

Monday, November 7, 2022, 3:00 P.M.

Tracy City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

**THIS MEETING WILL BE OPEN FOR REMOTE PARTICIPATION PURSUANT TO
GOVERNMENT CODE SECTION 54953(e).**

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

Remote Public Comment:

All interested persons are invited to participate by joining the meeting via Microsoft Teams by clicking the following link:

[Click here to join the meeting](#)

Meeting ID: 228 965 482 679

Passcode: QF9vBL

You may view the Public Hearing Login information at <https://www.cityoftracy.org/government/public-notices> or by calling the Microsoft Teams teleconference line at **(209) 425-4338** Conference ID: **403 313 882#** to submit statements orally during the meeting; or submit comments in writing before the meeting by sending written statements to publiccomment@cityoftracy.org.

Should you decide to challenge the decision of the Development Services Director, you may be limited to those issues that were raised for consideration at the hearing.

Information concerning this matter may be obtained on the City's website:
<https://www.cityoftracy.org/our-city/departments/planning/director-hearings>.

MEETING AGENDA

1. NEW BUSINESS

- 1.A **D22-0032: Applicant is Sydney Metz (Toll Brothers) and Property Owner is DRP CA 6, LLP** – Public Hearing to consider (1) Determining that the Project is Consistent with the Tracy Village Environmental Impact Report (EIR) Certified on May 18, 2018, pursuant to CEQA Guidelines Section 15183 Pertaining to Projects that are Consistent with a Specific Plan EIR, and (2) Approving an Application for the Construction of a 265-square foot Gatehouse Building at the entry of the Tracy Village (Regency at Tracy Lakes) Active Adult Subdivision and Specific Plan Area. Applicant is Toll Brothers and Owner is DRP CA 6, LLC. Application Number D22-0032.

- 1.B **D22-0003: Applicant is Schack and Company Inc. Property Owner is Tracy Mini Storage** – Public Hearing to consider (1) Determining that the Project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 pertaining to accessory structures, and 2) Approving a Development Review Permit to install three Shade Structures at Tracy RV Storage at 4131 Industrial Way.

Applicant is Schack & Company, Inc. and Property Owner is Tracy Mini Storage, Application Number D22-0003.

- 1.C **D22-0024: Applicant Is Schack and Company Inc. Property Owner Is Indus Capital Management, LLC** – Public Hearing to consider (1) Determining that the Project is Categorically Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 which pertains to certain Infill Development Projects, and (2) Approving a Development Review Permit to construct an approximately 12,500 sq. ft., three story Retail and Office Building at 28 & 32 W. 8th St. Applicant is Schack & Company, Inc. and Property Owner is Indus Capital Management Group, LLC. Application Number D22-0024.

- 1.D **D22-0035: Applicant is Mike Yao Property Owner is Pacific/Bowie-Tracy** – Public Hearing to consider (1) Determining that the Project is Categorically Exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15301 pertaining to minor alterations to existing facilities involving negligible or no expansion of use, and (2) Approving a Development Review Permit to install a Pull Forward Lane for existing Drive-Thru and Exterior Modifications to McDonald's Restaurant at 1820 W. 11th St. Applicant is Mike Yao and Property Owner is Pacific/Bowie-Tracy. Application Number D22-0035.

2. ADJOURNMENT

Posted: November 3, 2022

AGENDA ITEM 1.A

REQUEST

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR THE CONSTRUCTION OF A 265-SQUARE FOOT GATEHOUSE BUILDING AT THE ENTRY OF THE TRACY VILLAGE (REGENCY AT TRACY LAKES) ACTIVE ADULT SUBDIVISION AND SPECIFIC PLAN AREA, AND TO DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE TRACY VILLAGE ENVIRONMENTAL IMPACT REPORT (EIR) CERTIFIED ON MAY 18, 2018, PURSUANT TO CEQA GUIDELINES SECTION 15183 PERTAINING TO PROJECTS THAT ARE CONSISTENT WITH A SPECIFIC PLAN EIR. APPLICANT TOLL BROTHERS AND OWNER IS DRP CA 6, LLC. APPLICATION NUMBER D22-0032.

Project Description

The Tracy Village Specific Plan area was approved in 2018, and subsequently annexed into the City of Tracy, for the construction of and “active adult” community, consisting of 590 single-family homes, with amenities including a lake system and various community buildings for use by the residents. The architectural elevations and floor plans for the single-family homes were approved by the City in February of this year, and building permits for the houses are in structural review. Grading and the initial phases of construction, including offsite improvements of nearby intersections are underway for the project.

When the Specific Plan for the Tracy Village project was approved, it included an overall site plan for the project, showing the location of the lake system, the lots, and a number of other structures and amenities such as a pool, recreation center, pickleball courts, parks and community gardens (Attachment A). This overall site plan also showed that the community would be gated, with a gatehouse structure at the main entry from Valpico Road. This application is to approve the architecture and site plan for that gatehouse. Future buildings proposed at the site will be evaluated through the Development Review process at a future time, as applications for those buildings are submitted and evaluated by staff.

The Specific Plan has design requirements for all the community buildings on the site to be designed in either Italian/Tuscan or a Modern Farmhouse style. The gatehouse is designed in the Modern Farmhouse style, with lots of windows, clean lines, and stone veneer (Attachment B). It includes a 265 square foot structure with an attached canopy to protect vehicles from the weather as they stop to check in at the entry of the subdivision.

Environmental Document

The proposed project is consistent with the Tracy Village Specific Plan Environmental Impact Report (EIR), approved by the City Council on May 18, 2018. Pursuant to CEQA Guidelines Section 15183, no additional environmental documentation is required. An analysis of the project shows that there will be no significant on or off-site impacts as a result of this particular project which were not already discussed in the Tracy Village

EIR. There is also no evidence of any significant impacts to occur off-site as a result of the project, as traffic, air quality, land use and other potential cumulative impacts have already been considered within the original environmental documentation. No new evidence of potentially significant effects has been identified as a result of this project.

RECOMMENDATION

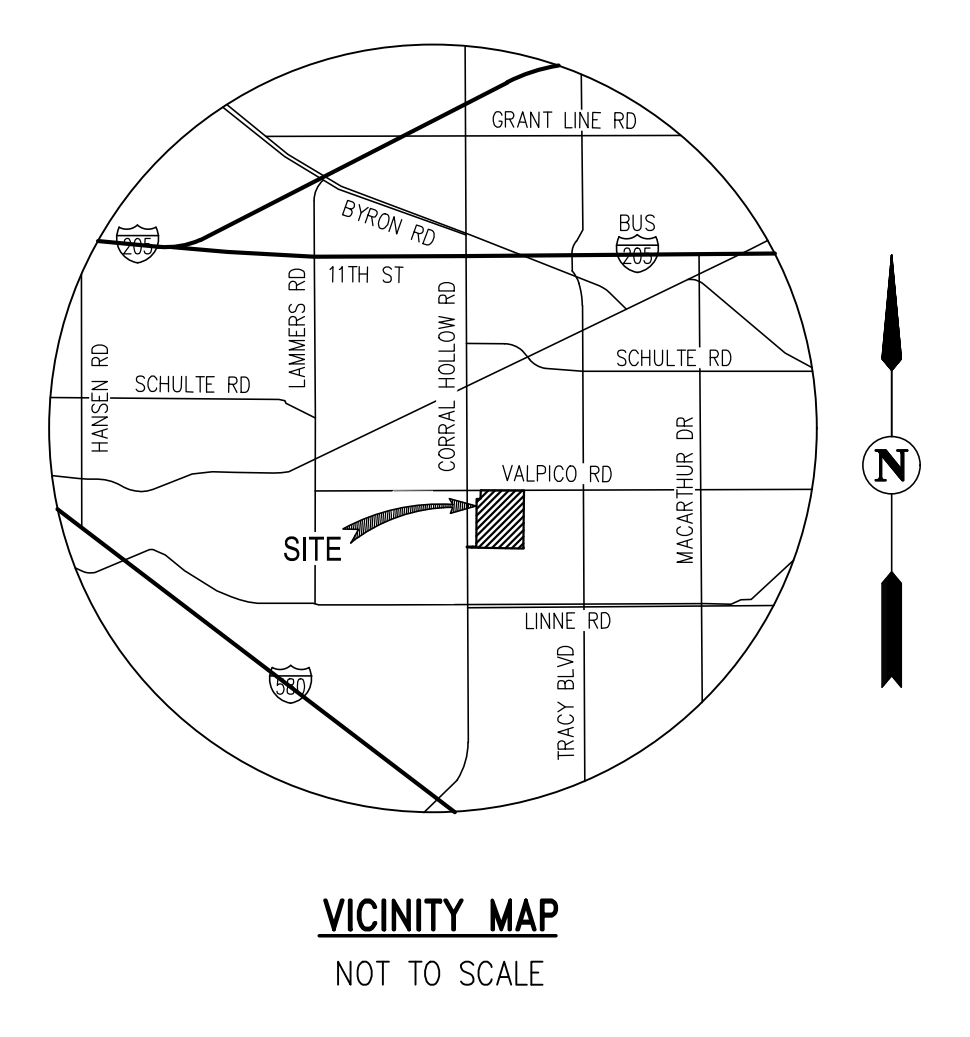
Staff recommends that the Development Services Director approve the 265 square foot gatehouse for the Tracy Village subdivision, located at the subdivision entry from Valpico Road (Assessor's Parcel Number 244-040-18, based on the findings contained in the Director's Determination dated November 7, 2022 (Attachment C).

Prepared by Victoria Lombardo, Senior Planner

Approved by Bill Dean, Assistant Development Services Director

ATTACHMENTS

- A: Overall Tracy Village Site Plan
- B: Gatehouse Elevations and Site Plan
- C: Development Services Director Determination



- LEGEND:
- BUILDING ENVELOPE
 - MODEL COMPLEX
 - KNUCKLE & LOT FRONTAGE PENDING CITY REVIEW
 - M MODEL
 - SO SALES OFFICE

SETBACK SUMMARY	
SETBACK	DISTANCE
FRONT TO LIVING AREA	15'
FRONT TO GARAGE	20'
SIDE - INTERNAL	5'
SIDE - STREET	10'
REAR	10'

NOTE:
1. PORCHES CAN ENDOACH
5' INTO THIS SETBACK.

LAND USE SUMMARY

LOTS	LOT SIZE	NO. OF LOTS	AREA(AC)
ECHO	60' X 100'	122	19.3
CALERO	55' X 100'	103	17.4
SHERWOOD	55' X 95'	105	14.6
PINECREST	46' X 95'	171	19.6
LAGUNA	50' X 90'	89	10.2
RESIDENTIAL NEIGHBORHOOD			590
PARK (PARCEL E)			3.2
LAKES (PARCEL C, F & G)			10.7
OPEN SPACE (PARCEL A, B, H & I)			2.4
REC. FACILITIES (PARCEL D & K)			4.0
DOG PARK (PARCEL J)			0.2
STREETS			28.3
ALLEYS			1.2
E.V.A. (PARCEL M)			0.05
PEDESTRIAN ACCESS (PARCEL L)			0.4
VALPICO DEDICATION			3.7
SITE TOTALS		590	135.2

SITE PLAN
TRACY LAKES

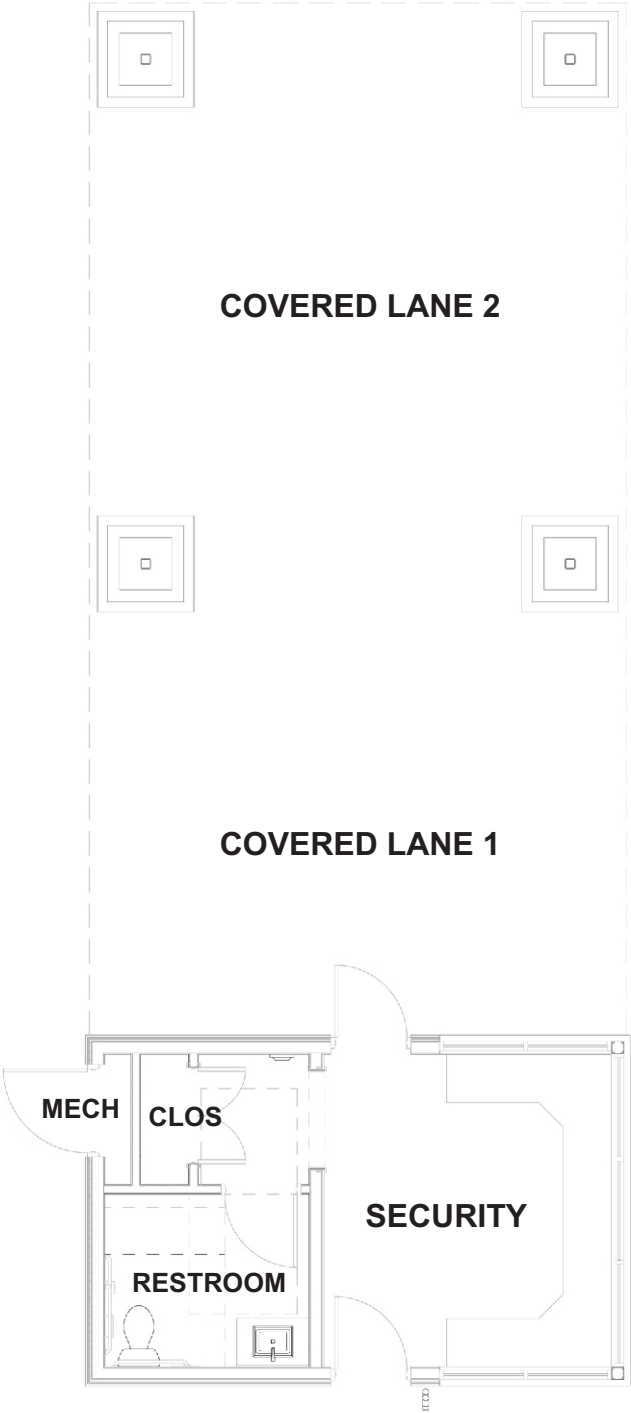
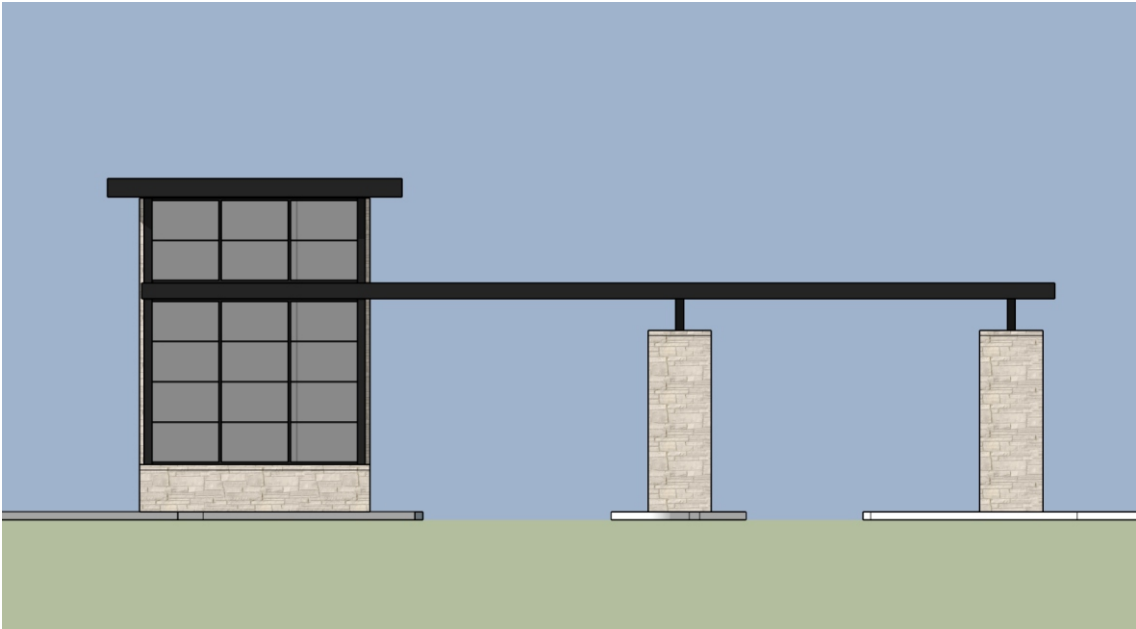
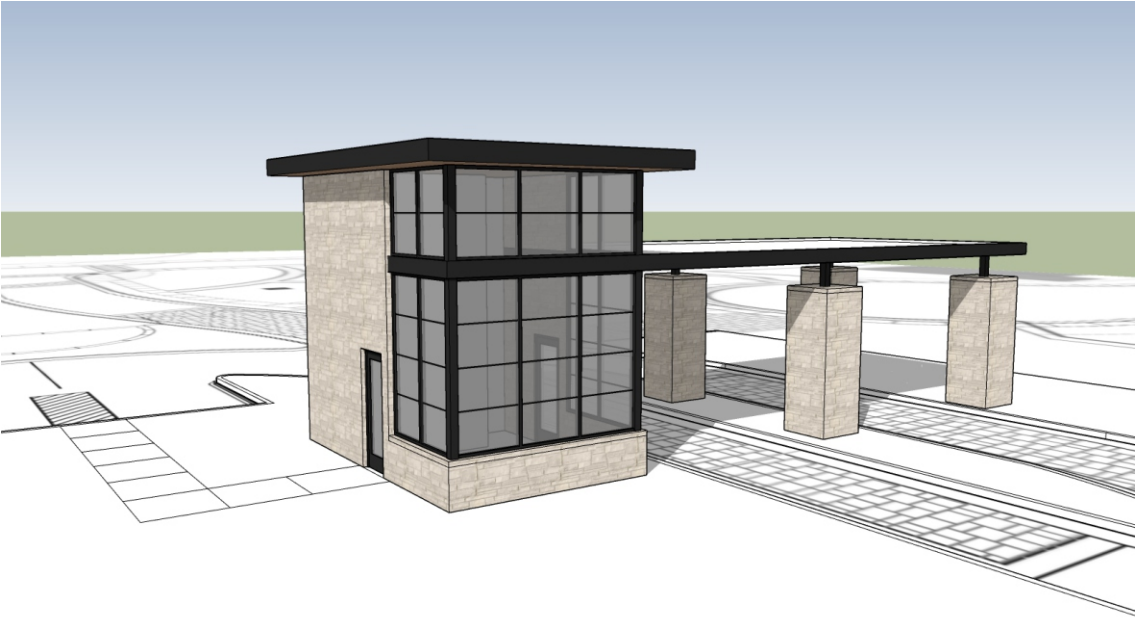
CITY OF TRACY SAN JOAQUIN COUNTY CALIFORNIA
SCALE: 1" = 100' DATE: SEPTEMBER 27, 2022

CIVIL ENGINEERS • SURVEYORS • PLANNERS

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

Exterior Views - Guardhouse
No Scale

DOOR/WINDOW FRAME	SIMULATED STONE VENEER	CANOPIES/METAL ROOF
		
DARK BRONZE	SPLIT LIMESTONE GOLD QUARTZITE	CYBERSPACE



CITY OF TRACY
DETERMINATION OF THE
DEVELOPMENT SERVICES DIRECTOR

Application Number D22-0032

A determination of the Development Services Director approving a Development Review Permit for the gatehouse within the Tracy Village Subdivision and Specific Plan, located at the southeast corner of Valpico and Corral Hollow Roads (Assessor's Parcel Number 244-040-18). The owner DRP CA 6, LLC, and Applicant is Sydney Metz for Toll Brothers.

Staff has reviewed the application and determined that the following City regulations apply:

TMC Sec 10.08.3920 et seq.: Development Review
Tracy Village Specific Plan
City of Tracy Design Goals and Standards

The Development Services Director has determined that the proposed project is consistent with the Tracy Village Specific Plan Environmental Impact Report (EIR), approved by the City Council on May 18, 2018. Pursuant to CEQA Guidelines Section 15183, no additional environmental documentation is required. An analysis of the project shows that there will be no significant on or off-site impacts as a result of this particular project which were not already discussed in the Tracy Village EIR. There is also no evidence of any significant impacts to occur off-site as a result of the project, as traffic, air quality, land use and other potential cumulative impacts have already been considered within the original environmental documentation. No new evidence of potentially significant effects has been identified as a result of this project.

THE DEVELOPMENT SERVICES DIRECTOR, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY APPROVES THE DEVELOPMENT REVIEW APPLICATION AS DESCRIBED IN THE PLANS RECEIVED BY THE DEVELOPMENT SERVICES DEPARTMENT ON AUGUST 2, 2022, SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (EXHIBIT "1") AND BASED ON THE FOLLOWING FINDINGS:

Development Review Findings:

1. The design and location of the proposed gatehouse will improve the overall site by implementing the regulations and intent of the approved Tracy Village Specific Plan. This building will complement the other planned buildings on the site, both at the recreation center of the subdivision, as well as the surrounding houses. The use of significant amounts of windows, clean lines, stone veneer and metal awnings will match features of the adjacent approved houses and other community buildings on the site.
2. The construction of the gatehouse will conform to the requirements and the intent of the City of Tracy General Plan, Municipal Code, Design Goals and Standards, and the Tracy Village Specific Plan. The proposed gatehouse will implement a portion of the original specific plan for Tracy's first active adult community, comprised of five different proposed neighborhoods, along with various community amenities.

Kris Balaji, Development Services Director

Date of Action

**DEVELOPMENT SERVICES DEPARTMENT
CONDITIONS OF APPROVAL
Tracy Village Gatehouse
Application Number D22-0032**

A. General Provisions and Definitions

1. These Conditions of Approval shall apply to the real property described as the southeast corner of Valpico and Corral Hollow Roads, Assessor's Parcel Number 244-040-18, Application Number D22-0032, 265 square foot gatehouse within the 590-lot Tracy Village (Regency at Tracy Lakes) subdivision (hereinafter "Project").
2. The following definitions shall apply to these Conditions of Approval:
 - 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, Tracy Village Specific Plan, 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 the 265 square foot gatehouse within the 590-lot Tracy Village (Regency at Tracy Lakes) subdivision, Application Number D22-0032. The Conditions of Approval shall specifically include all Development Services Department conditions set forth herein, including all Planning and Building division conditions set forth herein.
 - f. "Project" means the real property described as, the southeast corner of Valpico and Corral Hollow Roads, Assessor's Parcel Number 244-040-18, Application Number D22-0032, 265 square foot gatehouse within the 590-lot Tracy Village (Regency at Tracy Lakes) subdivision.
 - g. "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.

3. 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 Subdivision Map Act (Government Code sections 66410, 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").
4. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
5. 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 Conditions of Approval

1. Except as otherwise modified herein, the project shall be developed in accordance with the plans received by the Development Services Department on August 2, 2022. Prior to the issuance of any building permits, any deviations from the approved site plan or elevations shall be evaluated for substantial compliance with the approved plans, to the satisfaction of the Development Services Director. Should any deviations be determined not to be in substantial compliance with the approved plans, they shall be reviewed in a new Development Review application process.
2. 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.
3. All improvements shall be consistent with the Tracy Municipal Code, Tracy Village Specific Plan, Standard Plans, and other applicable City Regulations.
4. Prior to final inspection of certificate of occupancy, on-site circulation signs shall be installed to the satisfaction of the Development Services Director.

C. Building Division Conditions of Approval

1. At the time of building permit application submittal, the applicant shall provide plans, engineering, specifications etc... that meet the current Title 24 California Code of Regulations, at the time of permit application.

2. At the time of building permit application, the applicant shall provide plans that are licensed design professional (i.e., Architect or Engineer) per CBC 107.
3. At the time of building permit submittal, the applicant shall provide proper details for accessible parking per CBC 11B-502, as applicable for the guard house.
4. At time of building permit application submittal, the applicant shall clearly delineate an accessible route from the access aisle to the front door of the guard house, per CBC 11B-402.

AGENDA ITEM 1.B

REQUEST

PUBLIC HEARING TO CONSIDER (1) APPROVING A DEVELOPMENT REVIEW PERMIT TO INSTALL THREE SHADE STRUCTURES AT TRACY RV STORAGE AT 4131 INDUSTRIAL WAY AND 2) DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15303 PERTAINING TO ACCESSORY STRUCTURES. APPLICANT IS SCHACK & COMPANY, INC. AND PROPERTY OWNER IS TRACY MINI STORAGE, APPLICATION NUMBER D22-0003.

DISCUSSION

The project site is a 1.55 acre parcel located at 4131 Industrial Way approximately 450 feet north of Larch Rd and approximately 650 feet east of N. Tracy Blvd. The project site currently consists of a gated paved parking area for RV's and an office/storage building in the rear of the property (Attachment A: Location Map).

The proposed three canopy shade structures are proposed over existing paved parking. Shade structure A will be attached to the existing office/storage building in the rear, Shade structure B will be in the center of the property, and Shade structure C will be located on the south property line. Shade structure A is proposed to be 1,000 sq. ft. and it will be used to keep golf carts out of the elements. Shade structure B is proposed to be 9,600 sq. ft. and Shade structure C is proposed to be 9,275 sq. ft. Shade structure B and C will be used to keep RVs and trailers out of the elements. This project includes the addition of 20 ft. of new frontage landscaping including five new trees and drought tolerant groundcover installed along Industrial Way. (Attachment B: Site Plan and Elevations)

The project site is zoned M-1 Light Industrial and has a General Plan designation of Industrial. No changes are proposed to the existing use of the building on site. The proposed shade structures and landscaping modifications would be compatible with the City of Tracy Design Goals and Standards because the shade structure materials and design are compatible with adjacent building and the carports will be screened by mature landscaping trees and existing 10 ft. stone wall.

Environmental Document

The project has been determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 pertaining to accessory structures. No further environmental assessment is necessary.

RECOMMENDATION

Staff recommends that the Development Services Director (1) approve a Development Review Permit to install three shade structures at Tracy RV Storage at 4131 Industrial

Way and (2) determine the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA guidelines section 15303 pertaining to accessory structures, based on the findings contained in the Director's Determination dated November 7, 2022 (Attachment C).

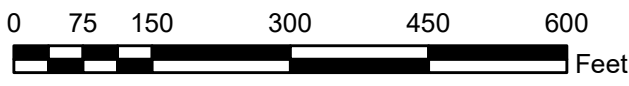
Prepared by Kenny Lipich, Assistant Planner

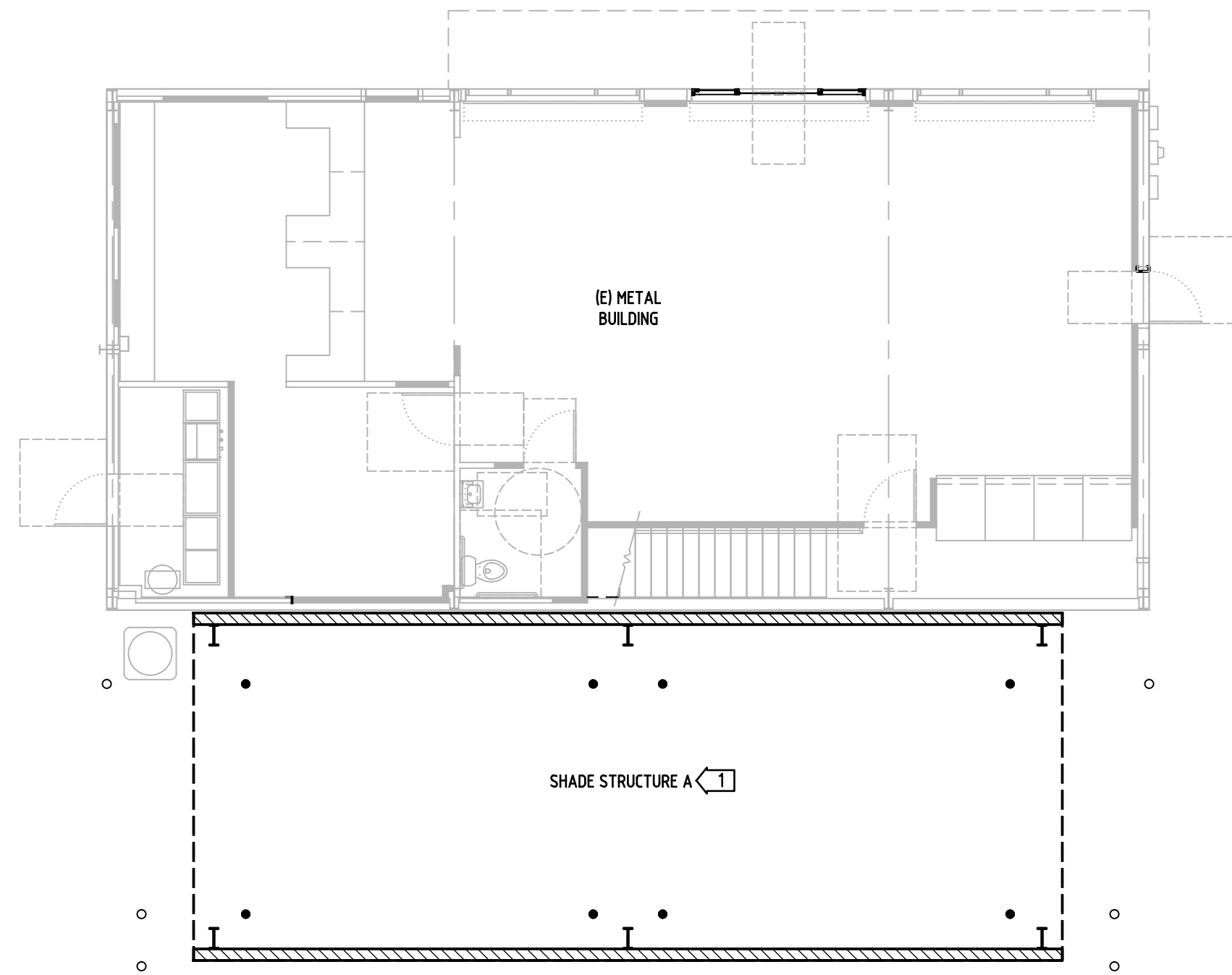
Reviewed by Scott Claar, Senior Planner

Approved by Bill Dean, Assistant Development Services Director

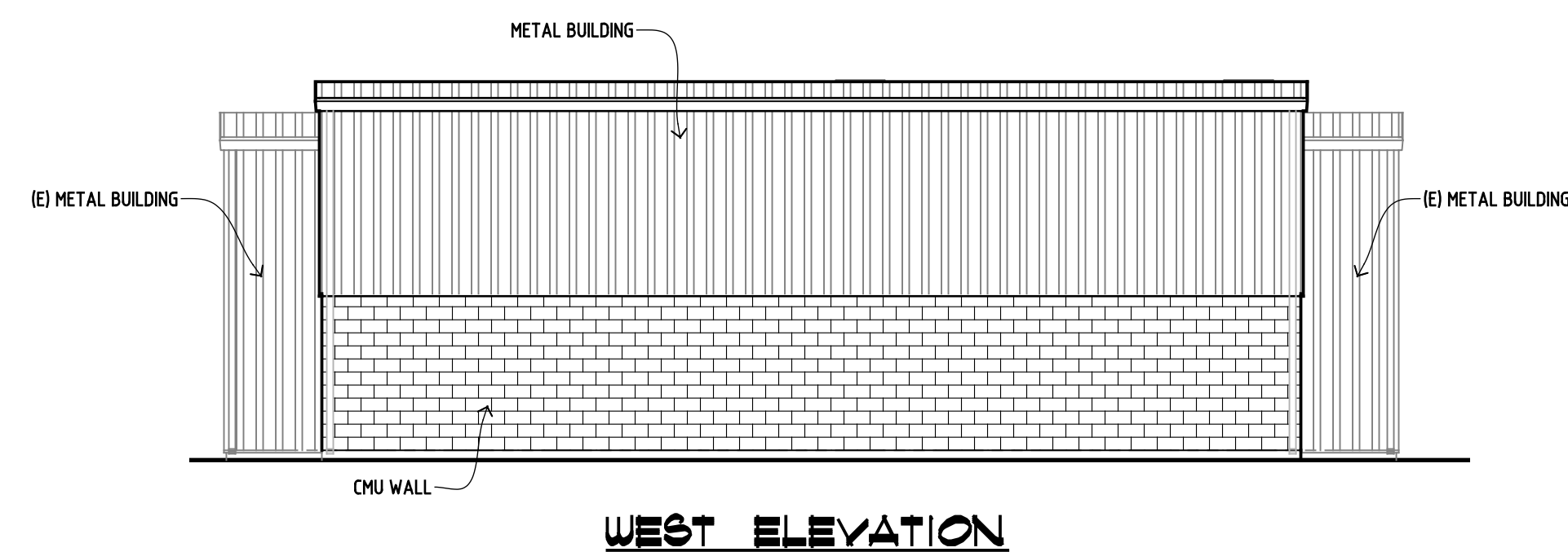
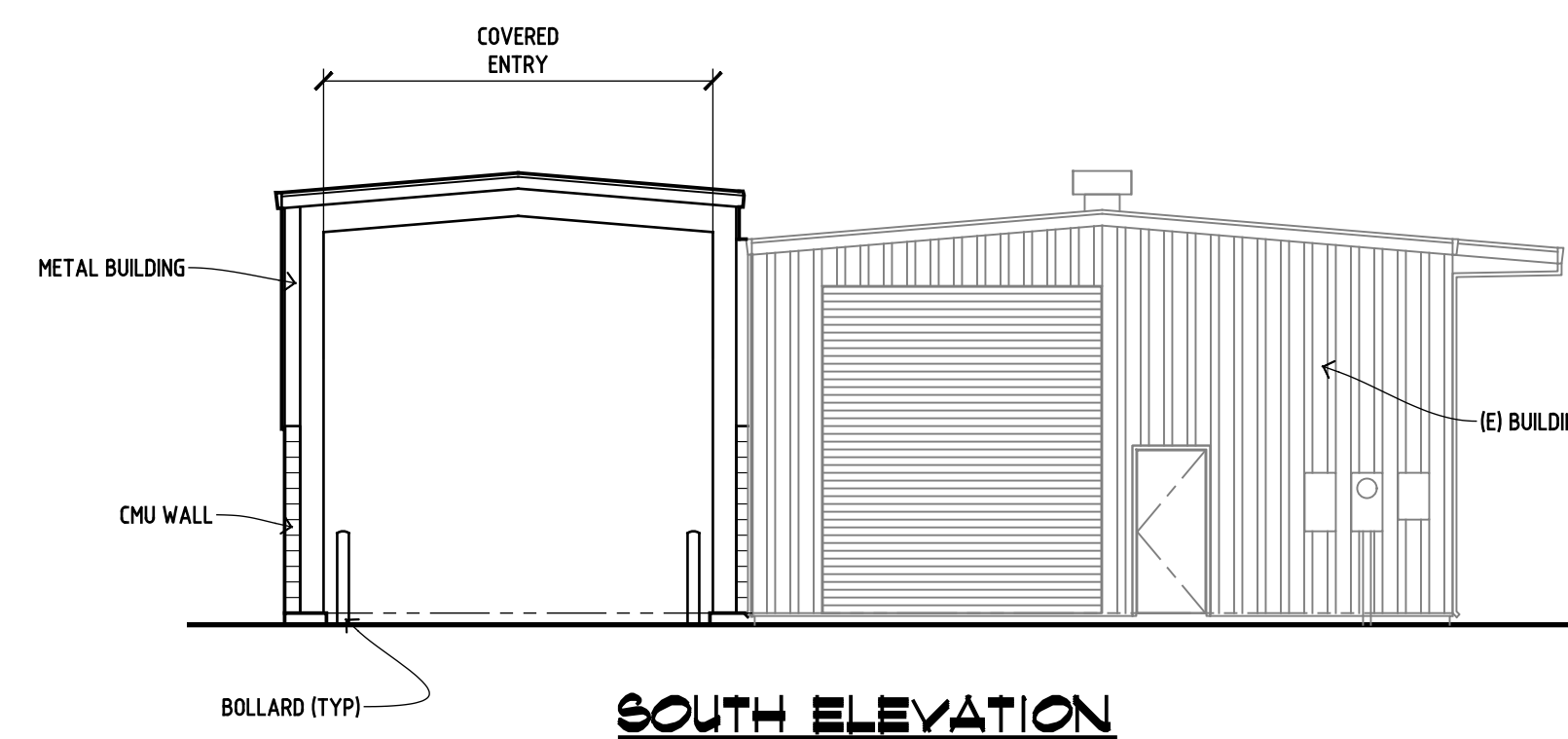
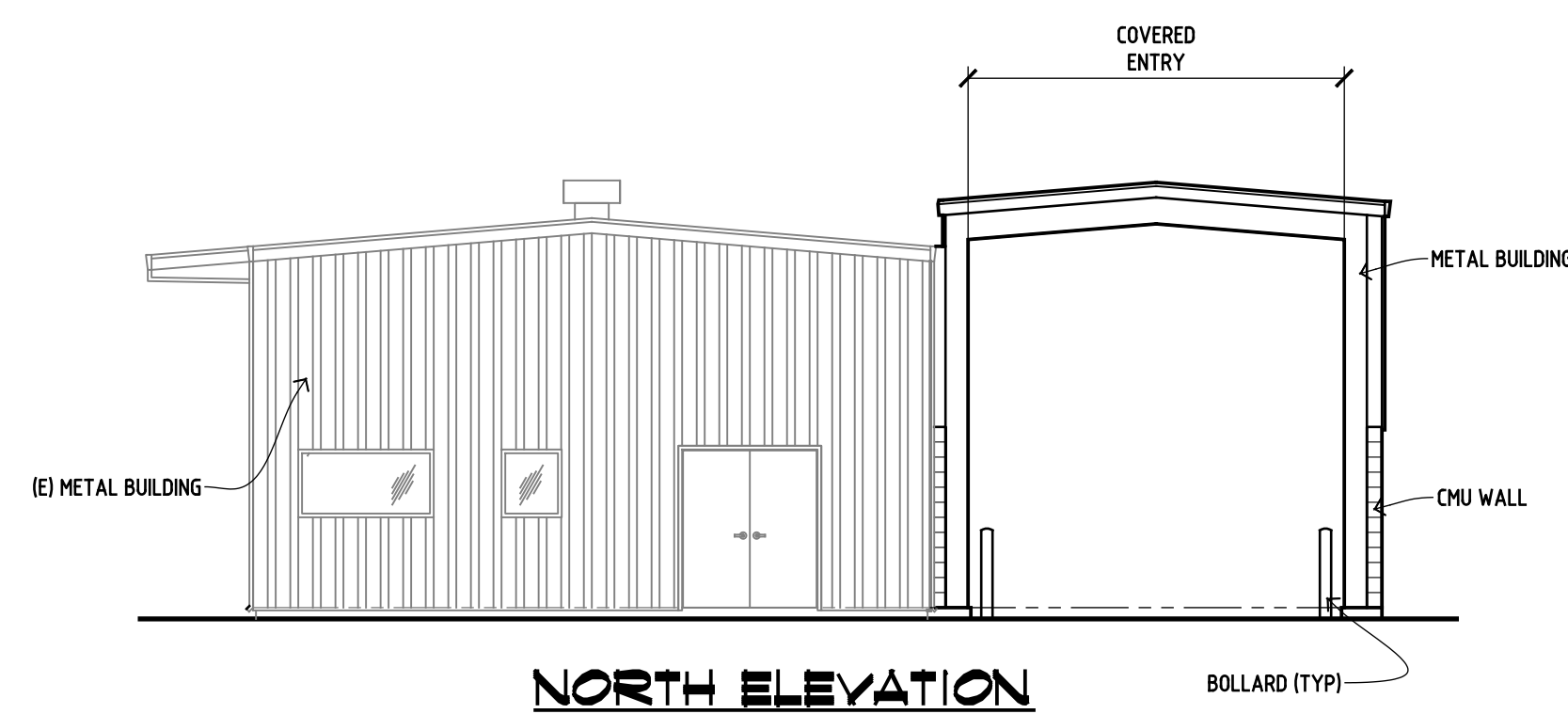
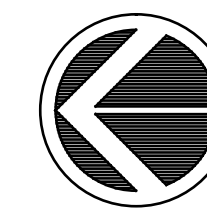
ATTACHMENTS

- A: Location Map
- B. Site Plan and Elevations
- C: Development Services Director Determination
Exhibit 1 – Conditions of Approval





DEVELOPMENT REVIEW
FLOOR PLAN
SCALE: 1/8"=1'-0"



DEVELOPMENT REVIEW
EXTERIOR ELEVATIONS
SCALE: 1/8"=1'-0"



DATE	SYMBOL	REVISIONS
06/10/22	1	PLAN CHECK CHANGES
09/16/22	2	REVISION TO ORIG. SUBMITTAL

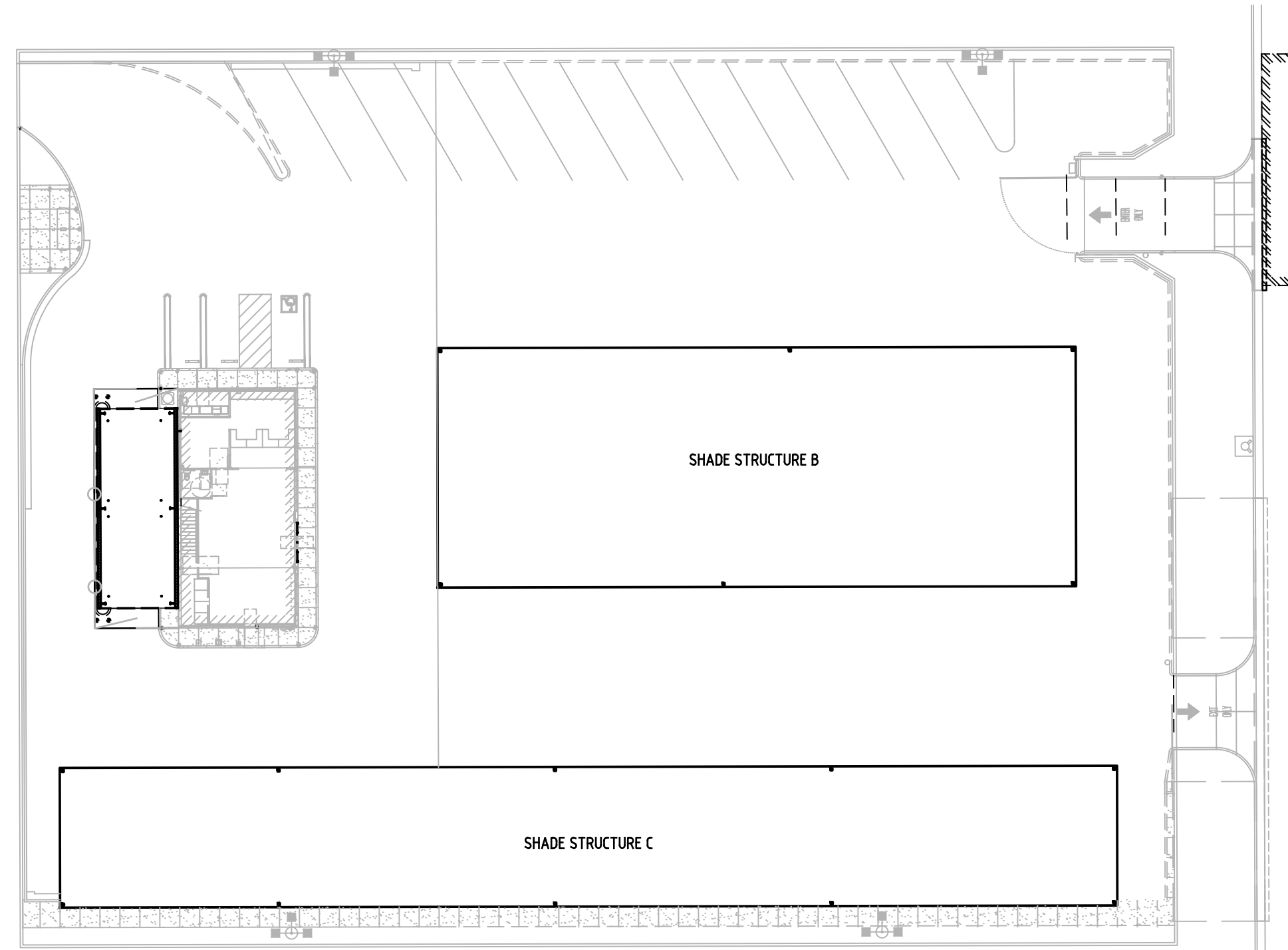
REGISTERED PROFESSIONAL ENGINEER
DAN R. SCHACK
C 32158
Exp. 12-31-22
CIVIL
STATE OF CALIFORNIA
12/02/21
Dan R. Schack
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DRAWING RELEASE	DATE
PRELIMINARY REVIEW	12/02/21
INITIAL PLAN REVIEW	09/10/22
ADDITIONAL PLAN REVIEW	
FINAL CONSTRUCTION	

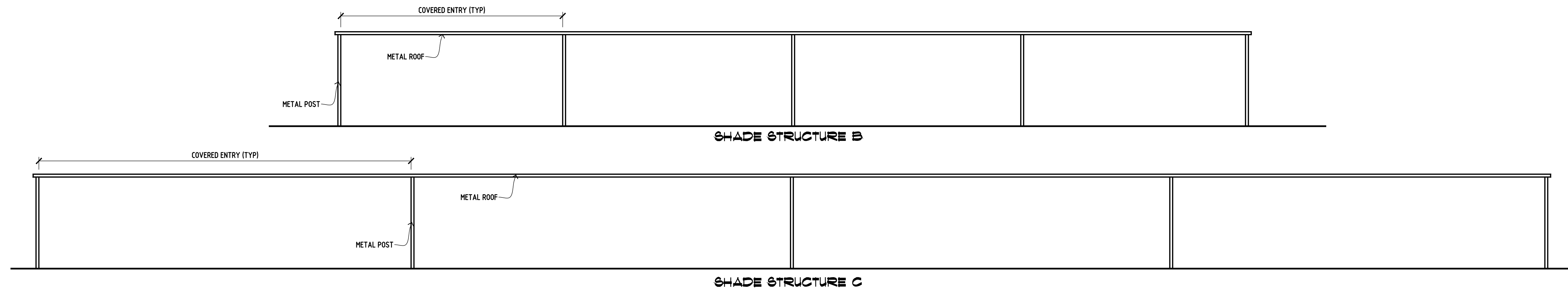
DEVELOPMENT REVIEW
Tracy RV Storage
4381 INDUSTRIAL WAY
TRACY, CALIFORNIA 95304

Schack & Company, Inc.
Professional Design Group
1025 Central Avenue Tracy, California 95376
PE (209) 838-2178 • Fax: (209) 835-1488
www.schackandco.com
arch-cogrf@schackandco.com

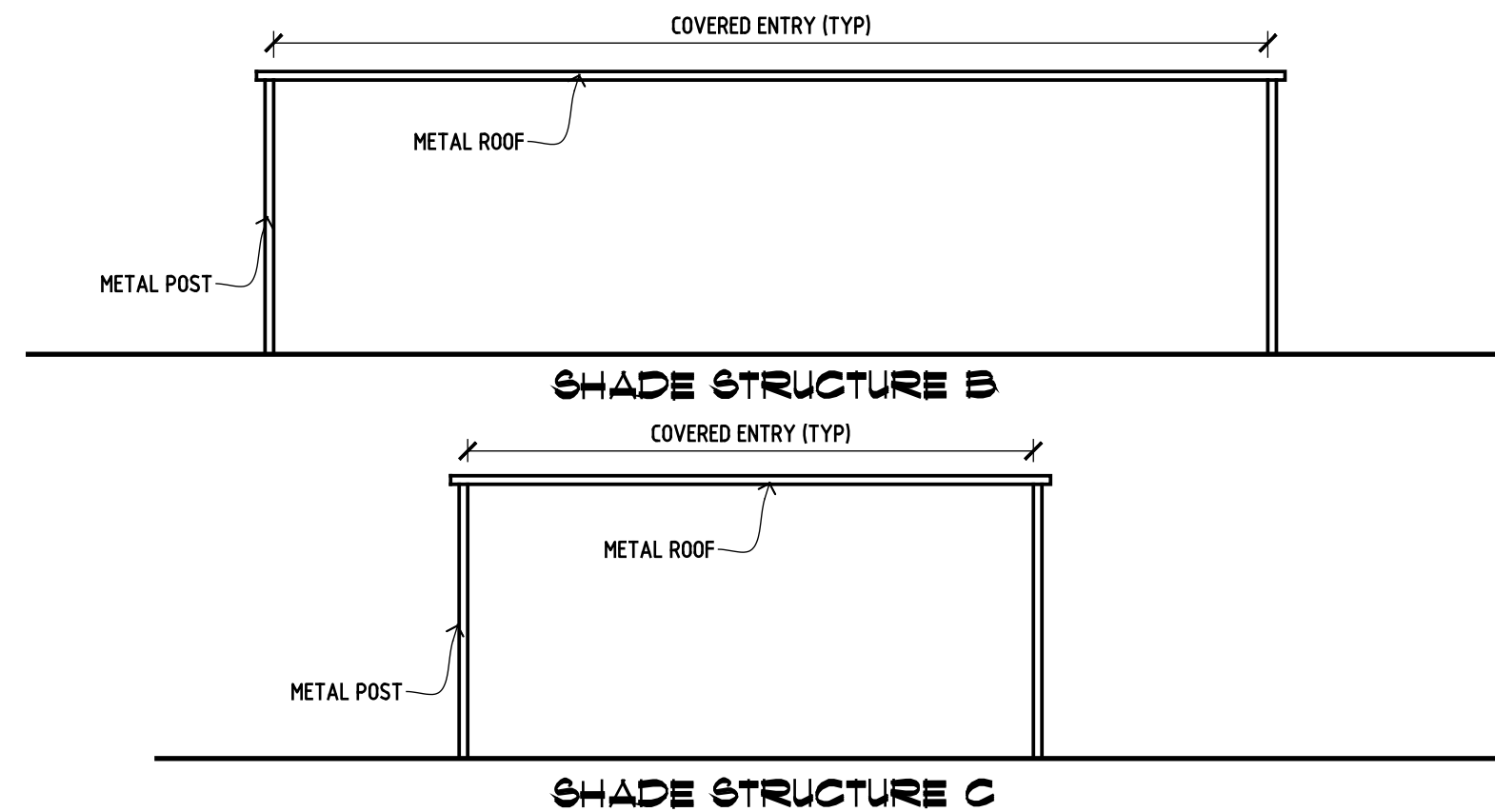
DATE: 12/02/21
DRAWN BY: DW
CHECKED BY: DW
JOB NO: 21.046
DR.2
OF 6 SHEETS



DEVELOPMENT REVIEW
FLOOR PLAN
SCALE: 1/32"=1'-0"



SHADE STRUCTURE C
NORTH & SOUTH ELEVATION



SHADE STRUCTURE C
EAST & WEST ELEVATION

DEVELOPMENT REVIEW
EXTERIOR ELEVATIONS
SCALE: 3/32"=1'-0"

DATE	SYMBOL	REVISIONS
06/10/22	1	PLAN CHECK CHANGES
09/16/22	2	REVISION TO ORIG. SUBMITAL

REGISTERED PROFESSIONAL ENGINEER
DAN R. SCHACK
C 32158
Exp. 12-31-22
CIVIL
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DRAWING RELEASE	DESCRIPTION	DATE
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<input checked="" type="checkbox"/>	INITIAL PLAN REVIEW	09/10/22
<input type="checkbox"/>	ADDITIONAL PLAN REVIEW	
<input type="checkbox"/>	REVISIONS	
<input type="checkbox"/>	FINAL CONSTRUCTION	

DEVELOPMENT REVIEW
Tracy RV Storage
4381 INDUSTRIAL WAY
TRACY, CALIFORNIA 95304

Schack & Company, Inc.
Professional Design Group
1025 Central Avenue Tracy, California 95376
PE (209) 835-2178 • Fax: (209) 835-1488
www.schackandco.com
arch-corp@schackandco.com

DATE: 12/02/21
DRAWN BY: DW
CHECKED BY: DW
JOB NO: 21.046
DR.3 OF 6 SHEETS



PICTURE A



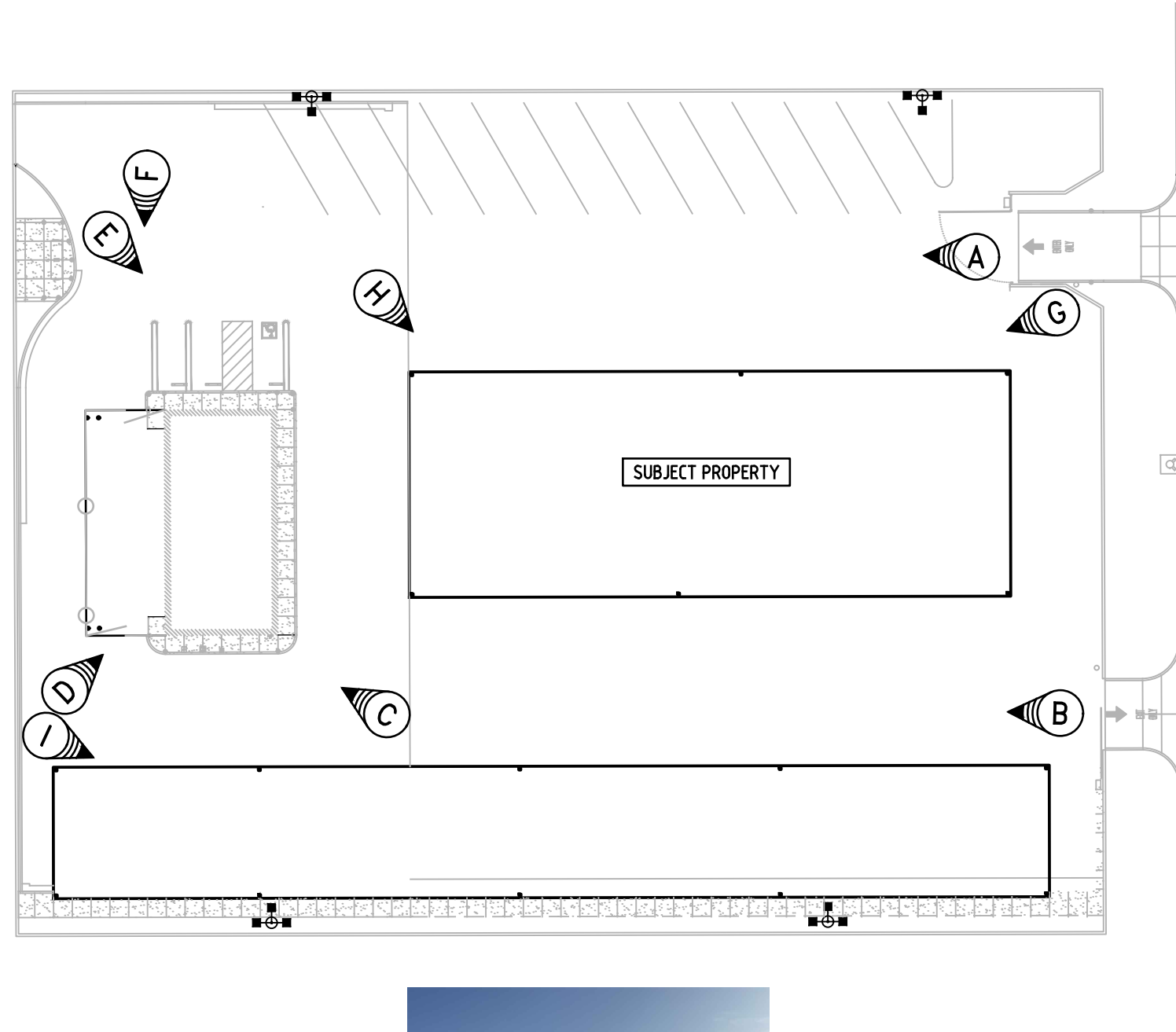
PICTURE B



PICTURE C



PICTURE D



PICTURE E

PHOTOGRAPHS
PLOT PLAN
NO SCALE



PICTURE F



PICTURE G



PICTURE H

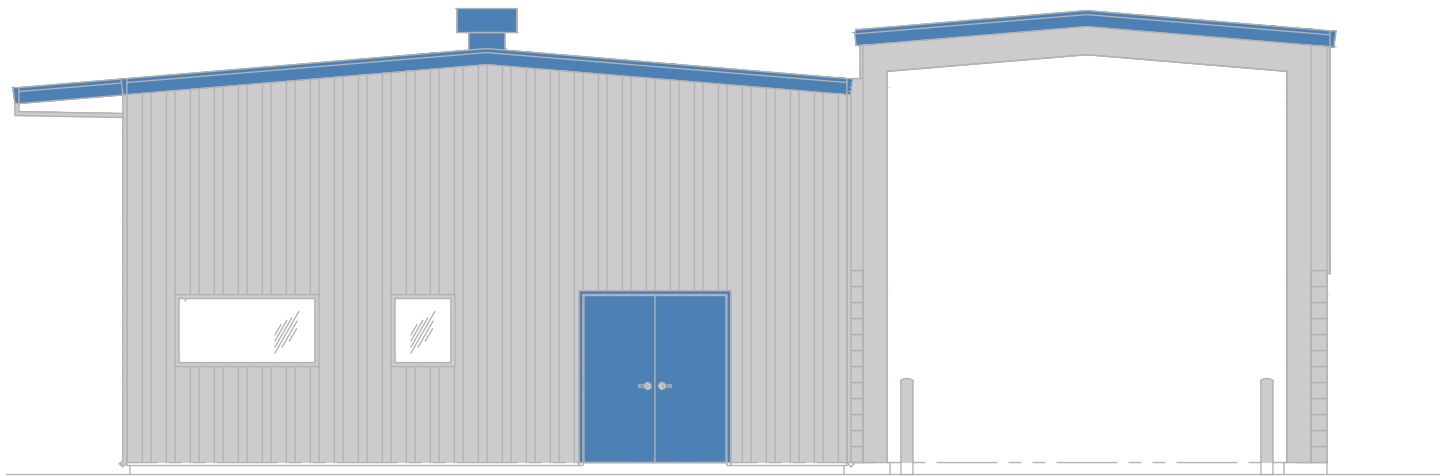


PICTURE I

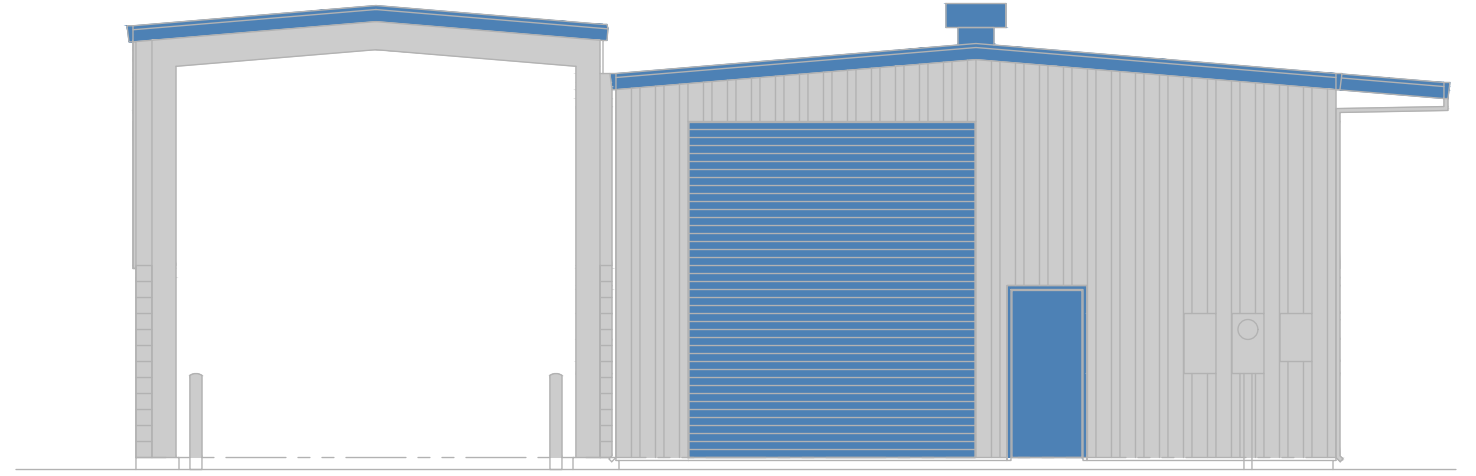
DEVELOPMENT REVIEW
Tracy RV Storage
4131 INDUSTRIAL WAY
TRACY, CALIFORNIA 95304

Schack & Company, Inc.
Civil Engineering • Building Design • Surveying
(209) 855-2178 • P.O. Box 330 • Tracy, California 95378 • FAX (209) 855-1488

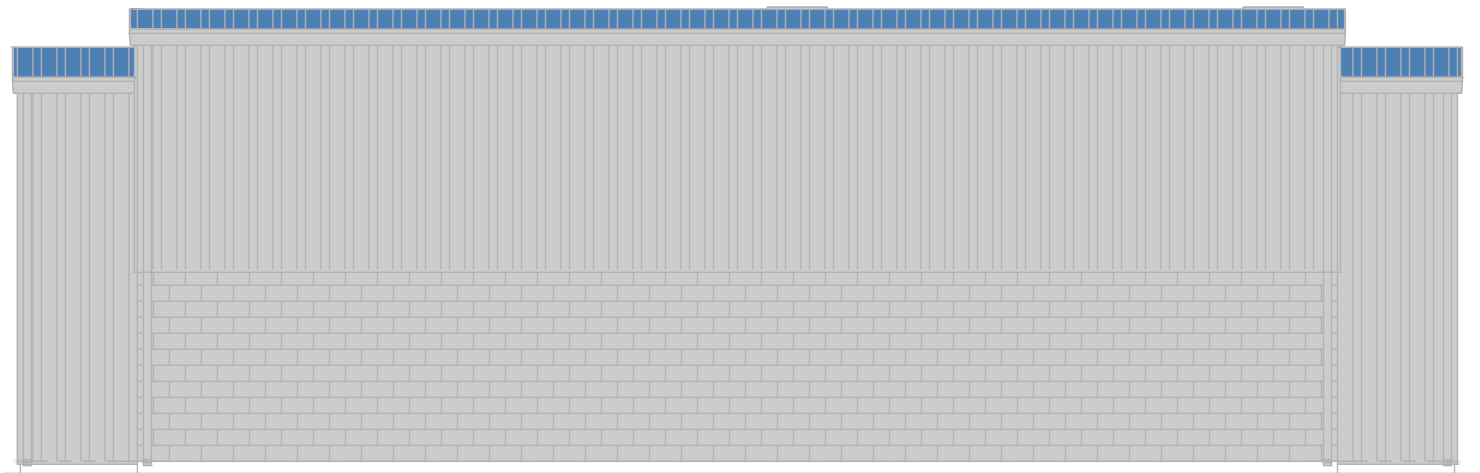
Date: 12/02/21
Job: 21.046
By: DW
Sheet
of 6 **4**



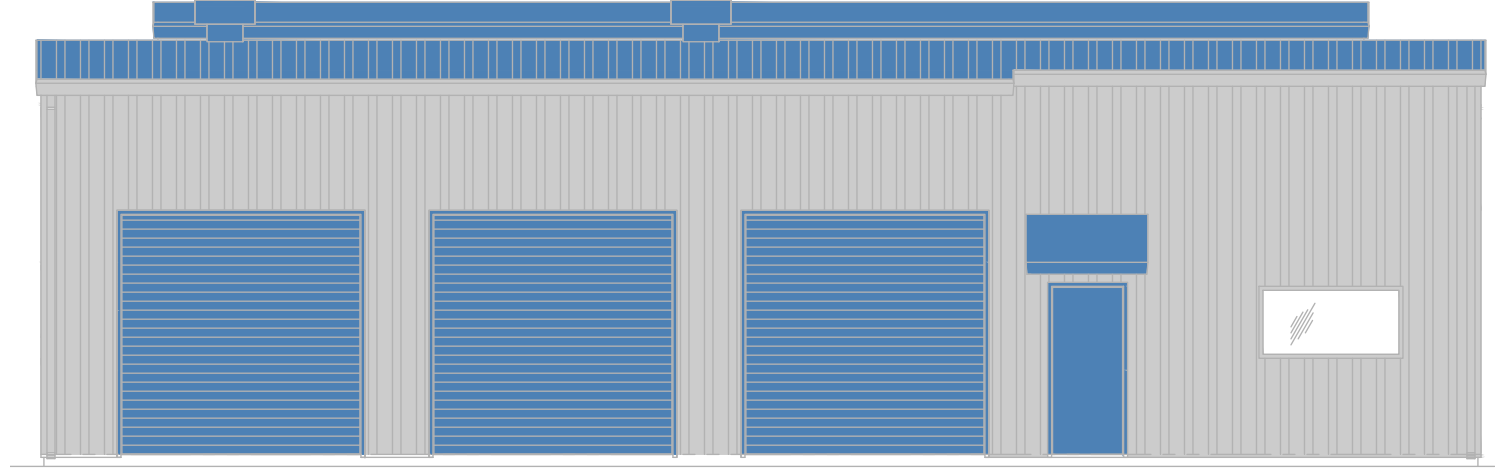
NORTH ELEVATION



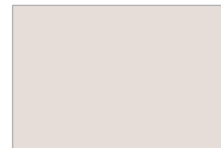
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



PAINT: ACCENT COLOR #1
 MANUF: SHERWIN WILLIAMS
 COLOR: AESTHTIC WHITE - SW 7035



PAINT: ACCENT COLOR #2
 MANUF: SHERWIN WILLIAMS
 COLOR: SMOKY AZURITE - SW 9148

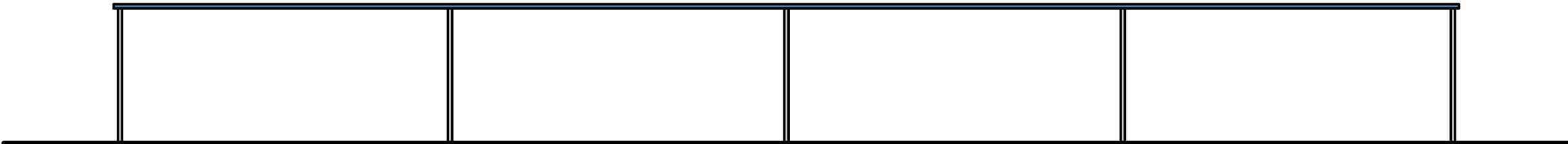
DEVELOPMENT PLAN REVIEW

**TRACY RV
 STORAGE**
 Shade Structure A

**4131 INDUSTRIAL WAY
 TRACY, CA 95304**



Shade Structure B



Shade Structure C

NORTH & SOUTH ELEVATIONS



Shade Structure B



Shade Structure C

EAST & WEST ELEVATIONS



PAINT: ACCENT COLOR #1
MANUF: SHERWIN WILLIAMS
COLOR: AESTHTIC WHITE - SW 7035



PAINT: ACCENT COLOR #2
MANUF: SHERWIN WILLIAMS
COLOR: SMOKY AZURITE - SW 9148

DEVELOPMENT PLAN REVIEW

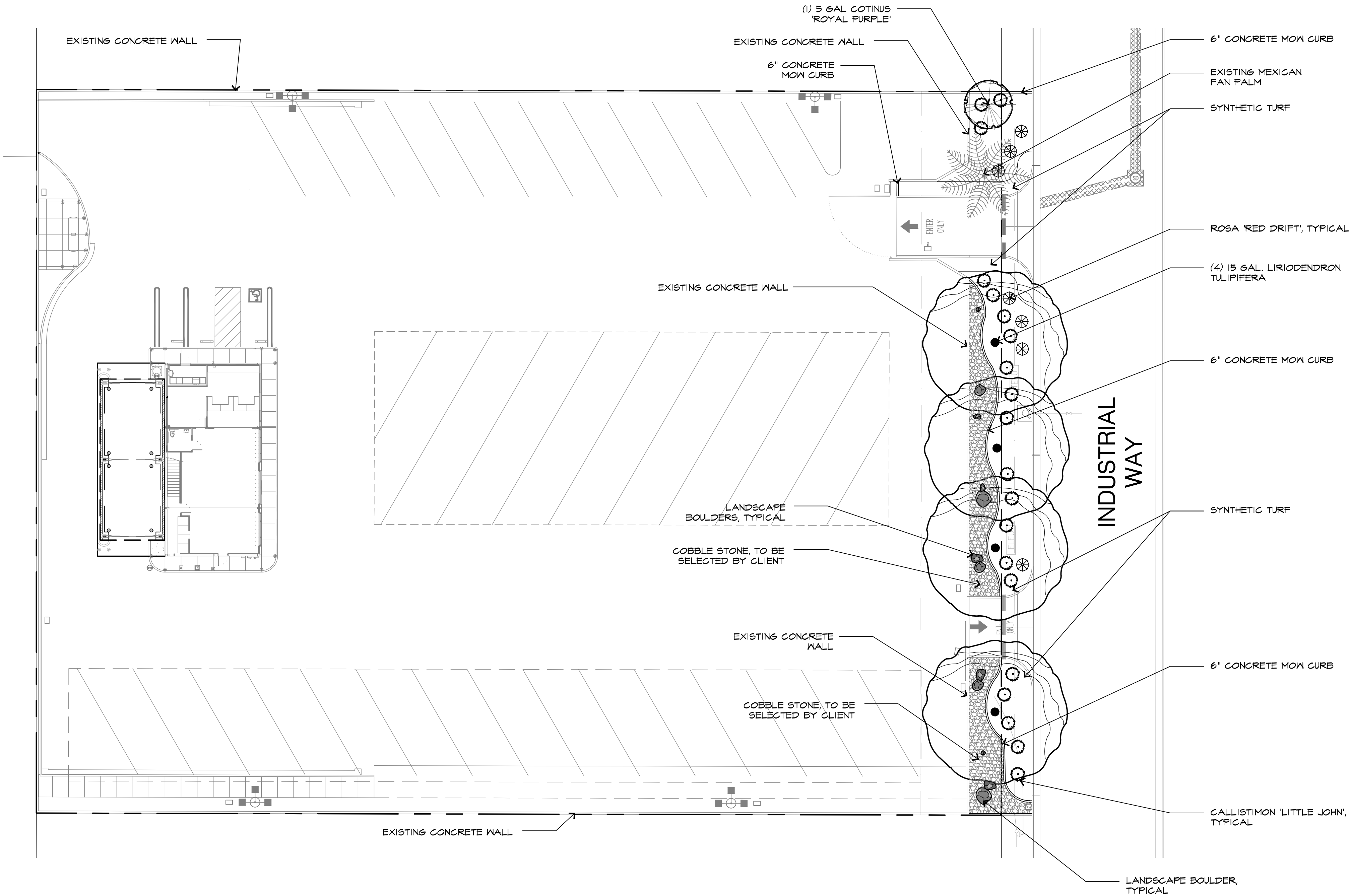
TRACY RV
STORAGE
Shade Structures B & C

4131 INDUSTRIAL WAY
TRACY, CA 95304

- NOTES
1. ALL TREES SHALL BE PLANTED AND STAKED PER CITY STANDARDS.
 2. TREES BE PLANTED WITHIN 3' OF HARDSCAPE ELEMENTS, SHALL HAVE A LINEAR ROOT BARRIER INSTALLED ADJACENT TO THE HARDSCAPE ELEMENT AT TIME OF TREE PLANTING.
 3. LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY'S CURRENT WATER-EFFICIENT LANDSCAPE ORDINANCE.
 4. ALL PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS. USING LOW-FLOW SPRAY, BUBBLERS OR DRIP METHODS.
 5. ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3".

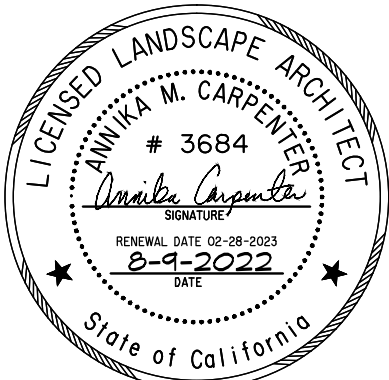
PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	WATER USE	SIZE	QUANTITY
TREES					
	COTINUS C. 'ROYAL PURPLE'	SMOKE TREE	MEDIUM	5 GAL	1
	LIRIODENDRON TULIPIFERA	TULIP TREE	MEDIUM	15 GAL	4
SHRUBS					
	CALLISTEMON V. 'LITTLE JOHN'	DWARF BOTTLEBRUSH	LOW	5 GAL	14
	ROSA 'RED DRIFT'	RED DRIFT ROSE	MEDIUM	5 GAL	7



CITY OF TRACY FIRE PREVENTION
APPROVED FOR FIRE PREVENTION AND
EMERGENCY VEHICLE ACCESS

BY: AMY RAY, FIRE MARSHAL DATE

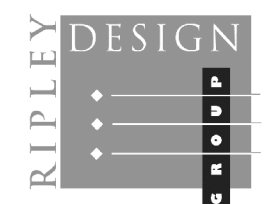


DEVELOPMENT
DESIGN PLAN

DRAWING RELEASE		DATE
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<input type="checkbox"/>	PRELIMINARY REVIEW	01/05/22
<input type="checkbox"/>	FINAL REVIEW	02/09/22
<input type="checkbox"/>	PERMIT ISSUANCE READY	02/09/22
<input type="checkbox"/>	FINAL CONSTRUCTION	02/09/22

LANDSCAPE IMPROVEMENTS
Tracy RV Storage
4131 INDUSTRIAL WAY
TRACY, CALIFORNIA 95304

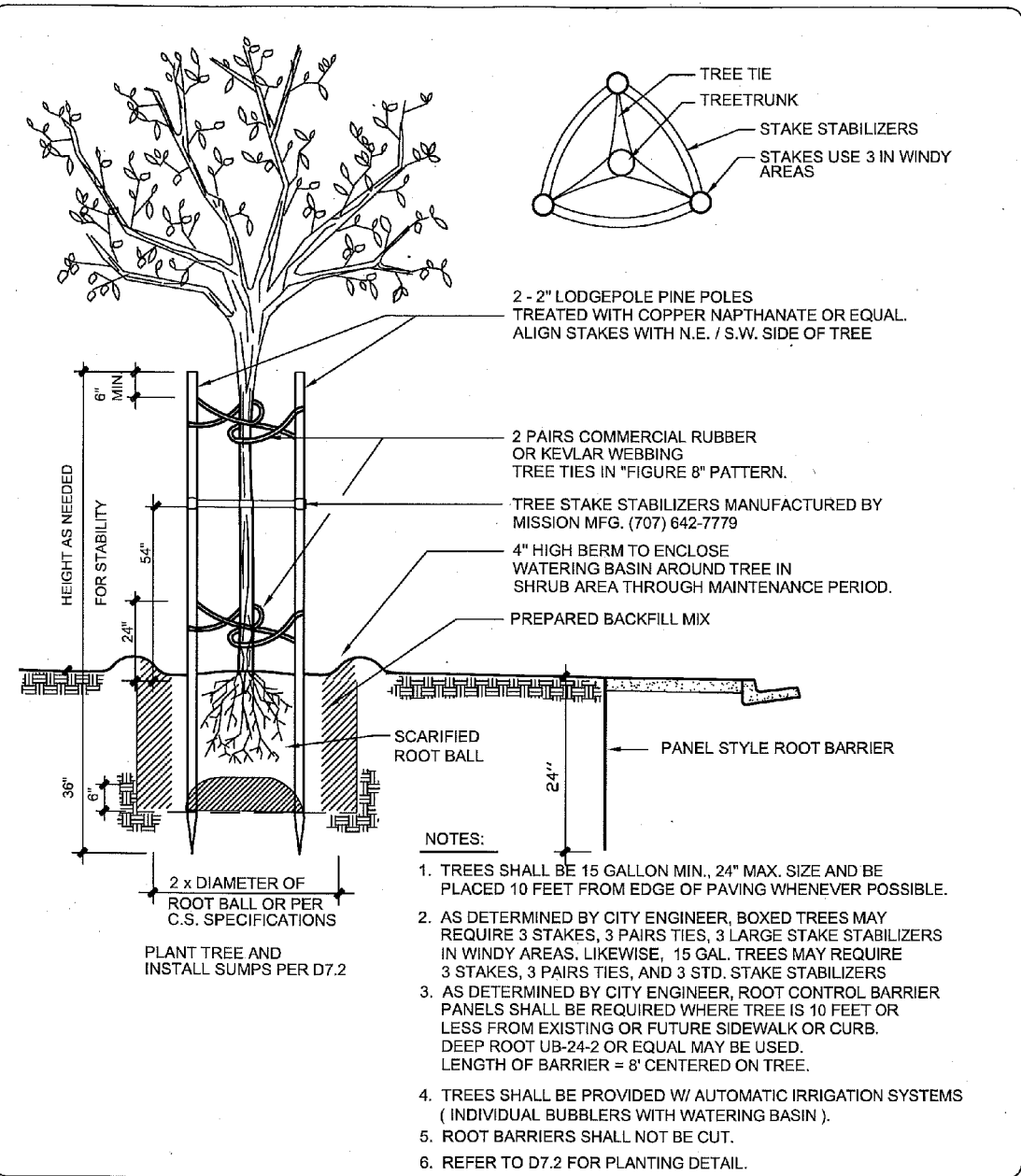
RIPLEY DESIGN GROUP, INC.
1615 Bonanza St., Suite 314
Walnut Creek
California 94596
Tel 925.938.7377
Fax 925.938.7436



DATE: 8/9/2022
DRAWN BY: TV
CHECKED BY: AMC
JOB NO: 12.046

L1

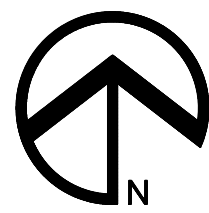
OF 5 SHEETS



CITY OF TRACY

REVIEWED BY: <i>W. Hume</i>	DETAIL No. RCE_37186	Sheet 1 of 1	D 7.4.1
CITY ENGINEER	DATE: 8/9/22	PLANTING	Tree Staking & Planting
Res No. 2008-255	Rev: 1		
Rev: 1	Rev: 1		

PARKS AND STREETSCAPE STANDARD PLANS



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



CITY OF TRACY
DETERMINATION OF
THE DEVELOPMENT SERVICES DEPARTMENT

Application Number D22-0003

A determination of the Development Services Department (1) approving a Development Review permit to install three shade structures at Tracy RV Storage at 4131 Industrial Way and (2) determining that the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA guidelines section 15303 pertaining to accessory structures. The applicant is Schack & Company, Inc., and property owner is Tracy Mini Storage.

Staff has reviewed the application and determined that the following City regulations apply:

1. Light Industrial Zone (TMC Chapter 10.08, Article 20)
2. Development Review (TMC Chapter 10.08, Article 30)
3. City of Tracy Design Goals and Standards

The project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 pertaining to accessory structures. No further environmental assessment is necessary.

THE DEVELOPMENT SERVICES DEPARTMENT, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY (1) DETERMINES THE PROJECT IS CATEGORICALLY EMEXPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15303 PERTAINING TO ACCESSORY STRUCTURES AND (2) APPROVES DEVELOPMENT REVIEW PERMIT APPLICATION NUMBER D22-0003, SUBJECT TO 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 because the shade structure materials and design are compatible with adjacent buildings and the canopy shade structures are screened by mature landscaping trees.
2. The proposal conforms to the Light Industrial Zone, the City of Tracy General Plan, the Citywide Design Goals and Standards, and other City regulations because the canopy shade structure are a permitted use as it is accessory to the existing RV storage and will be constructed to maintain circulation and landscaping standards as required by the Tracy Municipal Code.

Kris Balaji
Development Services Director

Date of Action

City of Tracy
Development Review Permit
Conditions of Approval

Three Shade Structure
4131 Industrial Way
Assessor's Parcel Number 212-200-07
Application Number D22-0003
November 7, 2022

These Conditions of Approval shall apply to the Development Review Permit to install three shade structures at Tracy RV Storage at 4131 Industrial Way., Assessor's Parcel Number 212-200-07 Application Number D22-0003 (hereinafter "Project"), proposed by Schack & Company, Inc. ("Applicant") and Tracy Mini Storage (hereinafter "Property Owner").

A. Definitions

The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "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.
3. "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.
4. "City Regulations" mean all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the I-205 Corridor Specific 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).
5. "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. "Conditions of Approval" shall mean these conditions of approval, applicable to Development Review Permit Application Number D22-0003.
7. "Property" means the subject property of the Development Review Permit to install three shade structures at Tracy RV Storage at 4131 Industrial Way (hereinafter "Project"), proposed by Schack & Company Inc. (hereinafter "Applicant"), Application Number D22-0003.

B. Planning Division Conditions

1. 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 Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., “CEQA”), and the Guidelines for California
2. Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., “CEQA Guidelines”).
3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
4. 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.
5. Except as modified herein, the project shall be developed in substantial compliance with the site plan and elevations received by the Development Services Department on September 27, 2022, to the satisfaction of the Development Services Director.
6. Prior to the approval of a building permit, the applicant shall submit detailed landscape plans showing the installation of five trees along Industrial Way in substantial compliance with landscape plan received by the Development Service Department on September 27, 2022. 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. Furthermore, such plans shall demonstrate that all landscape areas are appropriately comprised of a combination of trees, shrubs, groundcover, and irrigation to the satisfaction of the Development Services Director.
7. Prior to approval of a building permit, the applicant shall submit detailed landscape plans showing no synthetic turf, trees adequately separated from the mow curb, and cobblestone with landscape boulders added to north entrance to be consistent across the site frontage to the satisfaction of the Development Services Director.
8. Prior to the issuance of a building permit, the Developer shall execute a two-year landscape and irrigation maintenance agreement and submit financial security, such as

Conditions of Approval
Three Shade Structures
Application Number D22-0003
November 7, 2022

a performance bond, to ensure the success of all on-site landscaping for the term of the agreement. The security amount shall be equal to \$2.50 per square foot of the landscaped area or equal to the actual labor and material installation cost of all on-site landscaping and irrigation.

9. Prior to issuance of a building permit, the Developer shall submit construction documents, plans, specifications, and/or calculations to the Building Safety Division, which meet all applicable requirements of Title 24 California Code of Regulations, to the satisfaction of the Chief Building Official.
10. The new structure(s) falls in the 100-year flood plain. Therefore, at time of building permit application submittal, the applicant shall provide plans, documents, and engineering analysis that meet the Title 24 California Code of Regulations, at time of permit application.
11. Prior to issuance of a building permit, the Developer shall conform with all requirements of the California Fire Code as amended by the Tracy Municipal Code, to the satisfaction of the South County Fire Authority.

C. Utilities Department, Water Resources Division Conditions

Contact: Stephanie Hiestand (209) 831-6333 stephanie.hiestand@cityoftracy.org

- C.1. Prior to issuance of a construction or building permit, the applicant shall demonstrate compliance with the 2015 Post-Construction Stormwater Standards (PCSWS) Manual and obtain approval through the following:
 - C.1.1.a. Develop a Project Stormwater Plan (PSP) that identifies the methods to be employed to reduce or eliminate stormwater pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measures, stormwater treatment control measures and baseline hydromodification control measures. Design and sizing requirements shall comply with PCSWS Manual.
 - C.1.1.b. Demand Management Areas must be clearly designated along with identification of pollutants of concern.
 - C.1.1.c. Calculations of the Stormwater Design Volume and/or Design Flow with results from the Post-Construction Stormwater Runoff Calculator must be submitted in the PSP for approval.
 - C.1.1.d. Submit one (1) hard copy of the PSP and an electronic copy to the Utilities Department (WaterResources@cityoftracy.org), include the project name, address and Project # and/or Permit # in the title or subject line.
- C.1.2. A separate plan sheet(s) designated SW shall be submitted in the plan set that includes the identified methods for pollution prevention outlined in the submitted PSP. You must include all standards, cross sections and design specifications such as landscape requirement in treatment areas including type of irrigation installation and/or height of drain inlet above the flow line, etc. in these SW plan sheets along with legend.

Conditions of Approval
Three Shade Structures
Application Number D22-0003
November 7, 2022

- C.1.3. Develop and electronically submit to the Utilities Department for approval (WaterResources@cityoftracy.org) a preliminary Operations and Maintenance (O & M) Plan that identifies the operation, maintenance, and inspection requirements for all stormwater treatment and baseline hydromodification control measures identified in the approved PSP.
- C.1.4. No later than two (2) months after approval notification of the submitted PSP, the applicant shall electronically submit the following information to the Utilities Department (WaterResources@cityoftracy.org) for development of a draft stormwater maintenance access agreement, in accordance with the MAPCSWS:
- i. Property Owner(s) name and title report; or Corporate name(s) and binding documents (resolutions, etc) designating ability to sign agreement
 - ii. Property Address
 - iii. Exhibit A – legal property description
 - iv. Exhibit B – approved O & M Plan
- C.2. Prior to issuance of a grading permit, the applicant shall provide proof of permit coverage under the Construction General Permit and submittal of an electronic Stormwater Pollution Prevention Plan (SWPPP), to be submitted to WaterResources@cityoftracy.org.
- C.3. Prior to Certificate of Occupancy, the applicant shall complete the following to the satisfaction of the Utilities Director:
- C.3.1. Return to the Utilities Department, two legally signed and notarized copies of the final maintenance access agreement including all exhibits and approved O & M plan previously submitted and received from the Utilities Department.
- C.3.2. Obtain final approval by the Utilities Department of the constructed and installed Stormwater pollution prevention methods outlined in the PSP. Frequent inspections of the Post-Construction treatment measures should occur during the construction phase by calling 209-831-6333.
- C.3.3. The project shall be in full compliance with Construction General Permit including 70% stabilization of the project with Notice of Termination approval.
- C.4. Before the approval of a construction, grading or building permit, the applicant shall demonstrate compliance with Tracy Municipal Code Chapters 11.28 and 11.34 and Chapter 5 of the California Green Building Standards Code to the satisfaction of the Utilities Director.
- C.5. The project shall always comply with Federal, State and Local mandates with regard to potable water use, recycled water use and water quality.
- C.6. Before the approval of a construction, grading or building permit, the applicant shall demonstrate compliance with Tracy Municipal Code Chapters 11.28 and 11.34 and Chapter 4 or 5 of the California Green Building Standards Code to the satisfaction of the Utilities Director.

- C.7 Prior to issuance of a construction or building permit, applicant shall demonstrate compliance with the 2015 Model Water Efficient Landscape Ordinance and obtain approval by the Utilities Department through the following:
- C.7.1. Develop and submit electronically and by hard copy, a Landscape Document Package (LDP) that identifies the methods to be employed to reduce water usage through proper landscape design, installation and maintenance. This LDP shall consist of:
- i. A project information sheet that includes the checklist of all documents in the LDP;
 - ii. The Water Efficient Landscape Worksheets that include a hydrozone information table and the water budget calculations – Maximum Applied Water Allowance and Estimate Total Water Use;
 - iii. A soil management report, after compaction and from various locations throughout the project;
 - iv. A landscape design plan that includes the statement, “I agree to comply with the requirements of the 2015 water efficient landscape ordinance and shall submit for approval a complete Landscape Document Package:
 - v. An irrigation design plan with schedule; and
 - vi. A grading design plan.
- C.7.2. Per State Water Resources Control Board on May 24, 2022, all Commercial, Industrial, and Institutional facilities are prohibited from using potable water to irrigate non-functional turf. Non-functional turf is defined as a ground cover surface of mowed grass that is ornamental and not otherwise used for recreational purposes. Please submit your final landscape plan in conformance with these new regulations.
- C.7.3. A Certificate of Completion must be completed, signed, and submitted to the Utilities Department prior to Final approval for Occupancy.

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

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

D.1 Streets and Streetlights

Before issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will

serve the Project (collectively, the “Infrastructure”), 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 the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”);
 - 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) of the POA to ensure the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”);
 - 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 on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard

of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”). 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 the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”).

If the provisions for adequate funding of the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”) 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.

D.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 Parks 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.

AGENDA ITEM 1.C

REQUEST

PUBLIC HEARING TO CONSIDER (1) APPROVING A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT AN APPROXIMATELY 12,500 SQ. FT., THREE STORY RETAIL AND OFFICE BUILDING AT 28 & 32 W. 8th ST. AND (2) DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15332 WHICH PERTAINS TO CERTAIN INFILL DEVELOPMENT PROJECTS. APPLICANT IS SCHACK & COMPANY, INC. AND PROPERTY OWNER IS INDUS CAPITAL MANAGEMENT GROUP, LLC. APPLICATION NUMBER D22-0024.

DISCUSSION

Project Description

The project site is made up of two vacant adjacent parcels (28 W. 8th St. and 32 W. 8th St.) which combined are a total of 6,414 sq. ft. The project site is 180 feet west of Central Ave and 50 feet east of N. C St. The project site is located northwest of the Grand Theater and backs up to Jackson Alley (Attachment A: Location Map).

Site Analysis

The project site is zoned Central Business District (CBD) and has a General Plan designation of Downtown. Retail and offices are principally permitted under the CBD Zone. The proposed uses of retail and office would be compatible with the surrounding land uses, which include retail spaces, existing multifamily, and office spaces. The project meets the requirements of the CBD Zone.

Architecture

The proposed building consists of approximately 4,000 sq. ft. of first floor retail space and approximately 4,200 of office space for the second and third floor. The proposed architecture consists of an attractive design, which includes variation in façade depth/height and a mix of complementary building colors, and other desirable elements such and ample use of awnings, large format tile, and windows to break up the façade and add interesting details on all four sides of the building. The large format tile, close orientation to the street, and variation in façade depth help create a sense of arrival and high level of visibility on the north elevation facing 8th street for the first-floor retail. The proposed architecture is consistent with the City's Design Goals and Standards (Attachment B: Site Plan and Elevations).

Environmental Document

The project has been determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15332 which pertains to certain infill development projects, because the project is consistent with the General Plan and Zoning; occurs within City limits on a project site of no more than five acres

substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. No further environmental assessment is necessary.

RECOMMENDATION

Staff recommends that the Development Services Director (1) approve a Development Review Permit to construct an approximately 12,500 sq. ft., three story retail and office building at 28 & 32 W. 8th St. and (2) determine the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA guidelines section 15332 which pertains to certain infill development projects, based on the findings contained in the Director Determination dated November 7, 2022 (Attachment C).

Prepared by: Kenny Lipich, Associate Planner

Reviewed by: Scott Claar, Senior Planner

Approved by: Bill Dean, Development Services Assistant Director

ATTACHMENTS

- A: Location Map
- B: Site Plan and Elevations
- C: Development Services Director Determination
Exhibit 1 – Conditions of Approval

Subject
Property

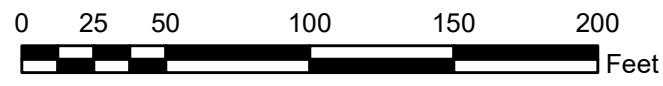
8TH STREET

CENTRAL AVE.

JACKSON ALLEY

GRAND THEATER

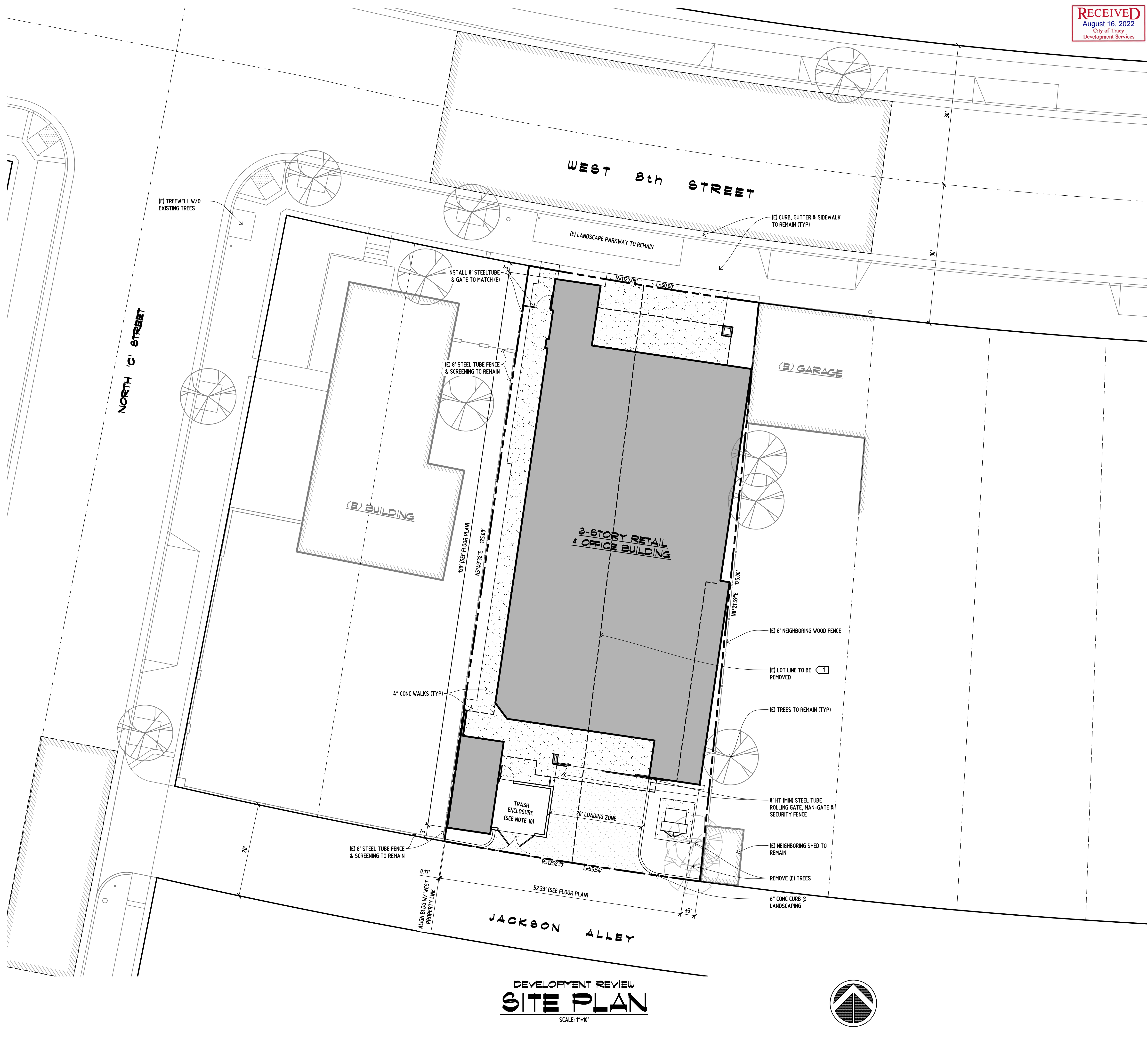
7TH STREET




NOTES

AREAS & PARKING

LOCATION MAP

[illegible]

DRAWING RELEASE		DATE
<input type="checkbox"/>	DESCRIPTION	10/08/21
<input checked="" type="checkbox"/>	PRELIMINARY REVIEW	06/14/22
<input checked="" type="checkbox"/>	INITIAL PLAN REVIEW	08/10/22
<input checked="" type="checkbox"/>	ADDITIONAL PLAN REVIEW	
<input checked="" type="checkbox"/>	PERMIT ISSUANCE READY	
<input type="checkbox"/>	FINAL CONSTRUCTION	



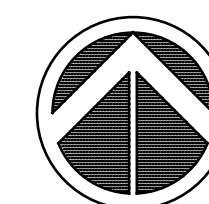
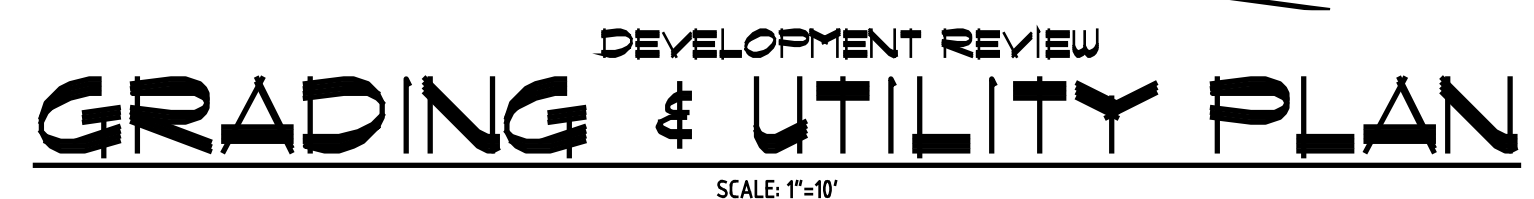
Schack & Company, Inc.
Professional Design Group

15 Central Avenue Tracy, California 95376
PE (209) 335-2179 • Fax (209) 835-1488
www.schackandco.com
arch-engr@schackanden.com

DATE:	10-08-21
DRAWN BY:	BC
CHECKED BY:	SFS
JOB NO:	21.020
DR.1	
OF	6 SHEETS

NEW	EXIST	SYMBOL DESCRIPTION
		STORM DRAIN W/ LINE SIZE (8" OR GREATER)
		STORM DRAIN CATCH BASIN
		STORM DRAIN DROP INLET
		STORM DRAIN MANHOLE
		STORM DRAIN W/ LINE SIZE (SMALLER THAN 8")
		STORM AREA DRAIN
		STORM DRAIN CLEAN-OUT
		STORM DRAIN OVERFLOW
		SANITARY SEWER W/ LINE SIZE
		SANITARY SEWER MANHOLE
		SANITARY SEWER CLEAN-OUT
		SANITARY SEWER WYE/SWEEP TO SEWER MAIN
		WATER W/ LINE SIZE
		WATER VALVE
		FIRE SERVICE W/ LINE SIZE
		FIRE HYDRANT
		FIRE DEPARTMENT CONNECTION
		FIRE SERVICE BACKFLOW PREVENTION DEVICE
		FIRE SERVICE SINGLE CHECK VALVE
		JOINT TRENCH UNDERGROUND UTILITIES
		JOINT OVERHEAD UTILITIES
		ELECTRIC UNDERGROUND LINES
		ELECTRIC OVERHEAD LINES
		TELEPHONE UNDERGROUND LINES
		TELEPHONE OVERHEAD LINES
		CABLE TELEVISION UNDERGROUND LINES
		CABLE TELEVISION OVERHEAD LINES
		GAS LINES
		POWER POLE, TELEPHONE POLE OR JOINT POLE
		STREET LIGHTS (PUBLIC)
		SITE LIGHTS (PRIVATE)
		GRADE SLOPE DIRECTION

1. POST CONSTRUCTION STORMWATER MEASURES SHALL BE DESIGNED & INSTALLED PER THE CITY OF TRACY "MULTI-AGENCY POST-CONSTRUCTION STORMWATER STANDARDS MANUAL", DATED JUNE 2015
2. MAIN ELECTRIC PANEL & METERS WILL BE INSTALLED INSIDE THE BUILDING. GAS SERVICE & METER WILL BE SCREENED BY LANDSCAPING OR ARCHITECTURAL FEATURE, IF REQ'D

[illegible]

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DRAWING RELEASE		
<input type="checkbox"/>	DESCRIPTION	DATE
<input checked="" type="checkbox"/>	PRELIMINARY REVIEW	10/08/21
<input checked="" type="checkbox"/>	INITIAL PLAN REVIEW	06/14/22
<input checked="" type="checkbox"/>	ADDITIONAL PLAN REVIEW	08/10/22
<input type="checkbox"/>	PERMIT ISSUANCE READY	
<input type="checkbox"/>	FINAL CONSTRUCTION	

DEVELOPMENT REVIEW
WEST 8th STREET
RETAIL & OFFICE BUILDING

28 W & 32 W 8TH STREET
TRACY, CALIFORNIA 95376

Schack & Company, Inc.
Professional Design Group

025 Central Avenue Tracy, California 95376
Ph: (209) 835-2178 • Fax: (209) 835-1488
www.schackandco.com
arch-engr@schackandco.com

DATE:	10-08-21
DRAWN BY:	BC
CHECKED BY:	SFS
JOB NO:	21.020

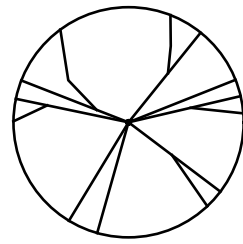
DR.2

6 SHEETS

PLANT PALETTE

TREES

SYMBOL



DESCRIPTION

QUERCUS COCCINEA (SCARLET OAK)
STREET TREE & PARKING LOT SHADE TREE
24" BOX (WHERE USED ON-SITE), QTY = (2)

PLANTS

SYMBOL



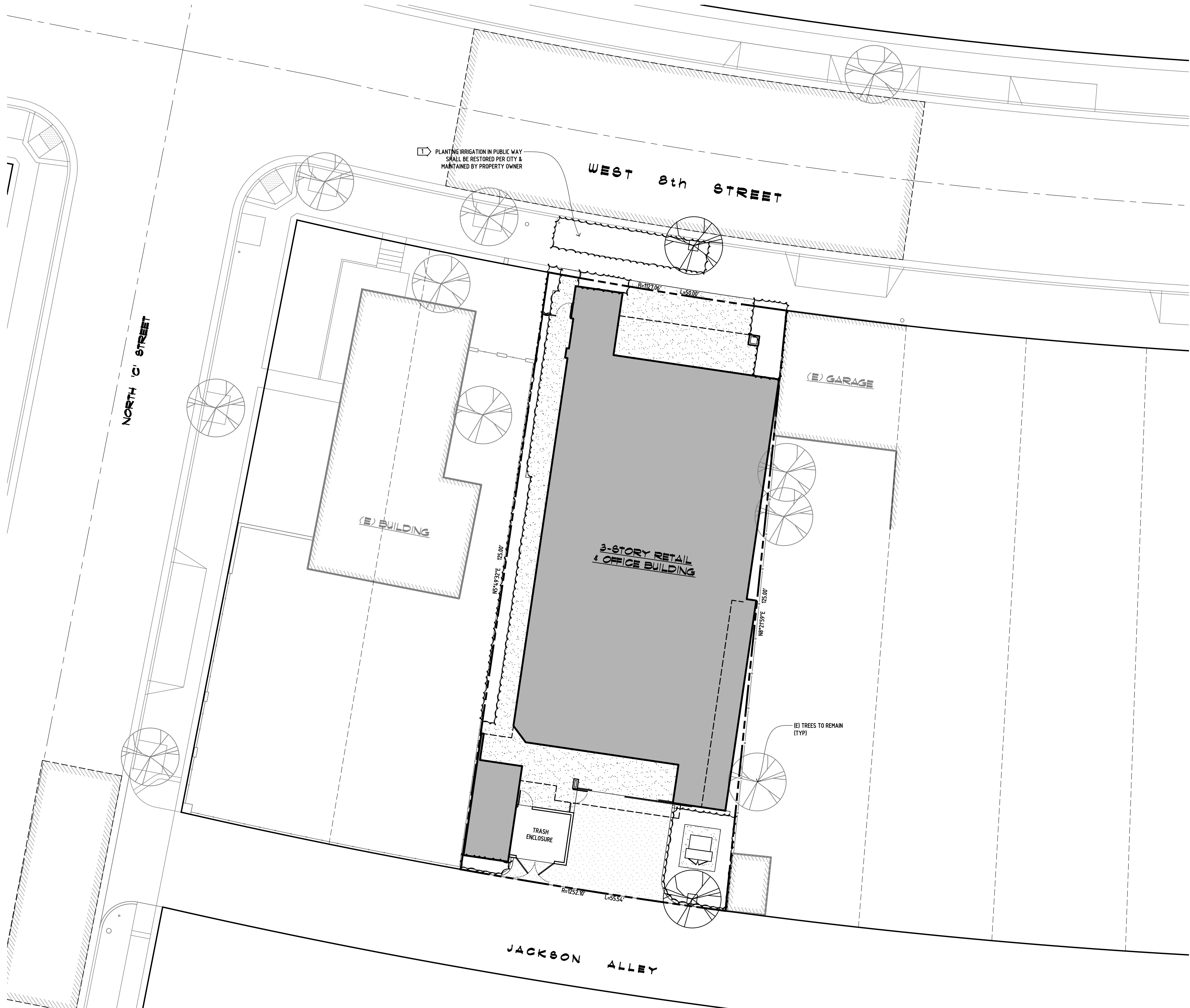
DESCRIPTION

SHRUBS & GROUND COVER

ACHINATHERIUM (INDIAN RICE GRASS)
ASPARAGUS DENSIFLORUS MYERS (MYERS ASPARAGUS)
BERBERIS THUMBERGII ATROPURPURA 'NANA' (DWARF BARBERRY)
DODONAEA VISCOSA (HOPSEED BUSH)
FESTUCA GLAUCA (BLUE FESCUE GRASS)
LAVENDULA (LAVENDER - VARIOUS VARIETIES)
LAURUS NOBILIS (SWEET BAY LAUREL)
LEUCOPHYLLUM (TEXAS RANGER - VARIOUS VARIETIES)
NANDINA DOMESTICA 'PLUM PASSION' (HEAVENLY BAMBOO)
PENNISETUM ORIENTALE (FOUNTAIN GRASS)
PHORMIUM TENAX 'BRONZE BABY' (NEW ZEALAND FLAX)
SALVIA DORRIS (DESERT SAGE)
SINYNDOSIA CHINENSIS (JAJUBA GOATNUT)
TEUCRIUM FRUTICANS (BUSH GERMANDER)
TEUCRIUM FRUTICANS 'COMPACTA' (DWARF BUSH GERMANDER)
CERASTIUM TOMENTOSUM (SNOW IN SUMMER)
NYOPORIUM PARVIFOLIUM (TRAILING MYOPORIUM)
OSTEOSPERMUM FRUTICOSUM (TRAILING AFRICAN DAISY)

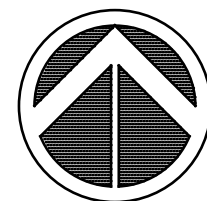
LANDSCAPE PLAN DATA

1. ALL TREES WILL BE MINIMUM OF 24" BOX IN SIZE & STAKED WITH MIN OF (2) TREE STAKES.
SHRUBS WILL BE MINIMUM OF 1 GAL & 5 GAL AS NEEDED, GROUND COVER WILL BE PLANTED
W/ A MIX FROM FLATS.
2. LANDSCAPE & IRRIGATION SHALL COMPLY W/ THE CITY OF TRACY "WATER EFFICIENT LANDSCAPE
& IRRIGATION GUIDELINES"



DEVELOPMENT REVIEW
LANDSCAPE PLAN

SCALE: 1"=10'



DATE	SYMBOL	REVISIONS
08/10/22		DEVELOPMENT REVIEW RESPONSE

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<input type="checkbox"/>	PRELIMINARY REVIEW	10/03/21
<input type="checkbox"/>	INITIAL PLAN REVIEW	08/10/22
<input type="checkbox"/>	FINAL PLAN REVIEW	08/10/22
<input type="checkbox"/>	FINAL CONSTRUCTION	

DEVELOPMENT REVIEW
WEST 8th STREET
RETAIL & OFFICE BUILDING
28 W 4th Street
TRACY, CALIFORNIA 95376

Schack & Company, Inc.
Professional Design Group
1015 Central Avenue Tracy, California 95376
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arch-corp@schackandco.com

DATE:	10-08-21
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CHECKED BY:	SFS
JOB NO:	21.020

DR.3

OF 6 SHEETS




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<input type="checkbox"/>	PRELIMINARY REVIEW	10/08/21
<input checked="" type="checkbox"/>	INITIAL PLAN REVIEW	06/14/22
<input checked="" type="checkbox"/>	ADDITIONAL PLAN REVIEW	08/10/22
<input checked="" type="checkbox"/>	PERMIT ISSUANCE READY	
<input type="checkbox"/>	FINAL CONSTRUCTION	

DEVELOPMENT REVIEW
**WEST 8th STREET
RETAIL & OFFICE BUILDING**
28 W. & 32 W. 8TH STREET
TRACY, CALIFORNIA 95376

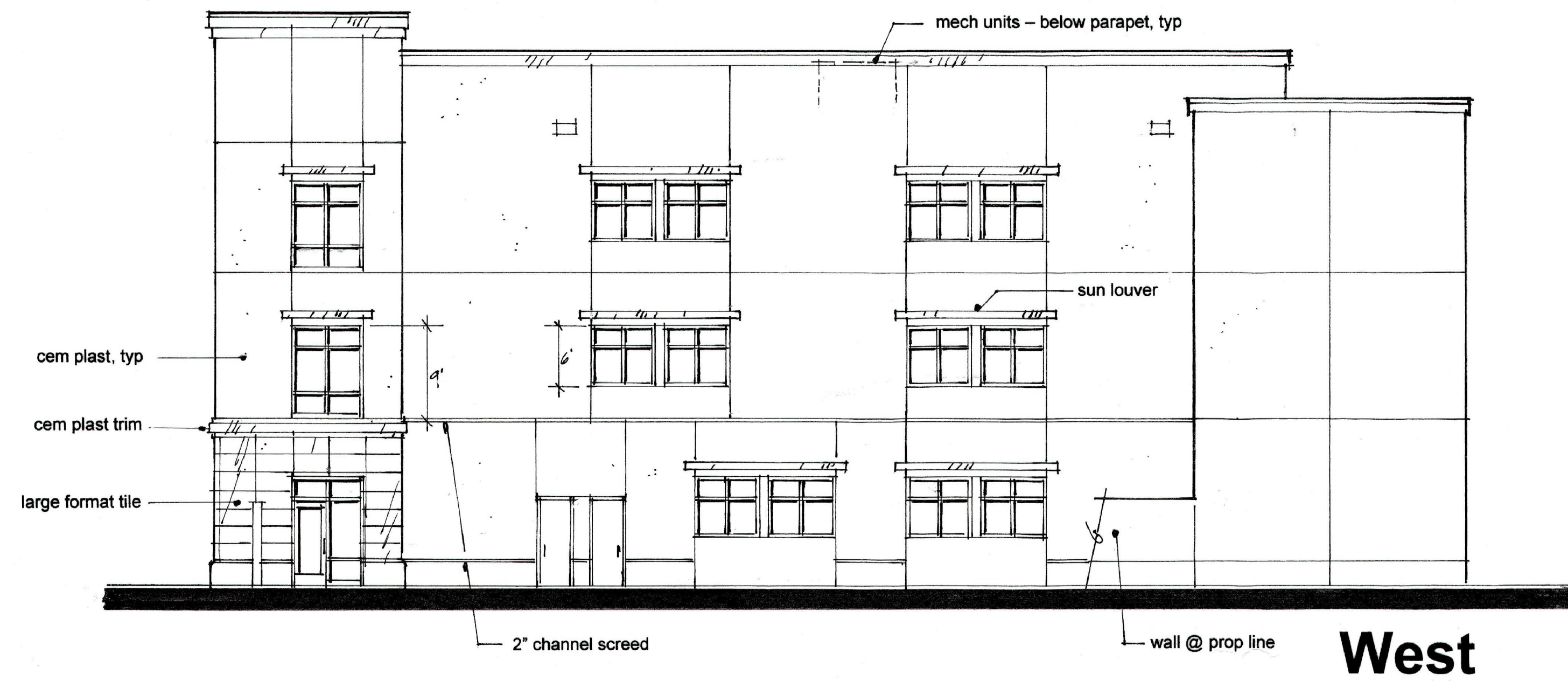


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Professional Design Group

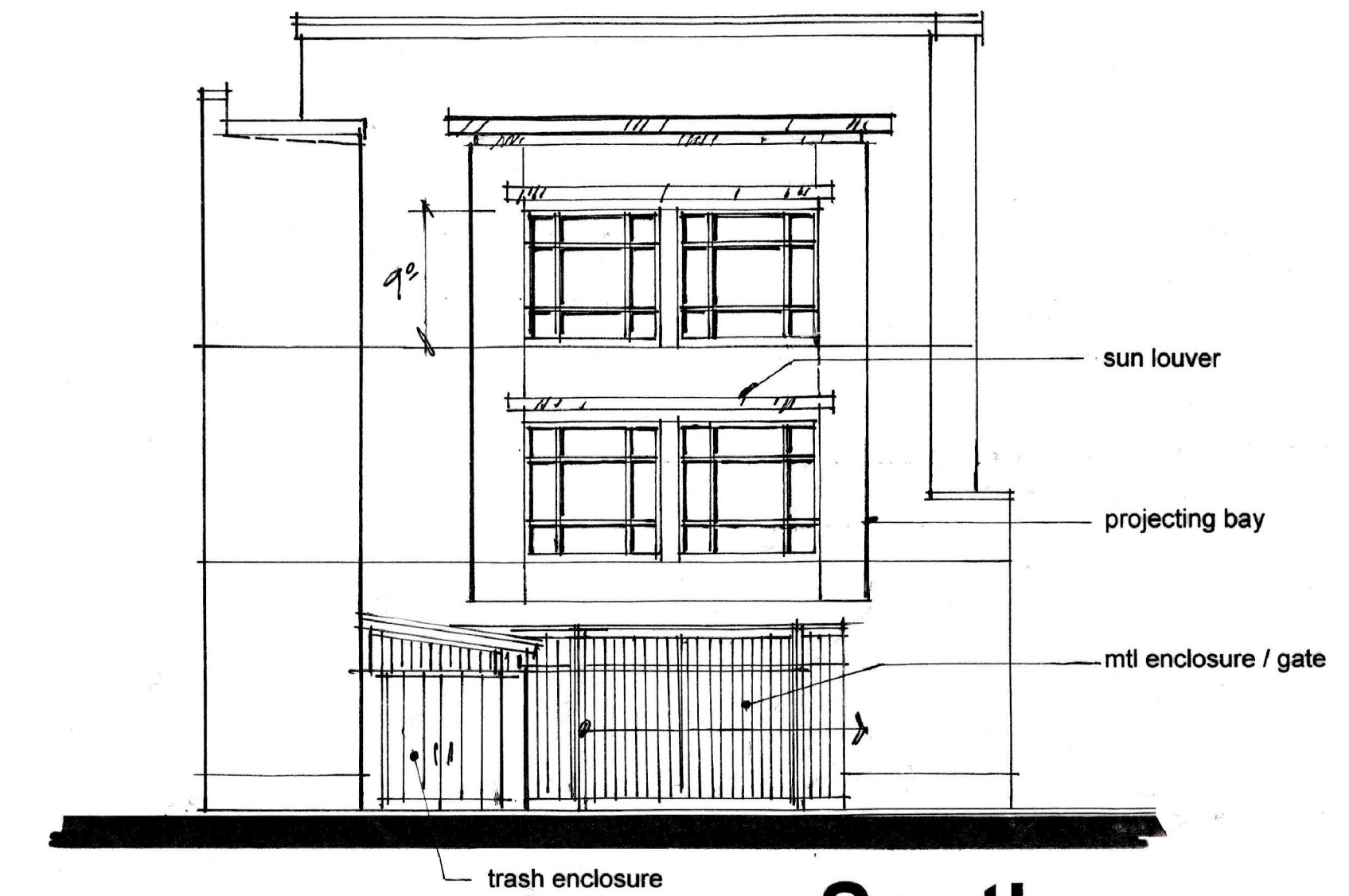
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arch-engr@schackandco.com

DATE:	11/16/21
DRAWN BY:	SFS
CHECKED BY:	SFS
JOB NO:	21.020

DR.4
OF 6 SHEETS



West



South



East



North

DEVELOPMENT REVIEW
EXTERIOR ELEVATIONS
SCALE: NONE

REVISIONS	SYMBOL	DATE

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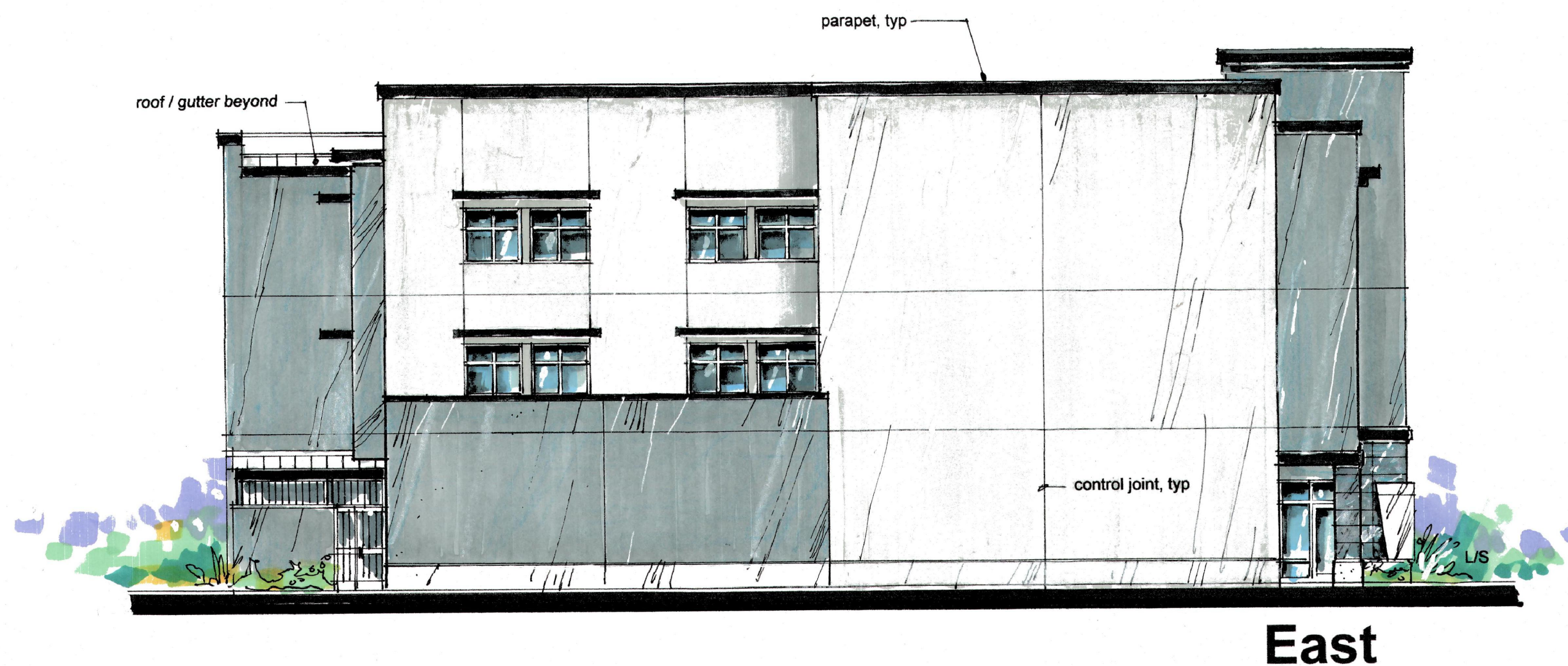
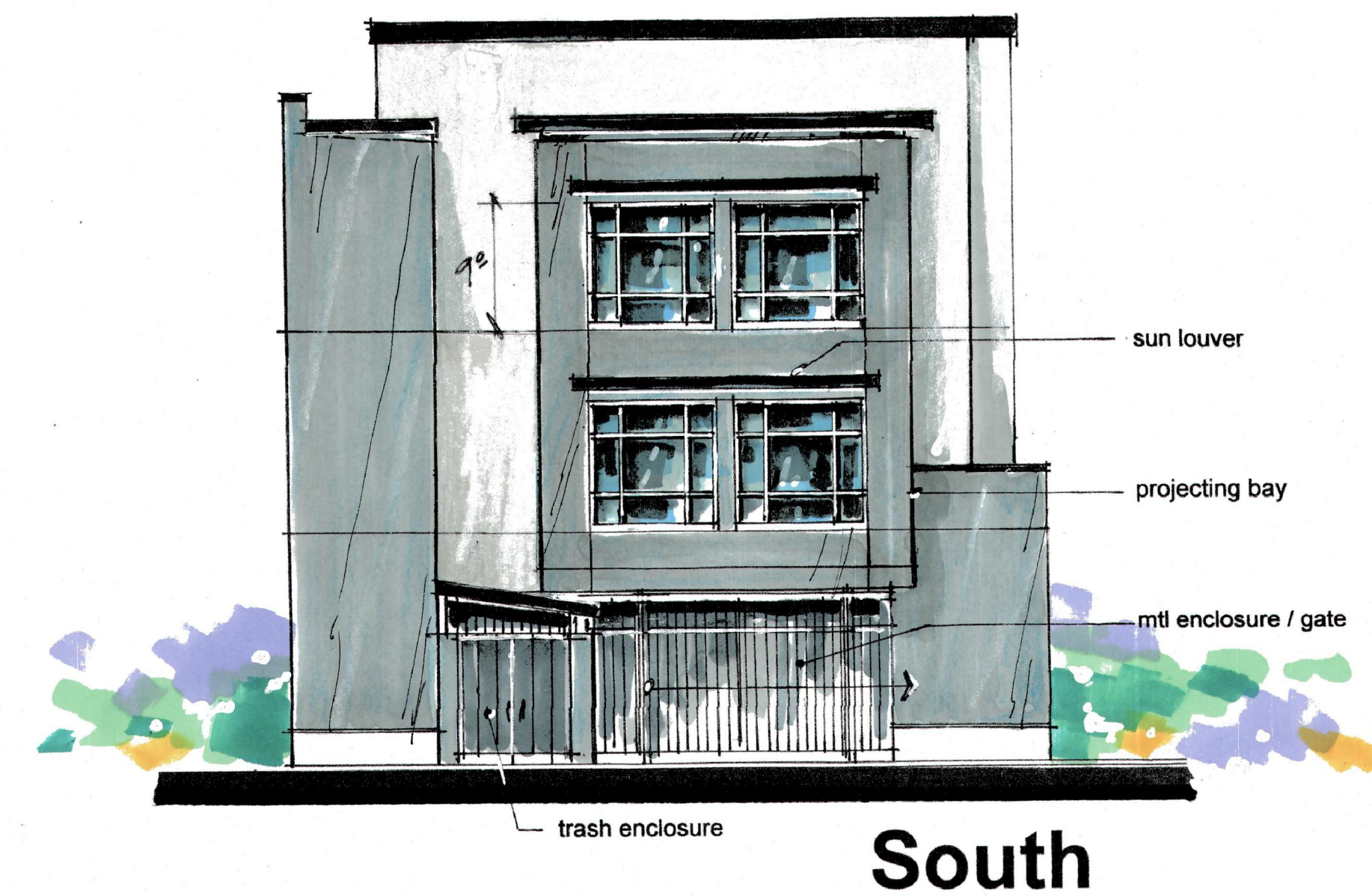
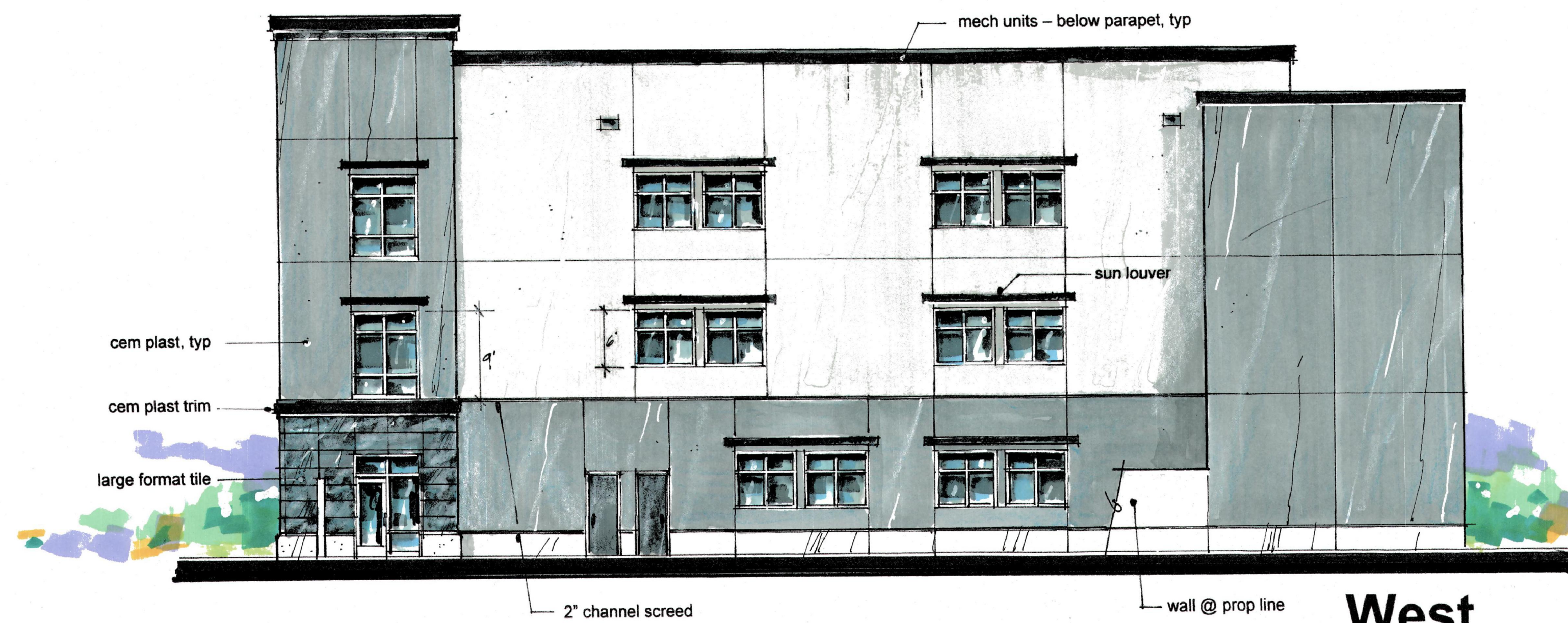
DRAWING RELEASE	DESCRIPTION	DATE
	PRELIMINARY REVIEW	10/05/21
	INITIAL PLAN REVIEW	05/15/22
	DEVELOPMENT REVIEW	05/10/22
	FINAL CONSTRUCTION	

DEVELOPMENT REVIEW
**WEST 8th STREET
RETAIL & OFFICE BUILDING**
28 W 4th Street
TRACY, CALIFORNIA 95376

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arch-corp@schackandco.com

DATE: 05-13-22
DRAWN BY: MQN
CHECKED BY: SFS
JOB NO: 21.020

DR.5
OF 6 SHEETS



DEVELOPMENT REVIEW
EXTERIOR ELEVATIONS
SCALE: NONE

REVISIONS	DATE	SYMBOL

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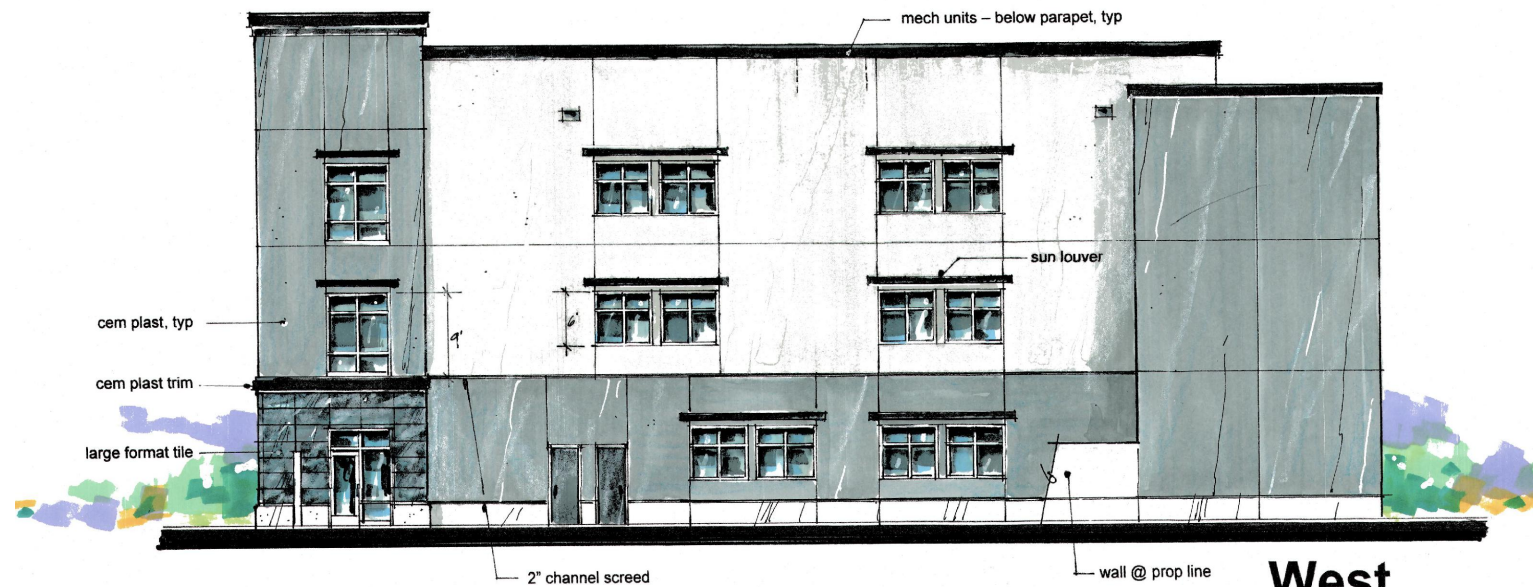
DRAWING RELEASE	DESCRIPTION	DATE
<input type="checkbox"/>	PRELIMINARY REVIEW	10/05/21
<input type="checkbox"/>	INITIAL PLAN REVIEW	06/15/22
<input type="checkbox"/>	FINAL PLAN REVIEW	06/15/22
<input type="checkbox"/>	FINAL CONSTRUCTION	06/15/22

DEVELOPMENT REVIEW
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DATE: 05-13-22
DRAWN BY: MQN
CHECKED BY: SFS
JOB NO: 21.020

DR.5.1
OF 6 SHEETS



West

ELEVATION



North

ELEVATION



TILE SELECTION

MANUF: DAL TILE
STYLE/COLOR: BRAZIL-GREY



WINDOW SELECTION

MANUF: OLD CASTLE
FRAME COLOR: ANODIZED-ALUM
GLASS COLOR: GREEN TINT



PAINT O/ CEMENT PLASTER

MANUF: BENJAMIN MOORE
COLOR: SILVER HALF DOLLAR (2121-40)



MANUF: BENJAMIN MOORE
COLOR: BLACK HORIZON (2132-30)



MANUF: BENJAMIN MOORE
COLOR: BLACK PEPPER (2130-40)

**WEST 8th STREET
RETAIL & OFFICE BUILDING**

20 W & 32 W 8TH STREET
TRACY, CALIFORNIA 95376

Schack & Company, Inc.

Civil Engineering • Building Design • Surveying
(209) 835-2178 • P.O. Box 330 • Tracy, California 95376 • FAX (209) 835-1488

Date: 05/12/22

Job: 21.020

By: MQN

Sheet

of 1

1

REVISED: 08/10/22

CITY OF TRACY
DETERMINATION OF
THE DEVELOPMENT SERVICES DEPARTMENT

Application Number D22-0024

A determination of the Development Services Department (1) approving a Development Review permit to construct an approximately 12,500 sq. ft., three story retail and office building at 28 & 32 W. 8th St. and (2) determining that the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA guidelines section 15332 which pertains to certain infill development projects. The applicant is Schack & Company Inc., and property owner is Indus Capital Management Group, LLC.

Staff has reviewed the application and determined that the following City regulations apply:

1. Central Business District Zone (TMC Chapter 10.08, Article 18)
2. Development Review (TMC Chapter 10.08, Article 30)
3. City of Tracy Design Goals and Standards

The project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15332 which pertains to certain infill development projects, because the project is consistent with the General Plan and Zoning; occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. No further environmental assessment is necessary.

THE DEVELOPMENT SERVICES DEPARTMENT, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY (1) DETERMINES THE PROJECT IS CATEGORICALLY EMEXPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15332 WHICH PERTAINS TO CERTAIN INFILL DEVELOPMENT PROJECTS AND (2) APPROVES DEVELOPMENT REVIEW APPLICATION NUMBER D22-0024, SUBJECT TO 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 because the proposal consists of desirable elements such as first floor retail space, building variation in façade depth/height, ample use of awnings, large format tile, and close orientation to the street that create a sense of arrival.
2. The project is consistent with the Central Business District, Chapter 10.08, Article 18 of the Tracy Municipal Code, the City of Tracy General Plan, the Citywide Design Goals and Standards, and other City regulations because the three story retail office building is a permitted use and will be constructed to adhere to all requirements of the Central Business District Zone.

Kris Balaji
Director of Development Services

Date of Action

City of Tracy
Development Review Permit
Conditions of Approval

Three Story Retail & Office Bldg.
28 & 32 W. 8th St.
Application Number D22-0024
November 7, 2022

These Conditions of Approval shall apply to the Development Review Permit to construct an approximately 12,500 sq. ft. three story retail and office building at 28 & 32 W. 8th St. (hereinafter "Project"), proposed by Schack & Company, Inc. (hereinafter "Applicant") and Indus Capital Management Group, LLC. (hereinafter "Property Owner").

A. Definitions

The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "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.
3. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, the Development Services Director, or the City Engineer to perform the duties set forth herein.
4. "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, City's Design Goals and Standards, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
5. "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. "Conditions of Approval" shall mean the conditions of approval, applicable to Development Review Permit Application Number D22-0024.
7. "Property" means the subject property of the Development Review Permit to construct an approximately 12,500 sq. ft. three story retail and office building at 28 & 32 W. 8th St. (hereinafter "Project"), proposed by Cory Chung (hereinafter "Applicant"), Application Number D22-0024.

B. Planning Division Conditions of Approval

1. 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 Subdivision Map Act (Government Code sections 66410, 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 15000, et seq., “CEQA Guidelines”).
2. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
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 modified herein, the project shall be developed in substantial compliance with the plans received by the Development Services Department on August 16, 2022, to the satisfaction of the Development Services Director.
5. Prior to final inspection or certificate of occupancy, the back side of any visible roof parapets shall consist of the same material and be painted the same color as the front side of the roof parapets, to the satisfaction of the Development Services Director.
6. Prior to the approval of a building permit, the applicant shall submit detailed landscape and irrigation plans consistent with the Department of Water Resources’ Water Efficient Landscape Ordinance to the satisfaction of the Development Services Director. 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.
7. Prior to the issuance of a building permit, the Developer shall execute a two-year landscape and irrigation maintenance agreement and submit financial security, such as a performance bond, to ensure the success of all on-site landscaping for the term of the agreement. The security amount shall be equal to \$2.50 per square foot of the landscaped area or equal to the actual labor and material installation cost of all on-site landscaping and irrigation.
8. Prior to issuance of a building permit, the construction documents shall comply with California Building Standards Commission (Cal Green Code Emergency Standards; Title 24, Part 11) regarding landscaping and irrigation water efficiency, to the satisfaction of the Utilities Director.

9. Prior to the issuance of a building permit, the developer shall comply with all applicable Stormwater Quality Regulations, to the satisfaction of the Water Resources Division in the Utilities Department.
10. Prior to issuance of a building permit, the Developer shall submit construction documents, plans, specifications, and/or calculations to the Building Safety Division, which meet all applicable requirements of Title 24 California Code of Regulations, to the satisfaction of the Chief Building Official.
11. Prior to issuance of a building permit, the Developer shall submit plans that clearly depict an accessible route per California Building Code (CBC) 11B-206.2.2 from each building to the trash enclosure and all facilities on-site, to the satisfaction of the Chief Building Official.
12. Prior to issuance of a building permit, the Developer shall conform with all requirements of the California Fire Code as amended by the Tracy Municipal Code, to the satisfaction of the South San Joaquin County Fire Authority.
13. Prior to 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.
14. Prior to the issuance of a building permit, the developer shall submit plans demonstrating that the trash enclosure shall be a masonry enclosure at a minimum height of seven feet, exterior materials and colors to match the proposed building, solid metal doors painted to match the proposed building colors, a roof designed with complementary materials and design, and a concrete apron in front of the enclosure where the dumpsters, loading/transport equipment, or vehicles will maneuver, to the satisfaction of the Development Services Director.
15. Prior to 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 or landscaping, to the satisfaction of the Development Services Director.
16. Prior to final inspection or certificate of occupancy, all vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match the adjacent building surface or otherwise designed in harmony with the building exterior, to the satisfaction of the Development Services Director.
17. No signs are approved as a part of this development review permit. Approval of a separate sign permit by the Development Services Department is necessary prior to the installation of any signs.

18. Prior to issuance of a building or grading permit, the developer shall demonstrate compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and the Incidental Take Minimization Measures prepared by San Joaquin Council of Government (SJCOG), to the satisfaction of the Development Services Director.
19. Prior to issuance of a building permit, the Developer shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), including District Rule 9510, Regulation VIII, and payment of all applicable fees, to the satisfaction of the APCD.

C. Engineering Division Conditions of Approval

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) NONE
2. RESERVED
3. RESERVED

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. Prior to release of a Grading Permit, Developer shall provide 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 (Tracy Municipal Code (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.

Developer shall install a masonry wall along the Byron Rd frontage, just south of the property line and P.U.E. Wall and entries shall conform to Parks & Streetscape standards D2.0 – D2.1.5 for layout and amenities.

- 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).
- 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.
- 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.

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. Prior to the consideration of City Council's approval of said improvement agreement, the Developer shall provide 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 twenty-four (24) inch x thirty-six (36) inch size four (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 approved Geotechnical/Soils Report that was prepared for the grading permit submittal.
 - 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 street 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.

The storm water treatment system shall be located on private property and shall be at least off-set from the right-of-way by one (1) foot.

- 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 is hereby notified that the City will not provide maintenance of the sewer lateral within the public right-of-way unless the sewer cleanout is located and constructed in conformance with Standard Plans. The City's responsibility to maintain on the sewer lateral is from the wye/onsite sewer manhole at the right-of-way line/property line/wye fitting to the point of connection with the sewer main.

- C.5.1.f. 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 final inspection of the improvements constructed via an encroachment permit, 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.

- C.5.1.g. Streets – The Developer shall construct 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.
- 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 ten (10) 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.5.4. 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.5.5. 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.5.6 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.5.7 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

Prior to the release of a building permit within Project boundaries, the Developer shall demonstrate, 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.6.2.a. Water. The Developer shall pay the water impact fees prior to pulling the first building permit for the Project.

C.6.2.b. Wastewater. The Developer shall pay the wastewater treatment capacity development Impact fees prior to pulling the first building permit for the Project.

C.6.3 RESERVED

C.6.4 Developer has completed all requirements set forth in Condition C.8

C.7 Acceptance of Public Improvements

Prior to the consideration of City Council's acceptance of public improvements, the Developer shall demonstrate 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.

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 Survey Monuments – 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 3.13 of the 2020 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 Prior to the release of the Building Permit, 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.

D. Utilities Department, Water Resources Division Conditions

Contact: Stephanie Hiestand (209) 831-6333 stephanie.hiestand@cityoftracy.org

- D.1. Prior to issuance of a construction or building permit, the applicant shall demonstrate compliance with the 2015 Post-Construction Stormwater Standards (PCSWS) Manual and obtain approval through the following:
- D.1.1. Develop a Project Stormwater Plan (PSP) that identifies the methods to be employed to reduce or eliminate stormwater pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measures, stormwater treatment control measures and baseline hydromodification control measures.
 - D.1.1.a. Design and sizing requirements shall comply with PCSWS Manual.
 - D.1.1.b. Demand Management Areas must be clearly designated along with identification of pollutants of concern.
 - D.1.1.c. Calculations of the Stormwater Design Volume and/or Design Flow with results from the Post-Construction Stormwater Runoff Calculator must be submitted in the PSP for approval.
 - D.1.1.d. Submit one (1) hard copy of the PSP and an electronic copy to the Utilities Department (WaterResources@cityoftracy.org), include the project name, address and Project # and/or Permit # in the title or subject line.
 - D.1.2. A separate plan sheet(s) designated SW shall be submitted in the plan set that includes the identified methods for pollution prevention outlined in the submitted PSP. You must include all standards, cross sections and design specifications such as landscape requirement in treatment areas including type of irrigation installation and/or height of drain inlet above the flow line, etc. in these SW plan sheets along with legend.
 - D.1.3. Develop and electronically submit to the Utilities Department for approval (WaterResources@cityoftracy.org) a preliminary Operations and Maintenance (O & M) Plan that identifies the operation, maintenance, and inspection requirements for all stormwater treatment and baseline hydromodification control measures identified in the approved PSP.
 - D.1.4. No later than two (2) months after approval notification of the submitted PSP, the applicant shall electronically submit the following information to the Utilities Department (WaterResources@cityoftracy.org) for development of a draft stormwater maintenance access agreement, in accordance with the MAPCSWS:

- i. Property Owner(s) name and title report; or Corporate name(s) and binding documents (resolutions, etc) designating ability to sign agreement
 - ii. Property Address
 - iii. Exhibit A – legal property description Exhibit B – approved O & M Plan
- D.2. Prior to issuance of a grading permit, the applicant shall provide proof of permit coverage under the Construction General Permit and submittal of an electronic Stormwater Pollution Prevention Plan (SWPPP), to be submitted to WaterResources@cityoftracy.org.
- D.3. Prior to Certificate of Occupancy, the applicant shall complete the following to the satisfaction of the Utilities Director:
 - D.3.1. Return to the Utilities Department, two legally signed and notarized copies of the final maintenance access agreement including all exhibits and approved O & M plan previously submitted and received from the Utilities Department.
 - D.3.2. Obtain final approval by the Utilities Department of the constructed and installed Stormwater pollution prevention methods outlined in the PSP. Frequent inspections of the Post-Construction treatment measures should occur during the construction phase by calling 209-831-6333.
 - D.3.3. The project shall be in full compliance with Construction General Permit including 70% stabilization of the project with Notice of Termination approval.
- D.4. Before the approval of a construction, grading or building permit, the applicant shall demonstrate compliance with Tracy Municipal Code Chapters 11.28 and 11.34 and Chapter 5 of the California Green Building Standards Code to the satisfaction of the Utilities Director.
- D.5. The project shall always comply with Federal, State and Local mandates with regard to potable water use, recycled water use and water quality.
- D.6. Before the approval of a construction, grading or building permit, the applicant shall demonstrate compliance with Tracy Municipal Code Chapters 11.28 and 11.34 and Chapter 4 or 5 of the California Green Building Standards Code to the satisfaction of the Utilities Director.
- D.7. Prior to issuance of a construction or building permit, applicant shall

demonstrate compliance with the 2015 Model Water Efficient Landscape Ordinance and obtain approval by the Utilities Department through the following:

- D.7.1. Develop and submit electronically and by hard copy, a Landscape Document Package (LDP) that identifies the methods to be employed to reduce water usage through proper landscape design, installation and maintenance. This LDP shall consist of:
- i. A project information sheet that includes the checklist of all documents in the LDP;
 - ii. The Water Efficient Landscape Worksheets that include a hydrozone information table and the water budget calculations – Maximum Applied Water Allowance and Estimate Total Water Use;
 - iii. A soil management report, after compaction and from various locations throughout the project;

E. South San Joaquin County Fire Authority Conditions of Approval

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

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

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

F.1. Streets and Streetlights

Before issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”), 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 the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the "Infrastructure");
- 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) of the POA to ensure the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the "Infrastructure");
- 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 on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the "Infrastructure"). 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 the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”).

If the provisions for adequate funding of the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”) 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.

F.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 Parks 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.

AGENDA ITEM 1.D

REQUEST

PUBLIC HEARING TO CONSIDER (1) APPROVING A DEVELOPMENT REVIEW PERMIT TO INSTALL A PULL FORWARD LANE FOR EXISTING DRIVE-THRU AND EXTERIOR MODIFICATIONS TO MCDONALD'S RESTAURANT AT 1820 W. 11TH ST. AND (2) DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15301 PERTAINING TO MINOR ALTERATIONS TO EXISTING FACILITIES INVOLVING NEGLIGIBLE OR NO EXPANSION OF USE. APPLICANT IS MIKE YAO AND PROPERTY OWNER IS PACIFIC/BOWIE-TRACY. APPLICATION NUMBER D22-0035

DISCUSSION

Site Description

The project site is an existing McDonald's drive-thru located at 1820 W. 11th St. The McDonald's fronts onto 11th street and is east of Wells Fargo and north of Walgreens in the Gateway Plaza shopping center (Attachment A: Location Map).

Site Analysis

The project site is zoned General Highway Commercial (GHC) and has a General Plan designation of Commercial. Fast food restaurants are a permitted use in the GHC zone. The proposed installation of a pull forward lane and exterior modifications would be compatible with the surrounding land uses, which include retail spaces, offices, restaurants, and fast food. The project meets the requirements of the GHC zone.

Architecture

The proposed modifications include the installation a drive-thru pull forward lane. The pull forward lane is where customers waiting for their orders can park, allowing cars in the queue that received their food to exit out of the drive-thru lane. The previous outdoor patio exit door on the west elevation will be moved to align with the new kitchen interior remodel for employee's hand off of food to the cars in the pull forward lane. The concrete pad used by employees to get to the pull forward lane will have landscaped areas with shrubs and a canopy tree to soften the look of the proposed hardscape. In addition to the proposed pull forward lanes, the south elevation of the building will be expanded for additional storage by adding 102 sq. ft. to the existing south elevation of the building. The proposed expansion will match the existing exterior finishes and color of the McDonald's restaurant (Attachment B: Site Plan and Elevations).

Environmental Document

The project has been determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 pertaining to

minor alterations to existing facilities involving negligible or no expansion of use. No further environmental assessment is necessary.

RECOMMENDATION

Staff recommends that the Development Services Director (1) approve a Development Review Permit to install a pull forward lane for existing drive-thru and exterior modifications to McDonald's Restaurant at 1820 W. 11th St. and (2) determine that the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA guidelines section 15301 pertaining to minor alterations to existing facilities involving negligible or no expansion of use, based on the findings contained in the Director Determination dated November 7, 2022 (Attachment C).

Prepared by: Kenny Lipich, Associate Planner

Reviewed by: Scott Claar, Senior Planner

Approved by: Bill Dean, Development Services Assistant Director

ATTACHMENTS

- A: Location Map
- B: Site Plan and Elevations
- C: Development Services Director Determination
Exhibit 1 – Conditions of Approval



ATTACHMENT
A

SAFEWAY

Subject
Property

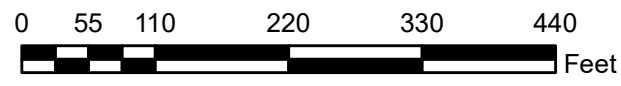
11TH STREET

WELLS
FARGO

WALGREENS

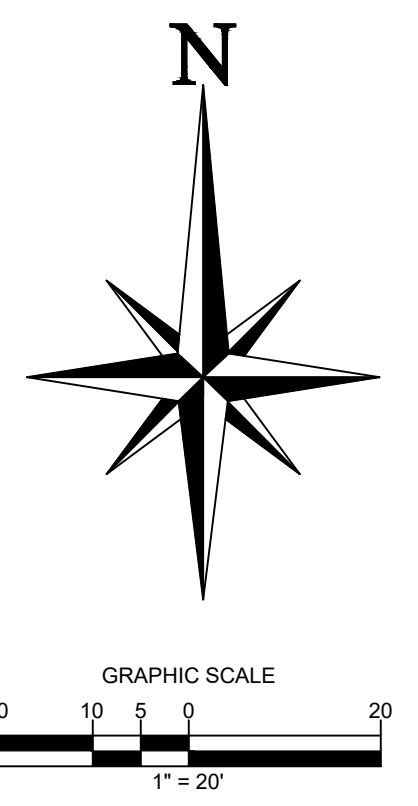


Think Inside the Triangle™

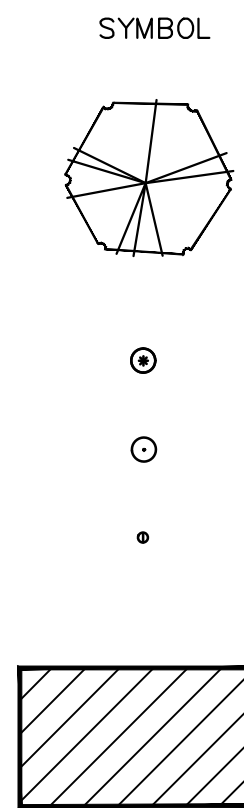




- A. PROPOSED 6" CONCRETE CURB.
- B. PROPOSED CONCRETE PAVEMENT.
- C. PROPOSED CONCRETE PATIO.
- D. PROPOSED CONCRETE SIDEWALK.
- E. PROPOSED 6" WIDE YELLOW PAVEMENT MARKING.
- F. PROPOSED DECORATIVE STAMPED CONCRETE TO MATCH EXISTING.
- G. PROPOSED PARKING STRIPING (TYP.) MUST BE LONG LIFE EPOXY.
- H. PROPOSED ACCESSIBLE PARKING STRIPING. MUST BE LONG LIFE EPOXY.
- I. PROPOSED VAN ACCESSIBLE PARKING STALL TO HAVE A MAXIMUM SLOPE OF 2% OR LESS IN ALL DIRECTIONS.
- J. PROPOSED ACCESSIBLE ACCESS AISLE TO HAVE A MAXIMUM SLOPE OF 2% OR LESS IN ALL DIRECTIONS.
- K. PROPOSED ACCESSIBLE PARKING STALL TO HAVE A MAXIMUM SLOPE OF 2% OR LESS IN ALL DIRECTIONS.
- L. PROPOSED ADA SIGN, "MINIMUM FINE \$250" SIGN, AND POST. PROPOSED ADA SIGN, "VAN ACCESSIBLE" & "MINIMUM FINE \$250" SIGN, AND POST.
- M. PROPOSED ADA SIGN, "MINIMUM FINE \$250" SIGN, AND POST.
- N. PROPOSED ACCESSIBLE CURB RAMP.
- O. PROPOSED 3' DEEP DETECTABLE WARNING.
- P. PROPOSED GUARDRAIL.
- Q. PROPOSED PULL-FORWARD SIGN.
- R. PROPOSED LANDSCAPE AREA.
- S. PROPOSED TRAFFIC FLOW ARROWS.



User: ZMICHELS Plot Date/Time: Oct. 31, 22 - 07:52:15 Drawing: \\core-eng.com\panzura\Project Data\PROJECTS\McDonalds\Initiatives\EOTF (ONLY)\Tracy, CA (004-1916 Tracy, CA (1820 W 11th St)\MCD 32586\Design Files\Civil\Drawings\Presentation\MCD 32586-P-SITE.dwg ; Layout1



<u>BOTANICAL NAME</u>	QTY.	<u>CONTAINER SIZE</u>	<u>WATER USE</u>
<u>COMMON NAME</u>		<u>HEIGHT X WIDTH</u>	<u>COMMENTS</u>
TREES:			
PLATANUS A. 'BLOODGOOD'	2	24" BOX	MODERATE
LONDON PLANE TREE		60" x 35'	
SHRUBS:			
CALAMAGROSTIS A. 'KARL FOERSTER'	4	5 GALLON	LOW
FEATHER REED GRASS		3' x 30"	
CALLISTEMON 'LITTLE JOHN'	15	5 GALLON	LOW
DWARF BOTTLEBRUSH		3' x 30"	
SISYRINCHIUM BELLUM	20	1 GALLON	LOW
BLUE-EYED GRASS		12" x 12"	

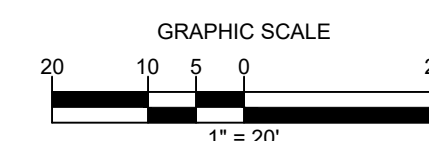
PLANTING AREAS SHALL BE MULCHED WITH A THREE INCH (3") MINIMUM LAYER OF ORGANIC WOOD MULCH.

NEW IRRIGATION SHALL BE AUTOMATIC, DRIPLINE,
WITH A WEATHER BASED CONTROLLER.

THE AREA BELOW THE EXISTING TREE CANOPIES SHALL BE PROTECTED BY A BARRIER SO THAT NO EQUIPMENT OR MATERIALS SHALL BE STORED THERE.

$$\text{MAXIMUM APPLIED WATER ALLOWANCE} \\ (52.0)(0.62)(0.45 \times 277) = 4,018.7 \text{ GAL./YR.}$$

ESTIMATED TOTAL WATER USE
HZ 1 LOW (52.0)(0.62)(.2/.85) x 277) = 2,14




THOMAS H. KOCH
LANDSCAPE ARCHITECT

CA License 3602
AZ Registration 33915

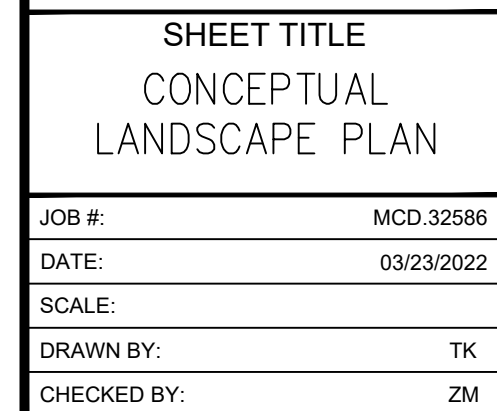
26482 Elmcrest Way
Lake Forest, CA 92630
(949) 348-9150
thk@cox.net

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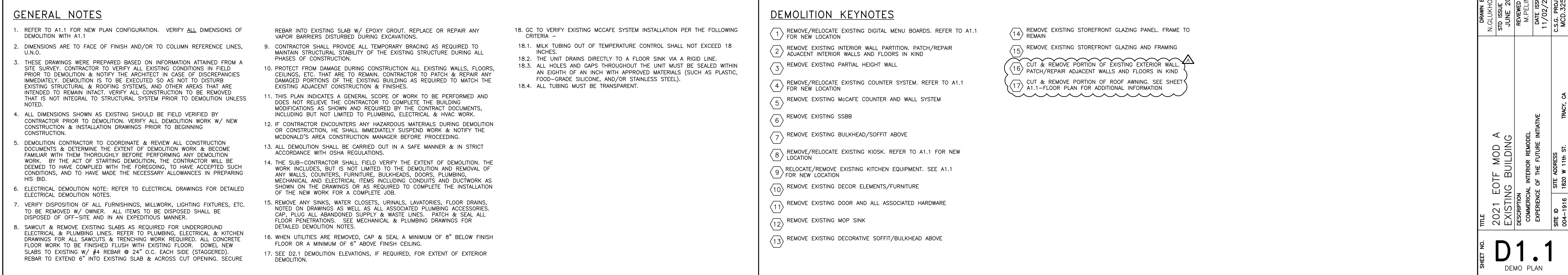
What's below?
Call before you dig.

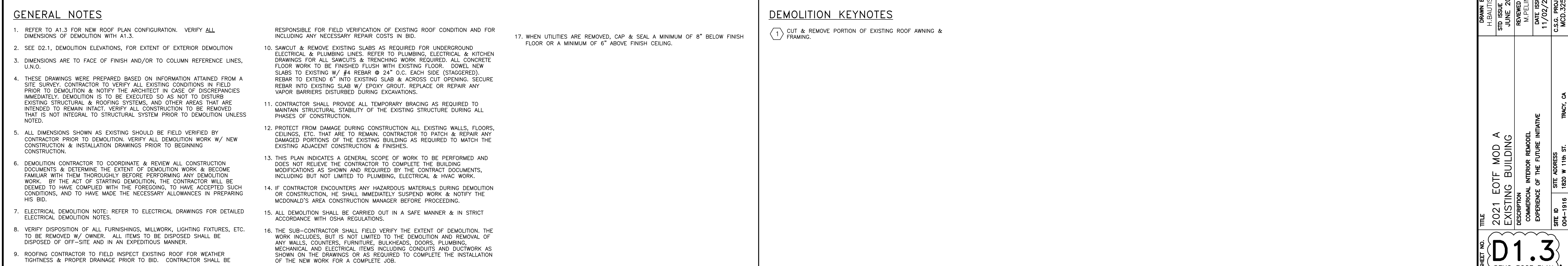
DOCUMENT
CIVIL CONSTRUCTION PLANS FOR MCDONALDS AT WEST 11TH STREET, TRACY, CA
SITE LOCATION
1820 W 11TH ST, TRACY, CA 95376 (004-1916)

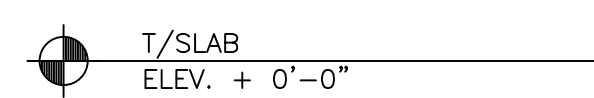
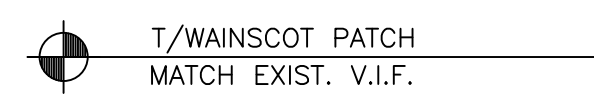
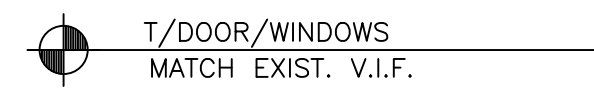
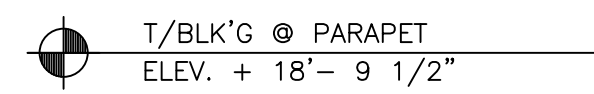
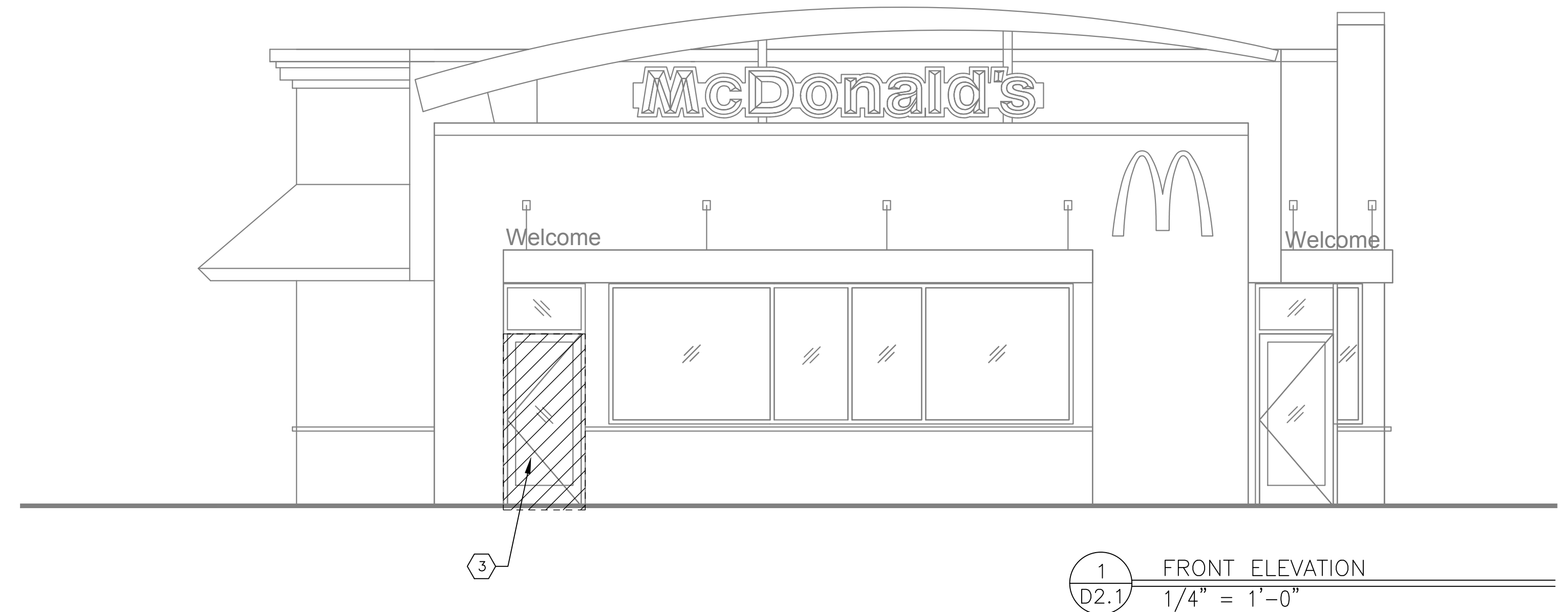
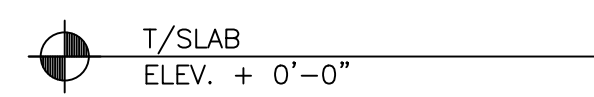
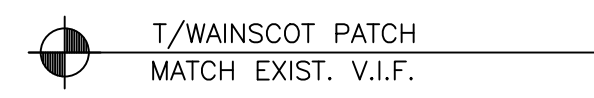
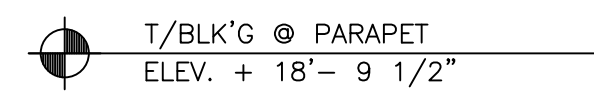


SHEET NO.












DEMOLITION KEYNOTES

- 1 REMOVE EXISTING GLAZING PANEL INFILL, STOREFRONT FRAMING TO REMAIN
- 2 CUT & REMOVE PORTION OF EXISTING WALL WITH MEASUREMENTS AS SHOWN. GRIND SMOOTH AND PREPARE FOR NEW OPENING
- 3 REMOVE EXISTING STOREFRONT DOOR AND ALL ASSOCIATED HARDWARE.
- 4 REMOVE EXISTING GLAZING PANEL AND STOREFRONT FRAMING
- 5 CUT & REMOVE PORTION OF EXISTING ROOF AWNING & FRAMING.

LEGEND

-  EXISTING CONSTRUCTION TO BE REMOVED
 EXTENT OF EXISTING CONSTRUCTION TO BE REMOVED
 EXISTING CONSTRUCTION TO REMAIN

<div> <div>D2.1</div> <div> DEMO. ELEVATION </div> </div>	2021 EOTF MOD A EXISTING BUILDING		COMMERCIAL INTERIOR REMODEL EXPERIENCE OF THE FUTURE INITIATIVE	REVISION BY M.PELINI	DATE ISSUED 11/02/2021	SHEET NO. JUNE 2021	PROJECT NO. MCD-32596
	SITE ID 004-1916	SITE ADDRESS 1820 W 11th ST TRACY, CA					

McDonald's USA, LLC

CORE STATES



GROUP

1111 3rd AVE S., STE. 400
MINNEAPOLIS, MN 55401
(612) 338-7136
Core-states.com

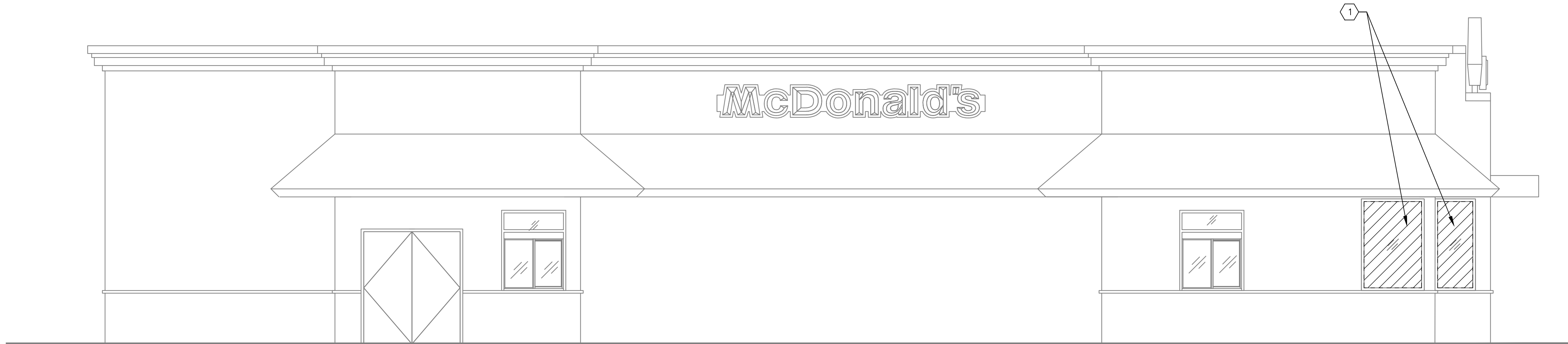
[illegible]

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



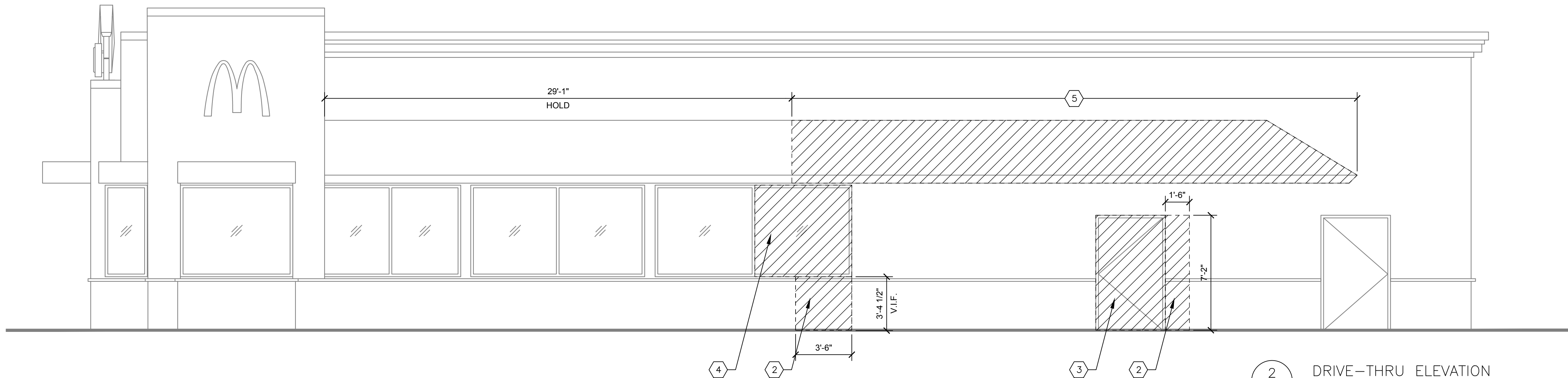
1 DRIVE-THRU ELEVATION
1/4" = 1'-0"

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



2 DRIVE-THRU ELEVATION
1/4" = 1'-0"

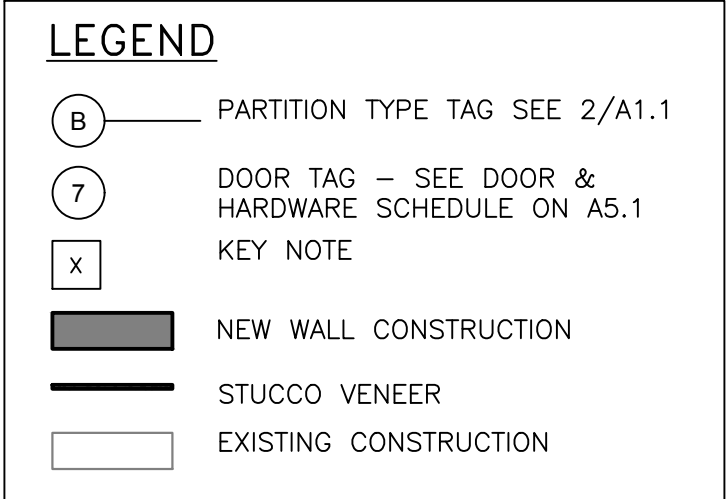
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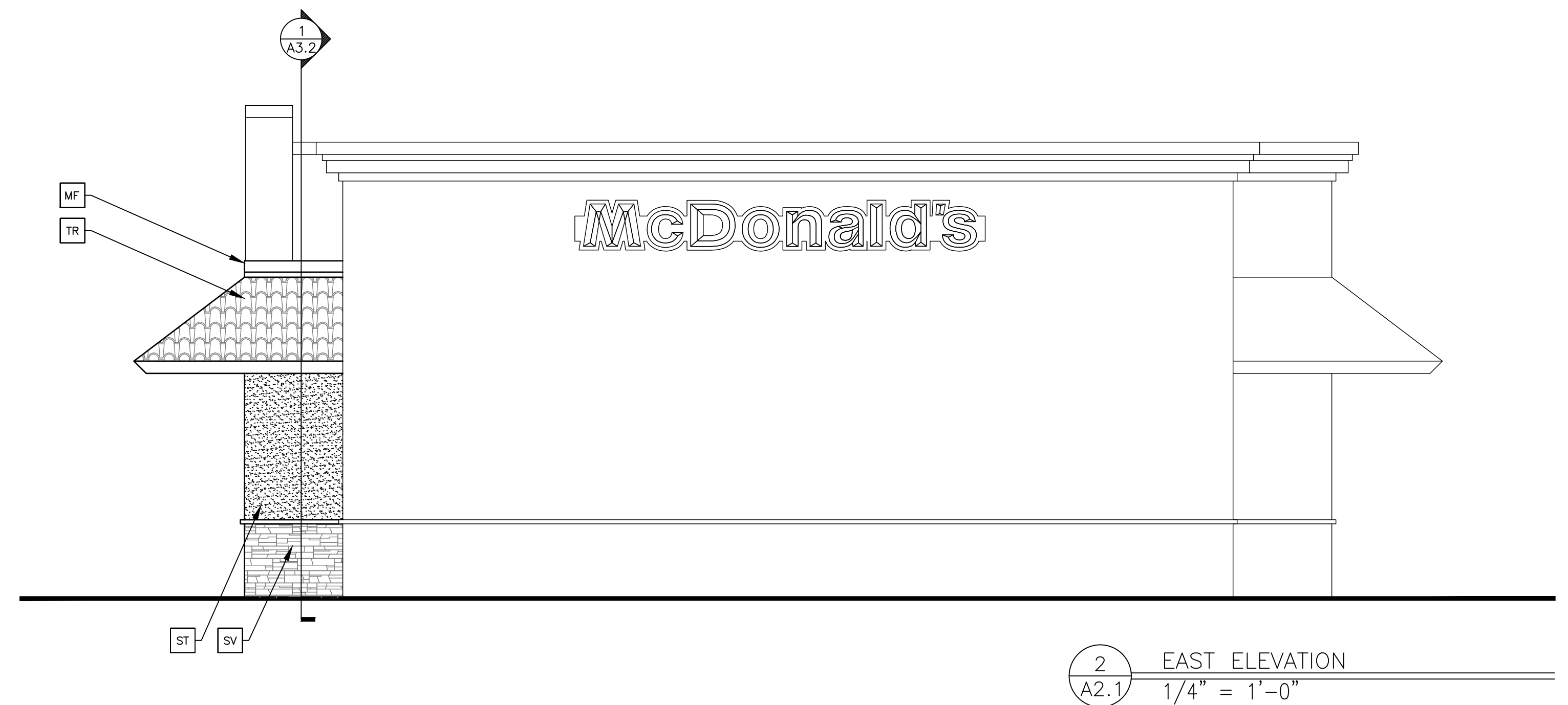
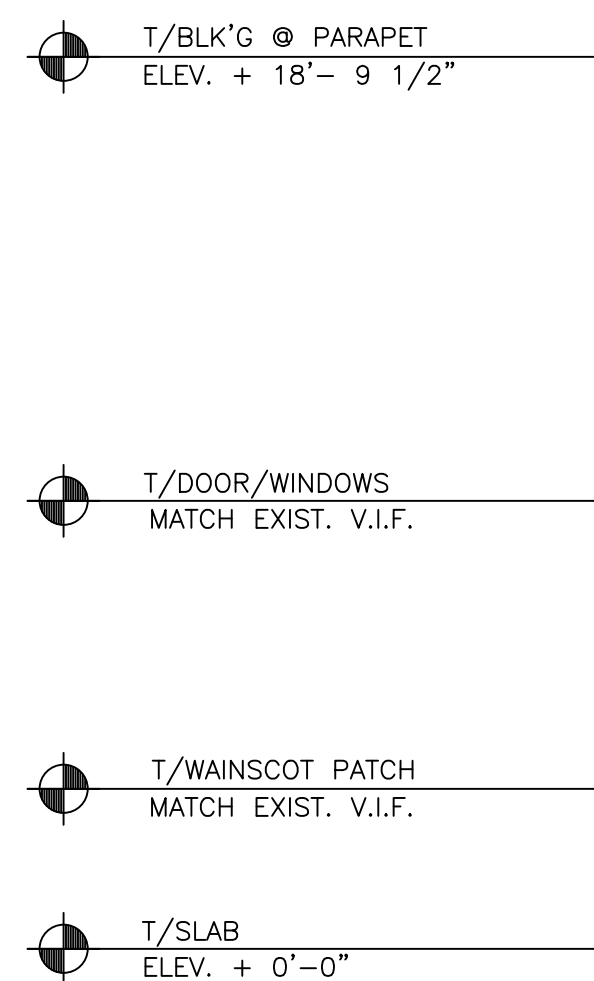
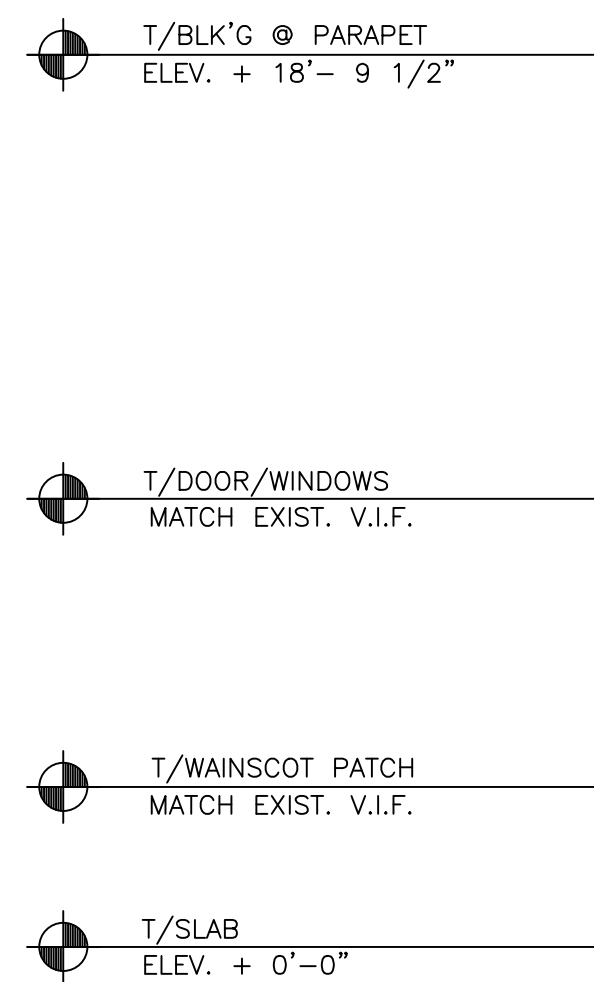
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LEGEND

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SHEET NO.	TITLE	DRAWN BY	STD	ISSUE DATE	REVIEWED BY	DATE ISSUED	C.S.G. PROJECT #	SITE ID	SITE ADDRESS	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
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D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.	TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
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D2.2	2021 EOTF MOD A	H.BAUSTIA	JUNE 2021	JUNE 2021	M.PELINI	11/02/2021	MCD.32586	004-1916	1820 W 11th ST.							





SHOP DRAWINGS

SHOP DRAWING SUBMITTALS SHALL CONSIST OF A MINIMUM OF 2 COPIES OF EACH DRAWING.

SHOP DRAWINGS SHALL BE REVIEWED BY CONTRACTOR TO VERIFY THAT SUBMITTAL IS COMPLETE PRIOR TO SUBMITTING TO ARCHITECT. DRAWINGS CREATED BY THE ARCHITECT OF RECORD CANNOT BE REPRODUCED AND/OR USED AS A SHOP DRAWING SUBMITTAL.

SHOP DRAWING SUBMITTALS SHALL INCLUDE THE FOLLOWING:

1. STOREFRONT GLAZING SYSTEM
2. TRELLIS/CANOPY SYSTEM

COLOR SCHEME NOTE

G.C. TO CONFIRM COLOR SCHEME WITH PROJECT MANAGER &
LEGAL SUBMISSION COLOR RENDERINGS PRIOR TO CONSTRUCTION
SEE CV SHEET FOR CONTACT INFO.


NOTES


1. STUCCO AND EIFS CONTROL JOINTS INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.
2. FINESE FINISH SHOULD BE FOR THE RAL CHARCOAL AREA ONLY. ALL OTHER COLORS SHOULD BE "SAND PEBBLE FINE" FINISH.

KEYNOTES

DA	ALUMINUM DOOR - REFER TO DOOR SCHEDULE FOR DETAILS
DH	NEW HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF SURROUNDING MATERIAL
MF	METAL FASCIA - COLOR TO MATCH EXISTING
SF	STOREFRONT SYSTEM AND GLAZING; SEE A1.1 FOR PLAN LOCATION & A5.1 FOR WINDOW TYPES
A	- WINDOW TYPE
SP	SPANDREL PANEL
ST	NEW STUCCO EXTERIOR FINISH; COLOR TO MATCH EXISTING. GC TO VERIFY IN FIELD
SV	NEW STONE VENER VAINSCOOT; TYPE & COLOR TO MATCH EXISTING. GC TO VERIFY IN FIELD
T	TEMPERED GLASS
TR	NEW CLAY ROOF TILE; TYPE & COLOR TO MATCH EXISTING. GC TO VERIFY IN FIELD

LEGEND

 = NEW GLAZING; SEE A5.1 FOR MORE INFO.

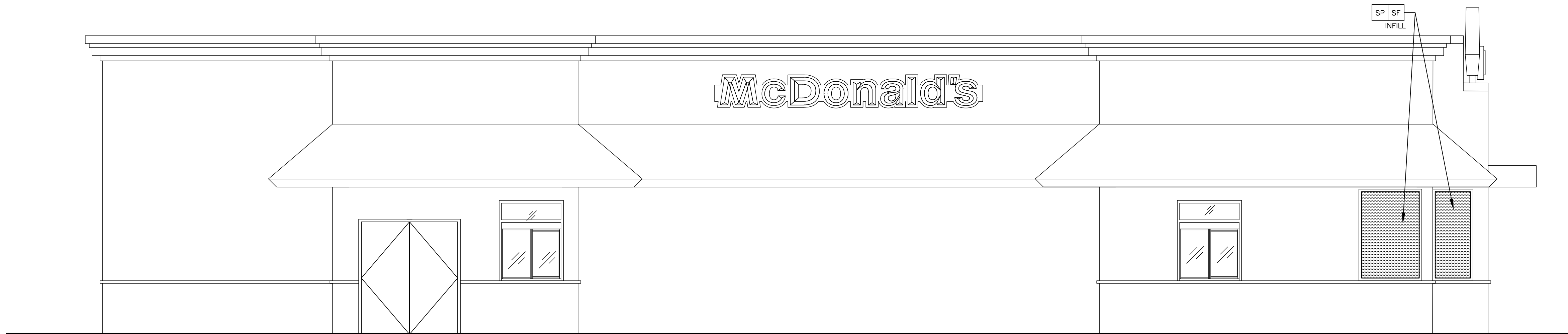
 = SPANDREL PANEL; SEE A5.1 FOR MORE INFO.

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



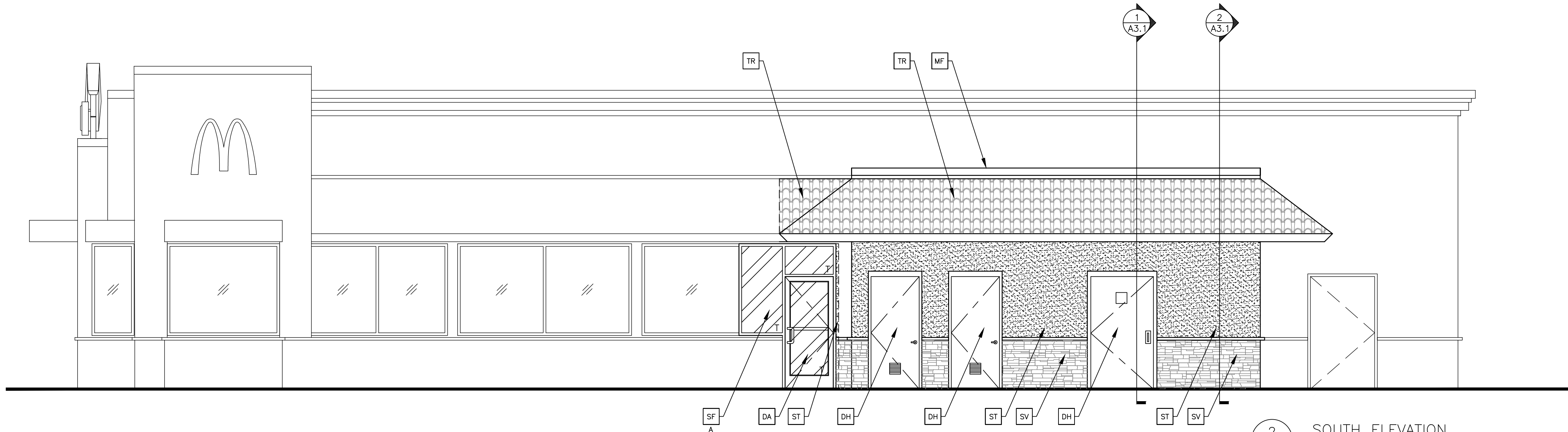
1 NORTH ELEVATION
A2.2 1/4" = 1'-0"

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



2 SOUTH ELEVATION
A2.2 1/4" = 1'-0"

SHOP DRAWINGS

SHOP DRAWING SUBMITTALS SHALL CONSIST OF A MINIMUM OF 2 COPIES OF EACH DRAWING.

SHOP DRAWINGS SHALL BE REVIEWED BY CONTRACTOR TO VERIFY THAT SUBMITTAL IS COMPLETE PRIOR TO SUBMITTING TO ARCHITECT.

DRAWINGS CREATED BY THE ARCHITECT OF RECORD CANNOT BE REPRODUCED AND/OR USED AS A SHOP DRAWING SUBMITTAL.

SHOP DRAWING SUBMITTALS SHALL INCLUDE THE FOLLOWING:

1. STOREFRONT GLAZING SYSTEM
2. TRELLIS/CANOPY SYSTEM

COLOR SCHEME NOTE

G.C. TO CONFIRM COLOR SCHEME WITH PROJECT MANAGER & LEGAL SUBMISSION COLOR RENDERINGS PRIOR TO CONSTRUCTION. SEE CV SHEET FOR CONTACT INFO.

NOTES

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2. FINESE FINISH SHOULD BE FOR THE RAL CHARCOAL AREA ONLY. ALL OTHER COLORS SHOULD BE "SAND PEBBLE FINE" FINISH.

KEYNOTES

- DA ALUMINUM DOOR - REFER TO DOOR SCHEDULE FOR DETAILS
- DH NEW HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF SURROUNDING MATERIAL
- MF METAL FASCIA - COLOR TO MATCH EXISTING
- SF STOREFRONT SYSTEM AND GLAZING; SEE A1.1 FOR PLAN LOCATION & A5.1 FOR WINDOW TYPES
- A - WINDOW TYPE
- SP SPANDREL PANEL
- ST NEW STUCCO EXTERIOR FINISH; COLOR TO MATCH EXISTING. GC TO VERIFY IN FIELD
- SV NEW STONE VENEER WAINSCOT; TYPE & COLOR TO MATCH EXISTING. GC TO VERIFY IN FIELD
- T TEMPERED GLASS
- TR NEW CLAY ROOF TILE; TYPE & COLOR TO MATCH EXISTING. GC TO VERIFY IN FIELD

LEGEND

- [Hatched Box] = NEW GLAZING; SEE A5.1 FOR MORE INFO.
- [Stippled Box] = SPANDREL PANEL; SEE A5.1 FOR MORE INFO.

SHEET NO.	TITLE	DRAWN BY H.BAUSTISTA	STD ISSUE DATE JUNE 2021	REVIEWED BY M.PELINI	DATE ISSUED 11/02/2021	C.S.G. PROJECT # MCD.32586	SITE ADDRESS 1820 W 11th ST. TRACY, CA	ARCHITECT OF RECORD:	REV	DATE	CITY	COMMENTS/OWNER REVISION	BY
2021 EOTF MOD A EXISTING BUILDING		DESCRIPTION COMMERCIAL INTERIOR REMODEL EXPERIENCE OF THE FUTURE INITIATIVE						PREPARED BY: CORE STATES GROUP 111 3rd AVENUE, STE 400 MINNEAPOLIS, MN 55401 Core-states.com					HB
A2.2 ELEVATION		© 2021 McDonald's USA, LLC These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without written authorization from McDonald's USA, LLC. Use of these drawings for reference or examples on another project requires the contract documents for reuse on another project is not authorized.						McDonald's USA, LLC					

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



Materials Legend	
	Stucco (Existing)
	Clay Tile Roof Tile (Existing)
	Brick Wainscott (Existing)
	Glazing (Windows & Storefront) 1" Insulated Clear Glass

Non-Drive-Thru Side Elevation

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



Rear Elevation

Front Elevation

T/BLK'G @ PARAPET
ELEV. + 18'- 9 1/2"

T/DOOR/WINDOWS
MATCH EXIST. V.I.F.

T/WAINSCOT PATCH
MATCH EXIST. V.I.F.

T/SLAB
ELEV. + 0'-0"



Drive-Thru Side Elevation

CITY OF TRACY

DETERMINATION OF THE DEVELOPMENT SERVICES DEPARTMENT

Application Number D22-0035

A determination of the Development Services Department (1) approving a Development Review permit to install a pull forward lane for existing drive-thru and exterior modifications to McDonald's Restaurant at 1820 W. 11th St. and (2) determining that the project is categorically exempt from the California Environmental Quality Act pursuant to CEQA guidelines section 15301 pertaining to minor alterations to existing facilities involving negligible or no expansion of use. The applicant is Mike Yao and property owner is Pacific/Bowie-Tracy.

Staff has reviewed the application and determined that the following City regulations apply:

1. General Highway Commercial (TMC Chapter 10.08, Article 19)
2. Development Review (TMC Chapter 10.08, Article 30)
3. City of Tracy Design Goals and Standards

The project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15301 pertaining to minor alterations to existing facilities involving negligible or no expansion of use. No further environmental assessment is necessary.

THE DEVELOPMENT SERVICES DEPARTMENT, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY (1) DETERMINES THE PROJECT IS CATEGORICALLY EMEXPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15301 PERTAINING TO MINOR ALTERATIONS TO EXISITING FACILITIES INVOLVING NEGLIGIBLE OR NO EXPANSION OF USE AND (2) APPROVES DEVELOPMENT REVIEW APPLICATION NUMBER D22-0035, SUBJECT TO 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 because the proposed architecture modifications are consistent with existing exterior façade and the pull forward lane will benefit drive-thru circulation.
2. The project is consistent with the General Highway Commercial Zone, Chapter 10.08, Article 19 of the Tracy Municipal Code, the City of Tracy General Plan, the Citywide Design Goals and Standards, and other City regulations because the McDonald's restaurant is a permitted use in the General Highway Commercial Zone and the proposed architectural modifications will continue to provide an attractive design of varying façade depths, materials, and colors.

Kris Balaji
Director of Development Services

Date of Action

City of Tracy
Development Review Permit
Conditions of Approval

Pull Forward Lane & Exterior Modifications to McDonald's Restaurant
1820 W. 11th St.
Assessor's Parcel Number 234-020-04
Application Number D22-0035
November 7, 2022

These Conditions of Approval shall apply to the Development Review Permit to install a pull forward lane for existing drive-thru and exterior modifications to McDonald's Restaurant at 1820 W. 11th St., Assessor's Parcel Number 234-020-04, Application Number D22-0035 (hereinafter "Project"), proposed by Mike Yao ("Applicant") and Pacific/Bowie-Tracy (hereinafter "Property Owner").

A. Definitions

The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "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.
3. "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.
4. "City Regulations" mean all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the I-205 Corridor Specific 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).
5. "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. "Conditions of Approval" shall mean these conditions of approval, applicable to Development Review Permit Application Number D22-0035.

7. “Property” means the subject property of the Development Review Permit to install a pull forward lane for existing drive-thru and exterior modifications to McDonald’s Restaurant (hereinafter “Project”), proposed by Mike Yao (hereinafter “Applicant”), Application Number D22-0035.

B. Planning Division Conditions

1. 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 Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., “CEQA”), and the Guidelines for California
2. Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., “CEQA Guidelines”).
3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
4. 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.
5. Except as modified herein, the project shall be developed in substantial compliance with the site plan and elevations received by the Development Services Department on October 31, 2022, to the satisfaction of the Development Services Director.
6. Prior to the approval of a building permit, the applicant shall submit detailed landscape plans showing the installation of two trees and shrubs in landscaping areas in substantial compliance with landscape plan received by the Development Service Department on October 31, 2022. 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. Furthermore, such plans shall demonstrate that all landscape areas are appropriately comprised of a combination of trees, shrubs, groundcover, and irrigation to the satisfaction of the Development Services Director.

7. Prior to the issuance of a building permit, the Developer shall execute a two-year landscape and irrigation maintenance agreement and submit financial security, such as a performance bond, to ensure the success of all on-site landscaping for the term of the agreement. The security amount shall be equal to \$2.50 per square foot of the landscaped area or equal to the actual labor and material installation cost of all on-site landscaping and irrigation.
8. Applicant prior to any geotechnical drilling conducted shall submit a permit and schedule inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9- 1115.3 and 9-1115.6).
9. Prior to issuance of a building permit, the Developer shall submit construction documents, plans, specifications, and/or calculations to the Building Safety Division, which meet all applicable requirements of Title 24 California Code of Regulations, to the satisfaction of the Chief Building Official.
 - i. Prior to commencement of construction or demolition, applicant shall submit construction plans and supporting documents for the alterations to the building and site improvements conforming to Title 24 California Code of Regulations and Tracy Municipal Code current at the time of submittal to Building Division.
 - ii. Prior to commencement of construction, applicant shall submit a City of Tracy Accessibility Budget Form to demonstrate compliance with path of travel accessibility upgrades per CBC 11B-202.4.
10. Prior to issuance of a building permit, the Developer shall conform with all requirements of the California Fire Code as amended by the Tracy Municipal Code, to the satisfaction of the South County Fire Authority.
 - i. Prior to the start of construction or demolition, applicant shall submit construction documents to the South San Joaquin County Fire Authority for review and approval. 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.

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

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

C.1 Streets and Streetlights

Before issuance of any building permit for the Property, Developer shall provide for perpetual funding of the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of

PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”), 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 the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”);
 - 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) of the POA to ensure the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”);
 - 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 on-going costs of

the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”). 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 the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”).

If the provisions for adequate funding of the on-going costs of the operation and maintenance of the streets (from curb-to-curb, excluding gutters) to a Pavement Management System standard of PCI 70 (seventy), which could include street reconstruction, as reasonably determined by the City, the electric utility costs of operating the streetlights and signals that will serve the Project (collectively, the “Infrastructure”) 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.

C.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 Parks 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.