

**MINUTES
TRACY CITY PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 10, 2025, 7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA**

CALL TO ORDER

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

Jennifer Lucero, Administrative Assistant, notified the Commission of an action pursuant to Assembly Bill 2449, that Commissioner Orcutt was requesting to be present via Webex Video due to last minute work requirements.

PLEDGE OF ALLEGIANCE

Chair Penning led the pledge of allegiance.

ROLL CALL

Roll Call found Commissioner Atwal, Commissioner English, Vice Chair Boakye-Boateng and Chair Penning present. Commissioner Orcutt was present via WebEx. Also present were: Scott Claar, Planning Manager; Daniella Green, Assistant City Attorney; Christina Delgadillo, Assistant Planner; Lacy Starling; Code Analyst; Daniel Gacia, Police Lieutenant; and Jennifer Lucero, Administrative Assistant.

MINUTES

Chair Penning introduced the Regular Meeting Minutes from the August 13, 2025 Planning Commission Regular Meeting.

ACTION: It was moved by Commissioner Atwal and seconded by Vice Chair Boakye-Boateng to approve the August 13, 2025 Planning Commission Regular Meeting Minutes. A voice vote found Commissioner Atwal, Commissioner English, Commissioner Orcutt, Vice Chair Boakye-Boateng and Chair Penning in favor. Passed and so ordered; 5-0-0-0.

DIRECTOR'S REPORT REGARDING THIS AGENDA

None.

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

- A. Staff recommends that the Planning Commission conduct a public hearing, and upon its conclusion, adopt a resolution (1) Granting a Conditional Use Permit, application number CUP25-0002, for the operation of an eating and/or drinking establishment that serves alcohol and provides entertainment past 11:00 p.m. located at 1005 E. Pescadero Avenue, Suite 111, Assessor's Parcel Number 213-060-52 (2) Determining

that this project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301, pertaining to existing facilities. The applicant is Bay Boys Brewing LLC, and the property owner is 51 Newco LLC ETAL.

Christina Delgadillo, Assistant Planner, presented the staff report and addressed questions from the Commission.

Chair Penning opened the Public Hearing at 7:13 p.m.

Max Tolstoyuzov, applicant and his attorney, Mr. Class, addressed the Commission.

Commissioner English requested the COA be amended to include "past 11 p.m." in Condition D.3.3

Seeing as no one else came forward, the public hearing was closed at 7:29 p.m.

ACTION: It was moved by Commissioner Atwal and seconded by Commissioner Orcutt that the Planning Commission adopts a resolution that:

1. Grants a Conditional Use Permit, application number CUP25-0002, to operate an eating and/or drinking establishment that serves alcohol and provides entertainment past 11:00 p.m., located at 1005 E. Pescadero Avenue, Suite 111, Assessor's Parcel Number 213-060-52; and
2. Determine that this project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA guidelines section 15301, pertaining to existing facilities.

A roll call vote found Commissioner Atwal, Commissioner English, Commissioner Orcutt, Vice Chair Boakye-Boateng, and Chair Penning all in favor. Passed and so ordered; 5-0-0-0.

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

None.

4. ITEMS FROM THE COMMISSION

Commissioner English encouraged people to attend two upcoming local community events,

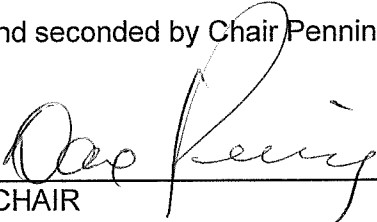
5. ADJOURNMENT

ACTION: It was moved by Commissioner Orcutt and seconded by Chair Penning to adjourn.

Time: 7:36 p.m.



STAFF LIAISON



CHAIR

This meeting's agenda was posted at the Tracy City Hall on September 4th, 2025. The above are action minutes. A recording is available on the City's website.