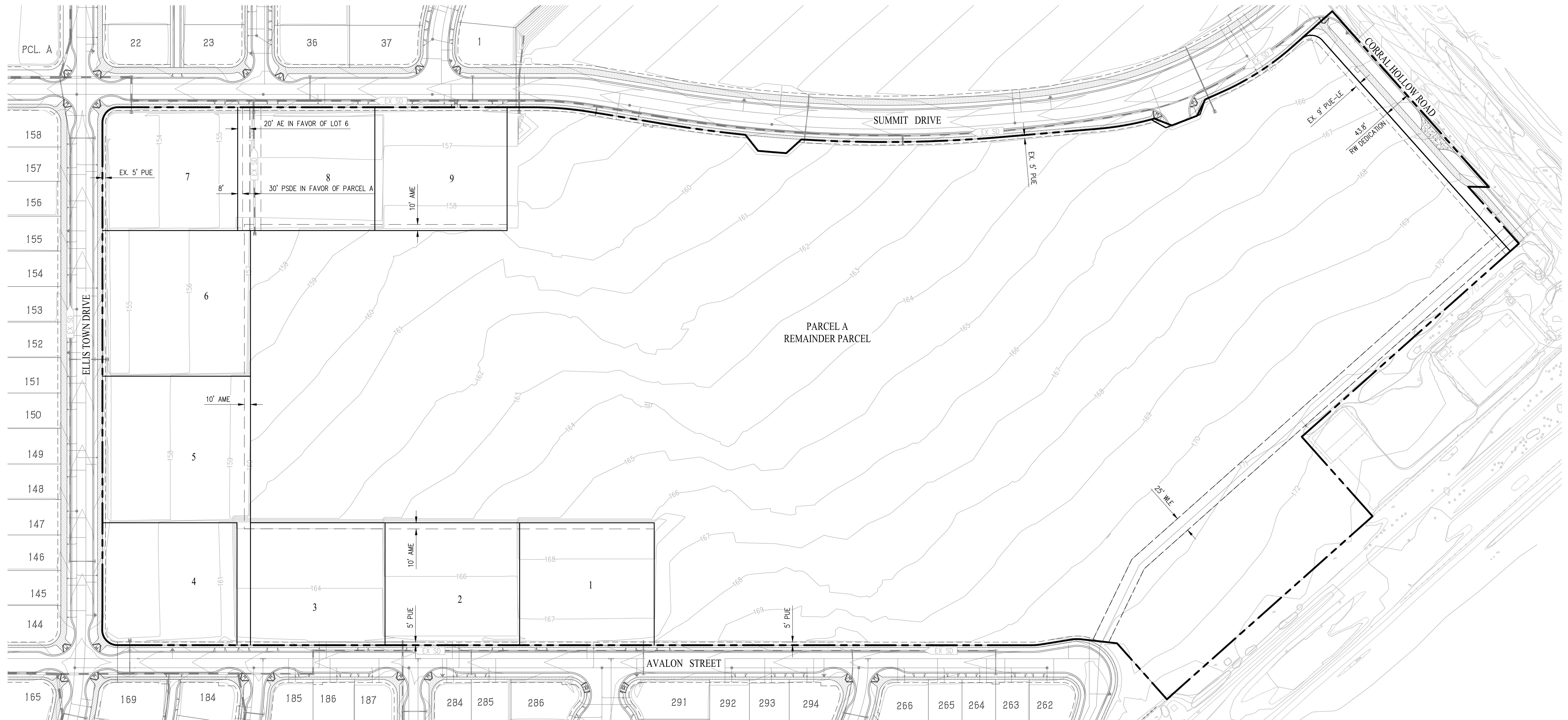
PSDE

WLE

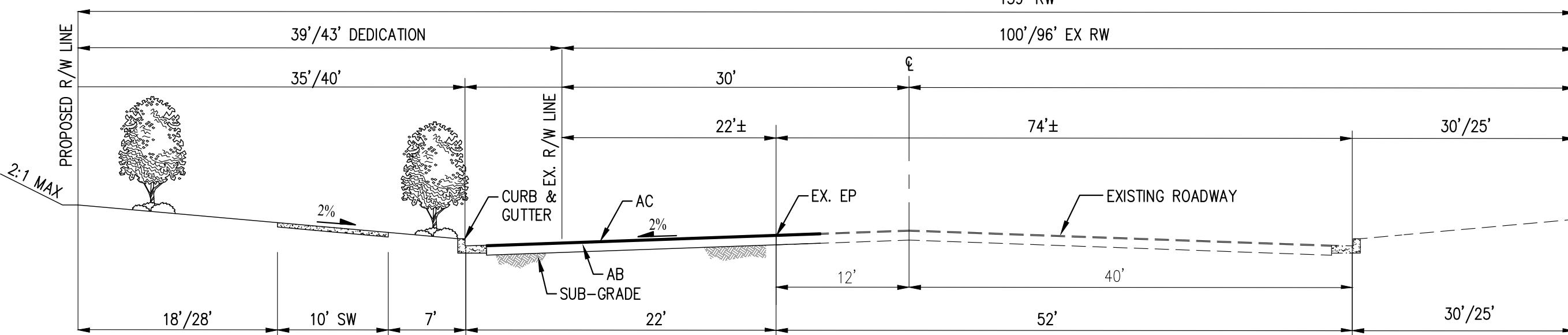
AME

PM

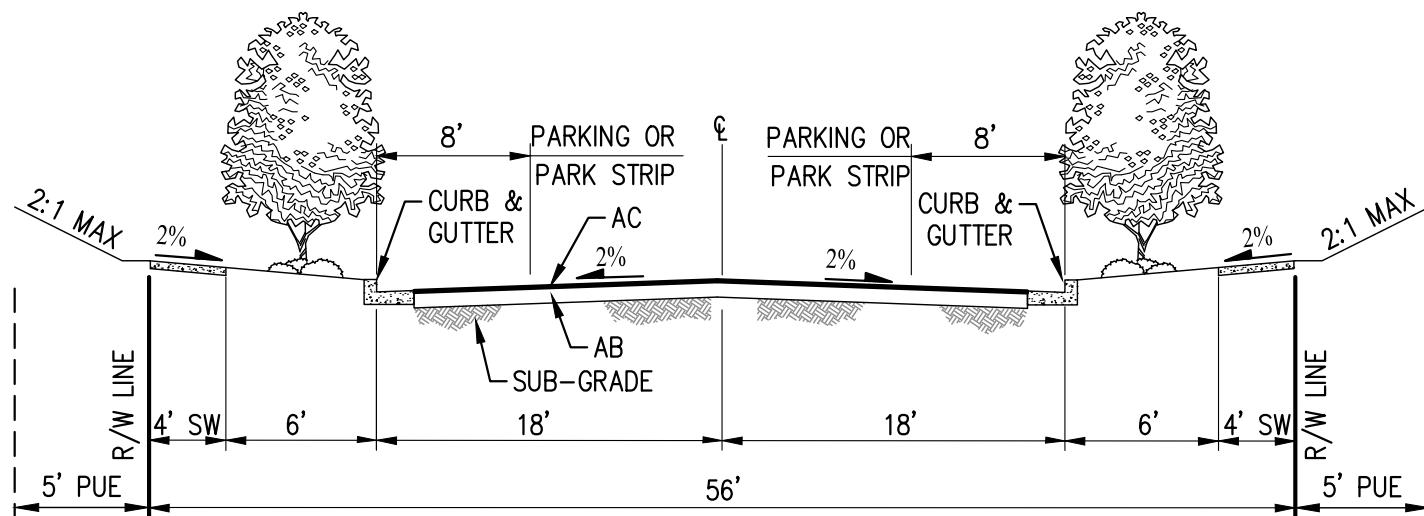
M&P



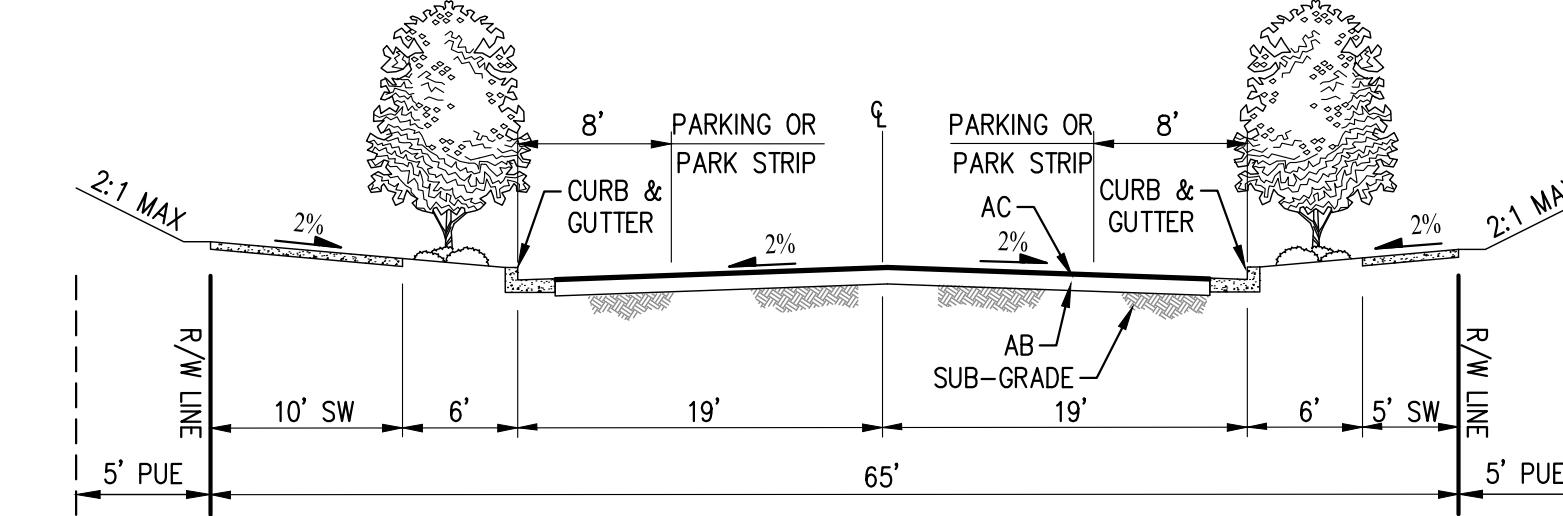
EXISTING ELLIS TOWN DRIVE
68' RIGHT OF WAY
NOT TO SCALE



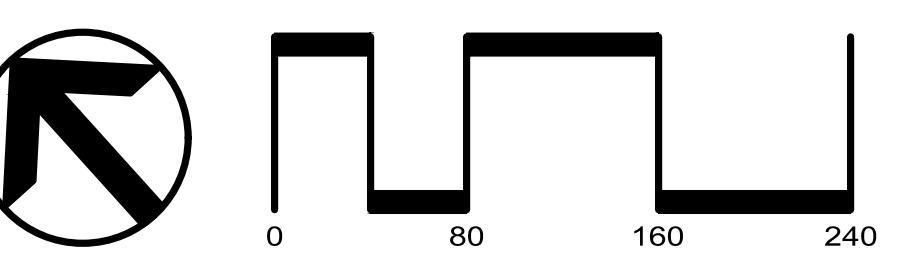
EXISTING CORRAL HOLLOW ROAD
NOT TO SCALE



EXISTING AVALON WAY
56' RIGHT OF WAY
NOT TO SCALE



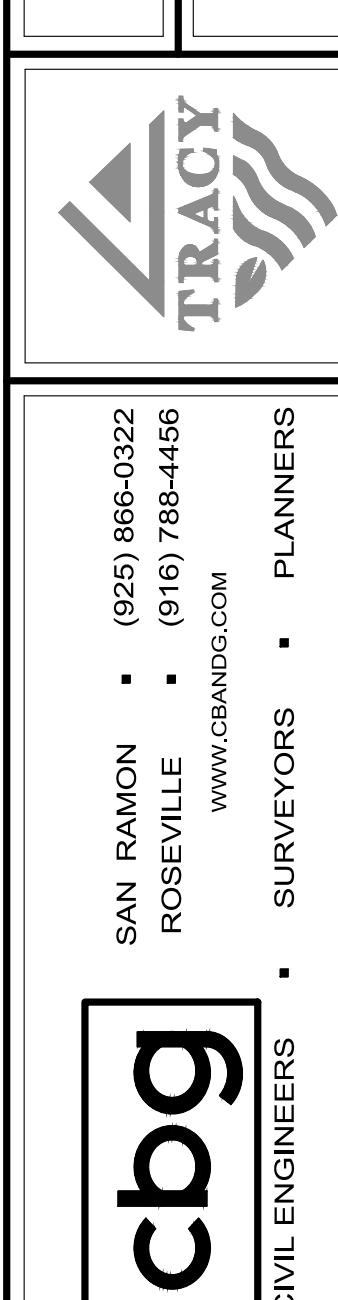
EXISTING SUMMIT DRIVE
65' RIGHT OF WAY
NOT TO SCALE



DATE: AUGUST 2021

TM06

OF 6 SHEETS



CITY OF TRACY
APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN.
CITY OF TRACY AND THE DESIGNER ARE NOT RESPONSIBLE FOR PLANS,
ERROS AND/OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.
ROBERT ANIMO CITY ENGINEER
ROBERT ANIMO CITY ENGINEER

8/02/2021 12:21 AM

RESOLUTION 2022-____

APPROVING A TENTATIVE SUBDIVISION MAP FOR ELLIS LIMITED USE AREA, CONSISTING OF NINE APPROXIMATELY ONE-ACRE RESIDENTIAL LOTS AND AN APPROXIMATELY 32-ACRE REMAINDER PARCEL ON APPROXIMATELY 42.22 ACRES LOCATED WEST OF CORRAL HOLLOW ROAD, EAST OF ELLIS TOWN DRIVE, AND SOUTHWEST OF SUMMIT DRIVE WITHIN THE ELLIS SPECIFIC PLAN AREA, ASSESSOR'S PARCEL NUMBER 240-140-41. APPLICATION NUMBER TSM21-0002

WHEREAS, On January 22, 2013, City Council certified the Final Revised Environmental Impact Report for the Ellis Specific Plan and approved a General Plan Amendment, annexation, and the Ellis Specific Plan for the 321-acre site known as Ellis, and

WHEREAS, A development agreement for Ellis was approved by City Council on March 19, 2013 and annexation of the Ellis site to the City of Tracy was completed by LAFCo on April 16, 2013, and

WHEREAS, On July 23, 2014, Planning Commission approved a Tentative Subdivision Map for Ellis Phase 1, consisting of 296 residential lots and six other parcels on approximately 150 acres, located at the northwest corner of Corral Hollow Road and Linne Road, Application Number TSM11-0002, and

WHEREAS, On May 10, 2017, Planning Commission approved a Tentative Subdivision Map for Ellis Phase 2, consisting of 356 residential lots and nine other parcels on approximately 106 acres, located immediately west of Ellis Phase 1, and

WHEREAS, On May 8, 2019, Planning Commission approved a Tentative Subdivision Map for Ellis Phase 3, consisting of 310 residential lots, two parks, and five other parcels, on approximately 74.36 acres located immediately west of Ellis Phase 2 and east of Lammers Road, and

WHEREAS, The applicant submitted an application for a Tentative Subdivision map to subdivide an area in the southeastern portion of Ellis, commonly referred to as the Limited Use Area, into nine approximately one-acre parcels for residential uses and a 31.93 remainder parcel for an approximately 2.5-acre dog park and other future development, and

WHEREAS, The area proposed for nine one-acre lots and an approximately 2.5-acre portion of the remainder parcel are designated Residential Estate by the Ellis Specific Plan, which permits one to 9.4 dwelling units and public parks, and

WHEREAS, The balance of the project area is designated Limited Use by the Ellis Specific Plan, and

WHEREAS, The proposed Tentative Subdivision Map is consistent with the Ellis Specific Plan, the General Plan and Title 12, the Subdivision Ordinance, of the Tracy Municipal Code, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the site is physically suitable for the type of development, as the site, once graded, will be virtually flat and

the characteristically high clay content of Tracy's soils may require amendments and treatment for proposed landscaping, foundations, and other surface and utility work. The physical qualities of the property make it suitable for residential development in accordance with City standards, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the site is physically suitable for the proposed density of development, and

WHEREAS, Traffic circulation is designed in accordance with City standards for the proposed density to ensure adequate traffic service levels are met, and

WHEREAS, The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the design and type of the proposed subdivision and associated improvements will promote the public health, safety and welfare, and

WHEREAS, The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the project will comply with all other applicable ordinances, regulations and guidelines of the City, including but not limited to, the local floodplain ordinance. The subject property is not located within any floodplain and the project, with conditions, will meet all applicable City design and improvement standards, and

WHEREAS, Subject to the satisfaction of the conditions of approval, all the public facilities necessary to serve the subdivision will be in place prior to the issuance of building permits. All the public facilities necessary to serve the subdivision or mitigate the impacts created by the subdivision that are not in place prior to approval of a final map will be assured through a subdivision improvement agreement prior to the approval of a final map, and

WHEREAS, The project is consistent with the Final Revised Environmental Impact Report (EIR) certified by the City Council on January 22, 2013 for the Ellis Specific Plan, which included the Ellis Specific Plan (SCH#2012022023). Pursuant to CEQA Guidelines Section 15162 and Public Resources Code Section 21166, no subsequent EIR shall be prepared for the project because the project has a certified EIR and no substantial changes are proposed in the project that would require major revisions to the previous EIR; no substantial changes have occurred with respect to the circumstances under which the project will be undertaken that would require major revisions to the previous EIR; and no new information of substantial importance regarding significant effects, mitigation measures, or alternatives for this project has become known, which was not known at the time the previous EIR was certified as complete. Furthermore, as a residential subdivision that is consistent with a specific plan for which an EIR was certified after January 1, 1980, the project is exempt from the requirements of CEQA pursuant to California Government Code Section 65457. Therefore, no further environmental review is necessary, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the proposed Tentative Subdivision Map on March 9, 2022;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission approves the Tentative Subdivision Map for Ellis Limited Use Area, comprised of nine approximately one-acre and approximately 32-acre remainder parcel on approximately 42.22 acres located east of Lammers Road in the vicinity of Ellis Town Drive, bounded by Summit Drive to the north, Corral Hollow Road to the east, Avalon Drive to the south, and Ellis Town Drive to the west (Assessor's Parcel Number 240-140-41), Application Number TSM21-0002, subject to the revised conditions of approval stated in Exhibit 1 attached and made part hereof.

* * * * *

The foregoing Resolution 2022-____ was adopted by the Planning Commission of the City of Tracy on the 9th day of March, 2022, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

THIS PAGE INTENTIONALLY LEFT BLANK

City of Tracy
Conditions of Approval
Ellis Limited Use Area Tentative Map
Application Number TSM21-0002

A. General Provisions and Definitions.

A.1. General. These Conditions of Approval apply to:

The Project: Tentative Subdivision Map for the Ellis Specific Plan limited use area to create nine approximately one-acre lots and an approximately 32-acre remainder parcel

The Property: An approximately 42.22-acre lot located west of Corral Hollow Road east of Ellis Town Drive, and southwest of Summit Drive within the Ellis Specific Plan area, Assessor's Parcel Number 240-140-41

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Subdivider" by Section 12.08.010 of the Tracy Municipal Code.
- b. "Applicable Law" has the meaning ascribed to it in the EDA (defined below).
- c. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
- d. "City Regulations" means all written laws, rules and policies established by the City, including without limitation those set forth in the City of Tracy General Plan, the Tracy Municipal Code ("TMC"), the Ellis Specific Plan, ordinances, resolutions, policies, procedures, and the City's Design documents (the Streets and Utilities Standard Plans, Design Goals and Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).
- e. "Development Services Director" means the Development Services Department Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
- f. "Conditions of Approval" shall mean the conditions of approval applicable to the Project. The Conditions of Approval shall specifically include all Development Services Department conditions set forth herein.
- g. "Subdivider" has the meaning set forth in Section 12.08.010 of the Tracy Municipal Code, and for purposes of these Conditions of Approval, also

includes the Developer, which shall include the Owner as described in the Preamble to the EDA, and all successors in interest.

- h. "EDA" means the development agreement (titled "Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC") approved by the City Council on March 19, 2013 by the adoption of Ordinance 1182, and any amendments.
- i. "EFIP" means the finance and implementation plan (titled "Ellis Program Area Finance and Implementation Plan") approved by the City Council on August 20, 2013 by Resolution 2013-136, and any amendments.
- j. "ESP" means the specific plan (titled "Ellis Specific Plan") approved by the City Council on January 22, 2013 by Resolution 2013-012, and any amendments.
- k. "FEIR" means the Final Environmental Impact Report (titled "City of Tracy Modified Ellis Project Final Revised Environmental Impact Report"), bearing the State Clearing House Number 2012022023, certified by the City Council on January 22, 2013, by Resolution 2013-011, as adequate and in compliance with the California Environmental Quality Act (CEQA) and any applicable addenda thereto.

A.3. Compliance with submitted plans. Except as otherwise modified herein, all Final Maps shall be in substantial conformance with the tentative subdivision map received by the Development Services Department on August 24, 2021, as approved by the City Council.

A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the Project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the Project.

A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:

- the Planning and Zoning Law (Government Code sections 65000, et seq.)
- the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
- the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").
- the 2016 CBC, 2016 CRC, 2016 CPC, 2016 CMC, 2016 CEC, 2016 CFC, 2016 CEnC, and 2016 CA Green Building Standards Code
- section 1.03 of the EDA

A.6. Compliance with City Regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations as defined herein.

A.7. Pursuant to Government Code Section 66020, including Section 66020 (d)(1), the City HEREBY NOTIFIES the Subdivider that the 90-day approval period (in which the Subdivider may protest the imposition of any fees, dedications, reservations, or other exactions that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall commence on the date of the conditional approval of this Project. If the Subdivider fails to file a protest of the Exactions within this 90-day period, which protest complies with all of the requirements of Government Code Section 66020, the Subdivider will be legally barred from later challenging any of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the Developer.

B. Planning Division Conditions

Contact: Kimberly Matlock (209) 831-6430 kimberly.matlock@cityoftracy.org

B.1. Mitigation Measures. The Subdivider shall comply with all mitigation measures applicable to the Project in the FEIR, which was certified by the City Council on January 22, 2013 (SCH#2012022023), and any applicable addenda thereto.

C. Engineering Division Conditions

Contact: Nanda Gottiparty (925) 251-0100 nanda.gottiparty@sngassociates.com

C.1. General Conditions

Subdivider shall comply with the applicable requirements of all approved documents, technical analyses and reports prepared for the Project, including the following:

- a. The ESP.
- b. The EFIP.
- c. The EDA.
- d. The FEIR.
- e. Ellis Program Sub-Basin – Final Storm Drainage Technical Report dated September 2012, and Reevaluation of Program Storm Drainage Infrastructure dated August 4, 2015, and Ellis Updated Retention Volume Analysis dated April 15, 2019, by Storm Water Consulting, Inc., and any subsequent amendments (collectively, the "Storm Drainage Technical Report").
- f. Specific Plan Water System Analysis dated August 13, 2015, by West Yost and Associates (the "ESP Water Report").
- g. City of Tracy Wastewater Master Plan/Corral Hollow Sewer Analysis dated December 2012 by CH2MHill, and any subsequent amendments.

C.2. Final Map

No Final Map within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, that all the requirements set forth in these Conditions of Approval are completed, including, but not limited to the following:

- C.2.1. Subdivider has submitted one (1) reproducible copy of the approved tentative subdivision map for the Project within ten (10) days after Subdivider's receipt of a notification of approval of the Tentative Subdivision Map. The signature of the owner of the Property on the Tentative Subdivision Map means consent to the preparation of the Tentative Subdivision Map and the proposed subdivision of the Property.
- C.2.2. Each Final Map is prepared in accordance with the applicable requirements of the TMC, these Conditions of Approval, the ESP, the EFIP, the EDA, all other applicable City Regulations, and in substantial conformance with the approved Tentative Subdivision Map.
- C.2.3. Each Final Map includes and shows offer(s) of dedication of all right(s)-of-way and/or temporary or permanent easement(s) required to construct and serve the Project described by the Improvement Plans and Final Map, in accordance with Applicable Laws, applicable City Regulations, and these Conditions of Approval. If construction easement(s) is/are shown, it/they shall indicate the termination of the construction easement(s).
 - a. The Subdivider shall dedicate a 5-foot wide Public Utility Easement (PUE) along the lot frontages within the Property, for the installation, repair, use, operation, and maintenance of public utilities such as electric, gas, telephone, cable TV, and others. Larger private utility structures may require additional PUE "bump outs" to accommodate the structures, which shall be dedicated by Subdivider as determined by the City Engineer.
 - b. The Subdivider shall coordinate with the respective owner(s) of the utilities including but not limited to PG&E, AT&T, and Comcast, for the design and installation of these utilities within the Property. Engineering design and construction details of these utilities must be prepared as part of the joint utility trench plans to be submitted for City's review.
 - c. The Subdivider shall obtain the approval of all other public agencies with jurisdiction over the required public facilities.
- C.2.4. If multiple final maps are to be filed, the Improvement Plans must be prepared with a detailed phasing plan to be approved by the City Engineer, showing construction limits and logical sequence or order of constructing street and utilities improvements. The phasing plan shall clearly identify the improvements to be constructed with each construction phase.
- C.2.5. Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points

establishing the "Basis of Bearing" and shown as such on each Final Map. Each Final Map shall also identify surveyed ties from two of the horizontal control points to a minimum of two separate points adjacent to or within the Property described by the Final Map.

- C.2.6. Subdivider has submitted a signed and stamped Engineer's Estimate that shows construction cost of subdivision improvements to be dedicated to the City.
- C.2.7. Subdivider has submitted a signed and notarized Subdivision Improvement Agreement (SIA) and Improvement Security, for the completion of improvements that have not yet been completed and are required to serve the Project as shown on the Improvement Plans. The form and amount of Improvement Security shall be in accordance with the Applicable Law, applicable City Regulations, and the SIA.
- C.2.8. Subdivider has paid engineering review fees including improvement plan checking, final map review, agreement processing, and all other fees required by these Conditions of Approval, Applicable Laws, and applicable City Regulations.
- C.2.9. Subdivider has submitted technical or materials specifications, cost estimates, and technical reports related to the design of improvements that are shown on the Improvement Plans and as required by these Conditions of Approval.
- C.2.10. Subdivider has submitted hydrologic and storm drainage calculations for the design and sizing of in-tract storm drainage pipes, temporary storm drainage retention basin and stormwater treatment (if required).
- C.2.11. Subdivider has submitted signed and stamped Improvement Plans which have been approved by the City Engineer.

C.3. Grading Permit

Subdivider shall submit grading permit applications if grading is proposed on lots within the boundaries of the Final Map being presented to the City Council for approval along with relevant documents related to said grading permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer.

C.4. Encroachment Permit

As applicable, applications for encroachment permit may be accepted by the City as complete prior to the Final Map being approved by the City Council if the Subdivider provides all relevant documents related to said encroachment permit required by the applicable City Regulations and these Conditions of Approval, to the reasonable satisfaction of the City Engineer, including, but not limited to, the following:

- C.4.1. Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar) that incorporate all the requirements described in these Conditions of

Approval. Improvement Plans shall be prepared under the supervision of, and stamped and signed by, a Registered Civil Engineer, Traffic Engineer, Electrical Engineer, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

- a. The Subdivider shall obtain all applicable signatures by City departments (where applicable) on the mylars including signatures by Building Official and Fire Code Official prior to submitting the mylars to Engineering Division for City Engineer's approval.
- C.4.2. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.
- C.4.3. Traffic Control Plan, if necessary, shall be prepared under the supervision of and signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.
- C.4.4. South San Joaquin County Fire Authority Fire Marshal's signature on the Improvement Plans indicating their approval for the fire service connection and fire and emergency vehicle access for the Project.
- C.4.5. If required, signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of off-site public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the TMC, the ESP, EDA, EFIP, the OIA, and all other applicable City Regulations. The Subdivider's obligations in the OIA shall be deemed to be satisfied upon City Council's acceptance of the public improvements and release of the Improvement Security.
- C.4.6. Check or wire payment for the applicable of engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on June 16, 2020, per Resolution 2020-110. The fees shall be in accordance with the EDA, Applicable Law, and the Program Improvements Credit and Reimbursement Agreement ("PICRA").
- C.4.7. Storm Drainage. The Project's permanent storm drainage connection(s) shall be designed and constructed to meet City Standards and the recommendations in the Storm Drainage Technical Report.
- C.4.8. Temporary Drainage System – Onsite Retention Basin(s)
Detention Basin DET 3A is the required final solution of disposing storm water from the Project site. The Ellis Phase 1 Temporary Retention Basin will serve as the interim solution for disposing storm water for all Project drainage in conformance with City Design Standards until such time as future DET 3A is operational.

- a. Lennar, the Subdivider of Ellis Phase 1, executed a Deferred Improvement Agreement to repair and maintain the Temporary Retention Basin while it is in service and then to modify/remove the Temporary Retention Basin and connect the on-site storm drainage system to the Detention Basin DET 3A master plan facilities when constructed and operational. Subdivider shall demonstrate, to the satisfaction of the City Engineer, that approval of the Project and the addition of storm flows from the Project will not interfere with or impair Lennar's ability to comply with the existing Deferred Improvement Agreement, repair, maintain and remove the Temporary Retention Basin, and/or connect the on-site storm drainage system to the Detention Basin DET 3A master plan facilities when constructed and operational.

C.4.9. Water System.

- a. Water Shutdown Plan and Traffic Control Plan:

If water main shut down is necessary, the City will allow a maximum of four hours water supply shutdown. The Subdivider shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Subdivider shall submit a Water Shutdown Plan and Traffic Control Plan, each to be approved by the City Engineer, to be used during the installation of offsite water mains.

C.4.10. Frontage Street Improvements

As a part of any Final Map that includes Corral Hollow Road, the Subdivider shall offer for dedication the improved ROW along the property frontage of Corral Hollow Road in accordance with City design standards, ESP, EFIP, EDA, and all other applicable City Regulations.

C.4.11. The roadway improvements to be constructed with this Project shall include, but are not limited to, concrete curb, gutter and sidewalk, asphalt concrete pavement, signing and striping, storm drains, catch basins, fire hydrants, driveways, accessible ramps, LED streetlights, landscape with automatic irrigation system and other improvements as determined by the City Engineer that are necessary for a safe transition from a newly improved street to existing street sections.

C.4.12. Public Utilities

- a. Public Utility Easement. All private utility services to serve Project, such as electric, telephone and cable TV, must be installed underground and within dedicated Public Utility Easement (PUE) and at the location approved by the respective owner(s) of the utilities.
- b. Pavement cuts or utility trenches on existing streets for the installation of electric, gas, cable TV, and telephone will require the application of 2" asphalt concrete overlay and replacement of pavement striping and

marking that are disturbed during construction. The limits of asphalt concrete overlay shall be 25 feet from both sides of the trench and shall extend over the entire width of the adjacent travel lane(s) if pavement excavation encroaches to the adjacent travel lane or up to the street centerline or the median curb. If the utility trench extends beyond the street centerline, the asphalt concrete overlay shall be applied over the entire width of the street (to the lip of gutter or edge of pavement). Construction details and limits of asphalt concrete overlay shall be shown on the Improvement Plans.

C.5. Building Permit - No building permit will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

- C.5.1. Payment in accordance with Applicable Law for all EFIP Fees in accordance with Applicable Law, including any updates as adopted by City Council which have become Applicable Law.
- C.5.2. Payment of any other fees in accordance with Applicable Law and applicable City Regulations.

C.6. Special Conditions

- C.6.1. All existing on-site wells shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well including the cost of permit(s) and inspection. The Subdivider shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit for the Improvement plans which include grading at the location of the well(s).
- C.6.2. The Subdivider shall abandon or remove all existing irrigation structures, channels and pipes, located on improvement plans, if any, as directed by the City after joint coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, located on improvement plans, if any, are required to remain to serve existing adjacent agricultural uses by legal right or easement, the Subdivider will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit if any facilities are located on improvement plans and are to be removed. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider.
- C.6.3. Nothing in these Conditions of Approval is intended or may be interpreted to limit or interfere with any of the vested rights provided in the Ellis Development Agreement. In the event of any conflict between any provision of

these Conditions of Approval and the Applicable Law, the Applicable Law shall control.

D. Finance Department Conditions

Contact: Karin Schnaider (209) 831-6841 karin.schnaider@cityoftracy.org

D.1. Annexation to City of Tracy Community Facilities District No. 2016-2 (ECFD). Before final inspection or occupancy of the first dwelling (except for model homes), the Subdivider shall, at its expense, annex, or cause to be annexed, the Property into the City of Tracy Community Facilities District No. 2016-2 (ECFD) (herein, the "CFD"). The Property is identified as part of the "Future Annexation Area" of the CFD, and therefore shall be annexed using the unanimous consent provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"). The Property may be annexed to an existing improvement area or to a new improvement area of the CFD, as contemplated by the proceedings forming the CFD. In annexing the Property to the CFD through the unanimous consent process, the Subdivider will authorize the recordation of a Notice of Special Tax Lien on the Property evidencing the lien of the CFD. Upon successful annexation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment approved for the improvement area in which the Property is annexed. The CFD, including any new improvement area in which the Property is annexed, is authorized to finance both public facilities and public landscaping. If funds are needed to pay for facilities or services authorized to be funded by the CFD before the CFD has collected sufficient special taxes from the Property to fully pay for such facilities or services in accordance with the Rate and Method of Apportionment, the Ellis CFD budget for landscape strips, and parks, and in accordance with the Ellis maintenance manual guidelines, the Subdivider shall deposit with the City, prior to the final inspection of, or issuance of a certificate of occupancy for (whichever occurs first), the first residential unit in the Project (except for model homes), an amount mutually agreed upon by the City and Subdivider to fund the facilities and/or services until such time as the CFD has collected sufficient special taxes from the Property to fund such facilities and/or services in accordance with the Rate and Method of Apportionment, and Ellis CFD budget for landscape strips, and parks that require funding. Compliance with this Condition No. D.1 shall satisfy the requirements for a funding mechanism for public landscaping of the Property.

THIS PAGE INTENTIONALLY LEFT BLANK

March 9, 2022

AGENDA ITEM 1.D.

REQUEST

PUBLIC HEARING TO CONSIDER A VESTING TENTATIVE SUBDIVISION MAP FOR THE AVENUES NEIGHBORHOOD CONSISTING OF 480 RESIDENTIAL LOTS, A PARK, AND ASSOCIATED ROADS ON APPROXIMATELY 95.83 ACRES, LOCATED SOUTH OF VALPICO ROAD AND APPROXIMATELY 1,500 FEET WEST OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 240-140-49, 240-140-05, 240-700-13, & 240-700-14, APPLICATION NUMBER TSM21-0001.

BACKGROUND

The Avenues project area is an approximately 95.83-acre site located south of Valpico Road and north of the Ellis subdivision, approximately 1,500 feet west of Corral Hollow Road. On September 4, 2018, the City Council adopted the Avenues Specific Plan Mitigated Negative Declaration (ASP MND) and approved annexation of the Avenues project area, and on September 18, 2018, the City Council adopted the Avenues Specific Plan. Annexation of the Avenues project area to the City of Tracy was completed by LAFCo on January 14, 2021.

On May 4, 2021, at request of The Surland Companies, the Tracy City Council adopted Ordinance 1305 to merge the Avenues Specific Plan area into the Ellis Specific Plan. As amended, the Ellis Specific Plan area now includes the original Ellis Specific Plan area, referred to as the "Ellis Neighborhood", and the original Avenues Specific Plan area, referred to as the "Avenues Neighborhood." Concurrently, the Surland Companies submitted an application to subdivide the Avenues project area into 480 lots for single-family homes, an approximately 4.39-acre park, and associated common landscape parcels, roads, and alleys (Attachment A).

Per Tracy Municipal Code Section 12.28.020, the Planning Commission shall make a recommendation for City Council action on Vesting Tentative Subdivision Maps.

DISCUSSION

Vesting Tentative Subdivision Map

The subject property is designated Residential by the Ellis Specific Plan, which permits a density range of 4 to 5 units per gross acre and a minimum of 380 and a maximum of 480 residential units, not including accessory dwelling units. The proposed number of residential lots in the Vesting Tentative Subdivision Map is 480, which is consistent with the Ellis Specific Plan, for an overall density of 5 units per gross acre, which is consistent with the Ellis Specific Plan and the General Plan land use designation of Residential Low that permits a density range of 2 to 5.8 dwelling units per gross acre.

The design of the proposed Vesting Tentative Subdivision Map is consistent with the Ellis Specific Plan. Lot sizes are at least from 50 feet wide by 100 feet deep on front-loaded lots and at least 40 feet wide by 100 feet deep on alley-loaded lots, which are larger than the minimum lot sizes required in the Ellis Specific Plan. The proposed street

configuration is a generally rectangular pattern with breaks every several hundred feet, where the longest internal block is less than 900 feet long, resulting in a walkable, pedestrian-friendly environment. Alley-loaded lots line both sides of Summit Drive that will ensure garages will be located behind the fronts of houses and create an attractive streetscape that emphasizes the architectural details of the houses, as envisioned in the Ellis Specific Plan.

In addition to the 480 residential lots, the Vesting Tentative Subdivision Map also includes a park parcel and eight other parcels. Parcels A, B, C, D, G, H, and I are proposed landscape parcels located at Valpico Road and Summit Drive. Parcel E is also a proposed landscaped parcel with a sidewalk, turf block EVA, and collapsible bollards that will allow emergency vehicle access, similar to a design recently approved in the KT subdivision at Tracy Hills. Parcel E closes Street 5 from vehicular connection to Summit Drive, which is necessary due to its close proximity to Street 11. This design is a result of discussions between the applicant, City staff and its traffic consultant to achieve better through circulation. Parcel F is a 4.39-acre park located generally in the center of the subdivision, similar to the conceptual park shown in the Ellis Specific Plan.

No architecture is currently proposed for the residential lots in the Avenues Neighborhood. Conceptual architecture and design guidelines were originally approved in the Avenues Specific Plan and have now been incorporated into the Ellis Specific Plan, specifically in the Avenues Pattern Book. The Ellis Specific Plan requires that proposed development, including architecture and site details, be submitted to the City for Development Review approval and Pattern Book Certification. The Development Services Director has the authority for approving Development Review and Pattern Book Certification.

Environmental Document

The project is consistent with the development evaluated in the Avenues Specific Plan Mitigated Negative Declaration (titled "Final Initial Study/Mitigated Negative Declaration Environmental Checklist"), bearing the State Clearing House Number 20180702045, adopted by the City Council on September 4, 2018 by Resolution 2018-180. Therefore, under Government Code Section 65457 and Section 15182 of the CEQA Guidelines, the project is exempt from further environmental review unless an event described in Section 15162 of the CEQA Guidelines occurs. Staff has determined that none of the events described in Section 15162 have occurred with respect to the project. Therefore, the instant vesting tentative map project is exempt from CEQA environmental review under Government Code Section 65457 and CEQA Guidelines Section 15182.

RECOMMENDATION

Staff recommends that the Planning Commission recommends that the City Council approve the Vesting Tentative Subdivision Map for Avenues Neighborhood, consisting of 480 residential lots, an approximately 4.39-acre park, and common landscape parcels, roads, and alleys on approximately 95.83 acres, located south of Valpico Road and approximately 1,500 feet west of Corral Hollow Road, Assessor's Parcel Numbers 240-140-49, 240-140-05, 240-700-13, & 240-700-14, Application Number TSM21-0001,

based on the findings and subject to the conditions contained in the Planning Commission Resolution dated March 9, 2022.

MOTION

Move that the Planning Commission recommends that the City Council approve the Vesting Tentative Subdivision Map for Avenues Neighborhood, consisting of 480 residential lots, an approximately 4.39-acre park, and common landscape parcels, roads, and alleys on approximately 95.83 acres, located south of Valpico Road and approximately 1,500 feet west of Corral Hollow Road, Assessor's Parcel Numbers 240-140-49, 240-140-05, 240-700-13, & 240-700-14, Application Number TSM21-0001, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated March 9, 2022.

Prepared by Kimberly Matlock, Associate Planner

Reviewed by Scott Claar, Senior Planner

Approved by Bill Dean, Interim Development Services Director

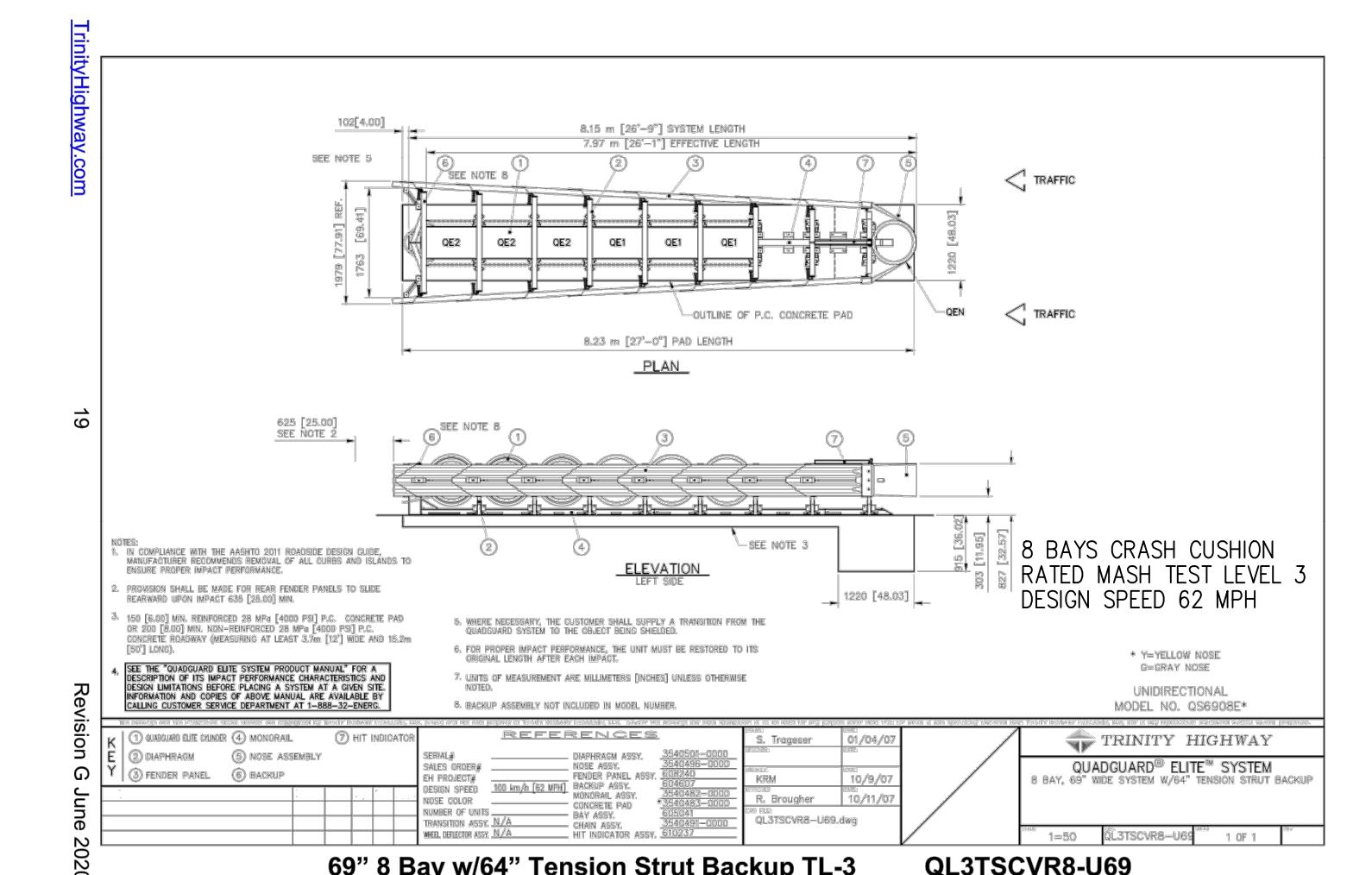
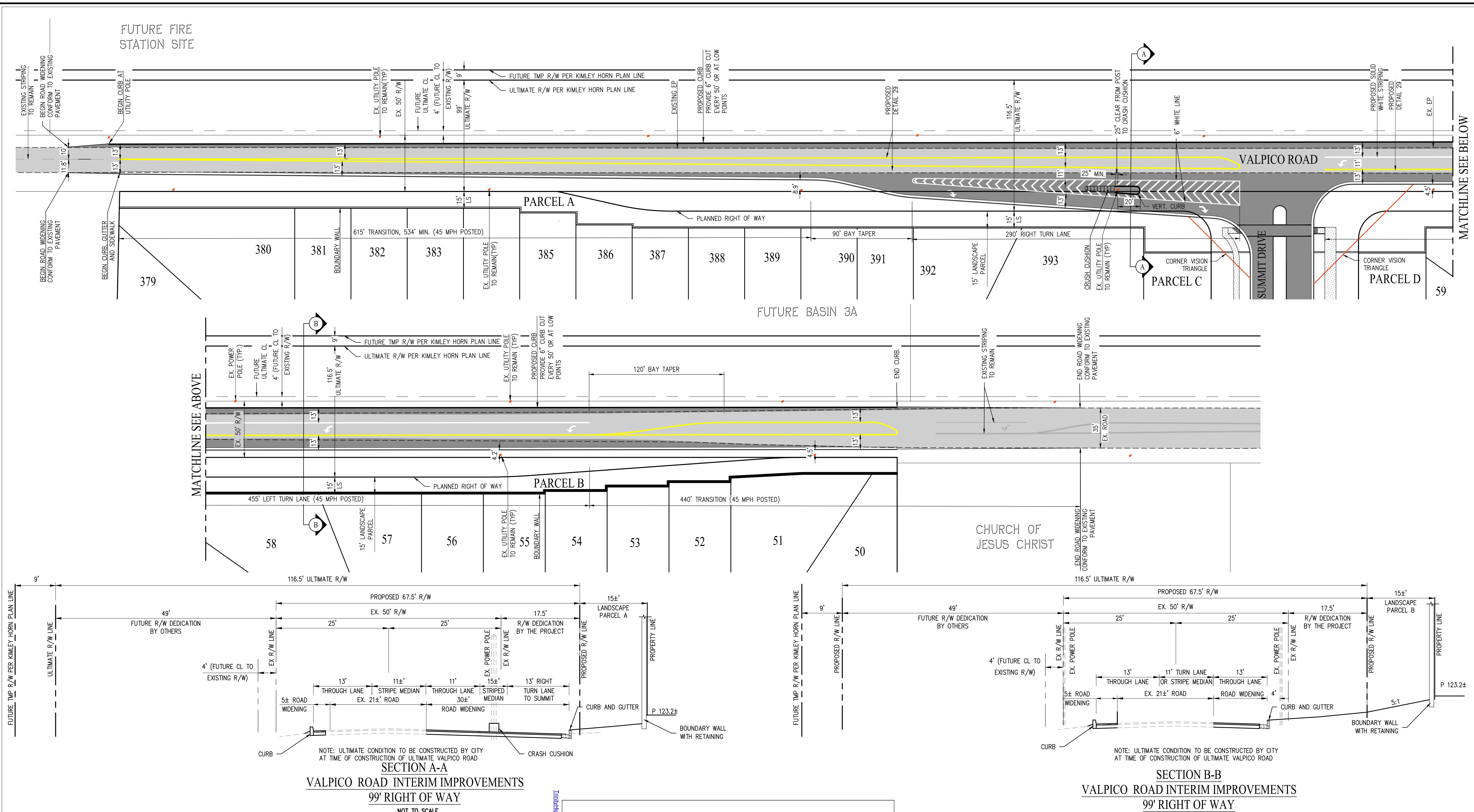
ATTACHMENTS

Attachment A— Vesting Tentative Subdivision Map

Attachment B— Planning Commission Resolution

Exhibit 1 -- COAs

THIS PAGE INTENTIONALLY LEFT BLANK



LEGEND

PROPOSED PAVEMENT

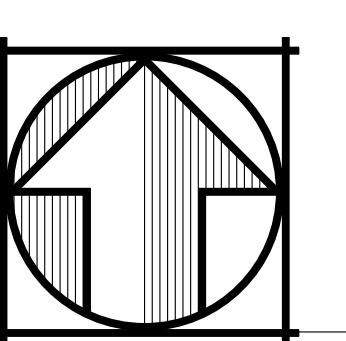
EXISTING PAVEMENT

EXISTING UTILITY POLE TO REMAIN

EXISTING RIGHT OF WAY

PROPOSED RIGHT OF WAY

PROPOSED BOUNDARY WALL



0' 40' 120' 160'

SCALE: 1" = 40' DATE: DECEMBER 14, 2021

INTERIM VALPICO ROAD

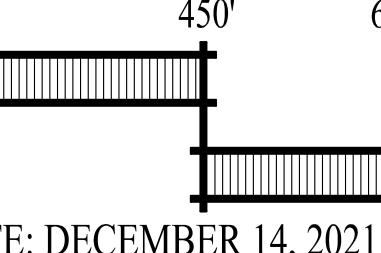
	
<p style="text-align: center;">CITY OF TRACY</p>	
<p>APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN. CITY OF TRACY AND THE UNDERSIGNED ARE NOT RESPONSIBLE FOR ERRORS AND/OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.</p>	
<hr/> <small>ROBERT ARMijo</small>	<hr/> <small>CITY ENGINEER</small>
<hr/>	
<p style="text-align: right;">DATE: _____</p>	
<p style="text-align: right;">Think Inside the Triangle</p>	
<p style="text-align: center;"> cbg CIVIL ENGINEERS • SURVEYORS • PLANNERS www.cbangc.com </p>	
<p style="text-align: center;"> cbg CIVIL ENGINEERS • SURVEYORS • PLANNERS www.cbangc.com </p>	

■ CIVIL ENGINEERS



LINE TABLE		
NO	BEARING	LENGTH
L7	N42°06'22"E	53.67'
L8	N89°39'29"W	75.08'
L9	N47°53'38"W	70.50'

CURVE TABLE		
NO	RADIUS	DELTA
C5	235.50'	9°19'38"
C6	367.50'	21°20'47"



SCALE: 1" = 150' DATE: DECEMBER 14, 2021

EXISTING CONDITIONS
TRACT 3883
VESTING TENTATIVE SUBDIVISION MAP
AVENUES - ELLIS SPECIFIC PLAN
TRACY, CALIFORNIA

SHEET
TM04
OF 10 SHEETS



SAN RAMON • (925) 868-0322
ROSELLE • (916) 768-4456
www.cbangc.com

PLANNERS • SURVEYORS •

cbg
CIVIL ENGINEERS

CITY OF TRACY
APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN.
CITY OF TRACY AND THE UNDERSIGNED ARE NOT RESPONSIBLE FOR
ERROS AND OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.
ROBERT ANNUO CITY ENGINEER

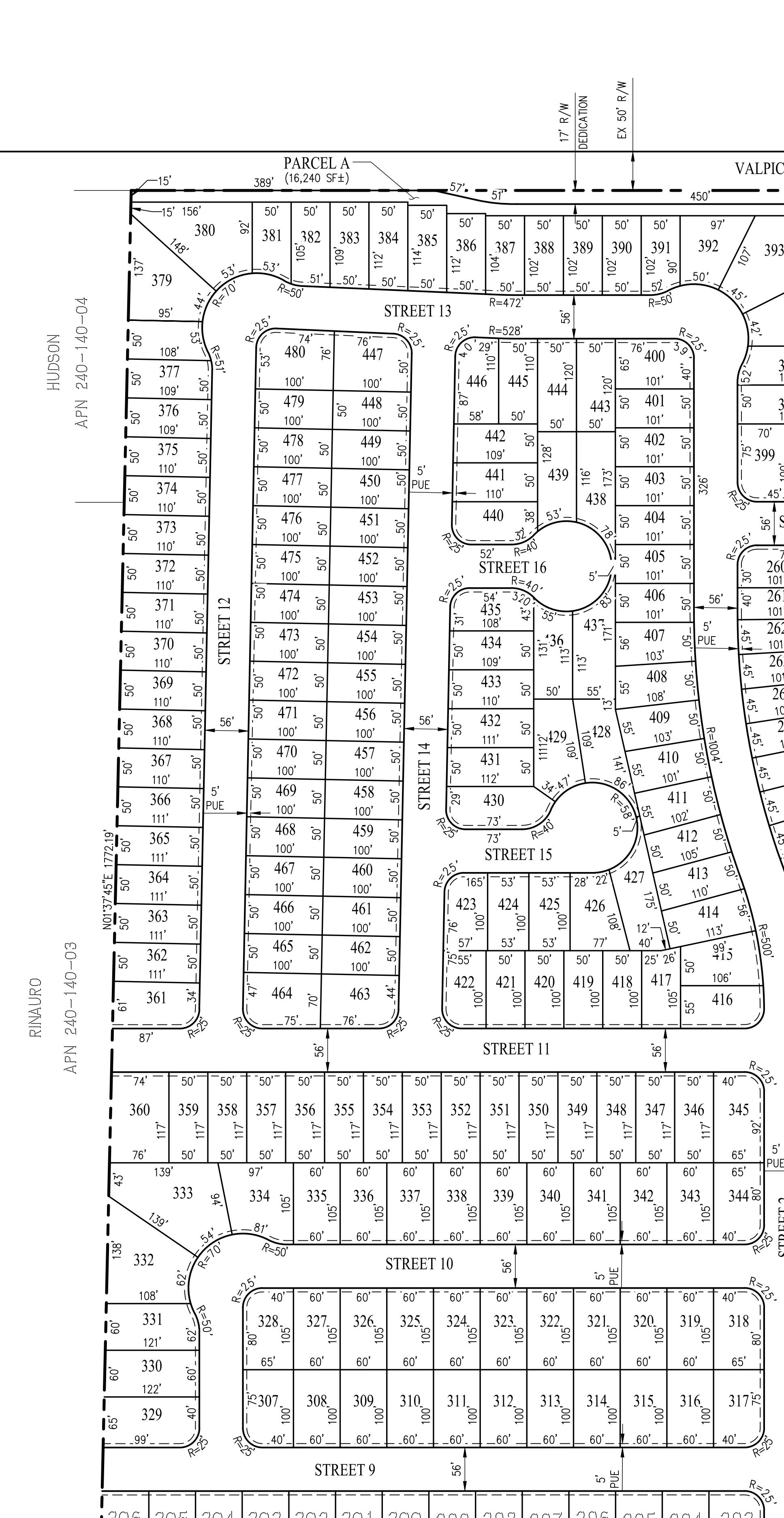
DATE:

12/14/2021 11:14 PM

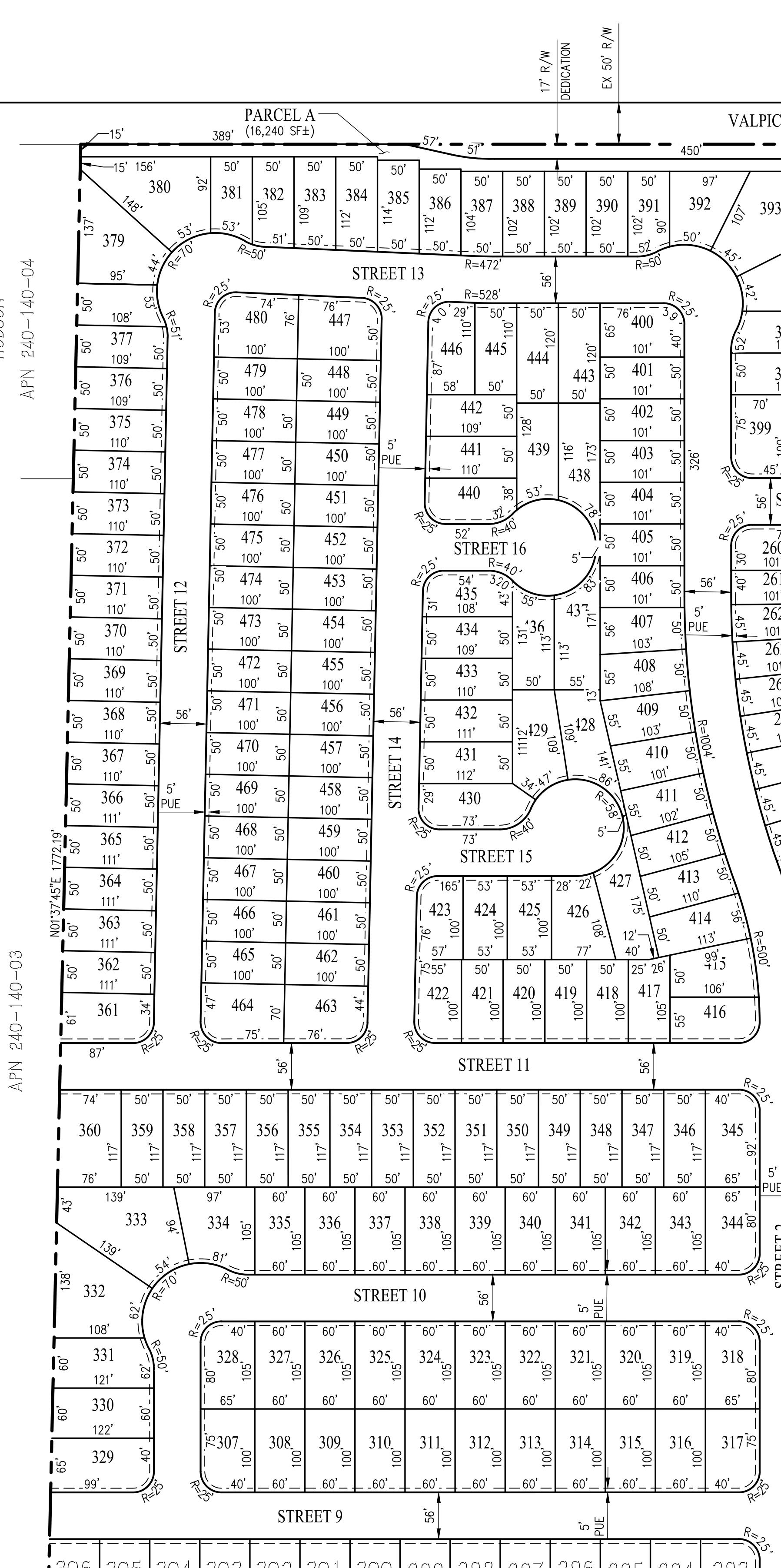
LOT NO.	LOT AREA (SF)
1	7,932
2	6,021
3	10,955
4	11,331
5	6,580
6	6,053
7	6,000
8	6,000
9	6,000
10	6,000
11	6,000
12	6,366
13	6,677
14	6,000
15	6,000
16	6,000
17	6,000
18	6,000
19	6,000
20	6,000
21	6,000
22	6,000
23	6,000
24	6,000
25	6,000
26	6,000
27	6,000
28	6,000
29	6,000
30	6,000
31	5,993
32	7,069
33	14,080
34	7,494
35	5,497
36	5,500
37	5,534
38	7,775
39	5,905
40	5,500
41	5,500
42	5,500
43	5,151
44	8,702
45	12,338
46	6,115
47	6,087
48	6,092
49	6,536
50	12,260
51	9,804
52	5,064
53	5,604
54	5,571
55	5,577
56	5,542
57	6,646
58	10,822
59	10,739
60	6,754

LOT NO.	LOT AREA (SF)
61	7,177
62	7,366
63	5,044
64	6,372
65	6,480
66	6,029
67	6,124
68	6,267
69	6,843
70	5,866
71	5,500
72	5,500
73	5,500
74	5,904
75	5,618
76	4,289
77	4,407
78	4,407
79	4,407
80	4,474
81	4,282
82	4,282
83	4,282
84	4,282
85	4,282
86	4,282
87	4,282
88	4,127
89	4,040
90	4,040
91	5,555
92	5,836
93	4,342
94	4,342
95	4,333
96	4,628
97	4,503
98	4,473
99	4,447
100	4,427
101	4,411
102	4,401
103	4,395
104	4,554
105	4,602
106	4,552
107	4,478
108	6,464
109	6,488
110	5,500
111	4,259
112	5,866
113	5,500
114	6,529
115	5,500
116	5,500
117	5,500
118	5,500
119	5,866
120	5,866

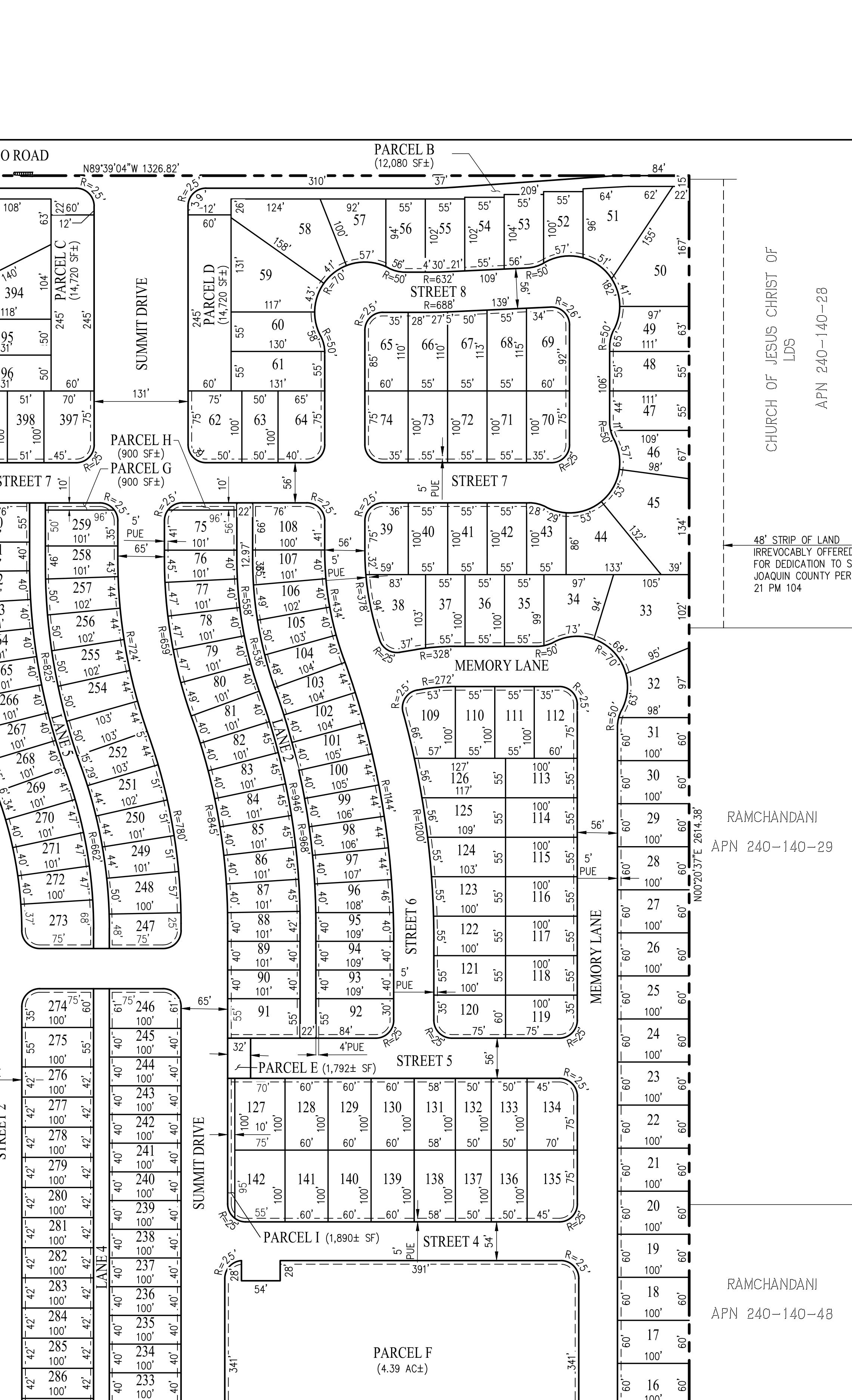
LOT NO.	LOT AREA (SF)
121	5,500
122	5,506
123	5,593
124	5,581
125	5,819
126	6,186
127	4,000
128	7,000
129	4,000
130	6,000
131	4,000
132	4,000
133	5,645
134	6,866
135	4,000
136	5,000
137	4,000
138	5,754
139	4,000
140	6,000
141	4,000
142	6,976
143	6,986
144	6,572
145	6,362
146	6,572
147	6,572
148	6,572
149	6,509
150	10,064
151	207
152	4,000
153	4,000
154	4,000
155	4,000
156	4,000
157	4,000
158	4,000
159	6,366
160	4,366
161	4,000
162	6,001
163	6,001
164	6,001
165	6,001
166	6,001
167	4,000
168	6,366
169	4,000
170	4,016
171	4,000
172	4,000
173	4,000
174	6,803
175	6,685
176	8,524
177	5,264
178	5,296
179	5,278
180	5,253



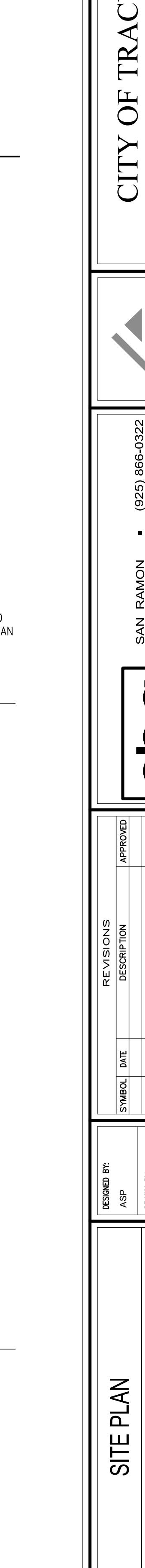
HUDSON
APN 240-140-04



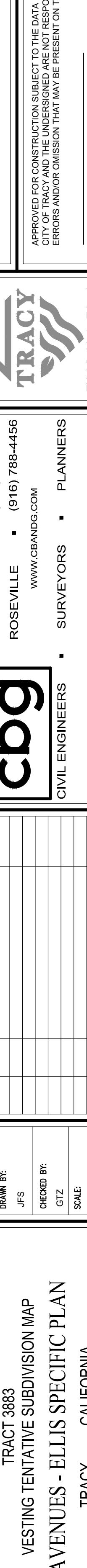
APN 240-140-04



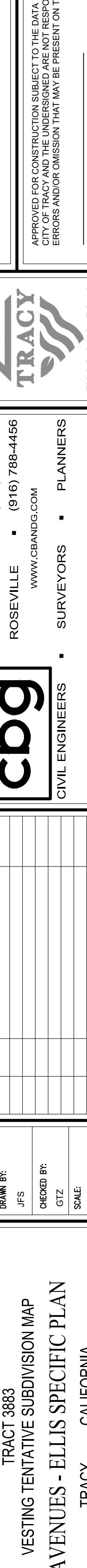
VALPICO ROAD
APN 240-140-04



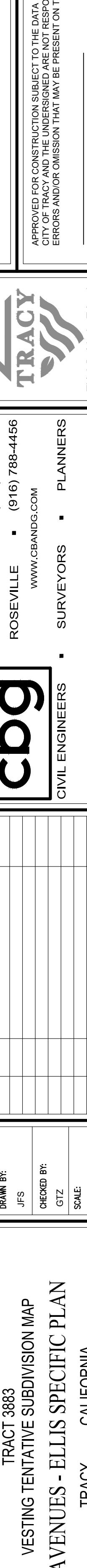
APN 240-140-04



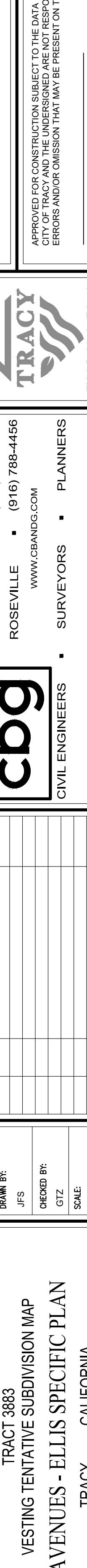
APN 240-140-04



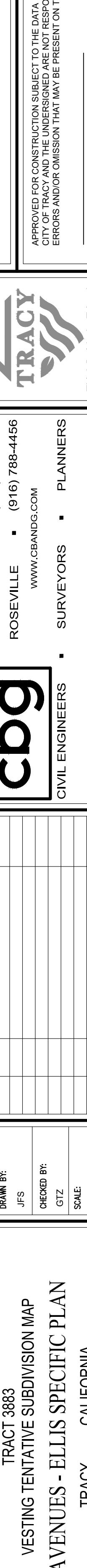
APN 240-140-04



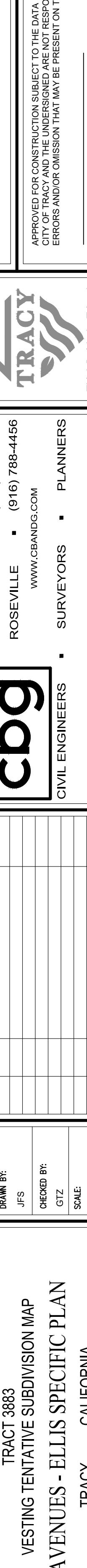
APN 240-140-04



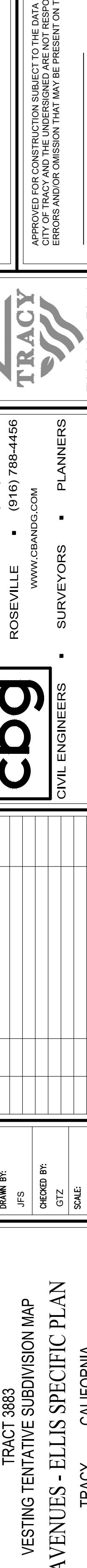
APN 240-140-04



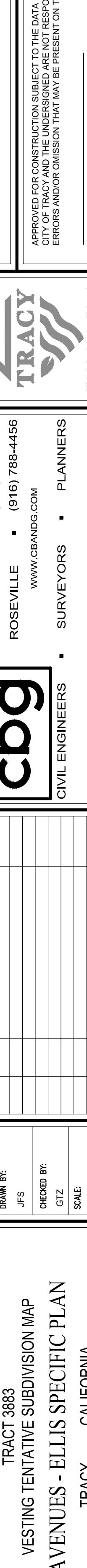
APN 240-140-04



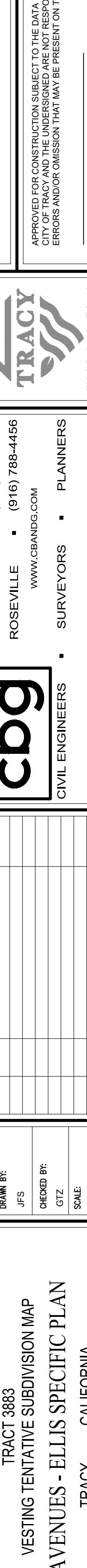
APN 240-140-04



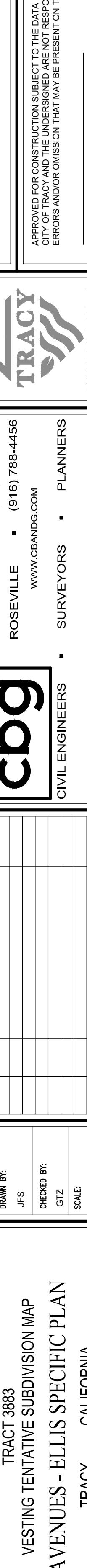
APN 240-140-04



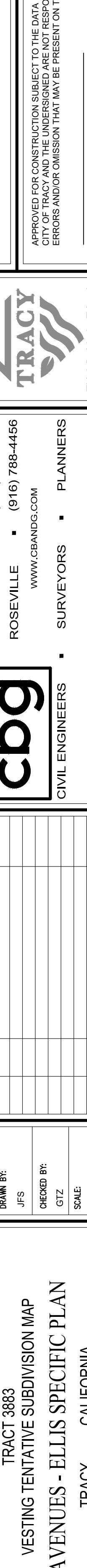
APN 240-140-04



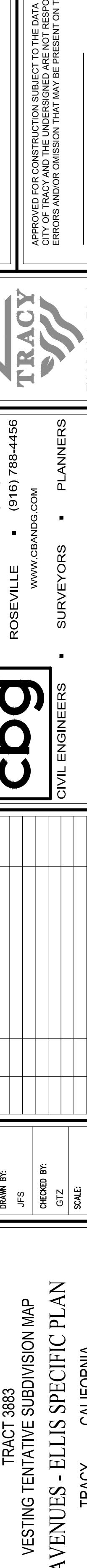
APN 240-140-04



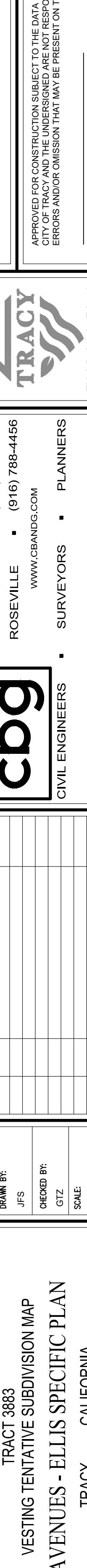
APN 240-140-04



APN 240-140-04

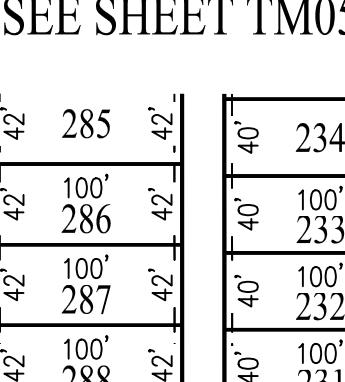
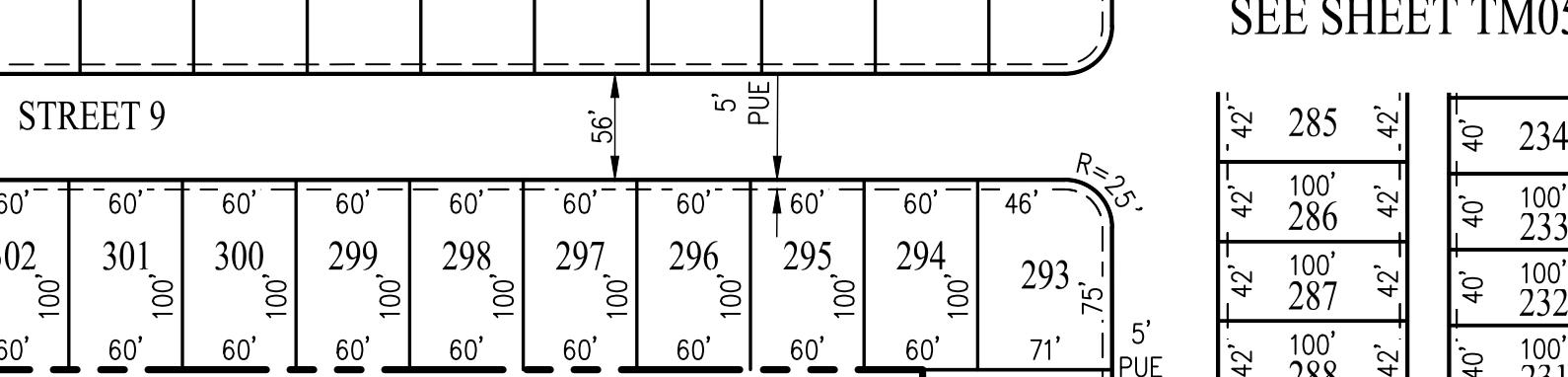
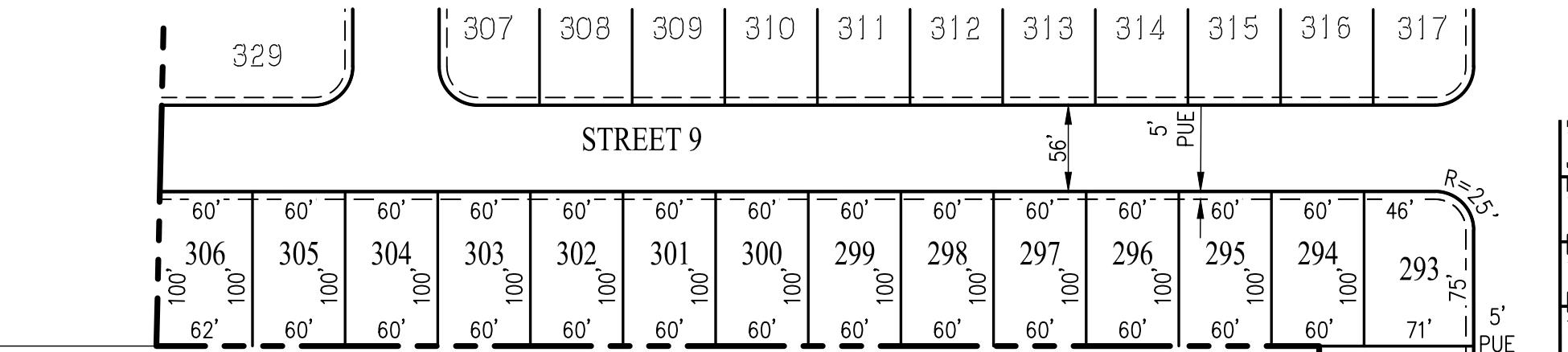


APN 240-140-04



APN 240-140-04

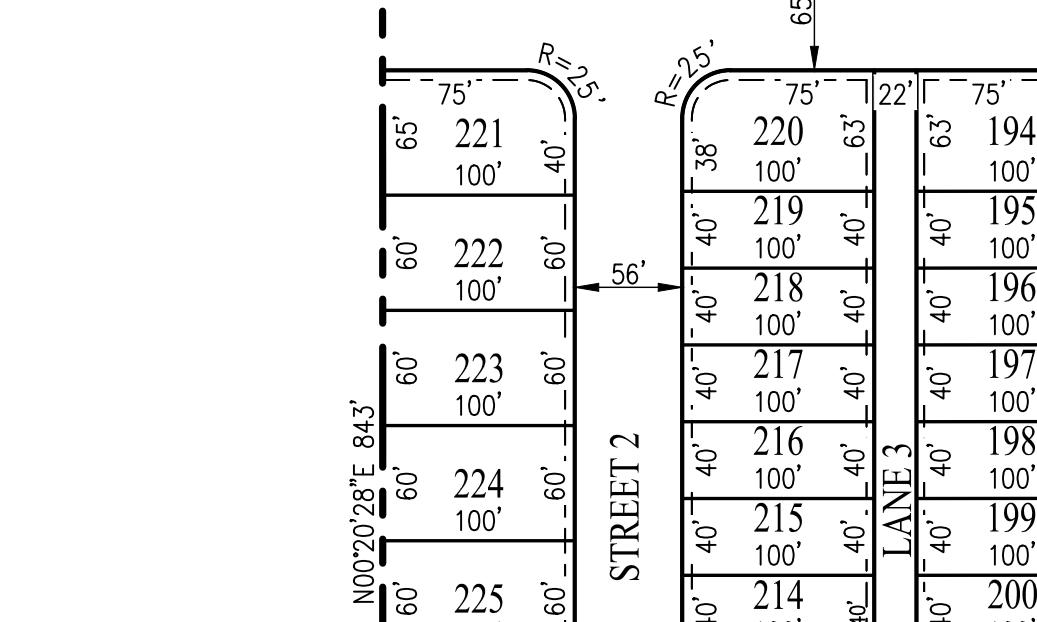
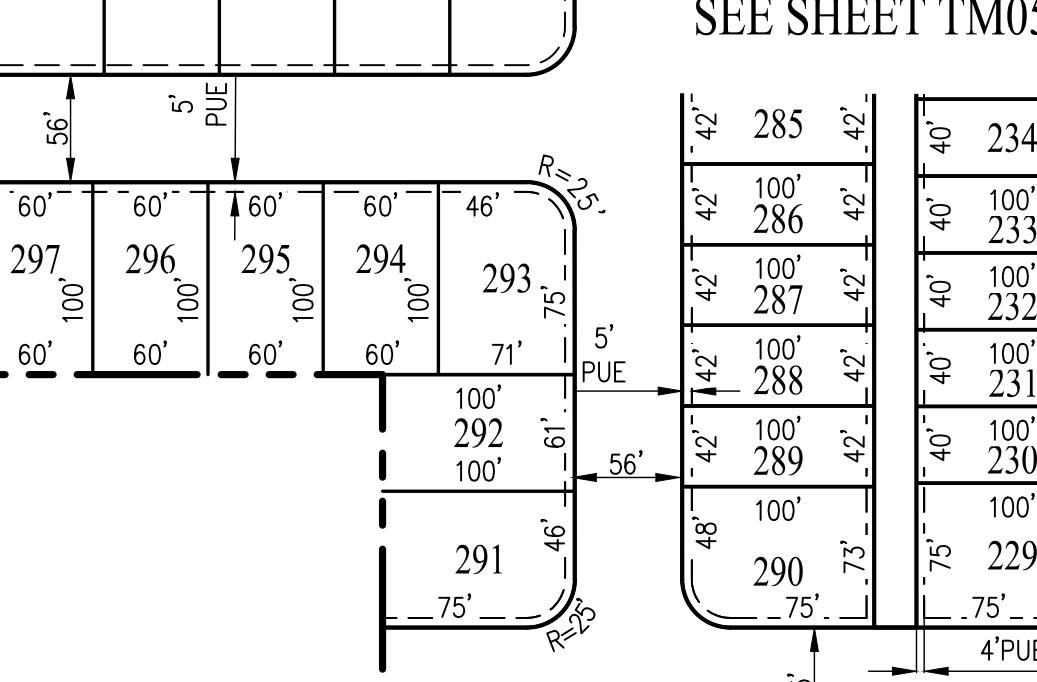
LOT NO.	LOT AREA (SF)						
241	4,000	303	6,006	363	5,540	441	5,455
242	4,000	304	6,006	364	5,534	442	5,405
243	4,000	305	6,005	365	5,529	448	5,000
244	4,000	306	6,118	366	5,523	449	5,000
245	4,000	307	6,366	367	5,518	450	5,000
246	6,128	308	6,000	368	5,512	451	5,000
247	4,760	309	6,000	369	5,507	452	5,000
248	5,394	310	6,000	370	5,502	453	5,000
249	4,777	311	6,000	371	5,496	454	5,000
250	4,810	312	6,000	372	5,491	455	5,000
251	4,846	313	6,000	373	5,485	456	5,000
252	4,806	314	6,000	374	5,480	457	5,000
253	4,868	315	6,000	375	5,474	458	5,000
254	4,840	316	6,000	376	5,469	459	5,000
255	4,819	317	6,366	377	5,456	460	5,000
256	4,797	318	6,685	379	9,447	461	5,000
257	4,776	319	6,295	397	6,866	462	5,000
258	4,492	320	6,295	398	5,100	463	6,786
259	5,026	321	6,295	398	143,528	464	6,976
260	5,382	322	6,295	399	6,866	465	5,000
261	4,094	323	6,295	401	5,050	466	5,000
262	4,281	324	6,295	402	5,050	467	5,000
263	4,281	325	6,295	403	5,050	468	5,000
264	4,281	326	6,295	404	5,050	469	5,000
265	4,281	327	6,295	405	5,050	470	5,000
266	4,282	328	6,685	406	5,050	471	5,000
267	4,281	329	7,858	407	5,423	472	5,000
268	4,281	330	7,293	408	5,547	473	5,000
269	4,414	331	7,055	409	5,550	474	5,000
270	4,412	332	10,982	410	5,361	475	5,000
271	4,406	333	13,082	411	5,325	476	5,000
272	4,392	334	8,510	412	5,166	477	5,000
273	6,349	335	6,300	413	5,385	478	5,000
275	5,500	336	6,300	414	5,922	479	5,000
276	4,200	337	6,300	415	6,244	480	7,619
277	4,200	338	6,300	416	5,761		
278	4,200	339	6,300	417	5,066		
279	4,200	340	6,300	418	5,000		
280	4,200	341	6,300	419	5,000		
281	4,200	342	6,300	420	5,000		
282	4,200	343	6,300	421	5,000		
283	4,200	344	6,691	422	5,460		
284	4,200	345	7,444	423	5,474		
285	4,200	346	5,829	424	5,300		
286	4,200	347	5,829	425	5,300		
287	4,200	348	5,829	426	6,433		
288	4,200	349	5,829	427	6,870		
289	4,200	350	5,829	428	6,671		
291	6,971	351	5,829	429	7,005		
292	6,075	352	5,829	430	6,874		
293	6,970	353	5,829	431	5,576		
294	6,009	354	5,829	432	5,525		
295	6,009	355	5,829	433	5,475		
296	6,008	356	5,829	434	5,424		
297	6,008	357	5,829	435	5,673		
298	6,008	358	5,829	436	5,868		
299	6,007	359	5,829	437	7,206		
300	6,007	360	8,762	438	6,756		
301	6,007	361	6,490	439	5,912		
302	6,006	362	5,545	440	5,740		



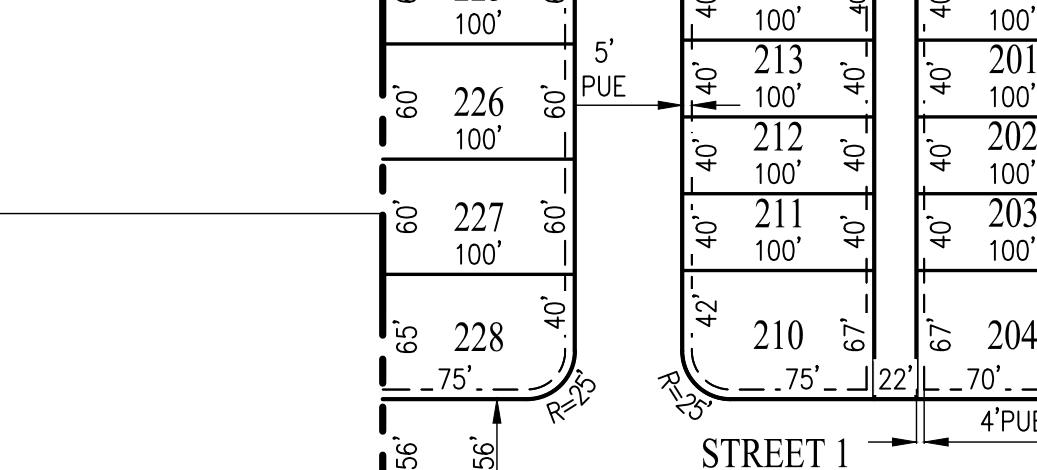
TUSO
APN 240-140-14



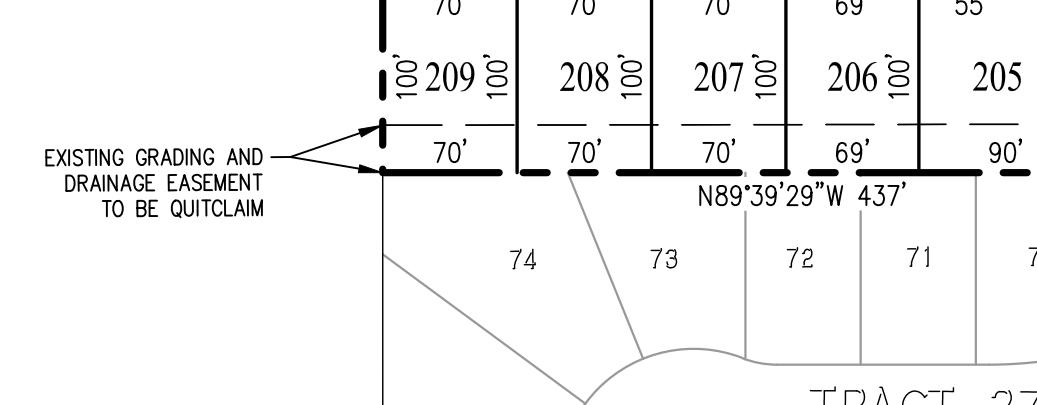
TUSO
APN 240-140-15



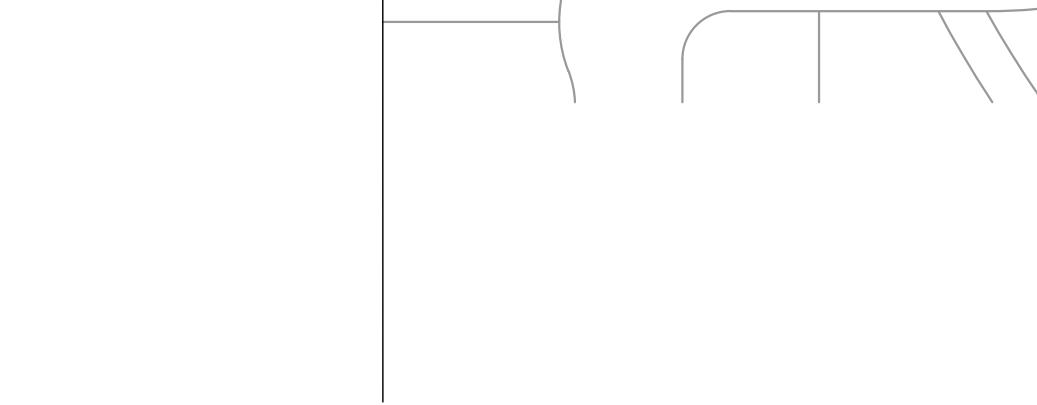
TUSO
APN 240-140-15



TUSO
APN 240-140-15



TUSO
APN 240-140-15



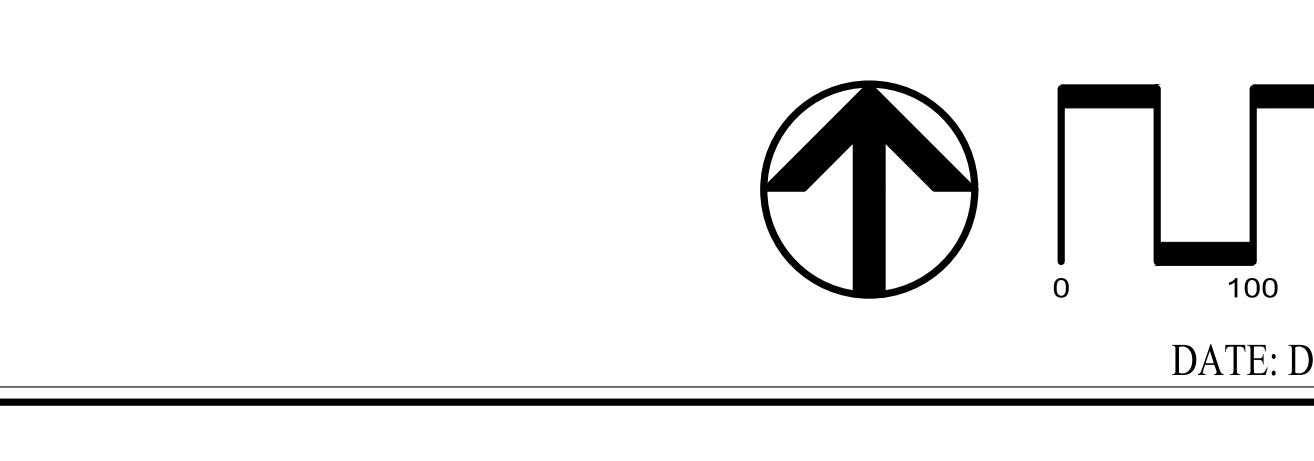
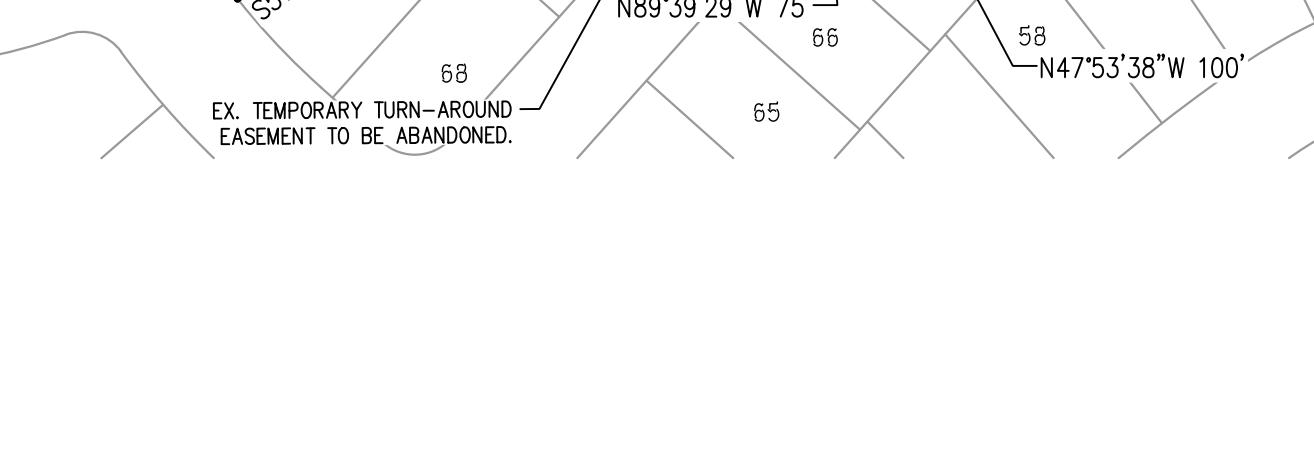
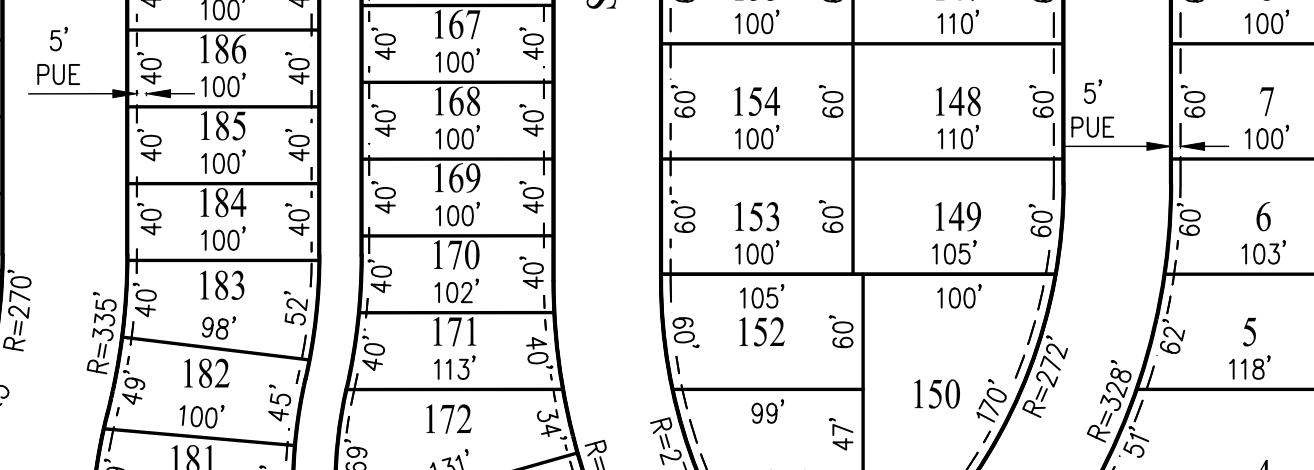
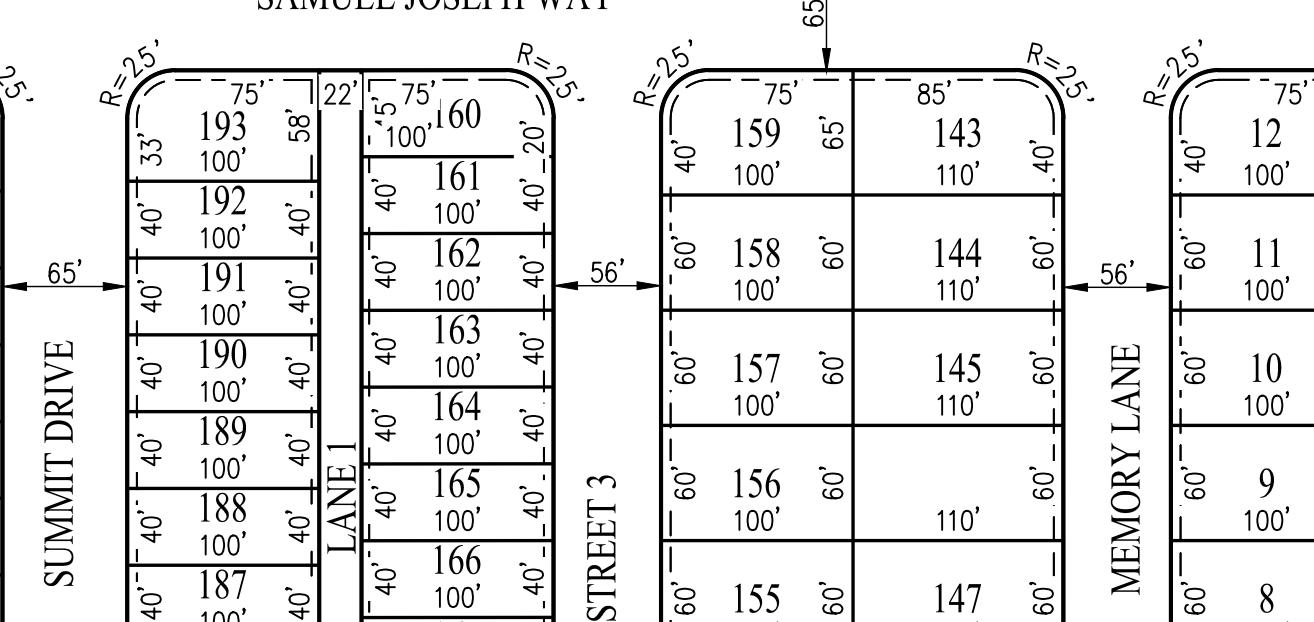
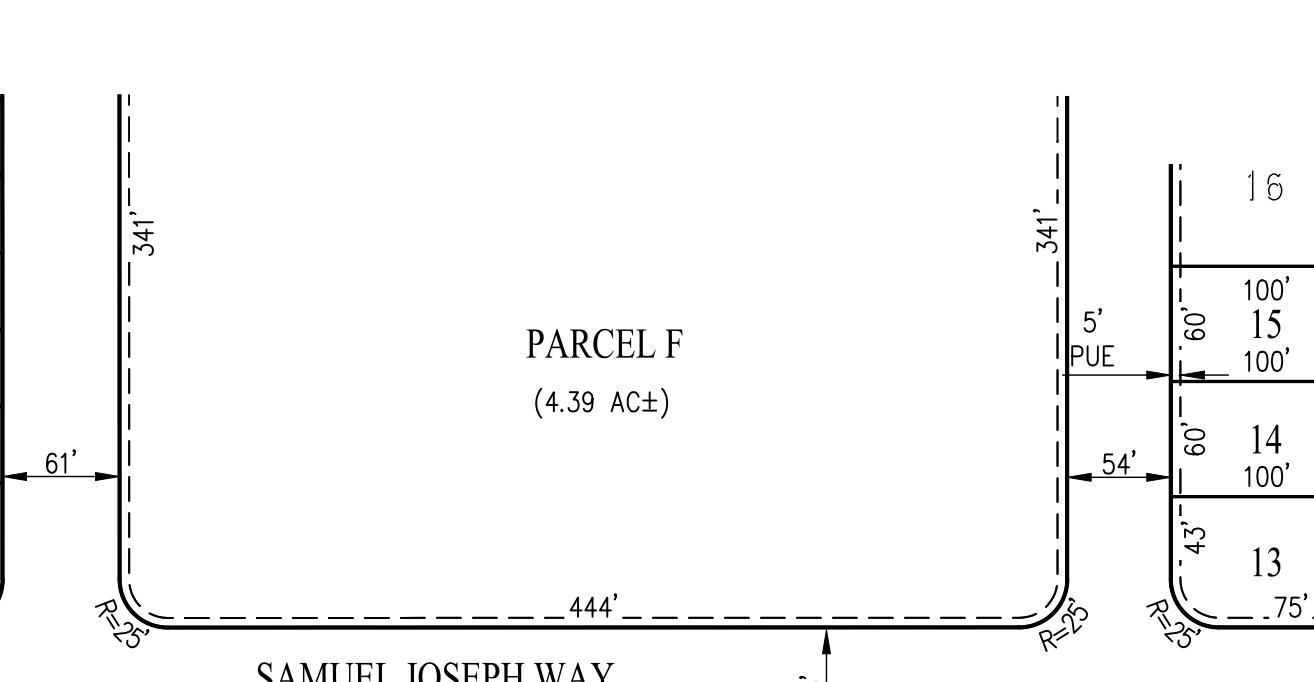
TUSO
APN 240-140-15



TUSO
APN 240-140-15



TUSO
APN 240-140-15



RAMCHANDAN
APN 240-140-48

APN 240-140-48

cbg	CIVIL ENGINEERS
SITE PLAN	REVISIONS
TRACTION	DESCRIPTION
APPROVED	APPROVED
SUPERVISOR	SUPERVISOR
DESIGNED BY:	Symbol
DRAWN BY:	Date
CHECKED BY:	Symbol
GTZ	Date
SCALE:	As Shown

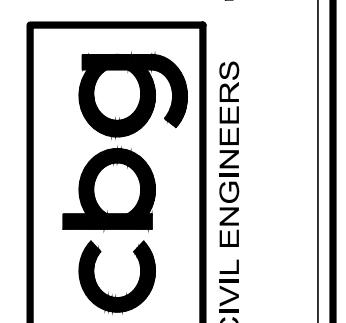
APPROVED

APPROVED</



Think Inside the Triangle

PLANNERS SURVEYORS



CIVIL ENGINEERS

REVISIONS APPROVED

SYMBOL DATE

DESIGNED BY:

DRAWN BY:

CHECKED BY:

SCALE:

AS SHOWN

TRACT 3883
VESTING TENTATIVE SUBDIVISION MAP
AVENUES - ELLIS SPECIFIC PLAN
TRACY, CALIFORNIA

SEE SHEET TM08

PARCEL A

PARCEL B

OUTFALL TO BASIN 3A

C

D

18' SD

</div

SEE SHEET TM07

The diagram illustrates a property boundary (BNDRY) marked by a vertical line. A horizontal line labeled 'LOT' extends from this boundary. A vertical line labeled 'NEIGHBORHOOD FENCE' is shown to the right of the boundary line. A shaded area represents the 'EXISTING GROUND'. A retaining wall is depicted as a vertical line with a horizontal cap, labeled '2'± RETAINING WALL'. To the left of the property boundary, the text 'RINAURO APN 240-140-03' is written. To the right, a vertical line labeled 'LL' represents a level line. A horizontal line labeled 'LOT' extends from this level line. A shaded area represents the 'EXISTING GROUND'. A retaining wall is depicted as a vertical line with a horizontal cap, labeled '1' MAX KICKERBOARD'.

SECTION A-A
NOT TO SCALE

SECTION B-B
NOT TO SCALE

SECTION C-C
NOT TO SCALE

Diagram illustrating a boundary section (C-C) showing the relationship between a boundary wall, a neighborhood fence, and the ground. The boundary wall is labeled 'BNDRY'. A 'NEIGHBORHOOD FENCE' is shown as a horizontal line to the left of the boundary wall. A '1' FLAT' dimension is indicated between the fence and the boundary wall. The ground surface is labeled 'EXISTING GROUND'. A '1' MAX KICKERBOARD' dimension is shown as a shaded area at the base of the boundary wall. The property is identified as 'RAMCHANDANI APN 240-140-28'. The 'LOT' is also indicated.

SECTION D-D
NOT TO SCALE

This architectural cross-section diagram, labeled 'SECTION E-E' at the bottom, illustrates a retaining wall and drainage system. The diagram shows a vertical wall labeled 'BNDRY' at the top. A horizontal line labeled '1' FLAT' extends from the top of the wall. A label 'NEIGHBORHOOD FENCE' points to the fence line. A label 'TOP OF WALL SHALL BE AT THE SAME ELEVATION OF THE EXISTING BASIN BERM ON TUSO PROPERTY' is positioned to the left of the wall. To the right, a label 'TUSO APN 240-140-15' is placed above an 'EXISTING BASIN BERM'. The wall is labeled '5'± RETAINING WALL. INSTALL WALL SUBDRAIN AND CONNECT TO ON-SITE STORM DRAINAGE SYSTEM'. The ground is labeled 'EXISTING GROUND'. A label 'LOT' is at the bottom left. The bottom right corner contains the text 'NOT TO SCALE'.

SECTION F-F
NOT TO SCALE

SECTION G-G
NOT TO SCALE

SECTION F-F (Left): This diagram shows a vertical retaining wall at the property boundary (BNDRY). The wall is labeled as a **2.5' ± RETAINING WALL.** It is required to **INSTALL WALL SUBDRAIN AND CONNECT TO ON-SITE STORM DRAINAGE SYSTEM.** The top of the wall is to be at the same elevation as the **EXISTING BASIN BERM ON TUSO PROPERTY.** The wall is adjacent to a **NEIGHBORHOOD FENCE** and a **LOT.** The **EXISTING GROUND** is shown sloping away from the wall. A note specifies **TUSO N 240-140-15** and **APN 240-140-15**.

SECTION G-G (Right): This diagram shows a vertical retaining wall at the property boundary (BNDRY). The wall is labeled as a **1' FLAT** section. The **NEIGHBORHOOD FENCE** is shown above the wall. The **LOT** is indicated to the right of the wall. The **EXISTING GROUND** is shown sloping away from the wall. A note specifies **TUSO APN 240-140-15** and **1' MAX KICKER**.

SECTION L-L
NOT TO SCALE

SECTION M-M
NOT TO SCALE

The figure consists of two architectural cross-sections, L-L and M-M, illustrating property boundaries and terrain.

SECTION L-L: This section shows a property boundary labeled "LOT" on the left. A vertical line labeled "LL" extends upwards from the top of the property boundary. A shaded rectangular area represents the "EXISTING GROUND". A vertical line labeled "TAINING" extends downwards from the bottom of the property boundary. A horizontal line labeled "LOT" extends to the right from the property boundary. A dashed line labeled "EXISTING GROUND" extends to the right from the bottom of the property boundary.

SECTION M-M: This section shows a property boundary labeled "LOT" on the left. A vertical line labeled "BNDRY" extends upwards from the top of the property boundary. A dashed line labeled "NEIGHBORHOOD FENCE" extends to the left from the property boundary. A vertical line labeled "1' FLAT" extends downwards from the bottom of the property boundary. A horizontal line labeled "EX LOT TRACT 3754" extends to the right from the property boundary. A dashed line labeled "EXISTING GROUND" extends to the right from the bottom of the property boundary. A slope indicator "2:1 MAX" is shown on the right side of the section.

MAX
ERBOARD

300' 400'

BER 14, 2021

GRADING AND DRAINAGE PLAN

TRACT 3883

VESTING TENTATIVE SUBDIVISION MAP

AVENUES - ELLIS SPECIFIC PLAN

CALIFORNIA

SHEET TM08 OF 10 SHEETS

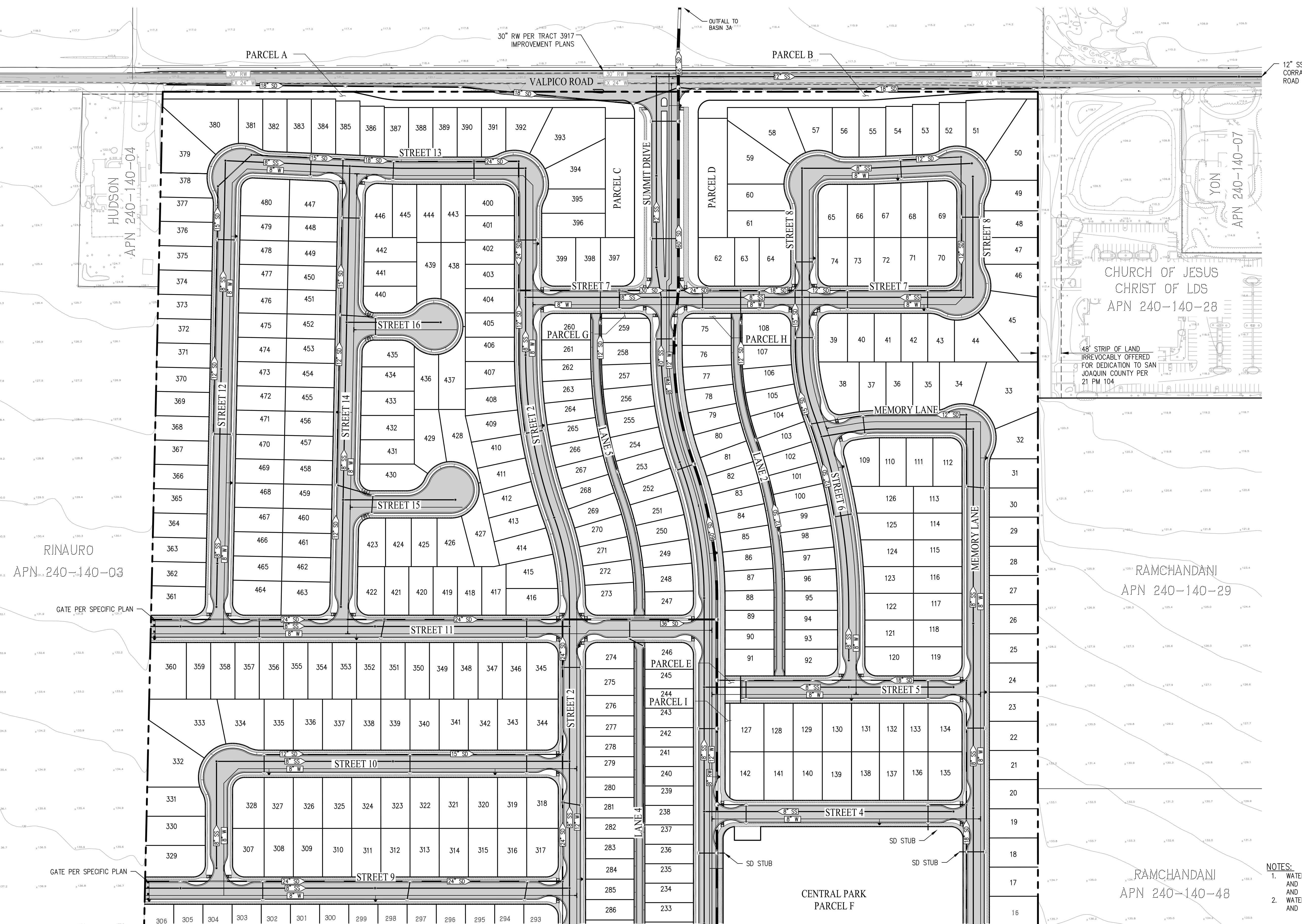
TRACY

cbg

SAN RAMON • (925) 866-0322
ROSEVILLE • (916) 788-4456
WWW.CBANDG.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS

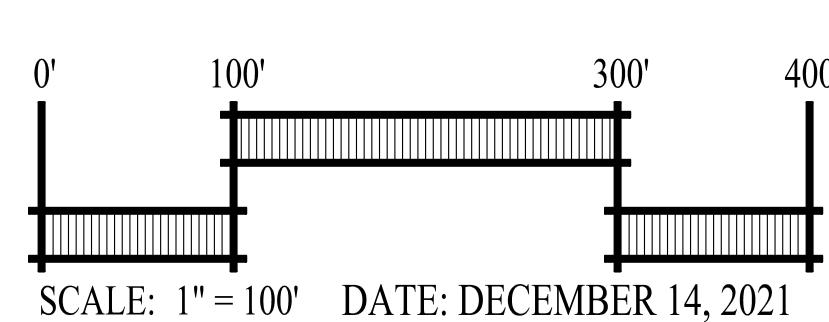
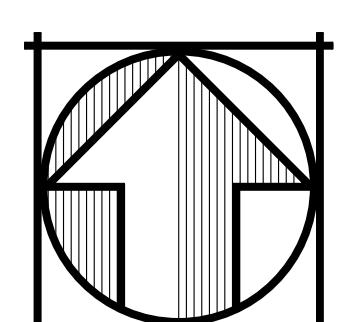
GRADING AND DRAINAGE PLAN	
TRACT 3883 VESTING TENTATIVE SUBDIVISION MAP AVENUES - ELLIS SPECIFIC PLAN	TM08 OF 10 SHEETS
DESIGNED BY: ASP	DRAWN BY: JFS
CHEKED BY: GTZ	SCALE: CNAIEOPNIA
SHEET	



SEE SHEET TM10

NOTES:

1. WATERMAIN SHALL BE INSTALLED AT LEAST 4 FEET HORIZONTALLY FROM AND 1 FOOT VERTICALLY ABOVE DISINFECTED TERTIARY RECYCLED WATER AND STORM DRAIN PIPES.
2. WATERMAIN SHALL BE INSTALLED AT LEAST 10 FEET HORIZONTALLY FROM AND 1 FOOT VERTICALLY ABOVE SANITARY SEWER PIPE



SCALE: 1" = 100' DATE: DECEMBER 14, 2021

UTILITY PLAN

TRACT 3883

VESTING TENTATIVE SUBDIVISION MAP

VENUES - ELLIS SPECIFIC PLAN

TPACY CNAIEOPBNVA

CITY OF TRACY

TRACY

AN RAMON ■ (925) 866-0322
ROSEVILLE ■ (916) 788-4456
WWW.CBANDG.COM

SURVEYORS ■ PLANNERS

cbg
CIVIL ENGINEERS

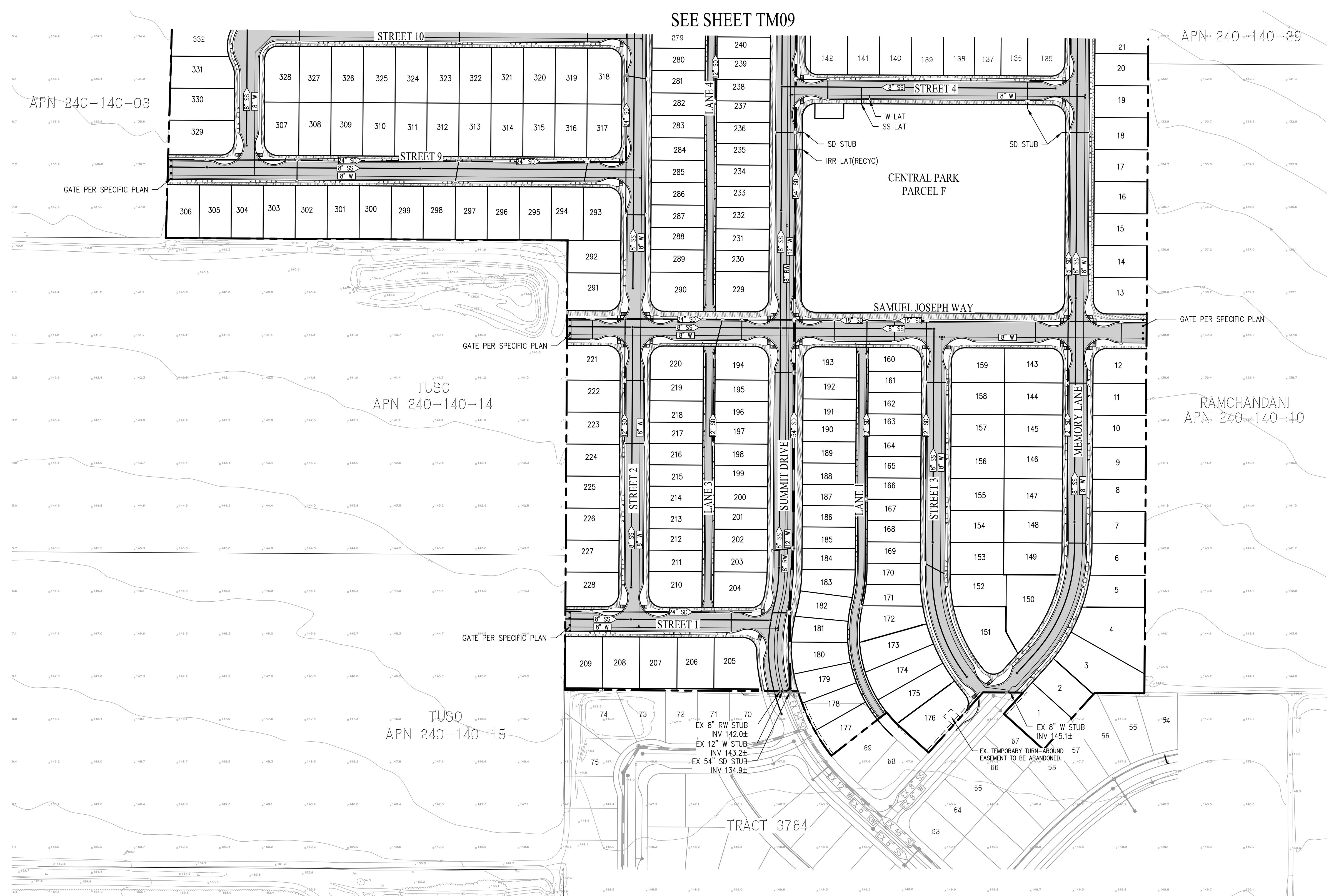
ED

DESIGNED BY:	ASP
DRAWN BY:	JFS
CHECKED BY:	GTZ
SCALE:	

UTILITY PLAN

TRACT 3883
VESTING TENTATIVE SUBDIVISION MA
AVENUES - ELLIS SPECIFIC PL
TRACY CALIFORNIA

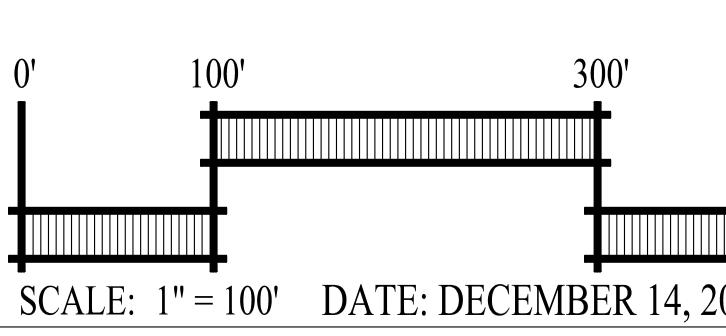
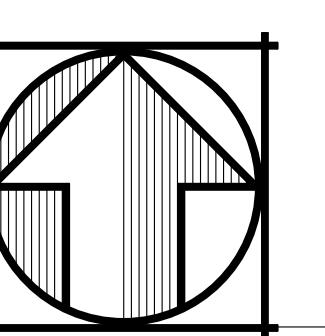
SHEET
TM09
OF 10 SHEETS



OTES:

OTES:

1. WATERMAIN SHALL BE INSTALLED AT LEAST 4 FEET HORIZONTALLY FROM AND 1 FOOT VERTICALLY ABOVE DISINFECTED TERTIARY RECYCLED WATER AND STORM DRAIN PIPES.
2. WATERMAIN SHALL BE INSTALLED AT LEAST 10 FEET HORIZONTALLY FROM AND 1 FOOT VERTICALLY ABOVE SANITARY SEWER PIPE.



UTILITY PLAN

TRACT 3883
VESTING TENTATIVE SUBDIVISION MAP
VENUES - ELLIS SPECIFIC PLAN

CITY OF TRACY



cbg

CIVIL ENGINEERS ■ SURVEYORS ■ PLANNERS

SAN RAMON ■ (925) 866-0322
ROSEVILLE ■ (916) 788-4456
www.cbandg.com

10

DESIGNED BY: ASP	DRAWN BY: JFS	CHECKED BY: GTZ	SCALE: AS SHOWN
---------------------	------------------	--------------------	--------------------

UTILITY PLAN

TRACT 3883

TENTATIVE SUBDIVISION MAP

S - ELLIS SPECIFIC PLAN

VESTING
VENUE

RESOLUTION 2022-_____

RECOMMENDING APPROVAL OF A VESTING TENTATIVE SUBDIVISION MAP FOR THE AVENUES NEIGHBORHOOD CONSISTING OF 480 RESIDENTIAL LOTS, A PARK, AND ASSOCIATED ROADS ON APPROXIMATELY 95.83 ACRES, LOCATED SOUTH OF VALPICO ROAD AND APPROXIMATELY 1,500 FEET WEST OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 240-140-49, 240-140-05, 240-700-13, & 240-700-14, APPLICATION NUMBER TSM21-0001

WHEREAS, In September 2018, the Tracy City Council adopted the Avenues Specific Plan (Ordinance 1262) and approved annexation of the Avenues project (Resolution No. 2018-180) located on an approximately 95-acre site south of Valpico Road and north of the Ellis Specific Plan area, and adopted the Avenues Specific Plan Mitigated Negative Declaration (ASP MND) for the project (Resolution No. 2018-180), and

WHEREAS, In January 2021, LAFCo approved annexation of the Avenues project area into the City of Tracy (LAFCo Resolution No. 1439), and

WHEREAS, In May 2021, at request of The Surland Companies, the Tracy City Council adopted Ordinance 1305 to merge the Avenues Specific Plan and the Ellis Specific Plan into a single specific plan (Ellis Specific Plan), referring to the Avenues project area as the Avenues Neighborhood, and

WHEREAS, The Surland Companies has proposed a Vesting Tentative Subdivision Map for the Avenues Neighborhood to create 480 single-family-home lots, an approximately 4.39-acre park parcel, and associated streets, alleys, and common landscape parcels, and

WHEREAS, The subject property is designated Residential Low by the Tracy General Plan and designated Residential by the Ellis Specific Plan, Avenues Neighborhood Plan, which permits a minimum of 380 and a maximum of 480 residential units, not including accessory dwelling units, and

WHEREAS, The proposed Vesting Tentative Subdivision Map is consistent with the Residential Low General Plan Designation and with the Ellis Specific Plan, and

WHEREAS, The proposed Vesting Tentative Subdivision Map is consistent with the General Plan and Title 12, the Subdivision Ordinance, of the Tracy Municipal Code, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the site is physically suitable for the type of development, as the site, once graded, will be virtually flat and the characteristically high clay content of Tracy's soils may require amendments and treatment for proposed landscaping, foundations, and other surface and utility work. The physical qualities of the property make it suitable for residential development in accordance with City standards, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the site is physically suitable for the proposed density of development, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, traffic circulation will comply with City standards for the proposed density to ensure adequate traffic service levels are met, and

WHEREAS, The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the design and type of the proposed subdivision and associated improvements will promote the public health, safety and welfare, and

WHEREAS, The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, and

WHEREAS, Subject to the satisfaction of the attached conditions of approval, the project will comply with all other applicable ordinances, regulations and guidelines of the City, including but not limited to, the local floodplain ordinance. The subject property is not located within any floodplain and the project, subject to the satisfaction of the attached conditions of approval, will meet all applicable City design and improvement standards, and

WHEREAS, Subject to the satisfaction of the conditions of approval, all the public facilities necessary to serve the subdivision will be in place prior to the issuance of building permits. All the public facilities necessary to serve the subdivision or mitigate the impacts created by the subdivision that are not in place prior to approval of a final map will be assured through a subdivision improvement agreement executed prior to the approval of a final map, and

WHEREAS, The subdivision is consistent with the development described in the Avenues Neighborhood chapter of the Ellis Specific Plan, and with the project evaluated in the Avenues Specific Plan Mitigated Negative Declaration (titled "Final Initial Study/Mitigated Negative Declaration Environmental Checklist"), bearing the State Clearing House Number 20180702045, adopted by the City Council on September 4, 2018 by Resolution 2018-180, and under Government Code Section 65457 and Section 15182 of Title 14 of the California Code of Regulations, the subdivision is exempt from further environmental review under the California Environmental Quality Act, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the proposed Vesting Tentative Subdivision Map on March 9, 2022;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission recommends that the City Council approve the Vesting Tentative Subdivision Map for the Avenues Neighborhood, consisting of 480 residential lots, an approximately 4.39-acre park, and common landscape parcels, roads, and alleys on approximately 95.83 acres, located south of Valpico Road and approximately 1,500 feet west of Corral Hollow Road, Assessor's Parcel Numbers 240-140-49, 240-140-05, 240-700-13, & 240-700-14, Application Number TSM21-0001, subject to the conditions of approval stated in Exhibit 1 attached and made part hereof.

The foregoing Resolution 2022-_____ was adopted by the Planning Commission of the City of Tracy on the 9th day of March, 2022, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

THIS PAGE INTENTIONALLY LEFT BLANK

City of Tracy
Conditions of Approval
Avenues Neighborhood
Application Number TSM21-0001

A. General Provisions and Definitions.

A.1. General. These Conditions of Approval apply to:

The Project: Vesting Tentative Subdivision Map for the Avenues neighborhood of the Ellis Specific Plan area to create 480 single-family-home lots, five landscaped parcels, an approximately 4.39-acre park parcel, and associated streets, alleys, and common landscape parcels

The Property: An approximately 95.83-acre site south of Valpico Road and approximately 1,500 feet west of Corral Hollow Road, Assessor's Parcel Numbers 240-140-49, 240-140-05, 240-700-13, & 240-700-14

A.2. Definitions.

- a. "Applicable Law" means all State and federal laws applicable to development of the Project, including without limitation the relevant provisions of the California Planning And Zoning Laws, the California Subdivision Map Act, and the California Environmental Quality Act, all City Regulations.
- b. "Applicant" means any person, or other legal entity, defined as a "Subdivider."
- c. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
- d. "City Regulations" means all written laws, rules and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, the Ellis Specific Plan, ordinances, resolutions, policies, procedures, and the City's Design documents (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).
- e. "Development Services Director" means the Development Services Department Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
- f. "Conditions of Approval" shall mean the conditions of approval applicable to the Project. The Conditions of Approval shall specifically include all Development Services Department conditions set forth herein.
- g. "Subdivider" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within

the Project boundaries.

- h. "ESP" means the specific plan (titled "Ellis Specific Plan") approved by the City Council on January 22, 2013 by Resolution 2013-012, and most recently amended on May 4, 2021 by Ordinance 1305.
- i. "Avenues MND" means the Mitigated Negative Declaration (titled "Final Initial Study/Mitigated Negative Declaration Environmental Checklist"), bearing the State Clearing House Number 20180702045, adopted by the City Council on September 4, 2018 by Resolution 2018-180, as adequate and in compliance with the California Environmental Quality Act (CEQA).

A.3. Compliance with submitted plans. Except as otherwise modified herein, all Final Maps shall be in substantial conformance with the vesting tentative subdivision map received by the Development Services Department on December 22, 2021.

A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.

A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:

- the Planning and Zoning Law (Government Code sections 65000, et seq.)
- the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
- the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").
- the 2019 CBC, 2019 CRC, 2019 CPC, 2019 CMC, 2019 CEC, 2019 CFC, 2019 CEnC, and 2019 CA Green Building Standards Code.

A.6. Compliance with City Regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations, including, but not limited to, the Ellis Specific Plan (ESP), Tracy Municipal Code (TMC), Standard Plans, and the City's Design Goals and Standards.

A.7. Pursuant to Government Code Section 66020, including Section 66020 (d)(1), the City HEREBY NOTIFIES the Subdivider that the 90-day approval period (in which the Subdivider may protest the imposition of any fees, dedications, reservations, or other exactions that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall commence on the date of the conditional approval of this Project. If the Subdivider fails to file a protest of the Exactions within this 90-day period, which protest complies with all of the requirements of Government Code Section 66020, the Subdivider will be legally barred from later challenging any of the

Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the Developer.

B. Planning Division Conditions

Contact: Kimberly Matlock (209) 831-6430 kimberly.matlock@cityoftracy.org

B.1. Mitigation Measures. The Subdivider shall comply with all mitigation measures applicable to the Project in the Avenues MND, which was adopted by the City Council on September 4, 2018 (SCH# 20180702045).

C. Engineering Division Conditions

Contact: Nanda Gottiparty (925) 251-0100 nanda.gottiparty@sngassociates.com

C.1. General Conditions

Subdivider shall comply with the applicable requirements of the approved documents, technical analyses/ reports prepared for the Project listed as follows, and Applicable Law:

- a. Specific Plan, titled "*Ellis Specific Plan*" ("ESP") approved by the City Council on April 20, 2021, by Resolution 2021-046 and Ordinance 1305, and any subsequent amendments.
- b. Mitigated Negative Declaration "*Initial Study/Environmental Checklist Avenues Specific Plan*", certified by the City Council on September 4, 2018, by Resolution 2018-180, as adequate and in compliance with California Environmental Quality Act (CEQA) and Addendum to the Ellis Modified Project Environmental Impact Report and Avenues Specific Plan Mitigated Negative Declaration, dated February 2021, approved by the City Council on April 20, 2021, by Resolution No. 2021-045.
- c. *Ellis Program Sub-Basin – Final Storm Drainage Technical Report* dated September 2012, and *Reevaluation of program Storm Drainage Infrastructure* dated August 4, 2015, prepared by Storm Water Consulting, Inc., ("Storm Drainage Technical Report")
- d. *Stormwater Quality Review for Avenues Tentative Map* Technical Memorandum dated June 11, 2021, prepared by Wood Rodgers, Inc., ("Storm Drainage Technical Report - Wood Rodgers")
- e. *City of Tracy Wastewater System Analysis for Corral Hollow Road and Lammers Road* Technical Report dated September 2017 (Updated January 2018), Ch2M Hill. ("Wastewater Technical Report")
- f. *Avenues Tentative Map Review* Technical Memorandum, prepared by Kimley-Horn & Associates, dated April 26, 2021. ("Traffic Memorandum").
- g. *Valpico Road Precise Plan*, approved by City Council on December 7, 2021 by Resolution No. 2021-184.

h. *Tracy Village Fair Share Traffic Study*, prepared by Kimley-Horn & Associates, dated December 7, 2020.

C.2. Final Map

No Final Map within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the reasonable satisfaction of the City Engineer, that all the requirements set forth in these Conditions of Approval are completed, including, but not limited to the following:

C.2.1 Subdivider has submitted one (1) reproducible copy of the approved tentative subdivision map for the Project within ten (10) days after Subdivider's receipt of a notification of approval of the Tentative Subdivision Map. The signature of the owner of the Property on the Tentative Subdivision Map means consent to the preparation of the Tentative Subdivision Map and the proposed subdivision of the Property.

C.2.2 Each Final Map is prepared in accordance with the applicable requirements of the Tracy Municipal Code, Applicable Law, these Conditions of Approval, the Ellis Specific Plan ("ESP, and in substantial conformance with the Tentative Subdivision Map.

C.2.3 Each Final Map includes and shows offer(s) of dedication of all right(s)-of-way and/or temporary or permanent easement(s) required to construct and serve the Project described by the Improvement Plans and Final Map, in accordance with these Conditions of Approval. If construction easement(s) is/are shown, it/they shall indicate the termination of the construction easement(s).

- a. The Subdivider shall dedicate a 5-foot wide Public Utility Easement (PUE) along the lot frontages within the Property, the installation, repair, use, operation, and maintenance of other public utilities such as electric, gas, telephone, cable TV, and others. Larger private utility structures may require additional PUE "bump outs" to accommodate the structures.
- b. The Subdivider shall coordinate with the respective owner(s) of the utilities including but not limited to PG&E, AT&T, and Comcast, for the design and installation of these utilities within the Property. Engineering design and construction details of these utilities must be prepared as part of the joint utility trench plans to be submitted for City's review.
- c. The Subdivider shall obtain the approval of all applicable public agencies with jurisdiction over the required public facilities.
- d. Subdivider shall submit documentation for vacation or abandonment of existing easements that to be abandoned.

C.2.4 Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the Final Map. The Final Map shall also identify surveyed ties from two of the horizontal control points to a minimum of two separate points adjacent to or within the Property

described by the Final Map.

- C.2.5 Subdivider has submitted a signed and stamped Engineer's Estimate that shows construction cost of subdivision improvements to be dedicated to the City.
- C.2.6 Subdivider has submitted a signed and notarized Subdivision Improvement Agreement (SIA) and Improvement Security, for the completion of improvements that are required to serve the Project as shown on the Improvement Plans. The form and amount of Improvement Security shall be in accordance with the SIA.
- C.2.7 If required, Subdivider shall submit a signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, for the completion of offsite improvements that are required to serve the Project as shown on the Improvement Plans. The form and amount of Improvement Security shall be in accordance with the OIA.
- C.2.8 Subdivider has paid engineering review fees or deposits including improvement plan checking, final map review, agreement processing, and all other deposits, or fees required by these Conditions of Approval and in accordance with Applicable Law.
- C.2.9 Subdivider has submitted technical or materials specifications, cost estimates, and technical reports related to the design of improvements that are shown on the Improvement Plans and as required by these Conditions of Approval.
- C.2.10 Subdivider has submitted hydrologic and storm drainage calculations for the design and sizing of in-tract storm drainage pipes.
- C.2.11 Subdivider, in accordance with the terms of the ESP including Section 3.3.2, shall be required to submit a signed and notarized Park Improvement Agreement (PIA) and Improvement Security, for the construction of the neighborhood park improvements. The form and amount of Improvement Security shall be in accordance with ESP, and the PIA. Neighborhood Park will be eligible for fee credits in accordance with Title 13 of the Tracy Municipal Code.
- C.2.12 Subdivider has submitted signed and stamped Improvement Plans.

C.3. Grading Permit

The City will accept a grading permit application for the Project prior to the Final Map being approved by the City Council, if the Subdivider has provided all relevant documents related to said grading permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, and in accordance with the ESP, including, but not limited to, the following:

- C.3.1 Prior to the issuance of Grading Permit for the Project, Subdivider shall submit improvement plans and secure at least two plan reviews (for the design of on-

site sewer improvements.)

C.3.2 All existing on-site water well(s), septic system(s), and leech field(s), if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well(s), septic system(s), and leech field(s) including the cost of permit(s) and inspection. Subdivider shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.

C.3.3 Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of and stamped and signed by a Registered Civil Engineer and Geotechnical Engineer.

- a. Subdivider shall obtain all applicable signatures by City departments and Subdivider for outside agencies (where applicable) on the mylars including signatures by Building Official and Fire Marshal prior to Subdivider submitting the mylars to Engineering Division for City Engineer's approval.
- b. Subdivider shall obtain all applicable Permit(s), agreement(s) and approval of other public agencies that has jurisdiction over the required public facilities, if applicable.

C.3.4 Payment of applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

C.3.5 Prior to the issuance of the Grading Permit, Subdivider shall submit to the Utilities Department (stephanie.hiestand@cityoftracy.org) one (1) electronic copy and one (1) hard copy of the Storm Water Pollution Prevention Plan (SWPPP) as submitted in Stormwater Multiple Applications and Reporting Tracker System (SMARTS) along with either a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID) or a copy of the receipt for the NOI.

- a. After the completion of the Project, the Subdivider is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall provide the City, a copy of the completed Notice of Termination.
- b. Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Subdivider.
- c. Subdivider shall comply with all the requirements of the SWPPP, applicable Best Management Practices (BMPs), applicable provisions of the ESP, and the Stormwater Post-Construction Standards adopted by the City in 2015 and any subsequent applicable amendment(s).

- C.3.6 Subdivider shall submit a PDF copy of the Project's Geotechnical Report signed and stamped by a licensed Geotechnical Engineer licensed to practice in the State of California. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, pavement design recommendations, percolation rate, and elevation of the highest observed groundwater level. The Geotech Report shall be peer reviewed by the City's consultant. Subdivider shall pay for the cost of the review.
- C.3.7 Subdivider shall provide a copy of the approved Incidental Take Minimization Measures (ITMM) habitat survey [San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)] from San Joaquin Council of Governments (SJCOPG).
- C.3.8 Subdivider shall provide a copy of the approved Air Impact Assessment (AIA) with an Indirect Source Review (ISR) from San Joaquin Valley Air Pollution Control District (SJVAPCD) as required in Mitigation Measure AQ-1 of the IS Mitigation Monitoring and Reporting Program.
- C.3.9 Prior to the issuance of the Grading Permit, Subdivider shall submit a copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD) as required in Mitigation Measure AQ-3 of the IS Mitigation Monitoring and Reporting Program.
- C.3.10 Subdivider shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Subdivider will design, coordinate and construct required modifications to the facilities to the reasonable satisfaction of the affected agency and the City. If applicable, written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider.
- C.3.11 If at any point during grading that the Subdivider, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Subdivider shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR, and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.

C.4. Encroachment Permit

Applications for encroachment permit may be accepted by the City as complete prior to the Final Map being approved by the City Council if the Subdivider provides all relevant documents related to said encroachment permit required by the applicable City Regulations and these Conditions of Approval, to the reasonable satisfaction of the City Engineer, including, but not limited to, the following:

- C.4.1 Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar), that incorporate all the requirements described in these Conditions of Approval, and the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Subdivider shall use the latest title block and, if necessary, contain a signature block for the Fire Marshal. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer, Traffic Engineer, Electrical Engineer, Mechanical Engineer, and Registered Landscape Architect for the relevant work.
 - a. Subdivider shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by Fire Marshal prior to submitting the mylars to Engineering Division for City Engineer's signature.
- C.4.2 Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.
- C.4.3 Traffic Control Plan, if necessary, shall be prepared under the supervision of and signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.
- C.4.4 South San Joaquin County Fire Authority (SSJCFA) Fire Marshal's signature on the Improvement Plans indicating their approval for the fire service connection and fire and emergency vehicle access for the Project.
- C.4.5 If necessary, signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of off-site public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the Tracy Municipal Code (TMC), the ESP, and the OIA. The Subdivider's obligations in the OIA shall be deemed to be satisfied upon City Council's acceptance of the public improvements and release of the Improvement Security.
- C.4.6 Check or wire payment for the applicable of engineering review deposits or fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable costs as required by these Conditions of Approval. The engineering review deposit or fees will be calculated based on the fee rate adopted by the City Council on June 16, 2020, per Resolution 2020-110, or in accordance with the fees in effect at the time that fees are due

C.5. Improvement Plans

Improvement Plans shall contain the design, construction details and specifications of public improvements and all subdivision improvements that are required to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of and stamped and signed by a Registered Civil Engineer, Traffic Engineer if applicable, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

The Improvement Plans, including the Grading and Drainage Plans, shall be prepared in accordance with the ESP and the City's Subdivision Ordinance and Design Standards. The improvement plans for all improvements (onsite and off-site) required to serve the Project in accordance with the ESP and the City Design Documents, and these Conditions of Approval.

The Improvement Plans shall be prepared in mylar with the City of Tracy standard title and signature block.

The Subdivider shall obtain all applicable signatures by City departments and the Subdivider from outside agencies (where applicable) on the mylar including signatures by the Fire Marshal, prior to the Subdivider submitting the mylars to Engineering Division for City Engineer's approval.

C.5.1 The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

- a. All existing and proposed utilities such as domestic water line, irrigation service, storm drain, and sanitary sewer, including the size and location of the pipes.
- b. All supporting engineering calculations, materials information or technical specifications, cost estimate, and technical reports.
- c. All improvement plans shall contain a note stating that the Subdivider (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers such as benchmarks.
- d. A PDF copy of the Project's approved Geotechnical/Soils Report that was prepared for the grading permit submittal.

C.5.2 Grading and Storm Drainage Plans

Site Grading

- a. Include all proposed erosion control methods and construction details to be employed and specify materials to be used.
- b. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Geotechnical Engineer. A copy of the Project's Geotechnical Report must be submitted with the Grading and Storm Drainage Plans.
- c. Site grading shall be designed such that the Project's storm water can gravity drain directly to an existing storm drain system with adequate capacity to drain storm water from the Project Site in the event that the on-site storm drainage system fails or is clogged. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.

- d. Minor Retaining – Subdivider shall use reinforced or engineered masonry blocks for retaining soil at property lines when the grade differential among the in-tract lots exceeds twelve (12) inches. Subdivider will include construction details of these minor retaining walls with the on-site Grading and Drainage Plan. Subdivider may use slopes among the lots to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical) unless a California licensed geotechnical engineer signs and stamps a geotechnical report letter that supports a steeper slope gradient. Slope easements may be required and will be subject to approval by the City Engineer.
- e. Minor Retaining along Project Perimeter – Subdivider shall use reinforced or engineered masonry blocks for retaining soil along the Project boundary and adjacent property(s) when the grade differential exceeds 12-inches. Subdivider will include construction details for these minor retaining walls with the on-site Grading and Drainage Plan. Subdivider may use slopes to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical). Slope easements may be subject to approval by the City Engineer and if adjacent and affected property(s) owner(s) grants said easements.
- f. Slopes are an acceptable option as a substitute to engineered retaining walls, where cuts or fills do not match existing ground or final grade with the adjacent property or public right of way, up to a maximum grade differential of two (2) feet, subject to approval by the City Engineer.
- g. Slope easements will be recorded, prior to the issuance of the Grading Permit. The Subdivider shall be responsible to obtain and record slope easement(s) on private properties, where it is needed to protect private improvements constructed within and outside the Project, and a copy of the recorded easement document must be provided to the City, prior to the issuance of the Grading Permit.
- h. Walls - Subdivider shall show proposed retaining walls and masonry walls on the on-site Grading and Drainage Plan. The Subdivider is required to submit improvement plans, construction details, and structural calculations for retaining walls and masonry walls to Building and Safety. Retaining wall and masonry wall design parameters will be included in the geotechnical report.
- i. If applicable, show all existing irrigation structure(s), channel(s) and pipe(s) that are to remain or to be relocated or to be removed, if any, after coordinating with the irrigation district or owner of the irrigation facilities. If there are irrigation facilities (including tile drains) that are required to remain to serve existing adjacent agricultural uses, the Subdivider shall design, coordinate and construct required modifications to the improvements, if required, to the reasonable satisfaction of the City.

C.5.3 Storm Drainage

- a. As shown in the SDMP, onsite storm drainage runoff from the Avenues subdivision will discharge into the future Detention Basin 3A located north of Valpico Road.
 - (i) Prior to issuance of grading permit, Subdivider shall demonstrate to the satisfaction of the City Engineer that retention of 200% of the 10-year 48-hour storm is available onsite with no excess runoff crossing any property lines of adjacent parcels or Valpico Road right-of-way.
 - (ii) Prior to issuance of first building permit, design and construction of the Detention Basin 3A basin shall be completed.
 - (iii) The Project shall provide onsite Low Impact Development and Storm Water Quality bioretention treatment (or equivalent treatment) per the current requirements of the Phase II NPDES Permit. Hydromodification requirements will be satisfied in Detention Basin 3A. Treatment requirements may be satisfied in Detention Basin 3A, if calculations are provided demonstrating to the satisfaction of the City Engineer that alternative stormwater treatment will comply with all of the requirements of the *Multi-agency Post-construction Stormwater Treatment Manual*,
 - (iv) If it is determined that stormwater treatment can be provided in Detention Basin 3A, Subdivider shall be obligated to pay its fair share of estimated cost of the stormwater quality treatment in the basin as determined by a study to be funded by Subdivider and completed by the City.
- b. Improvement Plans to be submitted with the hydrology and storm drainage calculations for the sizing of the on-site storm drainage piping system.
- c. Prior to the approval of the Final Map for the Project, the Subdivider shall provide a Stormwater Quality Control Plan (SWQCP) detailing the methods in which the development will address compliance with the applicable City's *Multi-Agency Post-Construction Stormwater Standards Manual* (Manual). Prior to the issuance of the grading permit for the project, the SWQCP shall be reasonably approved by the City Engineer.
- d. If it is determined that treatment cannot occur within Basin 3A, prior to approval of the Final Map, onsite storm water treatment details and supporting calculations for the private lots and street rights-of-way in compliance with the *Manual* shall be submitted for review and approval by the City.

C.5.4 Sanitary Sewer

- a. Sanitary Sewer Facilities: In order to serve the Avenues Project, a gravity sewer will need to be installed in Valpico Road from Summit Drive to Corral Hollow Road. This sewer line shall be installed in accordance with Section

3.3.5 Fire Station Funding and Infrastructure Construction of the ESP. This sewer line is not a program improvement; hence Subdivider is currently not eligible to receive fee credits or reimbursements for this improvement. If it becomes a program improvement, Subdivider may be eligible for either fee credits or reimbursements, in accordance with Title 13 of the Tracy Municipal Code. Subdivider may request formation of a Benefit District per the provisions of Chapter 12.60 of the Tracy Municipal Code.

- b. Based on the projected sewer demand from approved projects within the Coral Hollow sewer contributory area, the Phase 2 of the Choke Points Improvements for Corral Hollow Road Sewer as identified in the Wastewater Master Plan ("Phase 2 Choke Points Improvements") will be required to serve the Project. The City has commenced the design of Phase 2 Choke Point Improvements. In the event the City does not have adequate funding for Phase 2 Choke Points Improvements the Subdivider will contribute funding as determined by the City Engineer to cover shortfall in funding, so the City can proceed with the construction of the improvement. Building permits will only be issued up to available capacity in the Corral Hollow Sewer system as determined by the City Engineer. Subdivider will be eligible for fee credits and/or reimbursements in accordance with Tracy Municipal Code.
- c. The Subdivider shall design and install sanitary sewer facilities including the Project's sewer connection in accordance with City Regulations, and utility improvement plans approved by the City Engineer.

C.5.5 Water System.

a. Water Distribution System.

City's Consultant, West Yost Associates will review the water distribution system proposed in the Final Map for conformance with Applicable Law and shall prepare memorandum with recommendations ("Water Memorandum").

Potable water line sizing, looping requirements and layout shall comply with recommendations of the Water Memorandum in accordance with Applicable Law.

- b. Recycled Water Line: On-site Recycled Water mains are required to serve The Avenues. As part of the on-site improvements for the Project, the Subdivider shall extend an 8-inch Recycled Water main along Summit Drive from the south subdivision boundary with Ellis Phase 1 to the proposed 30" Master Plan Recycled Water Main at Valpico Road.
- c. Fire Service Line: The Subdivider shall design and install fire hydrants in accordance with Applicable Law at locations approved by the SSJCFA Fire Marshal. Before the approval of the plans, the Subdivider shall obtain written approval from the Fire Marshal.
 - (i) During the construction phases of the Project, the Subdivider shall be responsible for providing water infrastructure (temporary or

permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the ESP, Applicable Law, and Fire Marshal.

d. Water Shutdown Plan and Traffic Control Plan:

If water main shut down is necessary, the City will allow a maximum of four hours water supply shutdown. The Subdivider shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Subdivider shall submit a Water Shutdown Plan and Traffic Control Plan to be used during the installation of any offsite water mains.

e. Domestic and Irrigation Water Services

Domestic water service shall be installed in accordance with City Regulations, Applicable Law, and the utility improvement plans approved by the City Engineer. City's responsibility to maintain water lines shall be from the water main on the street to the back of the water meter (inclusive) only.

C.5.6 Valpico Road Frontage Street Improvements

Currently, Valpico Road is a two-lane rural arterial. The TMP identifies Valpico Road as a four-lane arterial road during the horizon year. The ultimate improvements for Valpico Road shall comply with the City of Tracy Transportation Master Plan and the City of Tracy Design Standards.

Subdivider shall design and construct improvements on Valpico Road in accordance with the timelines identified in the Traffic Memorandum.

Subdivider shall widen existing Valpico Road to the south to accommodate new eastbound right turn lane and westbound left turn lane.

a. Option 1 – Valpico Road Partial Ultimate Improvements: Valpico Road Improvements shall be designed and constructed by the Subdivider to meet the requirements of the latest edition of the California Department of Transportation Highway Design Manual, the California Manual of Uniform Traffic Control Devices (MUTCD), applicable City Design Standards, and these Conditions of Approval. The Subdivider shall design and construct interim improvements for Valpico Road, in accordance with the ESP, and Tentative Map, which may include widening of Valpico Road at the Summit Drive intersection to provide one travel lane in each direction plus a left turn median lane and a right turn deceleration lane with transitions to provide safe transitions to the two lane Valpico road west and east of the project limits as shown on the Tentative Map. Other frontage improvements may include but not limited to asphalt concrete pavement, landscape planter, a multi-use path, landscape setback planting area, fire hydrants, landscaping with automatic irrigation system (Motorola Controller), pavement marking and striping, street lights, asphalt concrete overlay (where required), pavement transitions and

other street and utility improvements that are required to serve the Project in conformance with the Tentative Map and based on the applicable phasing plans as reasonably approved by the City Engineer.

- (i) Per Figure 5.1 of Tracy Transportation Master Plan, the outside lane, right turn lane, Class 1 Bikeway, and all landscape improvements behind the curb on Valpico Road are fronting property owner's obligation.
- (ii) Construction of interim roadway improvements on Valpico Road may not be eligible for fee credit or reimbursement if the improvements are required to be removed or reconstructed as part of program improvements for Valpico Road per the TMP. A Deferred Improvement Agreement will be required for removal of interim improvements and construction of ultimate Valpico Road improvements. Alternatively, the Subdivider may pay to the City the estimated cost of removal of interim improvements and cost of future improvements, (including escalation for inflationary adjustment per ENR Construction Cost Index) as determined by the City.
- (iii) Right-of Way Dedication. The Subdivider shall dedicate 17.5' of ROW along the property frontage of Valpico Road, in accordance with the Tentative Map.
- (iv) The landscape improvements within the Landscape Setback area shall be constructed at the time of the adjacent interim improvements on Valpico Road. The Ellis Property Owners Association (EPOA) shall be responsible for maintenance of the landscape and associated irrigation improvements within the Landscape Setback area in accordance with the Ellis Specific Plan and Ellis Maintenance Agreement between the City of Tracy and EPOA.

b. **Option 2 – Valpico Road Partial Ultimate Improvements:** Subdivider shall construct partial ultimate Valpico Road improvements. Partial ultimate improvements will include roadway improvements on north side of Valpico Road to accommodate one eastbound right turn lane, one eastbound through lane, one westbound left turn lane and one westbound through lane, frontage curb and gutter, landscape strip, Class I multi-use trail and relocation / undergrounding of existing overhead lines on the north side of Valpico Road.

- (i) Per Figure 5.1 of Tracy TMP, the traffic impact fee program covers costs of improvements for the median and inside travel lanes on Valpico Road; frontage (outside) lane, right turn lane, Class I bikeway, and all landscape improvements behind the curb on Valpico Road are Subdivider's obligation. If Subdivider elects to construct Valpico Road partial ultimate program improvements, Subdivider will be eligible for fee credits and reimbursements for program improvements and for right-of-way acquisition and dedication of right-of-way on the north side of Valpico Road.

- (ii) **Right-of Way Dedication.** The Subdivider shall dedicate 17.5' of ROW along the property frontage of Valpico Road, in accordance with the Tentative Map. Acquisition of right-of-way on the north side of Valpico Road is required to construct improvements to serve the project when Summit Drive is extended to connect to Valpico Road. Subdivider shall acquire and dedicate 17' of right-of-way on north side of Valpico Road. If the Subdivider is unable to acquire the required right-of-way on the north side of Valpico Road, the Subdivider may request City's assistance to acquire the right-of-way.
- (iii) Subdivider shall relocate or underground existing overhead utilities on the north side of Valpico Road as required to construct the Partial Ultimate Improvements.
- (iv) Valpico Road improvements shall be designed and constructed by the Subdivider to meet the requirements of the latest edition of the California Department of Transportation Highway Design Manual (HDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), applicable City Design Standards and these Conditions of Approval, prior to the final inspection of the first building to be constructed on the Property.

c. **Valpico Road/Summit Drive Intersection—Pay or Build Options.**

With respect to the Ultimate Improvements for the intersection of Valpico Road and Summit Drive, Subdivider shall have the following options, which option shall be exercised prior to approval of the first final map for the Project:

- (i) Subdivider may deposit with City the full amount of the costs to design and construct the ultimate intersection improvements, as reasonably estimated by the City. Upon such deposit, Subdivider shall have no further responsibility for the ultimate Valpico Road/Summit Drive intersection improvements as described in the City's TMP, except that Subdivider shall remain fully responsible for the costs of the interim traffic signal warrant analysis and any resulting traffic signal improvements based on the results of the interim traffic signal warrant analysis, as set forth in Condition C.5.6.d below.

Or

- (ii) Subdivider may make a written election, in a form acceptable to the City, to construct the ultimate intersection improvements according to designs approved by the City. In the event that Subdivider elects to construct the ultimate intersection improvements pursuant to this Condition C.5.6.c.(ii), and in the event that Subdivider is unable to acquire third party property required to construct such improvements despite having made diligent, good faith efforts to acquire such third party property, Subdivider may request the City's assistance in its efforts to acquire the property.

d. Traffic Signal at Valpico Road/Summit Drive. Per Mitigation Measure TR-3, when Valpico Road is widened to four lanes, the Subdivider shall design and install a traffic signal to the satisfaction of the City Engineer. If at the time of approval of the first final map, if Valpico Road is not widened to four lanes, Subdivider shall pay Capital Improvement in-lieu fees in accordance with TMC 12.36.020h for the cost of the Summit Drive/Valpico Road Traffic Signal. Subdivider may request formation of a Benefit District per the provisions of Chapter 12.60 of the Tracy Municipal Code for reimbursement of costs in excess of Developer's fair share, in accordance with City's procedures.

The Summit Drive/Valpico Road intersection shall be Side Street Stop Controlled until an interim traffic signal is warranted due to traffic volumes or safety considerations.

Subdivider shall fund a Signal Warrant Analysis not later than thirty (30) days following a written demand from City to determine whether an interim traffic signal is warranted due to traffic volumes and/or safety considerations. If an interim traffic signal is warranted, Subdivider shall complete the installation of the interim Traffic Signal equipment, at Subdivider's sole expense, prior to the issuance of the fiftieth (50th) building permit for a single-family residential unit (not including model homes) following the completion of the Signal Warrant Analysis. Subdivider may request formation of a Benefit District per the provisions of Chapter 12.60 of the Tracy Municipal Code for reimbursement of interim traffic signal costs in excess of Developer's fair share, in accordance with City's procedures.

C.5.7 Subdivision Roadway Improvements

The Subdivider shall dedicate all rights-of-way that are necessary to construct Summit Drive, Street 1, Street 2, Street 3, Street 4, Street 5, Street 6, Street 7, Street 8, Street 9, Street 10, Street 11, Street 12, Street 13, Street 14, Street 15, Street 16, Lane 1, Lane 2, Lane 3, Lane 4, Lane 5, Memory Lane, Samuel Joseph Way, and all the in-tract streets based on their respective cross sections as shown on the Tentative Map.

- a. Design and construction details of the in-tract streets such as asphalt concrete pavement, curb, gutter, sidewalk, street light, water main, fire hydrant, landscaping with automatic irrigation system (Motorola), storm drain, catch basin and drop inlets, sanitary sewer main and lateral, water main, individual water service and meter, pavement marking and striping, traffic sign, driveway, handicap ramp and other street improvements shall be consistent with City Standards, unless specifically modified in the ESP, Tentative Map, and Applicable Law, and shall be shown on the Improvement Plans.
- b. Street 5 intersection at Summit Drive will be cut off with sidewalk, turf block planting, collapsible bollards, and other details per Kimley-Horn's recommendations.

- c. Design and construction details for the lanes and alley approaches shall be as shown on the Tentative Map. The landscape planters within the lanes and alley shall be irrigated from public water meter.
- d. The raised median island curb for the Summit Drive entry section shall be designed in accordance with the Tentative Map.
- e. As recommended in *Traffic Analysis*, Alleys shall be signed for One-Way Traffic: Lane 1 should allow northbound traffic only, and Lane 2, Lane 3, Lane 4, and Lane 5 should allow southbound traffic.

C.5.8 Offsite Improvements

The Subdivider shall comply with the following offsite traffic mitigations:

- a. Lammers Road/Old Schulte Road intersection: Prior to issuance of first building permit, Subdivider shall install eastbound right turn overlap phase and re-time the intersection to optimize cycle lengths and splits.
- b. Lammers Road/Valpico Road intersection:
 - (i) Per recommendation of *Tracy Village Fair Share Traffic Study*, prior to first building permit, Subdivider shall add a separate westbound right-turn lane and shared westbound left turn/through lane. Westbound right turn phase to be overlapped with southbound left turn phase. Subdivider shall install the Valpico Road/Lammers Road interim improvements if the Subdivider is the first benefitting property to pull its permit and request reimbursement from the fair share payments. If one of the other benefitting properties is first to construct these interim improvements, Subdivider shall satisfy its obligation towards the interim intersection improvements by payment of its fair share of the improvements as identified in the *Tracy Village Fair Share Traffic Study*.
 - (ii) Per Mitigation Measure TR-2, prior to first building permit occupancy (not including model homes), Subdivider shall install a channelized westbound right-turn pocket, a second southbound left-turn pocket, and eastbound right-turn overlap phase signal timing modification. If at the time of first occupancy, the ultimate Transportation Master Plan improvements for Valpico Road and/or Lammers Road have not been constructed, Subdivider shall pay Capital Improvement in-lieu fees in accordance with TMC 12.36.020h for the cost of the ultimate improvements.
- c. Valpico Road/Tracy Blvd intersection: Per Mitigation Measure TR-4, prior to issuance of final building permit within Avenues Specific Plan, Subdivider shall provide overlap signal phasing for exclusive right turns at the intersection to the satisfaction of the City Engineer.
- d. Corral Hollow Road/Linne Road: Per Mitigation Measure TR-1, At first building permit, Subdivider shall pay impact fees to contribute to City CIP project to add southbound through lane, northbound through lane, and separate westbound right turn lane.

C.5.9 Neighborhood Park

- a. The Subdivider shall offer for dedication Parcel "F" for park purposes as required by sub-section 3.2.6.1 of the ESP.
- b. The Subdivider shall design and construct the neighborhood park improvements consistent with the City Standards, ESP Park Plans, and Applicable Law.
- c. The Subdivider shall submit park improvement plans, signed and notarized improvement agreement ("Park Improvement Agreement or PIA"), and Improvement Security in the amount and type specified in the ESP. The timing of commencement of the neighborhood park improvements, payment of fees and fee credits shall be in accordance with the ESP, Applicable Law, and Tracy Municipal Code.

C.5.10 Undergrounding of Overhead Utilities

a. Public Utility Easement

All private utility services to serve Project such as electric, telephone and cable TV must be installed underground, and to be installed within dedicated Public Utility Easement (PUE) and at the location as reasonably approved by the respective owner(s) of the utilities.

- b. Overhead utilities along the frontage of the project on Valpico Road (with the exception of the high-voltage transmission lines with voltages greater than 34.5 KV) shall be placed in an underground facility in accordance with Tracy Municipal Code.
 - (i) The project shall comply with all applicable requirements of TMC 7.04.120.
- c. The Subdivider shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are to be installed under the sidewalk or within the Public Utility Easement (PUE). The Subdivider shall complete the necessary coordination work with the respective owner(s) of the utilities for the design of these underground utilities and to ensure it can be constructed under the sidewalk or within the PUE.
- d. Underground utility conduits may be installed under the sidewalks, and all boxes, structures and related facilities shall be located in the within the PUE.
- e. Pavement cuts or utility trench(s) on existing street(s) for the installation of electric, gas, cable TV, and telephone will require the application of 2" asphalt concrete overlay and replacement of pavement striping and marking that are disturbed during construction. The limits of asphalt concrete overlay shall be 25 feet from both sides of the trench and shall extend over the entire width of the adjacent travel lane(s) if pavement excavation encroaches to the adjacent travel lane or up to the street

centerline or the median curb. If the utility trench extends beyond the street centerline, the asphalt concrete overlay shall be applied over the entire width of the street (to the lip of gutter or edge of pavement).

Construction details and limits of asphalt concrete overlay shall be shown on the Improvement Plans.

- C.5.11 Building Permit - No building permit will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
- C.5.12 Payment of the Current Master Plan Fees in accordance with Roadway and Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Park adopted by the City Council, and in accordance with Applicable Law.
- C.5.13 Payment of the San Joaquin County Facilities Fees as required in Chapter 13.24 of the TMC, Applicable Law, and these Conditions of Approval.
- C.5.14 Payment of the Agricultural Conversion or Mitigation Fee as required in Chapter 13.28 of the TMC.
- C.5.15 Payment of the Regional Transportation Impact Fees (RTIF) as required in Chapter 13.32 of the TMC.

C.6. Acceptance of Public Improvements

Public improvements will not be accepted by the City Council until after the Subdivider completes construction of the relevant public improvements, and also demonstrates to the City Engineer satisfactory completion of the following:

- C.6.1 Correction of all items listed in the deficiency report prepared by the assigned Engineering Inspector relating to public improvements subject to City Council's acceptance.
- C.6.2 Subdivider has completed the 90-day public landscaping maintenance period.
- C.6.3 Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Subdivider, the City shall temporarily release the originals of the Improvement Plans to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements.
- C.6.4 Subdivider shall be responsible for any repairs or reconstruction of street pavement, curb, gutter and sidewalk and other public improvements along the frontage of the Project, if determined by the City Engineer to be in poor condition or damaged by construction activities related to the Project.

C.7. Temporary or Final Building Certificate of Occupancy

No Temporary or Final Building Certificate of Occupancy will be issued by the City until after the Subdivider provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:

- C.7.1 The Subdivider has satisfied all the requirements set forth in Condition C.7, above, or the City has agreed to street-by-street acceptance for final building certificate and/or occupancy.
- C.7.2 The Subdivider has completed construction of all required public facilities for the building for which a certificate of occupancy is requested and all the improvements required in these Conditions of Approval. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, or Applicable Laws, the Subdivider shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall advance all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency), which shall be subject to the PICRA.

C.8. Agreements and Improvement Security

- C.8.1 Subdivision Improvement Agreement: - Before the City's approval of the Final Map, the Subdivider shall execute a Subdivision Improvement Agreement (for the public facilities required to serve the real property described by the Final Map), post all required improvement security in accordance with improvements shall be subject to the PICRA.
- C.8.2 Deferred Improvement Agreement: - Before the City's approval of the First Final Map, the Subdivider shall execute a Deferred Improvement Agreement, if applicable, which shall be in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all remaining public facilities (to the extent the public facilities are not included in the Subdivision Improvement Agreement), which shall be subject to the PICRA.

C.9. Improvement Security

The Subdivider shall provide improvement security for all public facilities, as required by the Subdivision Improvement Agreement and the Deferred Improvement Agreement (if necessary) and these Conditions of Approval. The form of the improvement security may be a surety bond, letter of credit or other form section 12.36.080 of the TMC. The amount of improvement security shall be as follows:

- C.9.1 Faithful Performance (100% of the estimated cost of constructing the public facilities),
- C.9.2 Labor & Materials (100% of the estimated cost of constructing the public facilities),

- C.9.3 Warranty (10% of the estimated cost of constructing the public facilities), and
- C.9.4 Monumentation (\$500 multiplied by the total number of street centerline monuments that are shown on the Final Map).

C.10. Release of Improvement Security

Improvement Security(s) described herein shall be released to the Subdivider after City Council's acceptance of public improvements, and after the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance of these Conditions of Approval, and completion of the following:

- C.10.1 Improvement Security for Faithful Performance, Labor & Materials, and Warranty shall be released to the Subdivider in accordance with Section 12.36.080 of the TMC.
- C.10.2 Written request from the Subdivider and a copy of the recorded Notice of Completion.
- C.10.3 Monumentation Bond will be released to the Subdivider after City Council's acceptance of the public improvements and all monumentation shown on the Final Map is installed and tagged by a Land Surveyor licensed to practice in the State of California.

C.11. Benefit District

The Subdivider may make a written request to the City for the formation of a Benefit District for which the public facilities are required in accordance with Applicable Law and these Conditions of Approval.

C.12. Special Conditions

- C.12.1 All streets and utilities improvements within City's right-of-way shall be designed and constructed in accordance with the tentative map, ESP, City Regulations, and City's applicable Design documents if not included in the ESP, or tentative map, including the City's Facilities Master Plan for storm drainage, roadway, wastewater, and water adopted by the City, or as otherwise specifically approved by the City.
- C.12.2 Fire turnaround located on Lot 176 as shown on the Tentative Map shall remain until the connections of Summit Drive, Samuel Joseph Way, and either Memory Lane or Street 3 to the reasonable satisfaction of the City Engineer.
- C.12.3 Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or another public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the Grading Permit, Encroachment Permit, Building Permit, Improvement Plans, and OIA, if the City Council finds it necessary due to public health and safety reasons, and it is not in conflict with rights under the ESP or Applicable Law. The

Subdivider shall bear all the advance costs for the inclusion, design, and implementations of such additions and requirements, without any payment from the City. Costs may be applicable to the PICRA as reimbursement or credit. Health and Safety findings shall be made by the City Council under the terms of a review of the Health and Safety related issue, and PICRA reimbursement or credit approval shall be made at the same time by City Council.

C.12.4 Nothing in these Conditions of Approval is intended or may be interpreted to conflict with any of the vested elements and rights granted by the Ellis Development Agreement. In the event of any such conflict, the vested elements and rights granted by the Ellis Development Agreement shall control.

D. Utilities Department Conditions

Contact: Kul Sharma (209) 831-6320 kuldeep.sharma@cityoftracy.org

D.1. Wastewater Treatment. The Developer shall pay Wastewater Master Plan development impact fees for wastewater treatment in effect at that time for all proposed residential units in Avenues Developments on the date of the issuance of the first building permit for a single-family residential unit (not counting model homes), or thirty (30) days prior to award of construction contract by the City Council for construction of the next phase of expansion of the City's wastewater Treatment Plant, whichever comes first. A written request for payment of wastewater treatment fees will be made by the City Engineer at least sixty days prior to scheduling the award of construction contract of the next phase of expansion of the Wastewater Treatment plant by the City Council.

D.2. Stormwater Compliance. Prior to the approval of the Final Map for the Project, the Subdivider shall provide a Project Stormwater Plan (PSP) detailing the methods in which the development will address compliance with the applicable City's Multi-Agency Post-Construction Stormwater Standards Manual (Manual). Prior to the issuance of the grading permit for the project, the PSP shall be reasonably approved by the Utilities Director or his/her designee.

D.3. Stormwater Treatment. Prior to approval of the first Final Map, in compliance with the Manual, either 1) onsite storm water pre-treatment details and supporting calculations for the private lots and street rights-of-way, or 2) design details and supporting calculations for treatment and hydromodification in Detention Basin 3A, shall be submitted for review and approval by the City.

E. Citywide Standard Conditions for Residential five (5) units or more

The following conditions are intended to provide for the funding of City services to the Property.

Contact: Karin Schnaider (209) 831-6841 karin.schnaider@cityoftracy.org

E.1. Streetlights, Traffic Signals, and Street Sweeping

Before approval of the first Final Map or issuance of any building permit for the Property (except for up to twenty (20) model homes), Subdivider shall provide for perpetual funding of the on-going costs of operation, maintenance, repair, and replacement for the traffic signals, streetlights, and street sweeping on the Property (including all costs required by PG&E), by doing one or more of the following, subject to the approval of the City's Finance Director:

- a. Community Facilities District. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, to be signed by the Finance Director, which shall be recorded against the Property, which requires that prior to the issuance of a certificate of occupancy for a residential dwelling unit, Subdivider shall complete the annexation of the Property to either (a) a City of Tracy Community Facilities District, or (b) a new Improvement Area established for the Property within the City of Tracy Community Facilities District No. 2016-2 (ECFD) (the "ECFD"). In either case, such annexation shall be in compliance with the requirements of the Mello – Roos Community Facilities Act of 1982 (Gov. Code § 53311 et seq.) including, without limitation, affirmative votes, and the recordation of a Notice of Special Tax Lien, and Subdivider shall be responsible for all costs associated with the CFD proceedings. If Subdivider annexes the Property to the ECFD, the new Improvement Area established for the Property shall not be authorized to finance (a) Aquatic or Swim Center Facilities, or (b) operation, maintenance, and servicing (including repair and replacement) of publicly owned aquatic centers or swim centers that may otherwise be financed by other Improvement Areas in the ECFD.

Or

- b. HOA and dormant CFD. If the HOA is the chosen funding mechanism, the Subdivider must do the following:
 - (1) Form a Homeowner's Association or other maintenance association (either, an "HOA"), with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going costs of operation, maintenance, repair, and replacement for the traffic signals, streetlights, and street sweeping on the Property (including all costs required by PG&E);
 - (2) Cause the HOA to enter into an agreement with the City, in a form to be approved by the City and to be recorded against the Property prior to the final inspection or occupancy of the first dwelling (except for up to twenty (20) model homes), setting forth, among other things, the required maintenance, operations, repair, and replacement obligations, the standards of maintenance, operations, repair, and replacement, and all other associated obligation(s) to ensure the long-term operation, maintenance, repair, and replacement by the HOA for the traffic signals, streetlights, and street sweeping on the Property;
 - (3) Before final inspection or occupancy of the first dwelling (except for up to twenty (20) model homes), annex into a CFD described in Condition E.1.a above in a

"dormant" capacity, to be triggered if the HOA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of operation, maintenance, repair, and replacement for the traffic signals, streetlights, and street sweeping on the Property. The dormant tax or assessment shall be disclosed to all homebuyers and non-residential property owners, even during the dormant period.

Or

- c. Direct funding. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which requires that prior to issuance of a certificate of occupancy for a residential dwelling unit, Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the on-going costs of operation, maintenance, repair, and replacement for the streetlights, traffic signals, and street sweeping on the Property (including all costs required by PG&E).

If the provisions for adequate funding of the on-going costs of operation, maintenance, repair, and replacement for the traffic signals, streetlights, and street sweeping on the Property (including all costs required PG&E) are met prior to issuance of the first building permit for the Property, subject to the Finance Director's review and approval, the terms of this condition shall be considered to have been met and this condition shall become null and void.

E.2. Police & Public Works Services

Before approval of the first Final Map or issuance of any building permit for the Property (except for up to twenty (20) model homes), Subdivider shall provide for perpetual funding of the on-going costs of providing Police and Public Works services for the Property, by doing one of the following, subject to the approval of the City's Finance Director:

- a. Community Facilities District. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, to be signed by the Finance Director, which shall be recorded against the Property, which requires that prior to the issuance of a certificate of occupancy for a residential dwelling unit, Subdivider shall either (a) complete the annexation of the Property to City of Tracy Community Facilities District, or (b) form a new CFD. In any case, such annexation or formation shall be in compliance with the requirements of the Mello – Roos Community Facilities Act of 1982 (Gov. Code § 53311 et seq.) including, without limitation, affirmative votes, and the recordation of a Notice of Special Tax Lien. Subdivider shall be responsible for all costs associated with the CFD proceedings.

Or

- b. Direct funding. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which requires that prior to issuance of a certificate of occupancy for a residential dwelling unit, Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the on-going costs of

providing Police and public safety and Public Works services for the Property.

If the provisions for adequate funding of the on-going costs of providing Police and public safety and Public Works services for the Property are met prior to issuance of the first building permit for the Property, subject to the Finance Director's review and approval, the terms of this condition shall be considered to have been met and this condition shall become null and void.

E.3. Landscaping Maintenance

Before approval of the first Final Map or issuance of any building permit for the Property (except for up to twenty (20) model homes), Subdivider shall provide for perpetual funding of the on-going costs of operations, maintenance, repair, and replacement for public landscaping for the Property (but shall exclude the community park), by doing one or more of the following, subject to the approval of the City's Finance Director:

- a. CFD or other funding mechanism. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates the following: (1) prior to issuance of a building permit, the Subdivider shall form a Community Facilities District (CFD), or form a new Improvement Area within the ECFD, for funding the on-going costs related to maintenance, operation, repair and replacement of public landscaping, public walls and any public amenities included in the Project, and ongoing public landscaping maintenance, operations, repair, and replacement costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan; (2) the items to be maintained include but are not limited to the following: ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems; masonry walls or other fencing, entryway monuments, or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks and public open space areas; (3) formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien; (4) upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment; (5) prior to issuance of a building permit, the Subdivider shall deposit an amount equal to the first year's taxes; and (6) the Subdivider shall be responsible for all costs associated with formation of the CFD. If Subdivider forms a new Improvement Area within the ECFD, such new Improvement Area shall not be authorized to finance (a) Aquatic or Swim Center Facilities, or (b) operation, maintenance, and servicing (including repair and replacement) of publicly-owned aquatic centers or swim centers that may otherwise be financed by other Improvement Areas in the ECFD.

Or

- b. HOA and dormant CFD. If the HOA is the chosen funding mechanism, the Subdivider must do the following:
 - (1) Form a Homeowner's Association (HOA) or other maintenance

association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going maintenance, operations, repair, and replacement of all public landscaping areas within the entire tentative subdivision map area;

- (2) Cause the HOA to enter into an agreement with the City, in a form to be approved by the City and to be recorded against the Property prior to the final inspection or occupancy of the first dwelling (except for up to twenty (20) model homes), setting forth, among other things, the required maintenance, operations, repair and replacement obligations, the standards of maintenance, operations, repair, and replacement, and all other associated obligation(s) to ensure the long-term maintenance, operations, repair, and replacement by the HOA of all public landscape areas within the entire tentative subdivision map area;
- (3) For each Final Map, make and submit to the City, in a form reasonably acceptable to the City, an irrevocable offer of dedication of all public landscape areas within the Final Map area;
- (4) Before final inspection or occupancy of the first dwelling (except for up to twenty (20) model homes), annex into a CFD or form a new Improvement Area within the ECFD as described in Condition E.3.a above in a "dormant" capacity, to be triggered if the HOA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of public landscape maintenance, operations, repair, and replacement. The dormant tax or assessment shall be disclosed to all homebuyers and non-residential property owners, even during the dormant period.

Or

- c. Direct funding. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates that prior to issuance of a building permit, the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full on-going costs related to maintenance, operation, repair and replacement of public landscaping, public walls and any public amenities included in the Project, and ongoing public landscaping maintenance, replacement, repair, and replacement costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan. The items to be maintained include but are not limited to the following: ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems, masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks, and public open space areas.

E.4. Before approval of the first Final Map or issuance of any building permit for the Property (except for up to twenty (20) model homes), Subdivider shall provide for perpetual

funding of the on-going costs of operation, maintenance, repair, and replacement for storm drain basin or any other system designed to meet the City's Multi-Agency Post-Construction Stormwater Standards Manual (Manual) for the Property, by doing one of the following, subject to the approval of the City's Finance Director:

- a. CFD or other funding mechanism. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates the following: (1) prior to issuance of a building permit, the Subdivider shall form or annex into the Citywide Community Facilities District (CFD) for funding on-going costs of operation, maintenance, repair, and replacement for storm drain basin or any other system designed to meet the Manual (2) formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien; (3) upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment; (4) prior to issuance of a building permit, the Subdivider shall deposit an amount equal to the first year's taxes; and (5) the Subdivider shall be responsible for all costs associated with formation of the CFD.

Or

- b. Direct funding. Prior to approval of the first final map in the Project, Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates that prior to issuance of a building permit, the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full on-going costs of operation, maintenance, repair, and replacement for storm drain basin or any other system designed to meet the Manual.

THIS PAGE INTENTIONALLY LEFT BLANK