

## NOTICE OF A REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the City of Tracy Planning Commission is hereby called for:

Date/Time: Wednesday, August 14, 2019  
7:00 P.M. (or as soon thereafter as possible)

Location: City of Tracy Council Chambers  
333 Civic Center Plaza

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

### REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ELECTION OF CHAIR

MINUTES – 5/8/19

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2015-052 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Commission Member to sponsor the item for discussion at a future meeting.*

#### 1. NEW BUSINESS

- A. PUBLIC HEARING TO CONSIDER A 264-UNIT RESIDENTIAL APARTMENT PROJECT ("VALPICO GLENBRIAR APARTMENTS"), INCLUDING PARKING AND RELATED ON-SITE IMPROVEMENTS ON APPROXIMATELY 11.62 ACRES LOCATED ON THE NORTH SIDE OF VALPICO ROAD AT GLENBRIAR DRIVE, 501 E. VALPICO ROAD (ALSO KNOWN AS 2605 AND 2795 S. MACARTHUR DRIVE), ASSESSOR'S PARCEL NUMBERS 246-140-13 AND 14. THE APPLICANT IS KATERRA, INC.

#### 2. ITEMS FROM THE AUDIENCE

#### 3. DIRECTOR'S REPORT

- A. APA CONFERENCE



4. ITEMS FROM THE COMMISSION

5. ADJOURNMENT

Posted: August 9, 2019

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000) at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Development Services Department located at 333 Civic Center Plaza during normal business hours.



**MINUTES  
TRACY CITY PLANNING COMMISSION  
MAY 8, 2019, 7:00 P.M.  
CITY OF TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Chair Orcutt led the pledge of allegiance.

**ROLL CALL**

Roll Call found Chair Orcutt, Vice Chair Hudson, and Commissioners Gable, Kaur and Wood present. Also present were: Dan Doporto, Contract Attorney; Bill Dean, Assistant Development Services Director; Robert Armijo, City Engineer/Assistant Development Services Director; Scott Claar, Senior Planner; Nanda Gottiparthi, Contract Engineer, SNG & Associates; Kenny Lipich, Assistant Planner; and Gina Peace, Recording Secretary.

**MINUTES**

Chair Orcutt introduced the Minutes from the April 24, 2019, meeting.

**ACTION:** It was moved by Commissioner Gable and seconded by Vice Chair Hudson that the Planning Commission Meeting Minutes of April 24, 2019, be approved. A voice vote found Vice Chair Hudson, Commissioners Gable and Wood in favor, Chair Orcutt and Commissioner Kaur abstained, as they did not attend the April 24<sup>th</sup> Planning Commission meeting, 3-0-0-2; passed and so ordered.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

None.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. PUBLIC HEARING TO CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT AND DEVELOPMENT REVIEW PERMIT TO ALLOW CONSTRUCTION OF A NEW TELECOMMUNICATION FACILITY IN THE FORM OF A 102 FOOT TALL MONOPINE, AND ASSOCIATED EQUIPMENT, LOCATED AT 426 E. GRANT LINE ROAD. APPLICANT IS EPIC WIRELESS REPRESENTING AT&T AND PROPERTY OWNER IS CALSTONE HOLDINGS LLC. APPLICATION NUMBERS CUP18-0003 AND D18-0026.

Kenny Lipich presented the staff report.

Ashley Smith, Epic Wireless, representing AT&T, Applicant, answered questions from the Commission.



Chair Orcutt opened the public hearing at 7:08 p.m.

Malia Bruce, 302 West 23<sup>rd</sup> Street, addressed the Commission, in opposition to the Project, requesting details regarding health studies.

Scott Claar, Senior Planner, responded to Ms. Bruce, regarding the safety of such towers and studies performed by the Federal Government.

Chair Orcutt closed the public hearing at 7:10 p.m.

**ACTION:** It was moved by Vice Chair Hudson and seconded by Commissioner Kaur, that the Planning Commission approve the Conditional Use Permit and Development Review Permit to allow construction of a new telecommunication facility in the form of a 102 foot tall monopine, and associated equipment, located at 426 E. Grant Line Road, Application Numbers CUP18-0003 and D18-0026, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated May 8, 2019.

A roll call vote found Vice Chair Hudson, Commissioners Kaur and Wood, and Chair Orcutt in favor, Commissioner Gable abstained due the proximity of this project to his home, 4-0-0-1; passed and so ordered.

B. PUBLIC HEARING TO CONSIDER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR ELLIS PHASE 3 (TOWN & COUNTRY), CONSISTING OF APPROXIMATELY 311 RESIDENTIAL LOTS, TWO PARKS, AND FOUR OTHER PARCELS ON APPROXIMATELY 74.36 ACRES, LOCATED BETWEEN CORRAL HOLLOW ROAD AND LAMMERS ROAD IN THE VICINITY OF ELLIS TOWN DRIVE. THE APPLICANT IS THE SURLAND COMPANIES. THE PROPERTY OWNER IS SURLAND COMMUNITIES, LLC. APPLICATION NUMBER TSM18-0005.

Scott Claar presented the staff report.

Question and discussion from the Commission followed.

John Anderson, JB Anderson Land Use Planning, Ripon, California, representing the Applicant, addressed the Commission, presented a PowerPoint presentation, and answered various questions from the Commission.

Les Serpa, Surland Companies, 1024 Central Avenue, addressed the Commission, and answered questions from the Commission regarding traffic and canal access.

Chair Orcutt opened the public hearing at 7:30 p.m. Seeing as no one came forward, the public hearing was closed.

**ACTION:** It was moved by Commissioner Wood and seconded by Vice Chair Hudson that the Planning Commission approve the Tentative Subdivision Map for Ellis Phase 3 (Town & Country), consisting of 311 residential lots, two parks, and four other parcels on approximately 74.36 acres, located between Corral Hollow Road and Lammers Road in the vicinity of Ellis Town Drive, Application Number TSM18-0005, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated May 8, 2019, as amended.



A roll call vote found all in favor, 5-0-0-0; passed and so ordered.

**C. REPORT OF GENERAL PLAN CONSISTENCY FOR CAPITAL IMPROVEMENT PROGRAM PROJECTS FOR FISCAL YEAR 2019/2020 THROUGH FISCAL YEAR 2022/2023 - APPLICATION NUMBER DET19-0002.**

Robert Armijo presented the staff report, and answered questions from the Commission.

Chair Orcutt opened the public hearing at 8:00 p.m. Seeing as no one came forward, the public hearing was closed.

**ACTION:** It was moved by Commissioner Kaur and seconded by Vice Chair Hudson that the Planning Commission report that the Capital Improvement Program Projects are consistent with the goals, policies and actions of the City's General Plan.

A roll call vote found all in favor, 5-0-0-0; passed and so ordered.

**2. ITEMS FROM THE AUDIENCE**

None.

**3. DIRECTOR'S REPORT**

None.

**4. ITEMS FROM THE COMMISSION**

Chair Orcutt inquired about the dates for the next APA Planning Conference. Bill Dean, Assistant Director of Development Services, advised that staff would get the information out to the commissioners soon.

**5. ADJOURNMENT**

It was moved by Chair Orcutt and seconded by Commissioner Gable, to adjourn. Voice vote found all in favor; passed and so ordered.

Time: 8:02 p.m.

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CHAIR

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STAFF LIAISON



AGENDA ITEM 1.A

REQUEST

**PUBLIC HEARING TO CONSIDER A 264-UNIT RESIDENTIAL APARTMENT PROJECT (“VALPICO GLENBRIAR APARTMENTS”), INCLUDING PARKING AND RELATED ON-SITE IMPROVEMENTS ON APPROXIMATELY 11.62 ACRES LOCATED ON THE NORTH SIDE OF VALPICO ROAD AT GLENBRIAR DRIVE, 501 E. VALPICO ROAD (ALSO KNOWN AS 2605 AND 2795 S. MACARTHUR DRIVE), ASSESSOR’S PARCEL NUMBERS 246-140-13 AND 14. THE APPLICANT IS KATERRA, INC.**

DISCUSSION

Background

On December 18, 2012, the Tracy City Council (following review and recommendation by the Planning Commission) approved two, adjacent residential apartment projects: the Valpico Apartments and MacDonald Apartments. The two projects’ sites were on approximately 11.62 acres, on the north side of Valpico Road at Glenbriar Drive (Attachment A). The project included 244 residential units, primarily in three-story apartment buildings, a swimming pool, and related site improvements. This project was not built.

On April 19, 2016, the City Council (following review and recommendation by the Planning Commission) approved a modified version of the apartments on the same site. Republic Tracy, LLC combined the two projects into one, revised the architecture, relocated a few buildings, and redesigned the project to result in 252 units. This revised project also included three-story apartment buildings and related site improvements. This project was not built and the site remains vacant except for a single-family home at the west end of the site.

Project Description

The current proposal, located on the same site as the previous apartment projects, is for a 264-unit residential apartment project. The Project consists of 11, three-story apartment buildings with 24 units each. Attachments B, C, and D contain a project site plan, color site plan, and preliminary landscape plan.

The site (formerly excavated for sand and gravel) slopes from its southeast corner to its northwest corner, experiencing an approximately 15-foot grade difference from the highest spot (nearly level with Valpico Road) to its lowest point. The project site will retain some of its existing grades, resulting in a significant grade difference between Valpico Road and the apartment buildings in the center and west portions of the site.

Beginning on the east side of the site, at Valpico Road, the pad grade of Building 9 will be only several feet below Valpico Road; Building 8 will be approximately four feet below Valpico Road; and the Clubhouse pad will be five feet below Valpico Road. As one travels north on Glenbriar Drive from Valpico Road to the north side of the site, Glenbriar Drive will drop approximately 14 feet in elevation.



Cross section drawings of the site illustrating the on-site grade changes are contained in Attachment E, which are keyed to the site plan of Attachment B. To see more details of the grade changes through the site, additional cross sections are contained in Attachment G, which are keyed to the grading plans in Attachment F.

The apartment buildings will consist of one-, two-, and three-bedroom units. Altogether, there will be 118, one-bedroom units; 122, two-bedroom units; and 24, three-bedroom units. The apartments range in size from approximately 600 square feet to nearly 1,200 square feet, with an average floor area of approximately 800 square feet. Floor plans of the proposed apartment buildings are contained in Attachment H.

The project site is located on the north side of Valpico Road at Glenbriar Drive. Glenbriar Drive will be improved to City standards north through the project, to eventually connect to Derone Lane, to the north. The Derone Lane connection is not anticipated to be constructed with the apartment project, but will be scheduled later, as funding becomes available.

Vehicular access to the project site will be directly onto Glenbriar Drive and Valpico Road. The existing Valpico Road driveway serving Rite Aid is constructed on the Valpico Glenbriar Apartments site. Rite Aid has an easement for use of that existing driveway. That existing driveway (allowing right-in, right-out, and left-in traffic) will remain in its current configuration and serve both Rite Aid and the proposed apartments. The signalized intersection of Valpico Road and Glenbriar Drive will be modified to create a fully signalized, four-way intersection, with full right- and left-turn movements from all four directions.

Single-family home neighborhoods exist to the north and north-east of the project site. The homes between the project site and MacArthur Drive (north of and adjacent to Rite Aid) are zoned Community Shopping Center and are anticipated, eventually, to be replaced with commercial improvements to be integrated with the Rite Aid commercial corner. The single-family homes to the north (Ventana Subdivision) back to the proposed apartments. The Ventana Subdivision is at a higher grade than the Valpico Glenbriar Apartment site. The grade difference between the Ventana rear yards and the adjacent parking area, to the rear of the homes, will be approximately five feet at the east end of the site and approximately ten feet near the west end of the Ventana homes. Most of the apartment buildings will be separated (horizontally) from the nearest homes of the Ventana Subdivision by approximately 90 feet, comprised of a landscape strip, a drive aisle with carports and two rows of parking, and an additional landscape strip along the buildings.

Parking area lighting will consist of light poles at approximate heights of 12 and 14 feet, with light directed down so as not to shine directly onto neighboring residential property.

A 34-acre, vacant parcel exists to the northwest and west of the project site. This site is designated Residential High by the City General Plan (the same designation as the Valpico Glenbriar Apartment site). This vacant site is documented to contain soil contamination as a result of past petroleum product and other deposits from former railroad company use of the property. No proposals have been submitted for development of this site. However, the future Glenbriar Drive intersection with Derone



Lane, just north of the project site, is a potential, future roadway connection to the vacant, 34-acre site.

#### Building Design and Site Amenities

The project features the Clubhouse building, pool, and surrounding park area as a focal point at the Glenbriar Drive entry from Valpico Road. The Clubhouse is located behind the decorative, low-profile, Entry Monument of the site. As indicated above, the project includes 11 apartment buildings, each with 24 units. Two different building models are proposed (K3 Building and K4 Building), each with three different elevations (Attachment I).

The buildings are characterized by their contemporary architecture, featuring parapet walls (which will screen roof equipment), vertical and horizontal relief among the building plains, balconies that provide material and structural variation, and open breezeway stairwells that provide visual breaks in the façade. The buildings include a varied color scheme designed to complement the nearby built environment. Attachment K contains an overall site rendering and select renderings from key locations to illustrate the character and scale of the project.

In addition to the Clubhouse Building, with its fitness room and lounge, the common area includes a pool, a dog park with shade trellis, a lawn area with a shade pavilion, and an outdoor play area. Altogether, the site provides approximately 1.5 acres of usable open space, including the Clubhouse, and the two Courtyard areas between Buildings 6 and 7 and between Buildings 10 and 11. By contrast, Tracy Zoning Regulations require a minimum of 7,600 square feet of “usable open space” for an apartment project of 264 units. This project, therefore, contains roughly eight times the minimum amount of usable open space required by City standards.

#### Parking

City zoning regulations require 1.5 off-street parking spaces for each one-bedroom unit and two parking spaces for each unit with two or more bedrooms, plus one guest space for every five units. Therefore, the entire 264-unit project would be required to provide 522 off-street parking spaces. The project, however, is proposing 417, off-street parking spaces (an average of 1.58 parking spaces per unit), a 20 percent reduction from historic City standards. Additionally, on-street, curb parking spaces for 20 to 25 vehicles will be created along the Glenbriar Drive extension.

Tracy Municipal Code (TMC) Section 10.08.3470(e) allows the City to approve a reduction in the otherwise-required number of off-street parking spaces if the owner submits a study or survey demonstrating such parking space reduction will result in sufficient parking spaces to mitigate parking demands for the project.

The property owner prepared a parking study in 2012 to evaluate parking demand for residential apartment complexes (Attachment K). The study includes a survey of five apartment complexes in Tracy and a summary from the Institute of Transportation Engineers (ITE) Parking Generation Manual. The results of the parking study conclude the five existing Tracy apartments have a peak midnight demand of 1.34 spaces per unit, and the ITE parking generation rates reveal a peak parking demand for suburban,



low- to mid-rise apartments of 1.23 spaces per unit. Both of these results are lower than the 1.58 spaces per unit proposed for this project. Parking space reductions using TMC Section 10.08.3470(e) were also approved for the Aspire Apartments on Pavilion Parkway, in 2013, and the Gateway Crossing Apartments on Grant Line Road, in 2014. City staff, anecdotally, hears from land use professionals that Tracy's multi-family parking requirements are high, compared to other cities. Two of Tracy's existing commercial zone districts (General Highway Commercial and Central Business District) provide for parking space reductions under certain design situations without the requirement of a parking study. The parking study, conducted in 2012, may even overestimate parking needs for this site due to the project's proximity to the ACE station (less than two miles) and an increasing reliance on ride-sharing services such as Uber and Lyft. City staff is recommending approval of a 20 percent off-street parking space reduction for this project.

#### Public Schools

The Project site is located within the Tracy Unified School District related to K through 12<sup>th</sup> grade education. School age children who reside within the Valpico Apartments would be in the attendance boundary areas for Bohn Elementary School, Williams Middle School, and Tracy High School.

School District staff has indicated enrollment at the three potentially affected schools has been on the decline in recent years and they do not anticipate any issues in being able to accommodate students from this project.

#### Moderate Income Affordability

The builder of this project is proposing to make the dwelling units affordable and available to Moderate Income Households. By doing so, the builder could be eligible to obtain building permits, under the City's Growth Management Ordinance, in calendar year 2019, instead of waiting until 2020 or later to start the project.

Moderate Income means an income of up to 120 percent of the Area Median Income (AMI) as established by State housing law. In 2018, the San Joaquin County AMI for a four-person household was \$66,300. The AMI is adjusted annually for inflation.

Maximum rents would be based on the AMI, maximum household size (based on the number of bedrooms in a unit), and rent and utilities not to exceed 30 percent of gross income (State guidelines). The maximum monthly rents and utilities costs, therefore which could be charged to Moderate-Income households would currently be approximately \$1,700, \$2,100, and \$2,400 for one-, two-, and three-bedroom units, respectively. It is possible that these maximum Moderate-Income rents could exceed the market-rate rents for these apartments.

Recommended Condition of Approval Number B.22 (Exhibit 1 to the proposed Resolution, Attachment L) proposes a minimum ten-year term to an affordability agreement, if the builder follows through with the proposal to obtain building permits through the Moderate-Income provisions of the Growth Management Ordinance.



The builder reports they do not intend to seek public subsidies or public loans that would impose additional restrictions on rents, affordability, or the tenants who could occupy the units.

#### CEQA Documentation

The City Council adopted an Initial Study/Mitigated Negative Declaration (IS/MND) for the Valpico Apartments project on December 12, 2012. Since adoption of the IS/MND, changes to the site plan and proposed number of residential units for the previously approved project have been proposed, thus requiring further environmental analysis. Therefore, an Addendum (Attachment M) to the IS/MND has been prepared in accordance with California Environmental Quality Act Guidelines. The Addendum addresses the environmental effects associated with refinements to the approved project that have occurred since adoption of the IS/MND. The conclusions of the analysis in the Addendum remain consistent with those made in the IS/MND. No new significant impacts will result, and no substantial increase in the severity of impacts will result from those previously identified in the IS/MND, and none of the other conditions described in CEQA Guidelines Section 15162(a) are present that would require further environmental review.

#### RECOMMENDATION

Staff recommends that the Planning Commission approve Development Review Application Number D19-0018, including a 20 percent parking space reduction, as indicated in the Planning Commission Resolution dated August 14, 2019.

Prepared by: Alan Bell, Senior Planner

Approved by: Bill Dean, Development Services Assistant Director

#### ATTACHMENTS

Attachment A – Project Vicinity  
Attachment B – Site Plan  
Attachment C – Color Site Plan  
Attachment D – Preliminary Landscape Plan  
Attachment E – Site Sections Keyed to the Site Plan, Attachment B (2 pages)  
Attachment F – Preliminary Grading Plan (2 pages)  
Attachment G – Preliminary Grading Sections (2 pages)  
Attachment H – Floor Plans  
Attachment I – Exterior Building Elevations (6 pages)  
Attachment J – Site Renderings  
Attachment K – Residential Apartments Parking Study  
Attachment L – Planning Commission Resolution, with Conditions of Approval  
Attachment M – California Environmental Quality Act Addendum to IS/MND

(The Planning Commission has been provided oversized copies of the project plans. Color plans and the entire Entitlement Package may be reviewed on the City's web site at <https://cityoftracy.org/?navid=522> and at Tracy City Hall, 333 Civic Center Plaza, Tracy, CA).

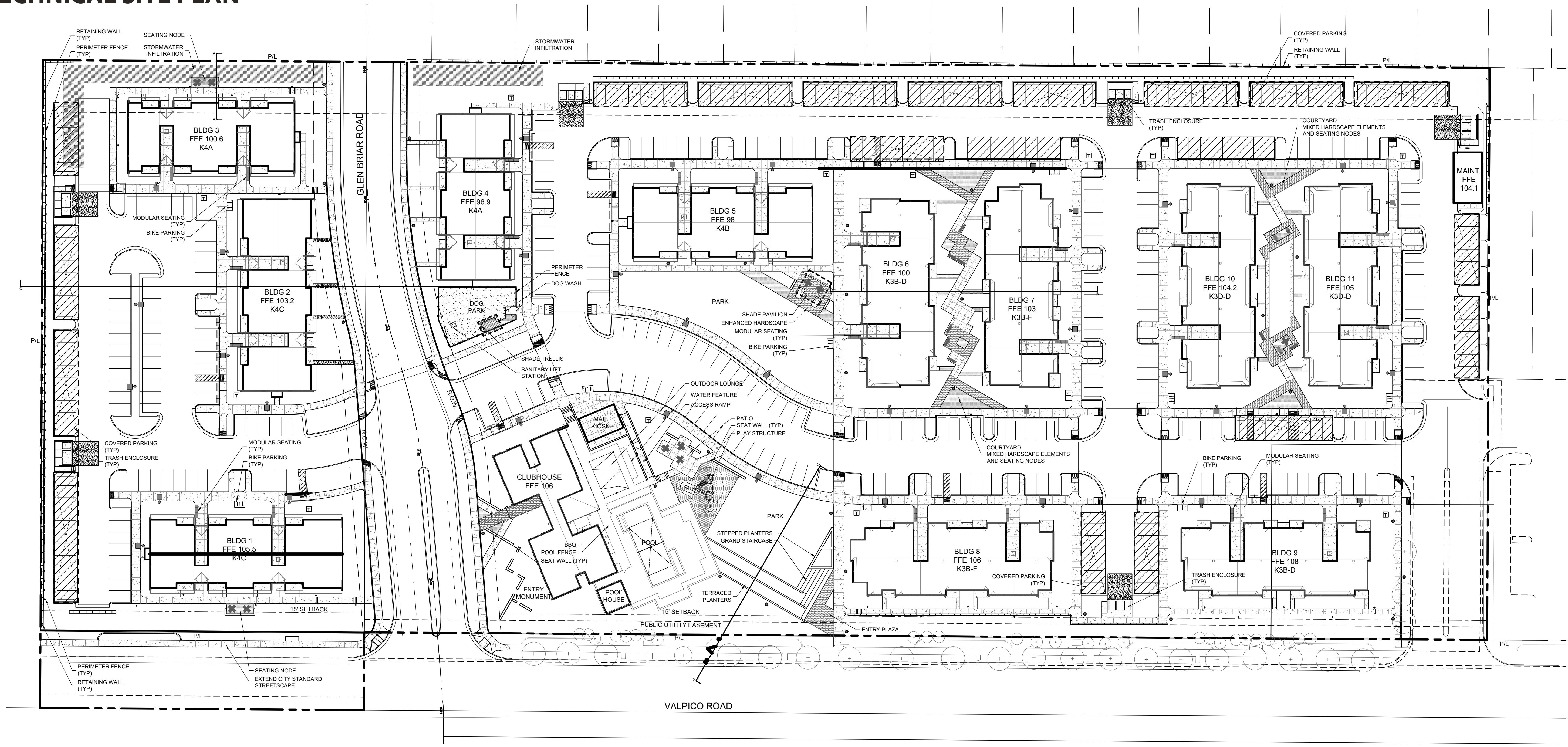




Valpico Glenbriar Apartments  
Project Vicinity



TECHNICAL SITE PLAN



| MATERIAL KEYNOTES |   |
|-------------------|---|
|                   | CONCRETE WALKWAY<br>STANDARD GRAY CONCRETE WITH BROOM FINISH  |
|                   | CONCRETE PAVERS   |
|                   | CRUSHED LIMESTONE   |
|                   | PARKING LOT LIGHT<br>EATON LIGHTING, GALLEON LED<br>MODEL: GLEON-AF-04-LED-E1-SL2-AP,<br>COLOR: GRAY                                    |
|                   | PEDESTRIAN POLE LIGHT<br>EATON LIGHTING, MESA LED<br>MODEL: MSA-E01-LED-E1-RW-AP<br>COLOR: GRAY   |
|                   | BOLLARD LIGHT<br>EATON LIGHTING, ASPEN LED<br>MODEL: 1900-OA-30-12LED-E1-RW-AP<br>COLOR: BLACK  |
|                   | LANDSCAPE LIGHT<br>EATON LIGHTING, MONACO<br>MODEL: 2003-50MR16-12-BK<br>COLOR: BLACK   |
|                   | BENCH<br>ANOVA: MADISON, 6' RECYCLED PLASTIC<br>FLAT BENCH, RCPMF6<br>COLOR: SLAT - CEDAR,<br>FRAME - TEXTURED PEWTER                   |
|                   | MODULAR SEATING<br>MAGLIN: PIXEL COLLECTION<br>SHORT-WOOD-BACKLESS<br>WOOD STYLE 1  |
|                   | LITTER RECEPTACLE<br>ANOVA: LATITUDE, 40 GALLON<br>RECEPTACLE, L2040<br>COLOR: TEXTURED PEWTER  |
|                   | MOVEABLE TABLES AND CHAIRS<br>MAGLIN: FORO SERIES,<br>MODELS: TABLE - FRT1700-RD-FS-36,<br>CHAIR - FRC1700-MSF-M2<br>COLOR: BLACK       |
|                   | PICNIC TABLE<br>MAGLIN: 210 SERIES<br>MODEL: MLPT210-S-W<br>COLOR: SURFACE-IPE, FRAME - BLACK   |
|                   | LOUNGE SEATING<br>MAGLIN: 720 SERIES,<br>MODELS: CHAISE LOUNGE - MCL720-W,<br>CHAIR - MCCH720-MSF-M2<br>COLOR: SLATS: IPE, FRAME: BLACK |
|                   | BIKE RACK<br>ANOVA: METRO 7 BIKE/ 6 LOOP RACK<br>MODEL: LBR7PVCsurf<br>COLOR: SILVER  |
|                   | PLAY SURFACE<br>POURED IN PLACE RUBBER SURFACE<br>COLOR TBD   |



542 1st AVE. SOUTH, FLOOR 4  
SEATTLE, WASHINGTON 98104

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Consultant

Owner  
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1209 ORANGE STREET  
WILMINGTON, DELAWARE 19801

Professional Seal

VALPICO  
GLENBRIAR  
APARTMENTS

2605 & 2795 S MACARTHUR DRIVE  
TRACY, CA 95376

Drawn By Author  
Project Manager Chris Lyon  
Job Number 000-18023  
Date 07/26/19

| REVISIONS |      |             |
|-----------|------|-------------|
| Mark      | Date | Description |

City of Tracy

NTA

ENTITLEMENT  
PACKAGE

TECHNICAL SITE  
PLAN  
G.01.05





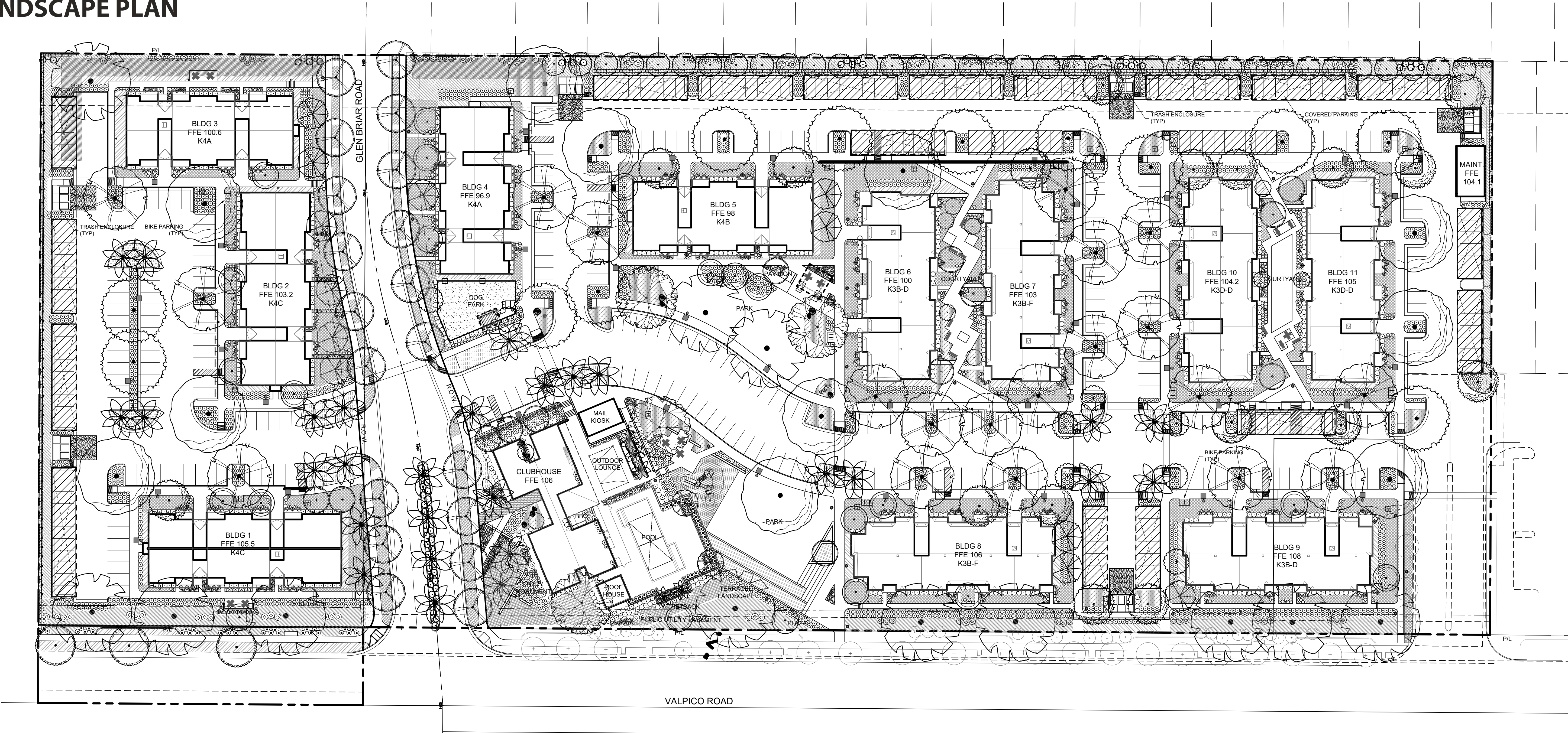
# SITE PLAN

## G.01.02





LANDSCAPE PLAN



PLANT LEGEND

| SYMBOL     | BOTANICAL NAME                | COMMON NAME         | WATER USE | SIZE    | QUANTITY | SYMBOL     | BOTANICAL NAME                      | COMMON NAME               | WATER USE | SIZE  | QUANTITY | SYMBOL                          | BOTANICAL NAME                                       | COMMON NAME           | WATER USE | SIZE | QUANTITY |
|------------|-------------------------------|---------------------|-----------|---------|----------|------------|-------------------------------------|---------------------------|-----------|-------|----------|---------------------------------|--|-----------------------|-----------|------|----------|
| TREES      |                               |                     |           |         |          | SHRUBS     |                                     |                           |           |       |          | GROUNDCOVERS                    |  |                       |           |      |          |
| ARB MAR    | ARBUTUS MARINA                | MARINA MADRONE      | LOW       | 24" BOX | -        | CAR TUM    | CAREX TUMULICOLA                    | BERKELEY SEDGE            | LOW       | 1 GAL | -        | APTENIA 'RED APPLE'             | APTENIA 'RED APPLE'                                  | NO COMMON NAME        | LOW       |      |          |
| CER 'F.P.' | CERCIS C. 'FOREST PANSY'      | EASTERN REDBUD      | LOW       | 24" BOX | -        | CHO TEC    | CHONDROPETALUM TECTORUM             | CAPE RUSH                 | LOW       | 1 GAL | -        | LANTANA MONTEVADENSIS           | LANTANA MONTEVADENSIS                                | TRAILING LANTANA      | LOW       |      |          |
| GIN 'A.G.' | GINKGO 'AUTUMN GOLD'          | MAIDEN HAIR         | MEDIUM    | 24" BOX | -        | FES MAI    | FESTUCA MAIREI                      | ATLAS SEDGE               | LOW       | 1 GAL | -        | MAHONIA REPENS                  | MAHONIA REPENS                                       | CREeping OREGON GRAPE | LOW       |      |          |
| FRA 'A.A.' | FRAXINUS A. 'AUTUMN APPLAUSE' | AUTUMN APPLAUSE ASH | -         | 24" BOX | -        | LAV MAR    | LAVATERA MARITIMA                   | TREE MALLOW               | LOW       | 1 GAL | -        | MYOPORUM PARVIFOLIUM            | MYOPORUM PARVIFOLIUM                                 | MYOPORUM              | LOW       |      |          |
| FRA VEL    | FRAXINUS VELUTINA             | ARIZONA ASH         | -         | 24" BOX | -        | MYR 'COM'  | MYRTUS C. 'COMPACTA'                | DWARF MYRTLE              | LOW       | 1 GAL | -        | OSTEOSPERMUM FRUTICOSUM         | OSTEOSPERMUM FRUTICOSUM                              | AFRICAN DAISY         | LOW       |      |          |
| LAG 'NAT'  | LAGERSTROEMIA I. 'NATCHEZ'    | ORAPE MYRTLE        | LOW       | 24" BOX | -        | NEP FAA    | NEPETA FAASSENII                    | CATMINT                   | LOW       | 1 GAL | -        | PYRACANTHA C. 'LOWBOY'          | PYRACANTHA C. 'LOWBOY'                               | SCARLET FIRETHORN     | LOW       |      |          |
| PHO DAC    | PHOENIX DACTYLIFERA           | DATE PALM           | LOW       | 24" BOX | -        | PHO TEN    | PHORMIUM TENAX                      | NEW ZEALAND FLAX          | MEDIUM    | 1 GAL | -        | ROSMARINUS 'COLLINGWOOD INGRAM' | ROSMARINUS 'COLLINGWOOD INGRAM'                      | ROSEMARY              | LOW       |      |          |
| PIS CHI    | PISTACIA CHINENSIS            | CHINESE PISTACHE    | LOW       | 24" BOX | -        | PHO 'M.M.' | PHORMIUM 'MAORI MAIDEN'             | NEW ZEALAND FLAX          | MEDIUM    | 1 GAL | -        | TULBAGHIA VIOLACEA              | TULBAGHIA VIOLACEA                                   | SOCIETY GARLIC        | LOW       |      |          |
| PYR 'CHA'  | PYRUS C. 'CHANTICLEER'        | FLOWERING PEAR      | LOW       | 24" BOX | -        | RIB SAN    | RIBES SANGUINEUM                    | RED FLOWERING CURRANTFLOW |           | 1 GAL | -        | TURF                            | BOLERO - SODDED TURF AVAILABLE FROM DELTA BLUE GRASS | TALL FESCUE TURF      | HIGH      |      |          |
| QUE AGR    | QUERCUS AGRIFOLIA             | COAST LIVE OAK      | LOW       | 24" BOX | -        | ROS 'F.C.' | ROSA 'FLOWER CARPET WHITE'          | GROUNDCOVER ROSE          | MEDIUM    | 1 GAL | -        | NMT                             | NO MOW TURF - SODDED AVAILABLE FROM DELTA BLUE GRASS | NATIVE FESCUES        | LOW       |      |          |
| QUE RUB    | QUERCUS RUBRA                 | RED OAK             | LOW       | 24" BOX | -        | WES 'W.H.' | WESTRINGIA F. 'WYNYABBIE HIGHLIGHT' | AUSTRALIAN ROSEMARY       | LOW       | 1 GAL | -        |                                 |  |                       |           |      |          |
| ULM PAR    | ULMUS PARVIFOLIA              | CHINESE ELM         | LOW       | 24" BOX | -        | XYL 'COM'  | XYLOSMA C. 'COMPACTA'               | COMPACT XYLOSMA           | LOW       | 1 GAL | -        |                                 |  |                       |           |      |          |
| ZEL 'V.G.' | ZELKOVA 'VILLAGE GREEN'       | JAPANESE ZELKOVA    | LOW       | 24" BOX | -        |            |                                     |                           |           |       |          |                                 |  |                       |           |      |          |

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Professional Seal

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GLENBRIAR  
APARTMENTS

2605 & 2795 S MACARTHUR DRIVE  
TRACY, CA 95376

Drawn By  
Project Manager Chris Lyon  
Job Number 000-18023  
Date 07/26/19

Author

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Mark Date Description

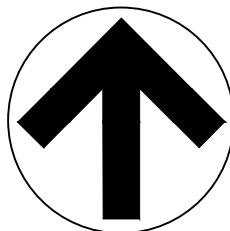
City of Tracy

NTA

ENTITLEMENT  
PACKAGE

LANDSCAPE  
PLAN

G.01.04



0 10 20 40 80 FT



SITE SECTIONS



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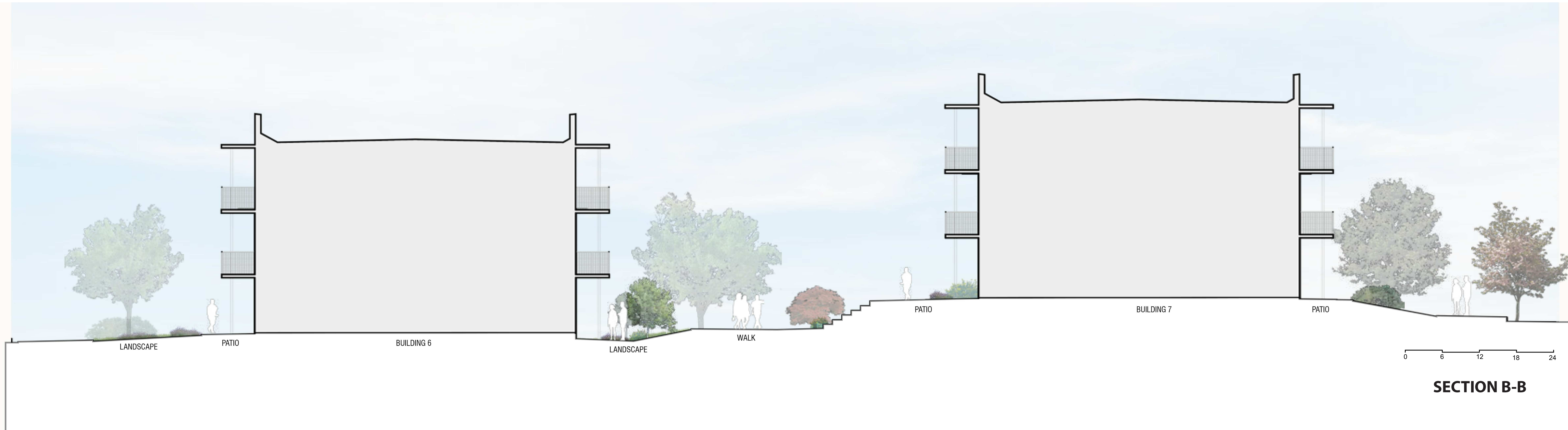
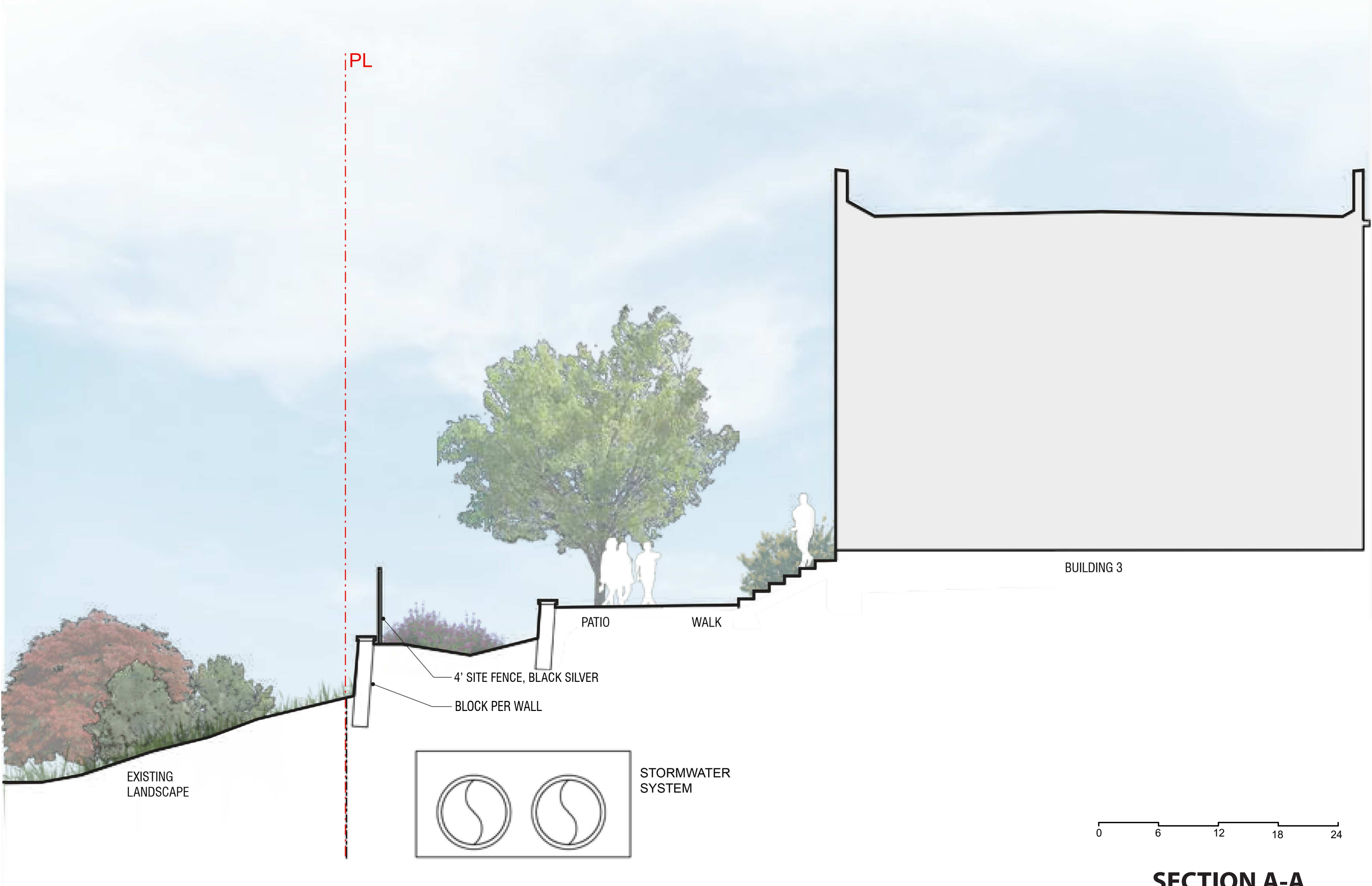
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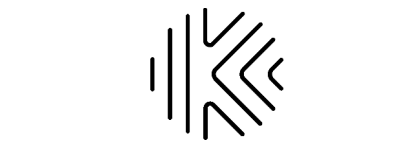
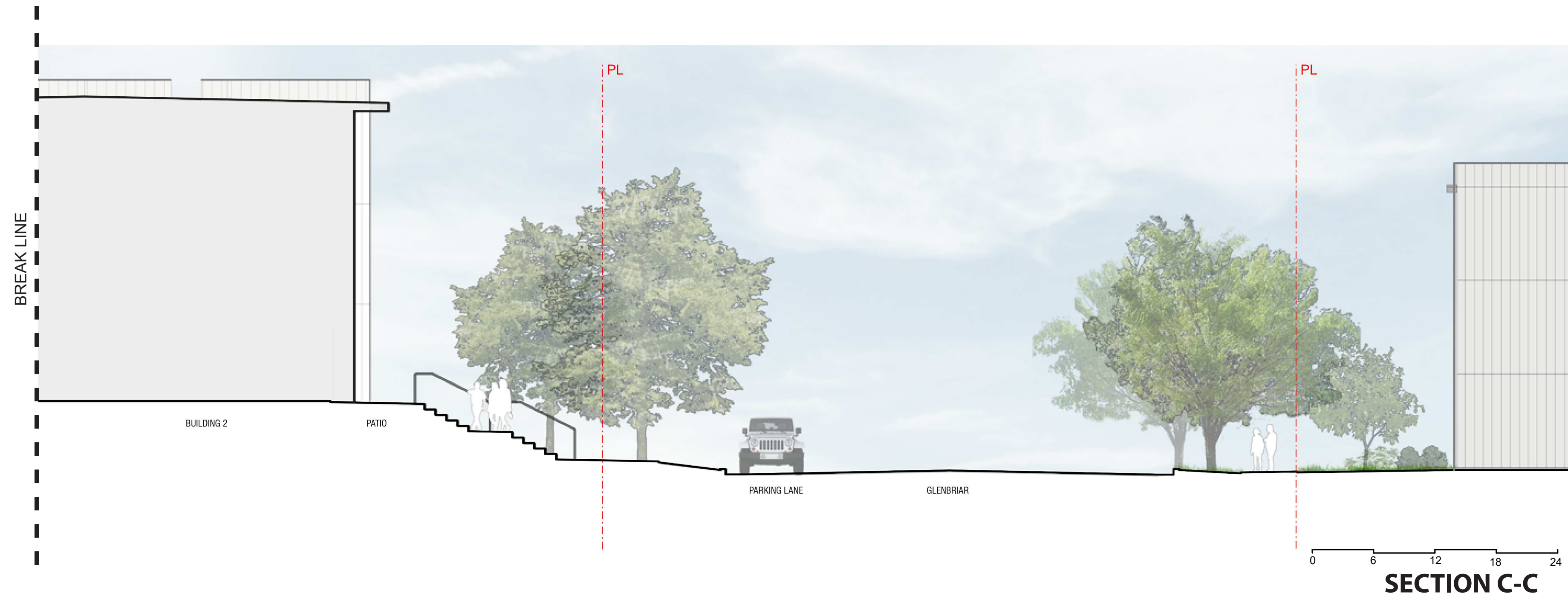
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SITE SECTIONS  
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Project Manager Chris Lyon  
Job Number 000-18023  
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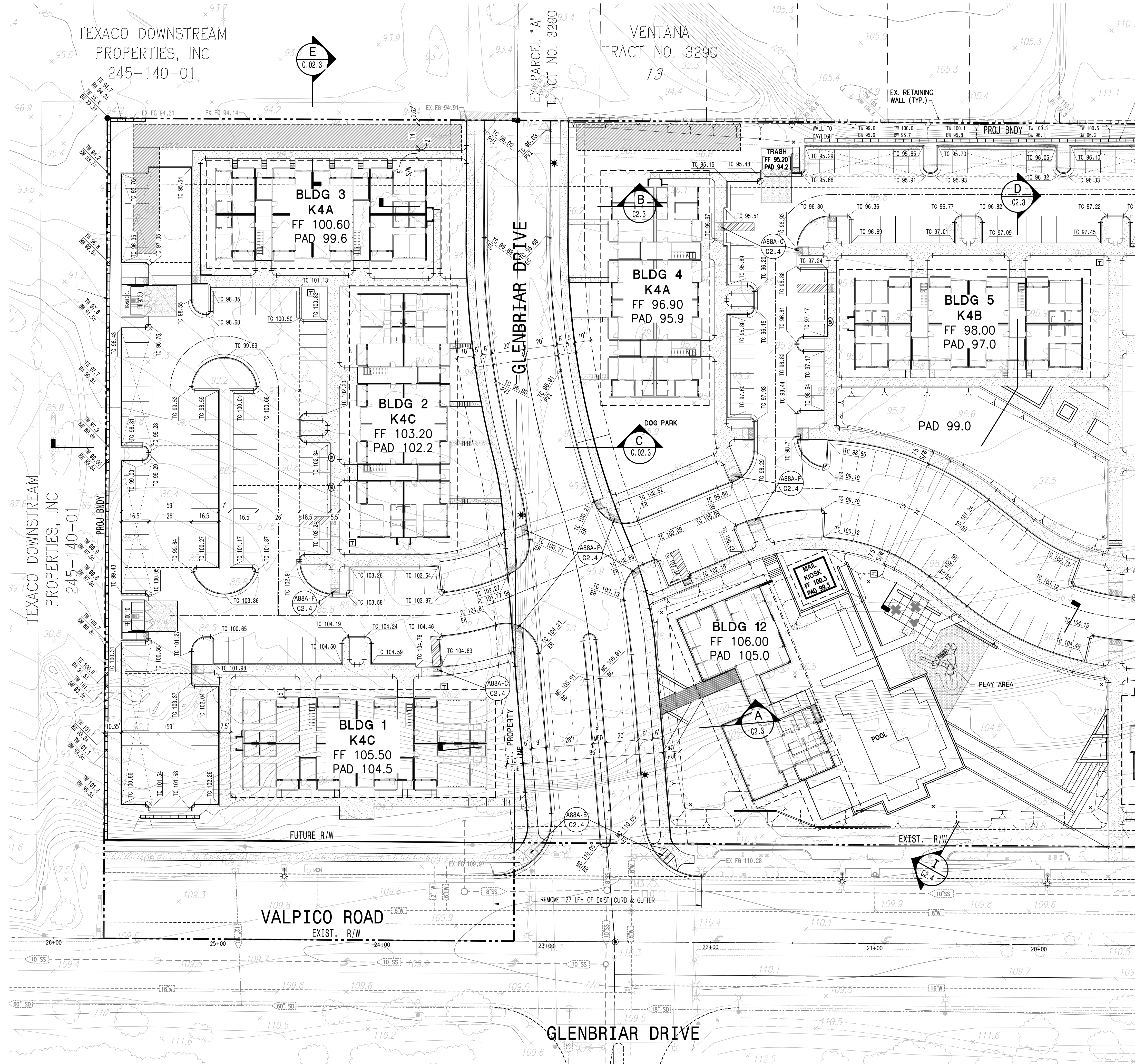
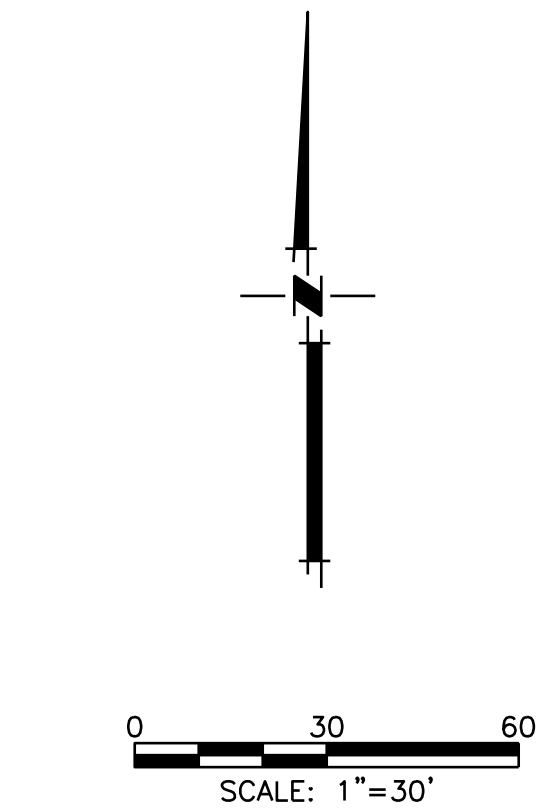
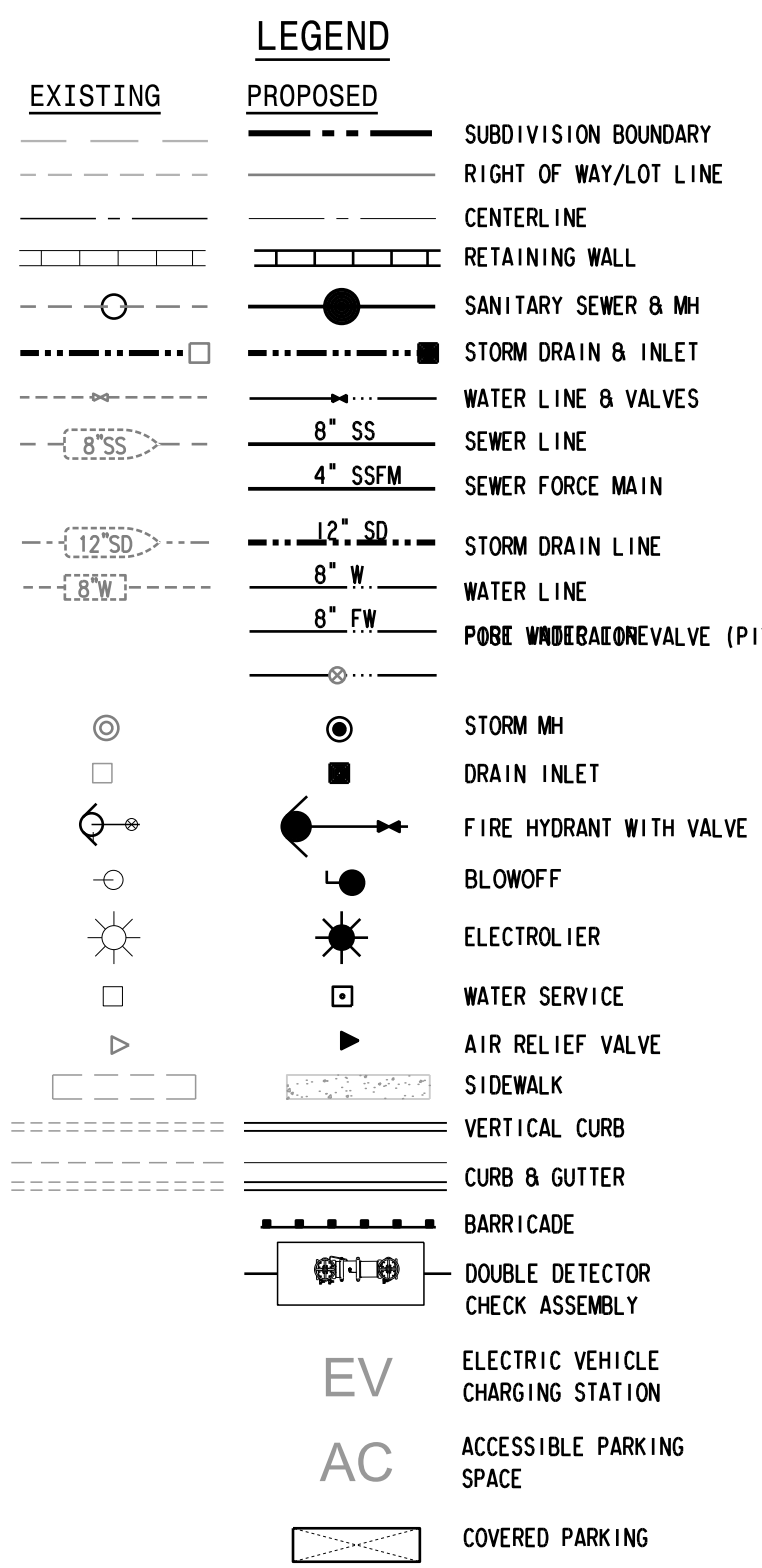
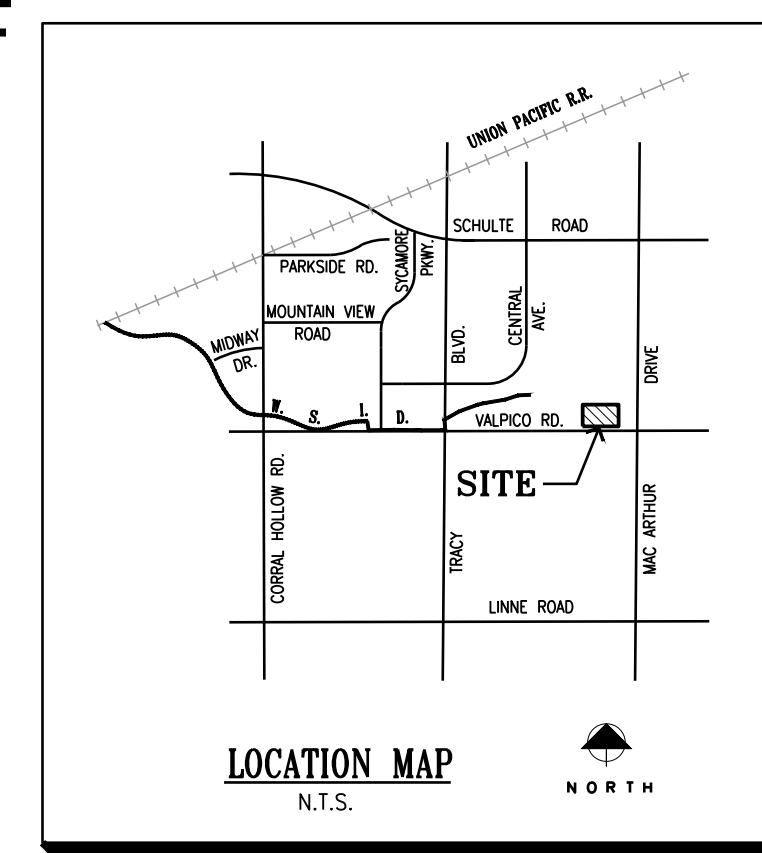
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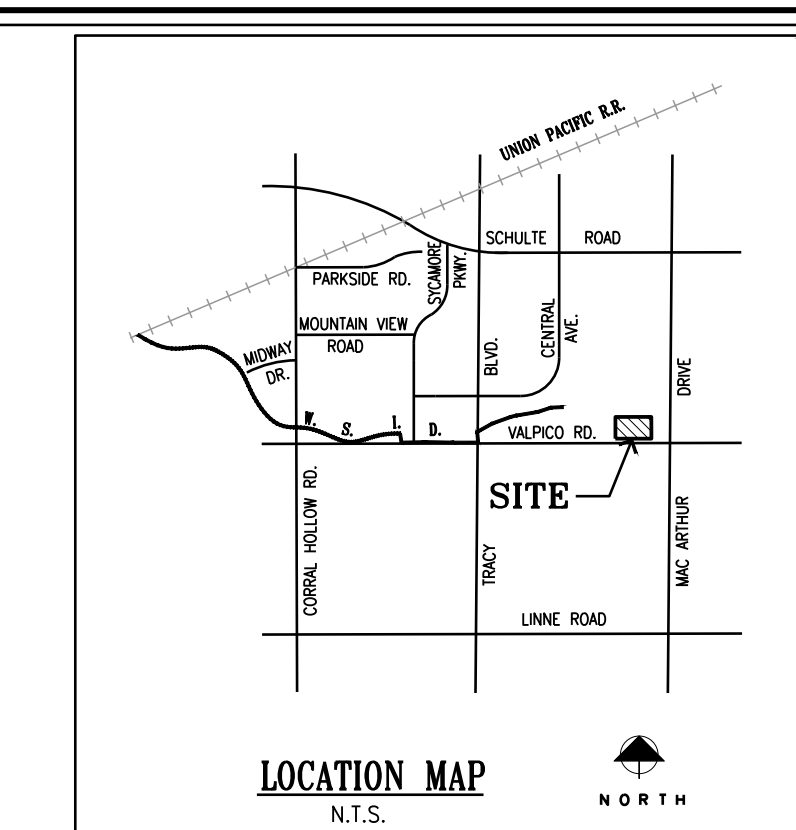
SITE SECTIONS  
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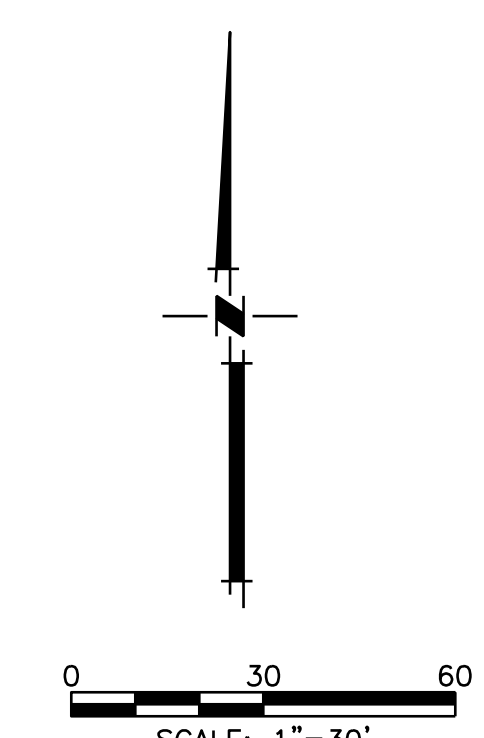


SEE SHEET C2.2

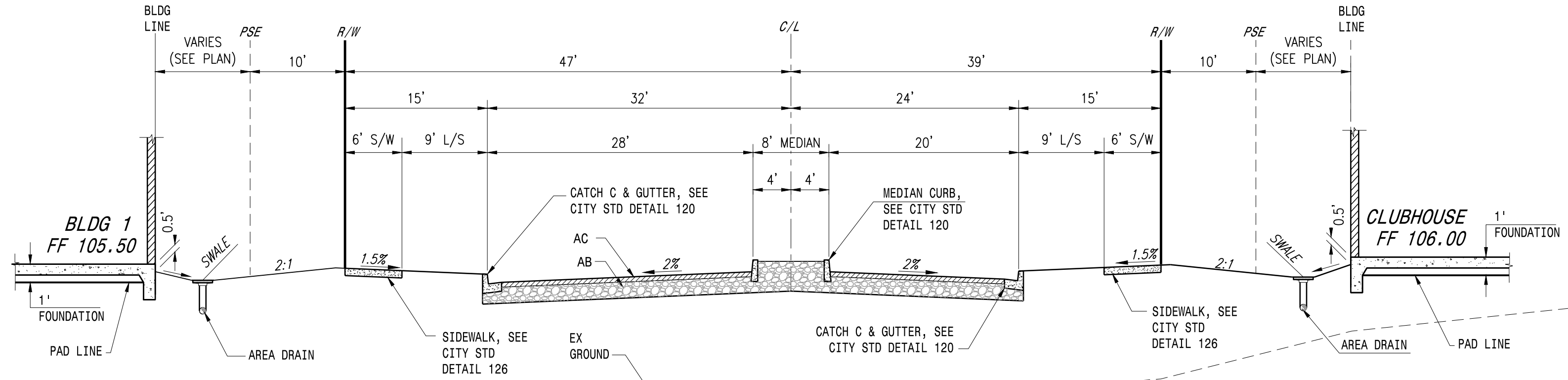




| EXISTING | PROPOSED |                                   |
|----------|----------|-----------------------------------|
|          |          | SUBDIVISION BOUNDARY              |
|          |          | RIGHT OF WAY/LOT LINE             |
|          |          | CENTERLINE                        |
|          |          | RETAINING WALL                    |
|          |          | SANITARY SEWER & MH               |
|          |          | STORM DRAIN & INLET               |
|          |          | WATER LINE & VALVES               |
|          |          | SEWER LINE                        |
|          |          | SEWER FORCE MAIN                  |
|          |          | STORM DRAIN LINE                  |
|          |          | WATER LINE                        |
|          |          | POSS. UNDERGROUND VALVE (P)       |
|          |          | STORM MH                          |
|          |          | DRAIN INLET                       |
|          |          | FIRE HYDRANT WITH VALVE           |
|          |          | BLOWOFF                           |
|          |          | ELECTROLIER                       |
|          |          | WATER SERVICE                     |
|          |          | AIR RELIEF VALVE                  |
|          |          | SIDEWALK                          |
|          |          | VERTICAL CURB                     |
|          |          | CURB & GUTTER                     |
|          |          | BARRICADE                         |
|          |          | DOUBLE DETECTOR CHECK ASSEMBLY    |
|          |          | ELECTRIC VEHICLE CHARGING STATION |
|          |          | ACCESSIBLE PARKING SPACE          |
|          |          | COVERED PARKING                   |

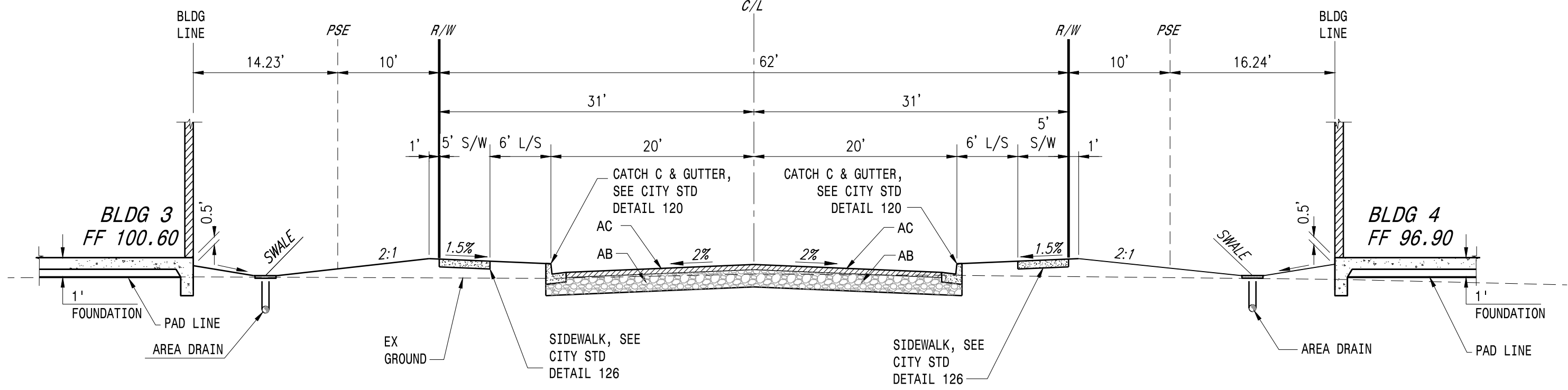






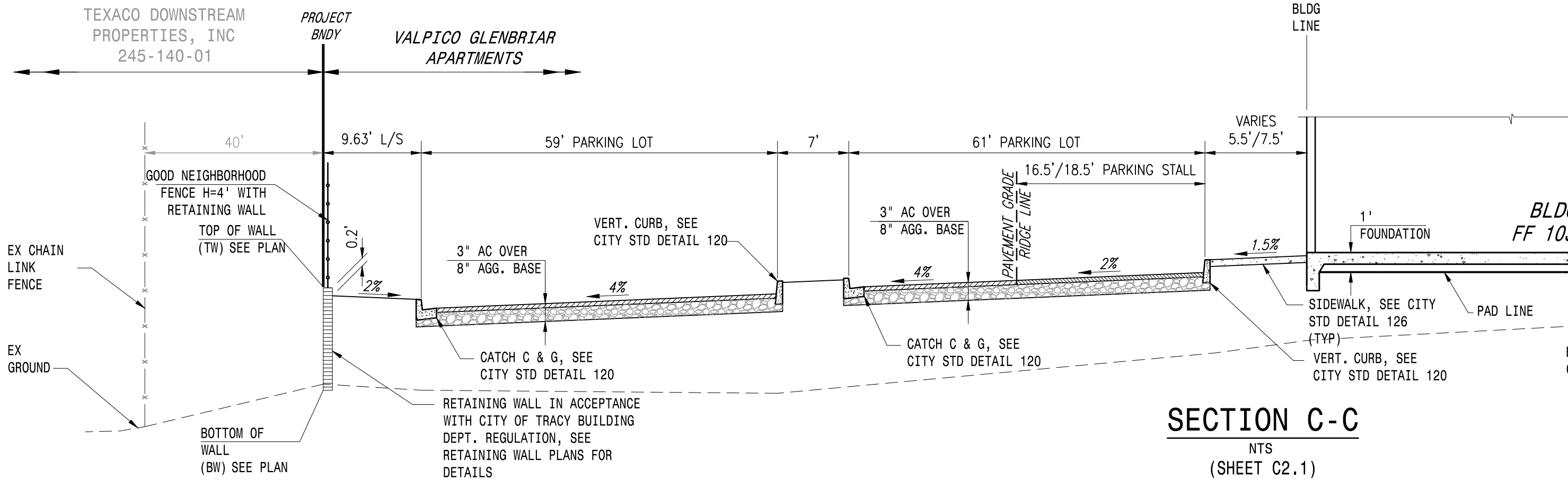
GLENBRIAR DRIVE SECTION A-A

NTS  
(SHEET C2.1)



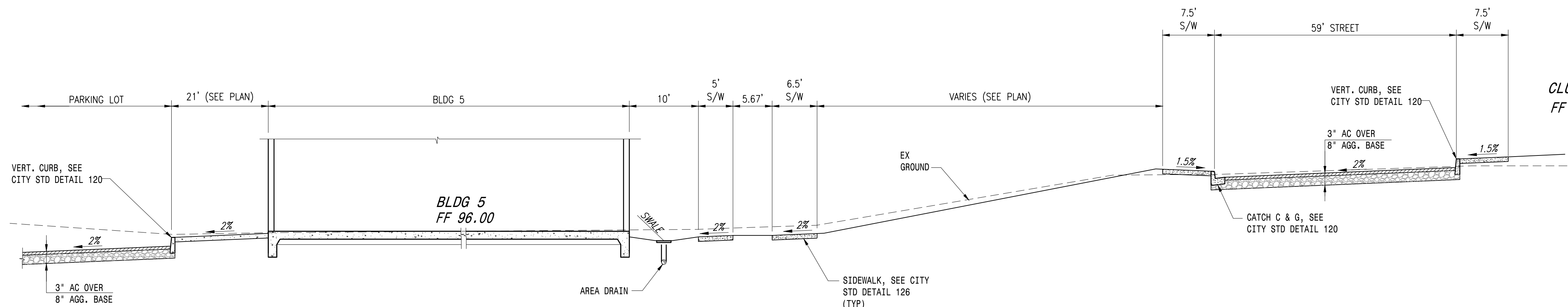
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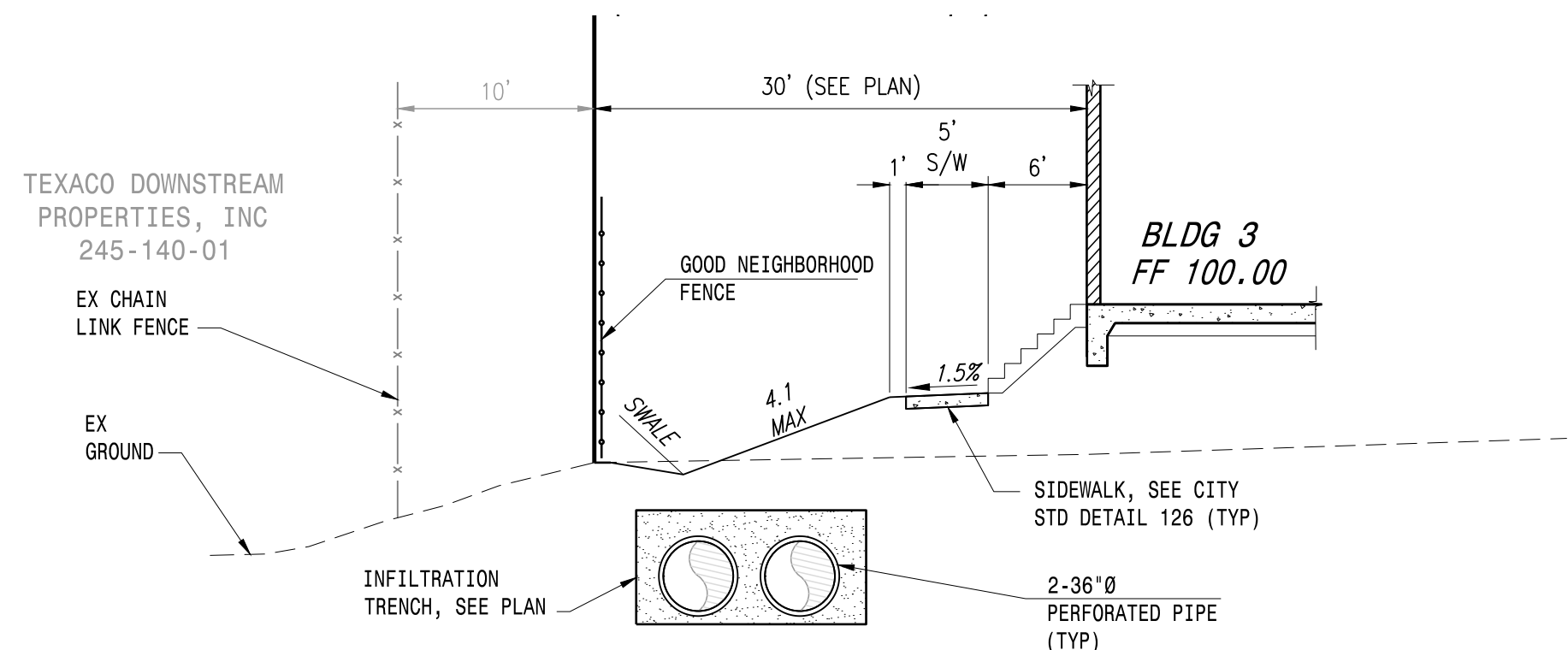
SECTION C-C

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SECTION D-D

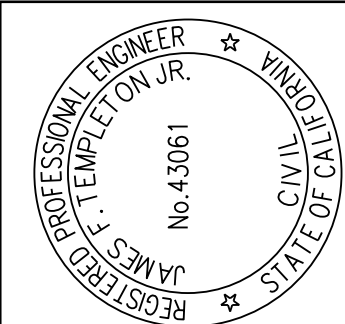
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(SHEET C2.1)



SECTION E-E

NTS  
(SHEET C2.1)

CITY OF TRACY



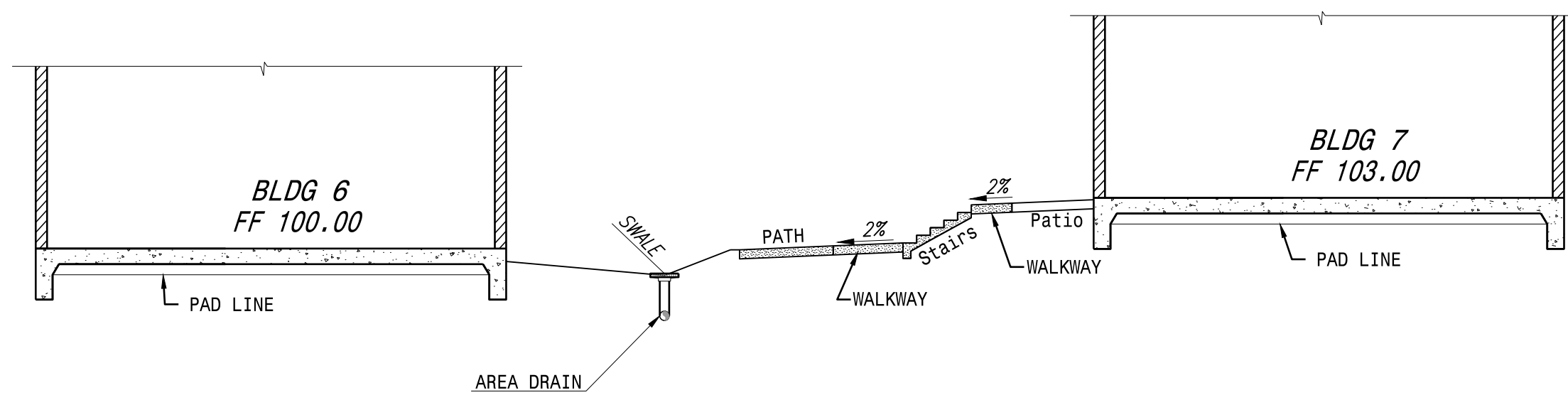
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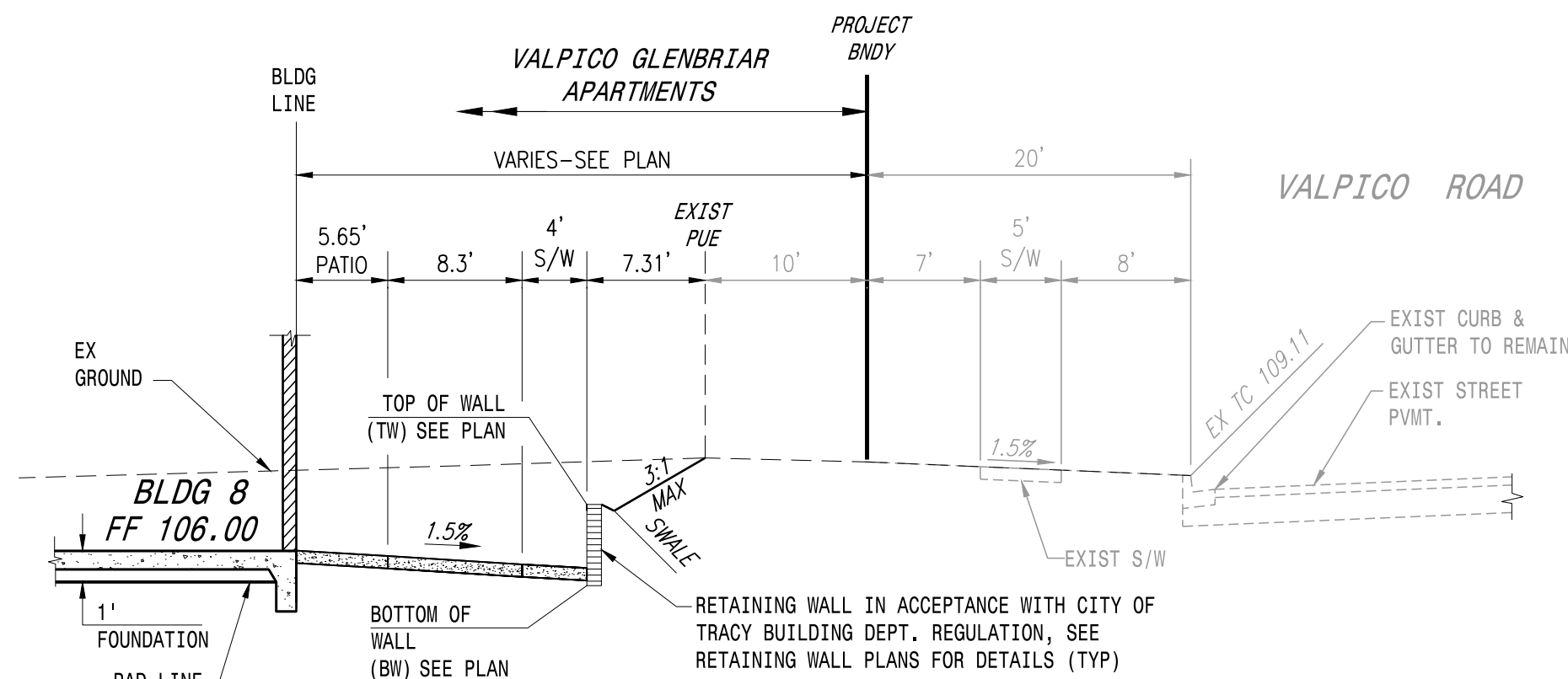
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VALPICO GLENBRIAR APARTMENTS  
DESIGN REVIEW  
PRELIMINARY GRADING SECTIONS  
CITY OF TRACY  
CALIFORNIA

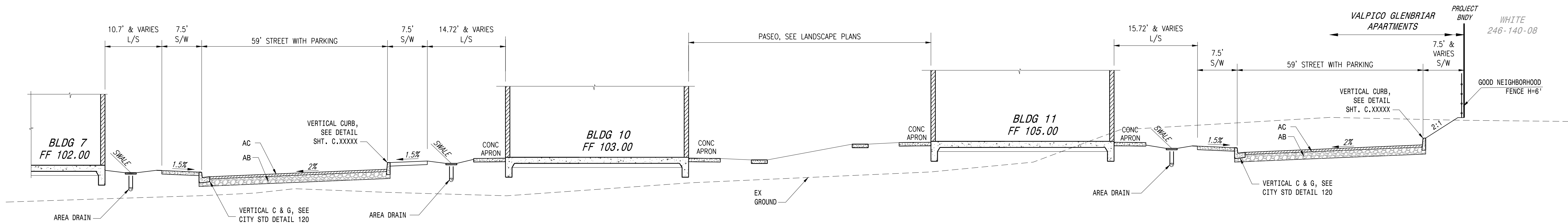




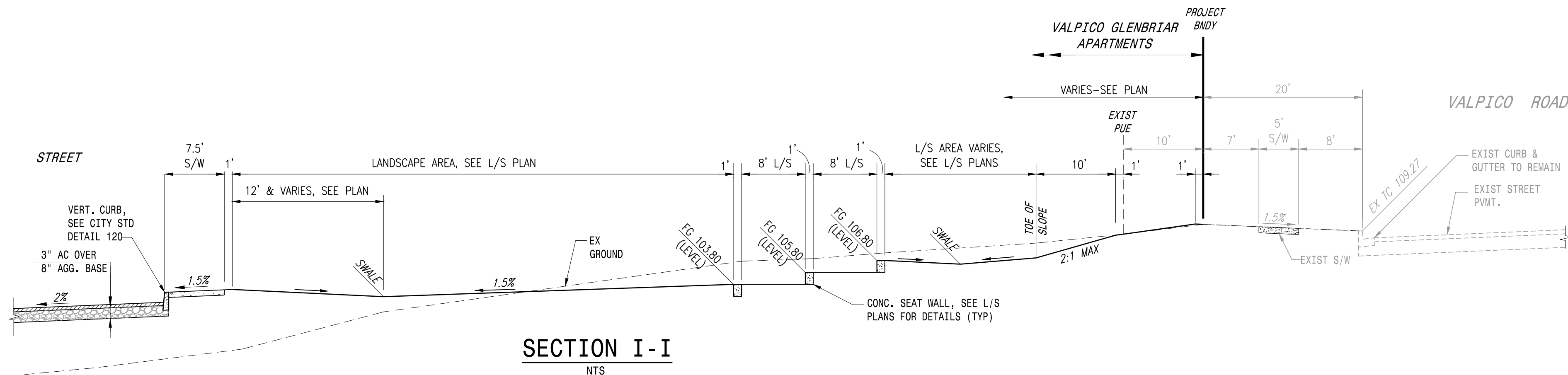
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(SHEET C2.1)



SECTION G-G  
NTS  
(SHEET C2.2)

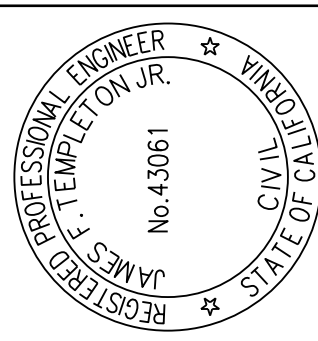


SECTION H-H  
NTS  
(SHEET C2.2)



SECTION I-I  
NTS  
(SHEET C2.1)

CITY OF TRACY



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VALPICO GLENBRIAR APARTMENTS  
DESIGN REVIEW  
PRELIMINARY GRADING  
SECTIONS AND DETAILS  
CITY OF TRACY  
CALIFORNIA

SHEET  
**C2.4**

OF 7 SHEETS



K4 FLOOR PLANS



**KATERRA**

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TRACY, CA 95376

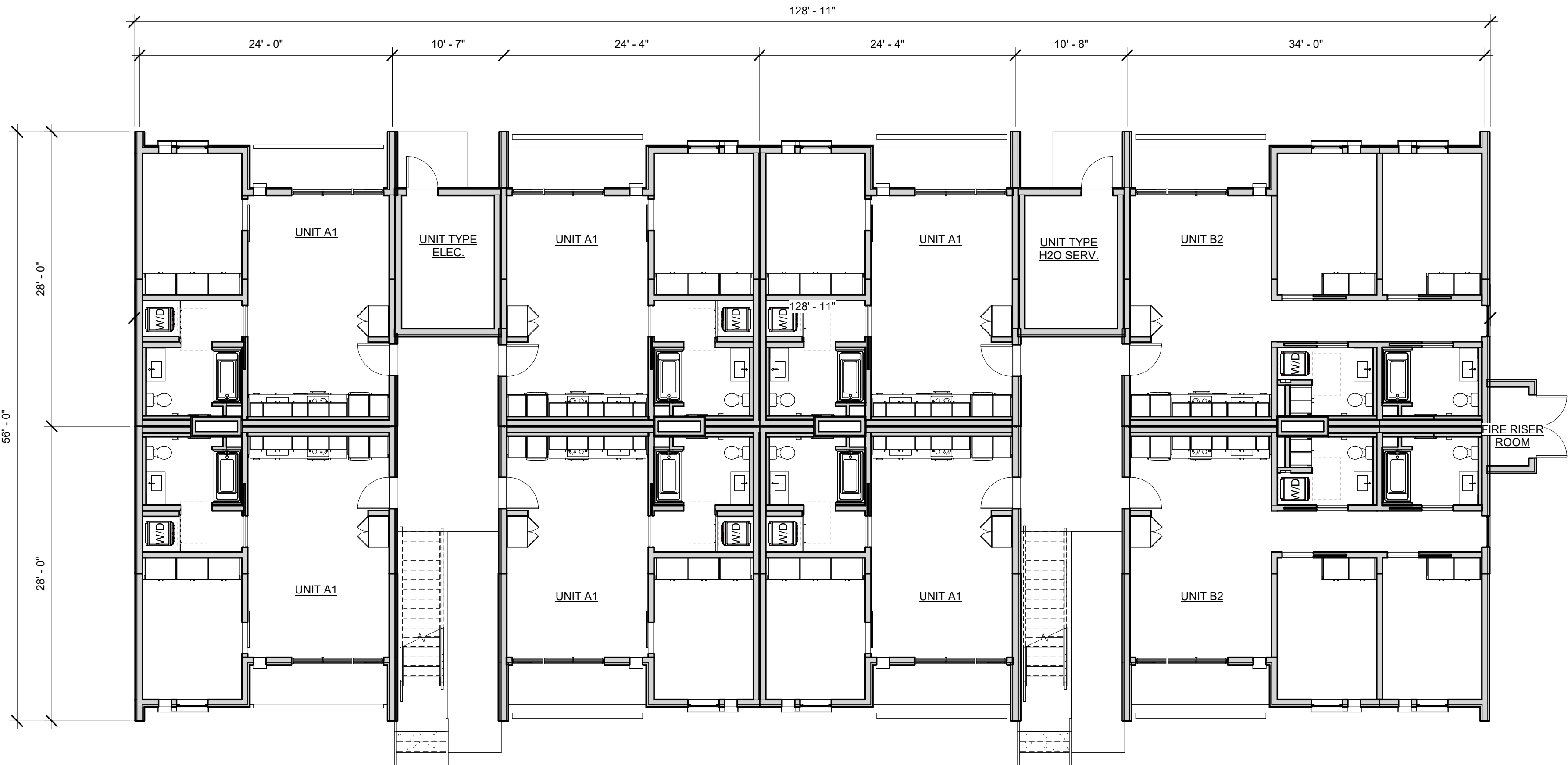
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| Drawn By                   | Author    |
| Project Manager Chris Lyon |           |
| Job Number                 | 000-18023 |
| Date                       | 07/26/19  |

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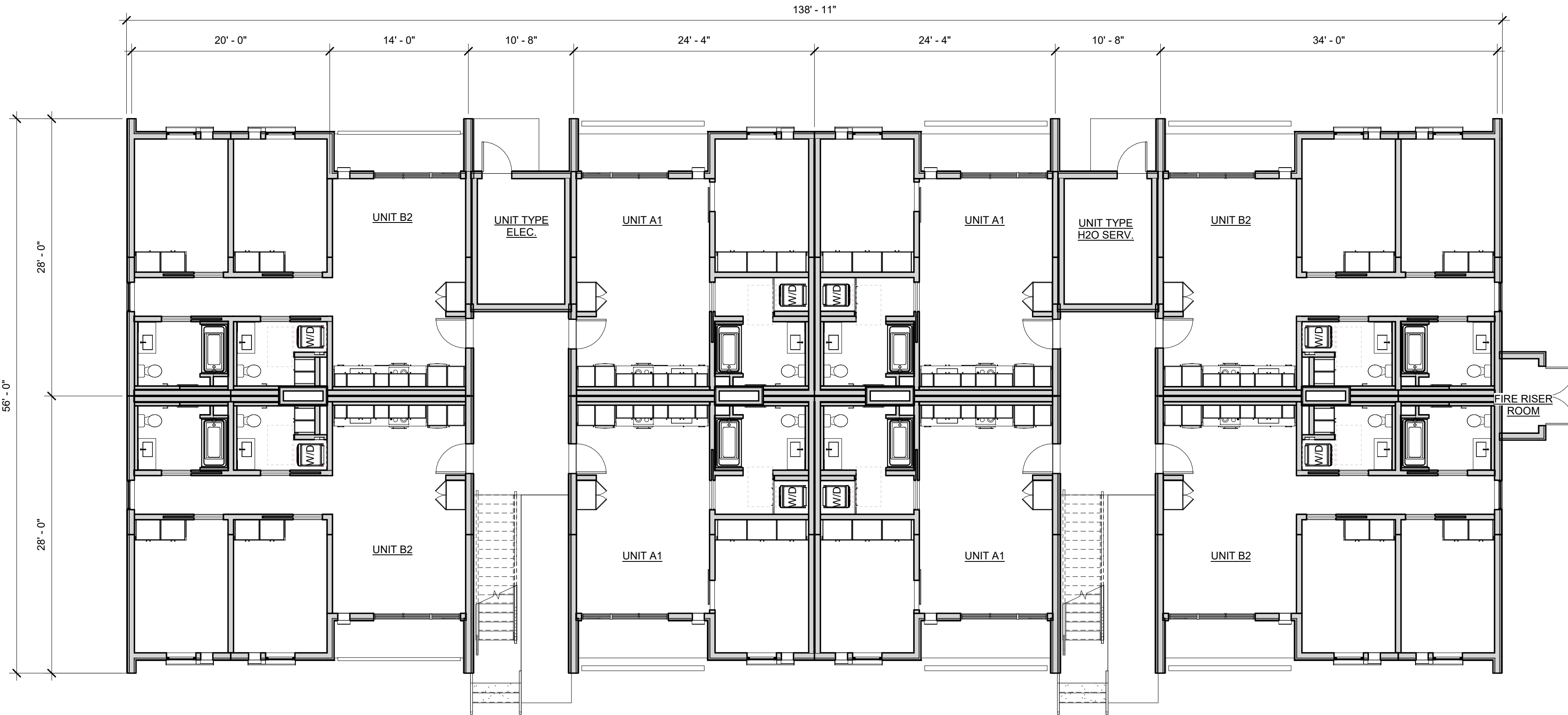
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| City of Tracy |
| NTA           |

**ENTITLEMENT  
PACKAGE**

K4 FLOOR  
PLANS  
**G.01.40**



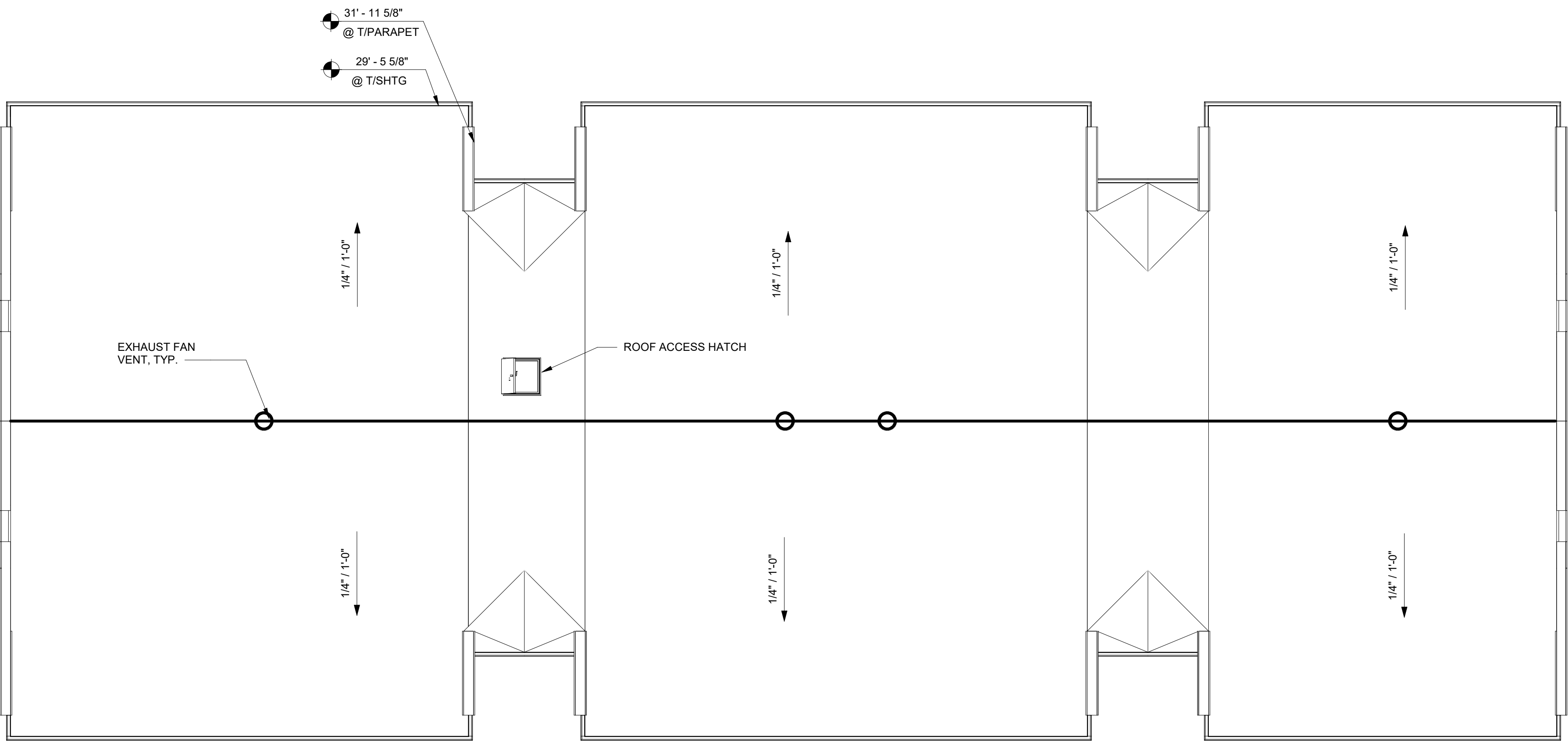
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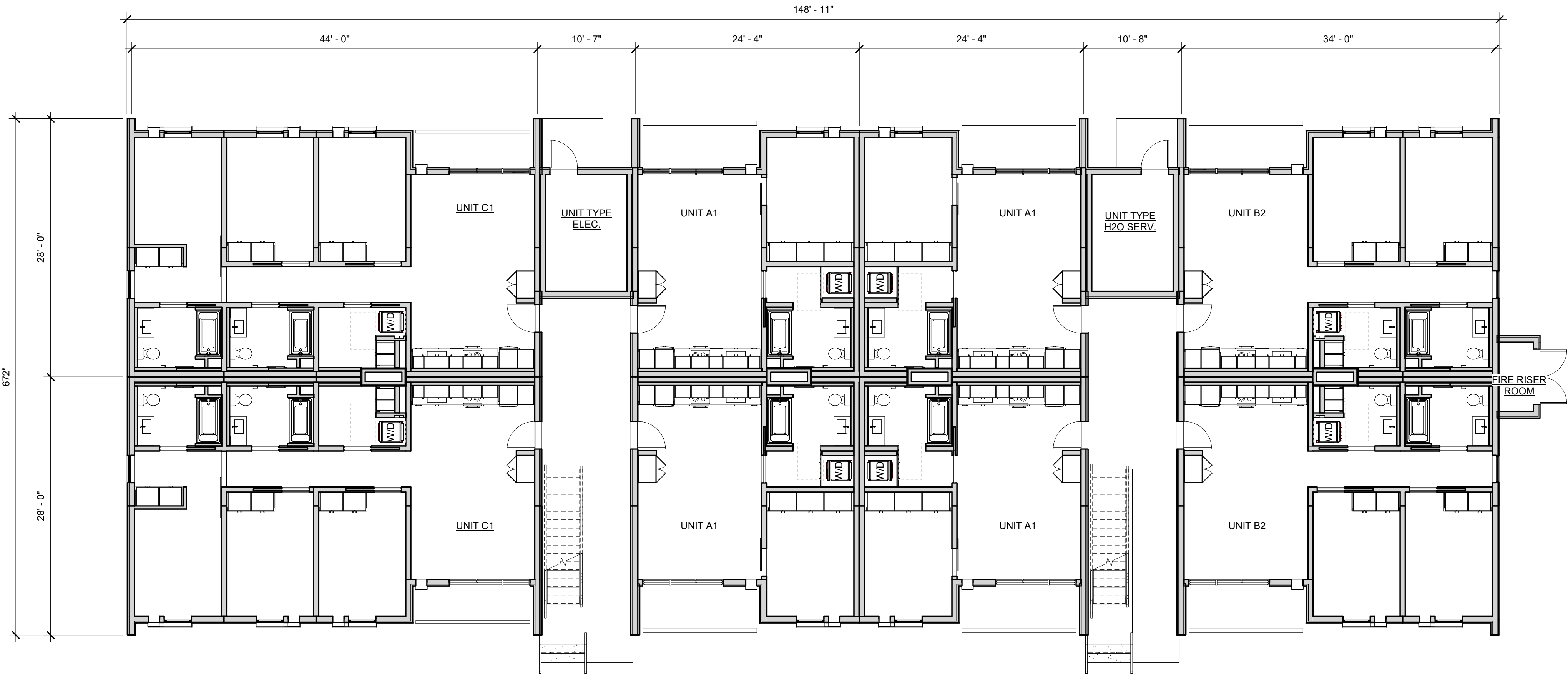
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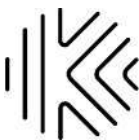
K4 FLOOR PLANS



TYPICAL ROOF PLAN



K4 BUILDING C



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TRACY, CA 95376

Drawn By Author  
Project Manager Chris Lyon  
Job Number 000-18023  
Date 07/26/19

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Mark Date Description

City of Tracy

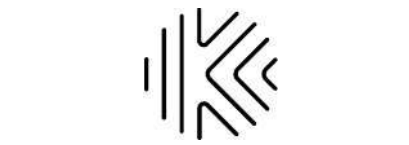
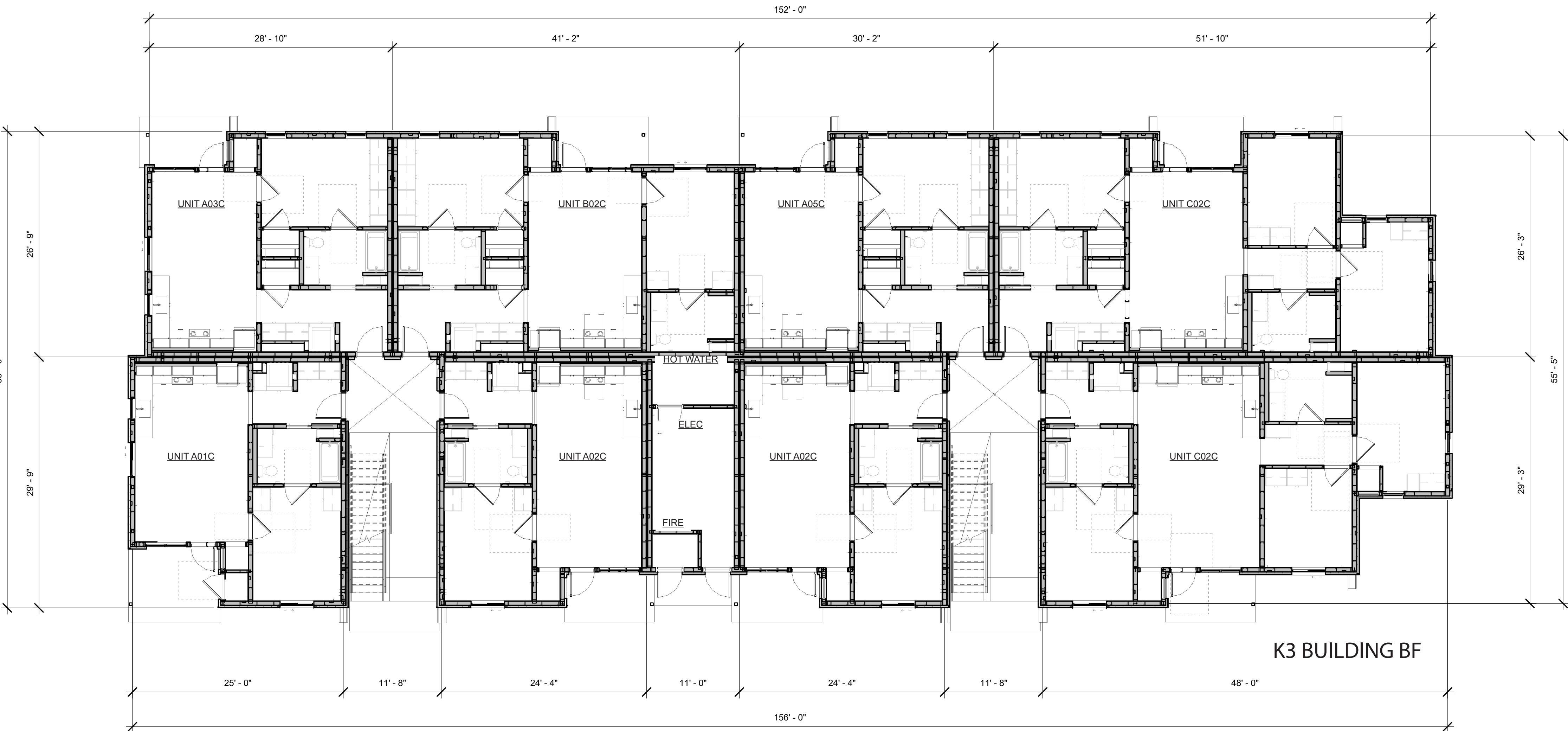
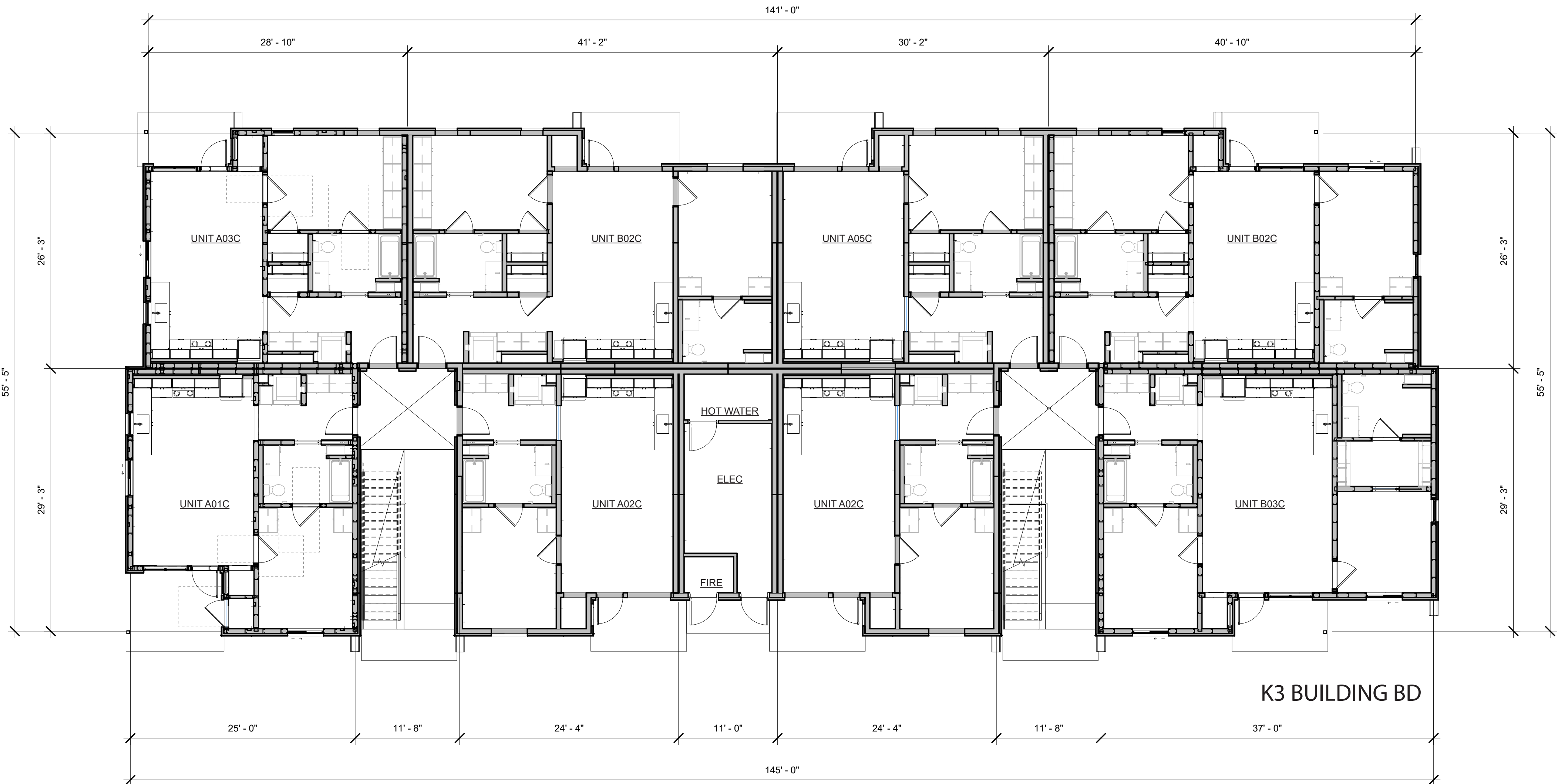
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K4 FLOOR  
PLANS  
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K3 FLOOR PLANS



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Job Number 000-18023  
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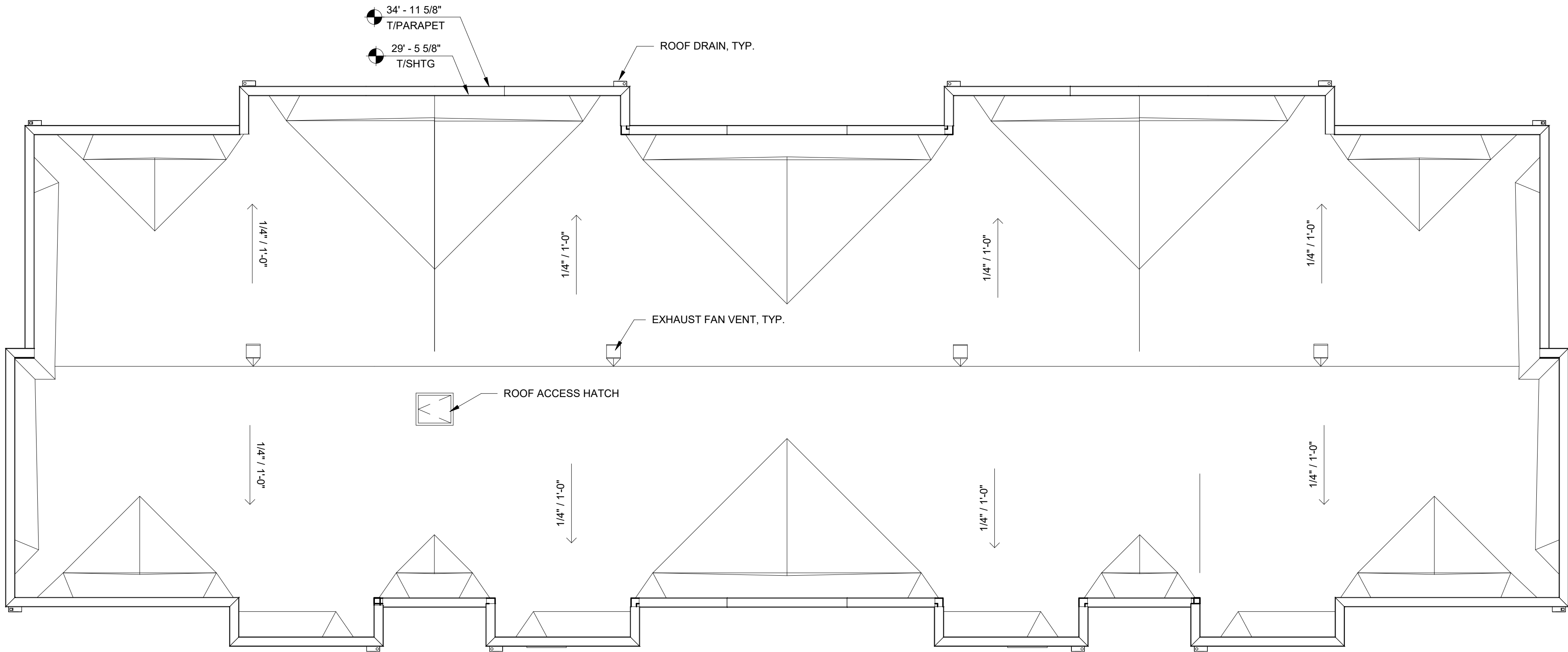
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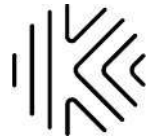
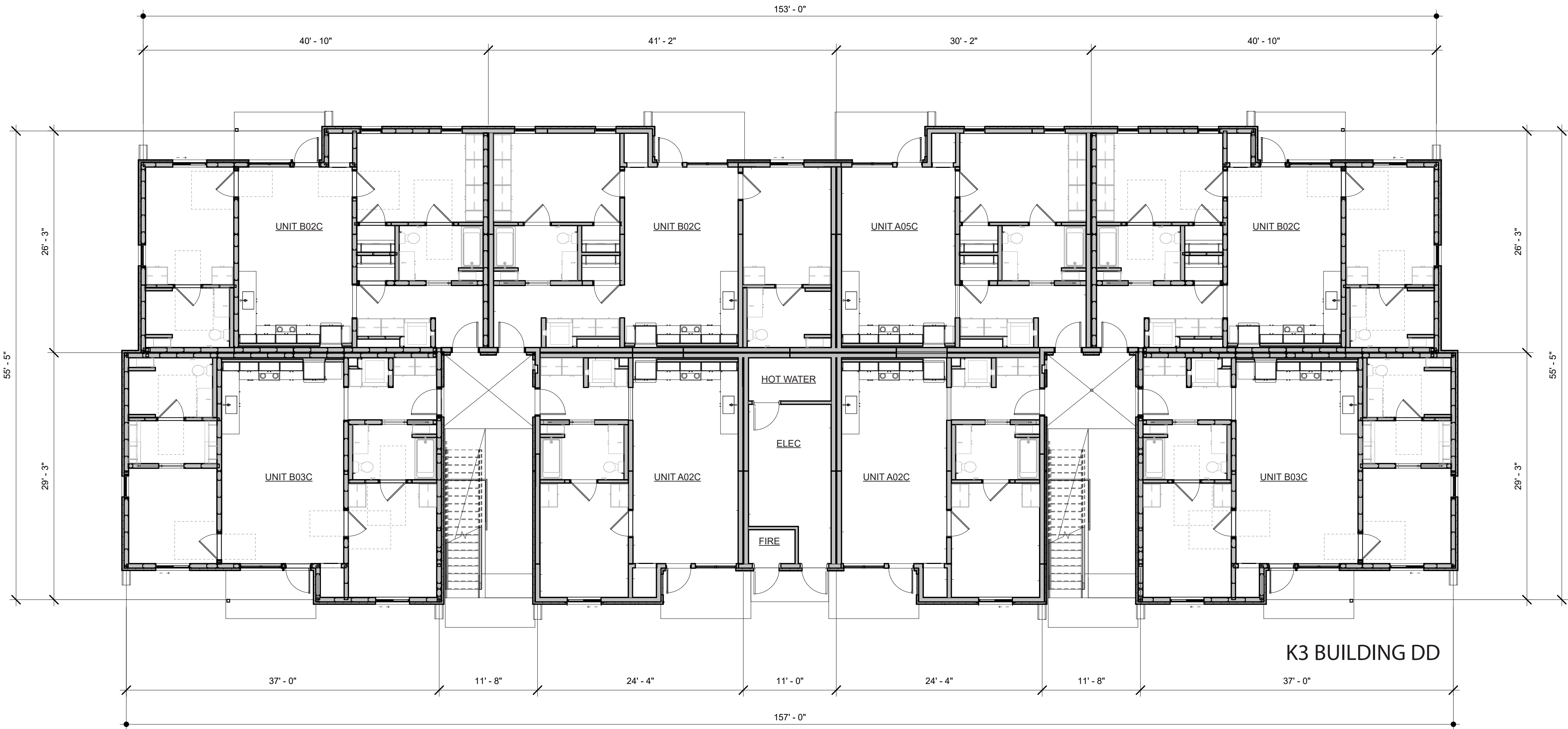
K3 FLOOR  
PLANS  
G.01.45



K3 FLOOR PLANS



TYPICAL ROOF PLAN



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TRACY, CA 95376

Drawn By Author  
Project Manager Chris Lyon  
Job Number 000-18023  
Date 07/26/19

REVISIONS

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City of Tracy

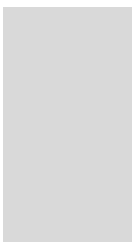
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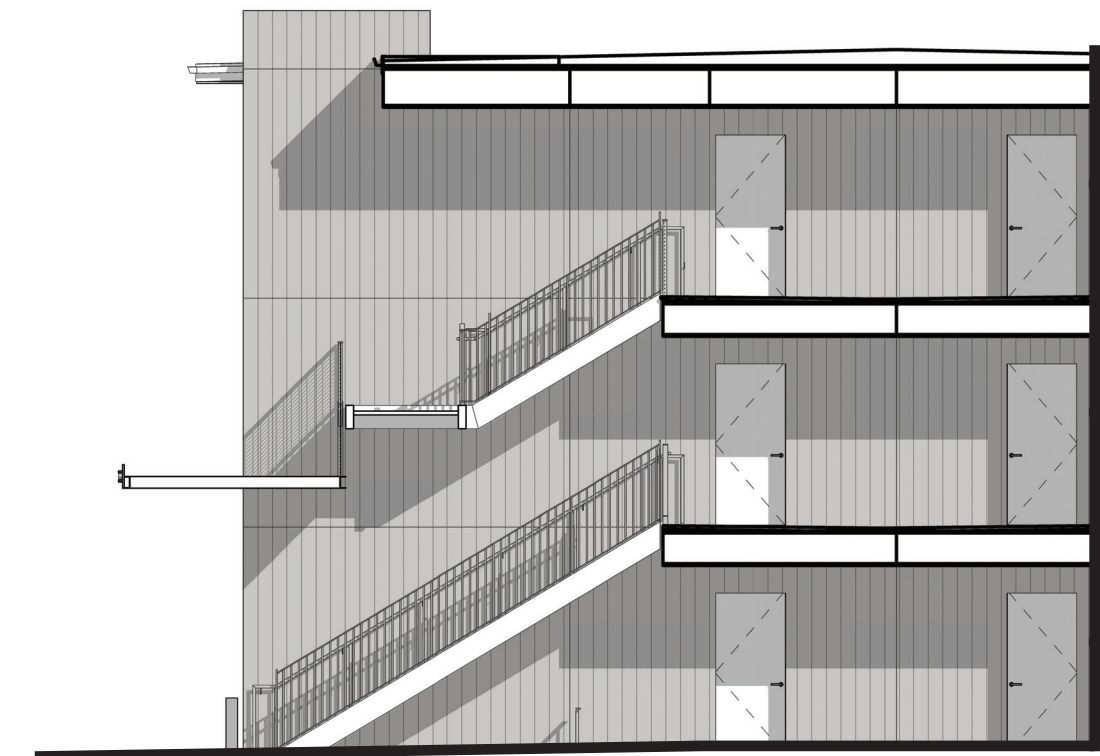
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K3 FLOOR  
PLANS  
G.01.46



This architectural rendering illustrates the proposed exterior of the 10-story mixed-use building at 1000 15th Avenue. The design features a modern facade with a combination of light gray vertical panels and reddish-brown horizontal accents. The building has multiple levels of balconies with black metal railings. Large windows with dark frames and shutters are distributed across the facade. The ground floor includes a covered entrance area with a black staircase and a glass-fronted entrance. Landscaping includes small trees and green shrubs along the sidewalk. Silhouettes of people are shown walking on the sidewalk to provide a sense of scale.

|   |   |   |   |
|---|---|---|---|
|    |    |    |    |
| Allura 8" Grooved Fiber Cement Panel  | Allura Traditional Lap Siding Fiber Cement Panel                                      | Allura Traditional Lap Siding Fiber Cement Panel                                      | Prefab Accessory Color  |
|  |  |  |  |
| Red-Orange Accent Color   | Green Accent Color  | Blue Accent Color   | Window Frame K3   |
|   |   |   |  |
|   |   |   | Window Frame K4   |



This architectural rendering shows a modern multi-story residential building facade. The design features a combination of light gray and reddish-brown vertical panels. Large windows are accented with black shutters, and balconies are enclosed with black metal railings. Three stylized green trees are planted in front of the building, and small figures of people are visible near the base on the left, providing a sense of scale.

This architectural elevation drawing shows the 'Elevated' facade of 'The Glass Pavilion'. The structure is composed of three main vertical sections. The central section is a large, rectangular panel with a grid of vertical lines, suggesting a glass curtain wall. This central panel is flanked by two narrower vertical sections. Each of these side sections is divided into three horizontal rectangular panels. Within each of these six panels, there is a stylized, abstract representation of a window or door, featuring geometric shapes and lines that suggest internal structure or light patterns. The entire facade is set against a plain white background, with a small green base at the bottom representing the ground level.

### K4 BUILDING A LEFT ELEVATION



K4 ELEVATIONS



K4 BUILDING B FRONT ELEVATION



K4 BUILDING B RIGHT ELEVATION



Allura 8" Grooved Fiber Cement Panel



Allura Traditional Lap Siding Fiber Cement Panel



Allura Traditional Lap Siding Fiber Cement Panel



Prefab Accessory Color




Red-Orange Accent Color



Green Accent Color



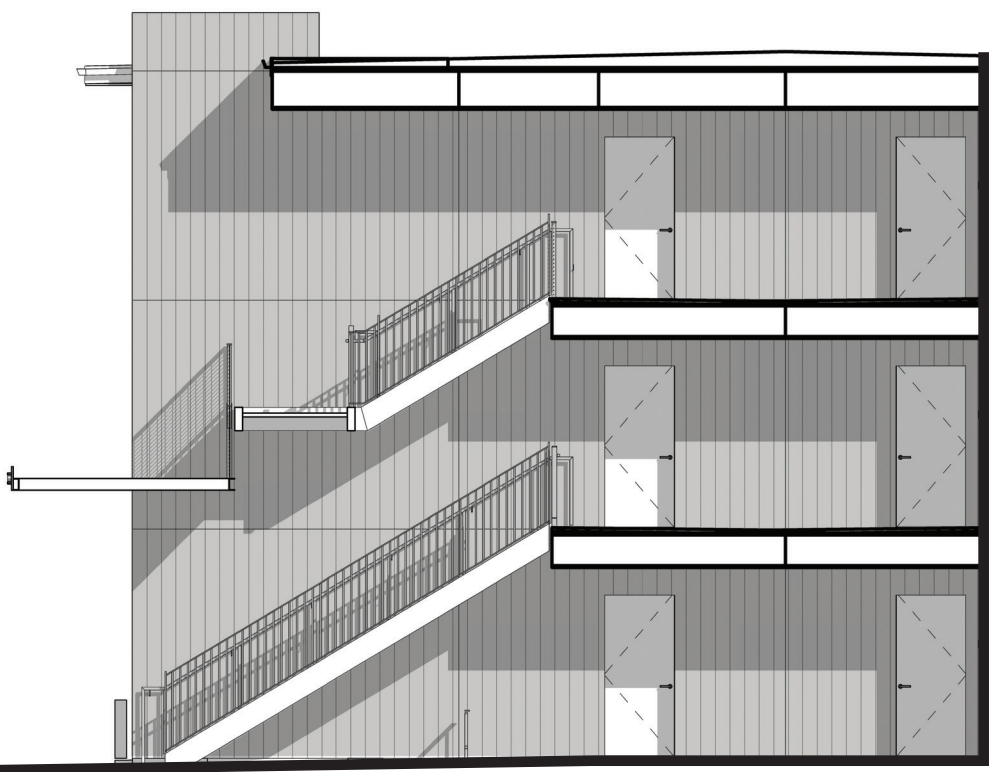
Blue Accent Color



Window Frame K3



Window Frame K4



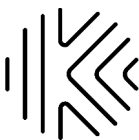
SECTION AT BREEZEWAY



K4 BUILDING B BACK ELEVATION



K4 BUILDING B LEFT ELEVATION



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|                            |           |
|----------------------------|-----------|
| Drawn By                   | Author    |
| Project Manager Chris Lyon |           |
| Job Number                 | 000-18023 |
| Date                       | 07/26/19  |

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PACKAGE**

K4 ELEVATIONS  
**G.01.43**



K4 ELEVATIONS



K4 BUILDING C FRONT ELEVATION



K4 BUILDING C RIGHT ELEVATION

Allura 8" Grooved Fiber Cement Panel

Allura Traditional Lap Siding Fiber Cement Panel

Allura Traditional Lap Siding Fiber Cement Panel

Prefab Accessory Color

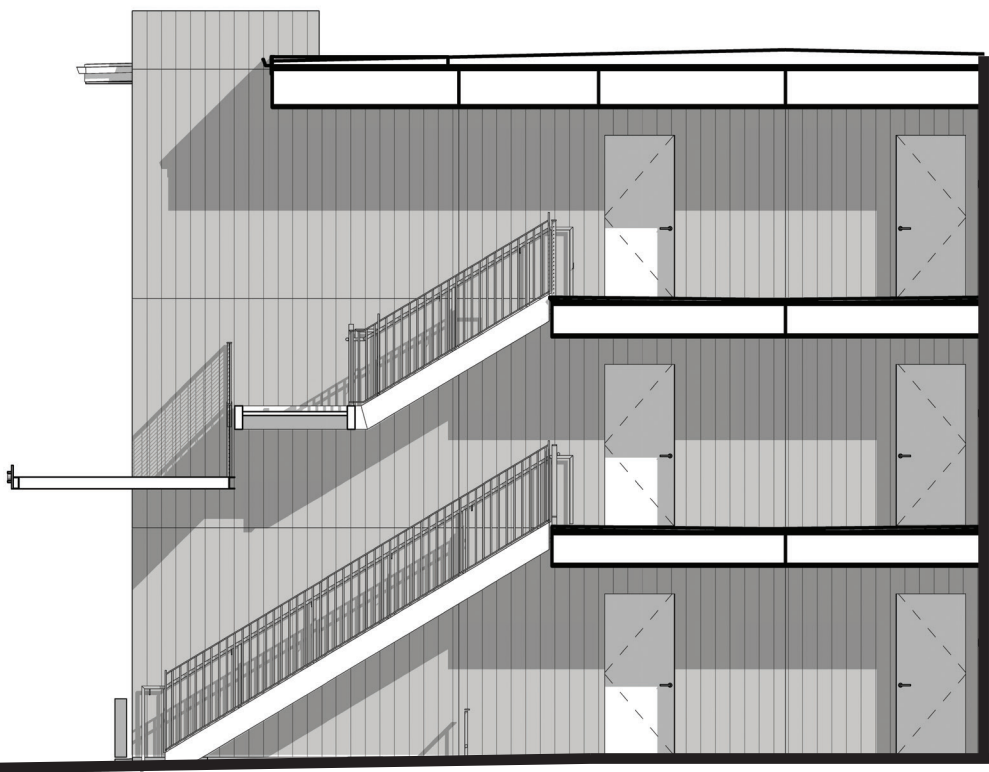
Red-Orange Accent Color

Green Accent Color

Blue Accent Color

Window Frame K3

Window Frame K4



SECTION AT BREEZEWAY



K4 BUILDING C BACK ELEVATION



K4 BUILDING C LEFT ELEVATION

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Drawn By Author  
Project Manager Chris Lyon  
Job Number 000-18023  
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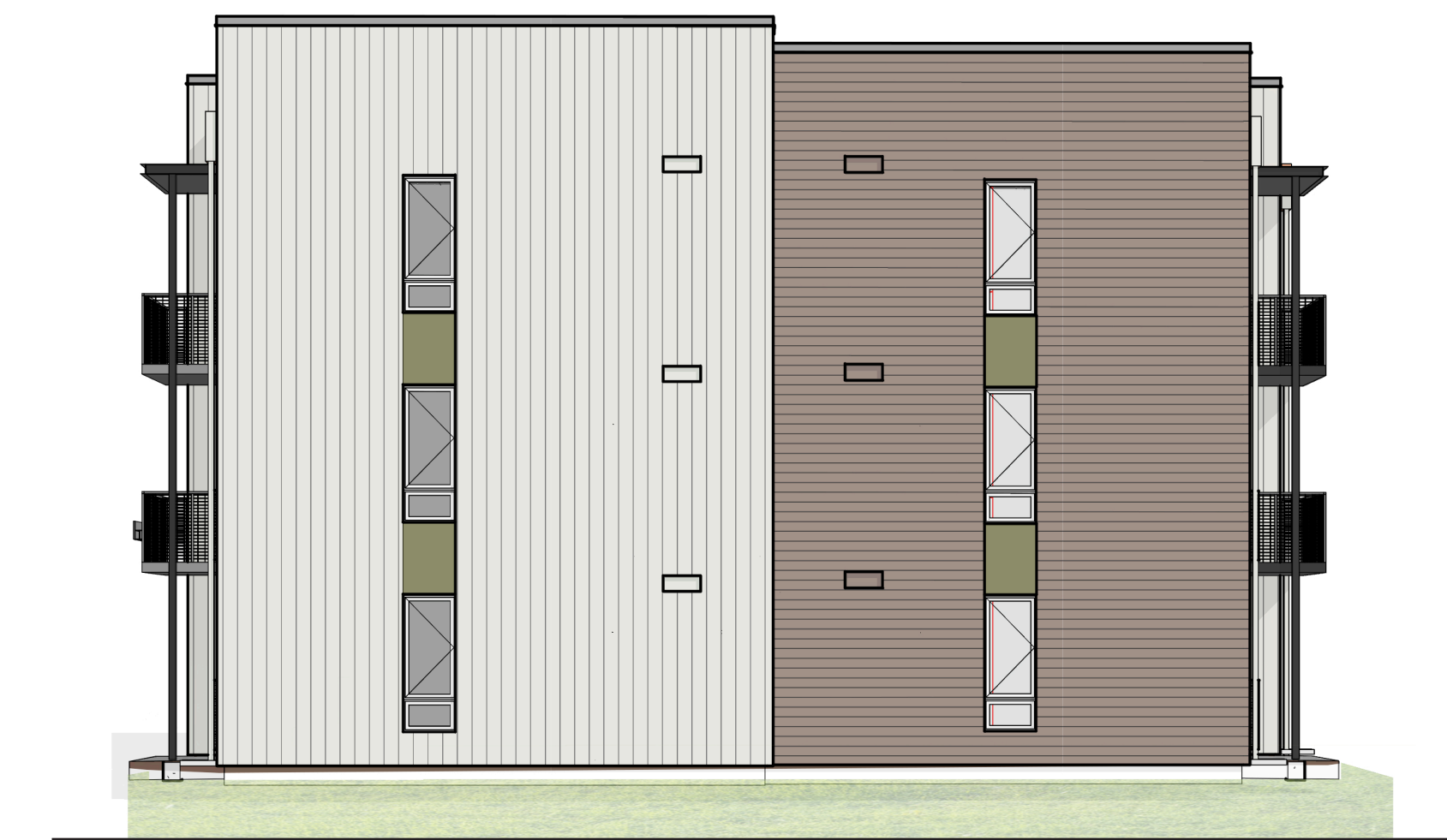
**ENTITLEMENT  
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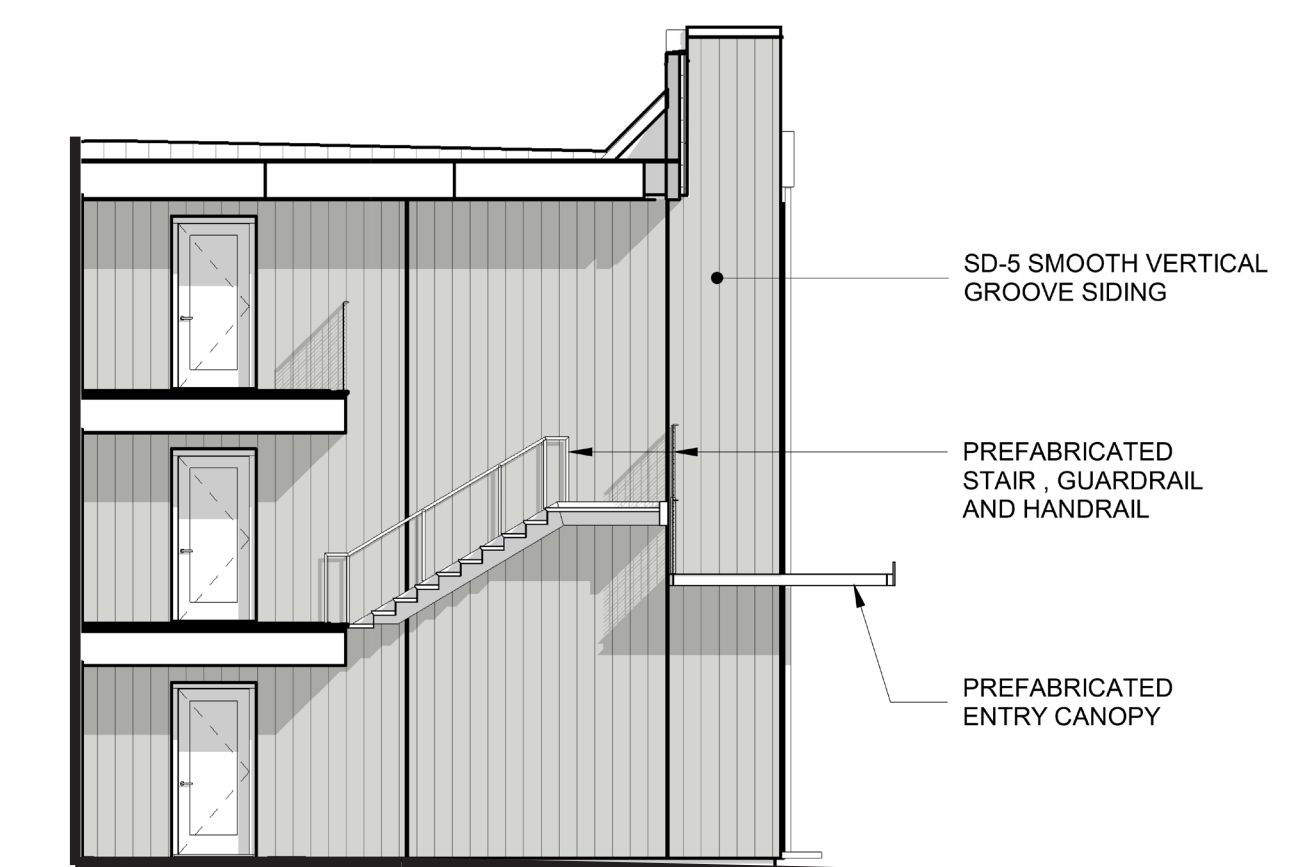
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K3 BUILDING BD FRONT ELEVATION



K3 BUILDING BD RIGHT ELEVATION



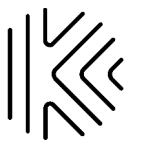
SECTION AT BREEZEWAY



K3 BUILDING BD BACK ELEVATION



K3 BUILDING BD LEFT ELEVATION



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### K3 ELEVATIONS

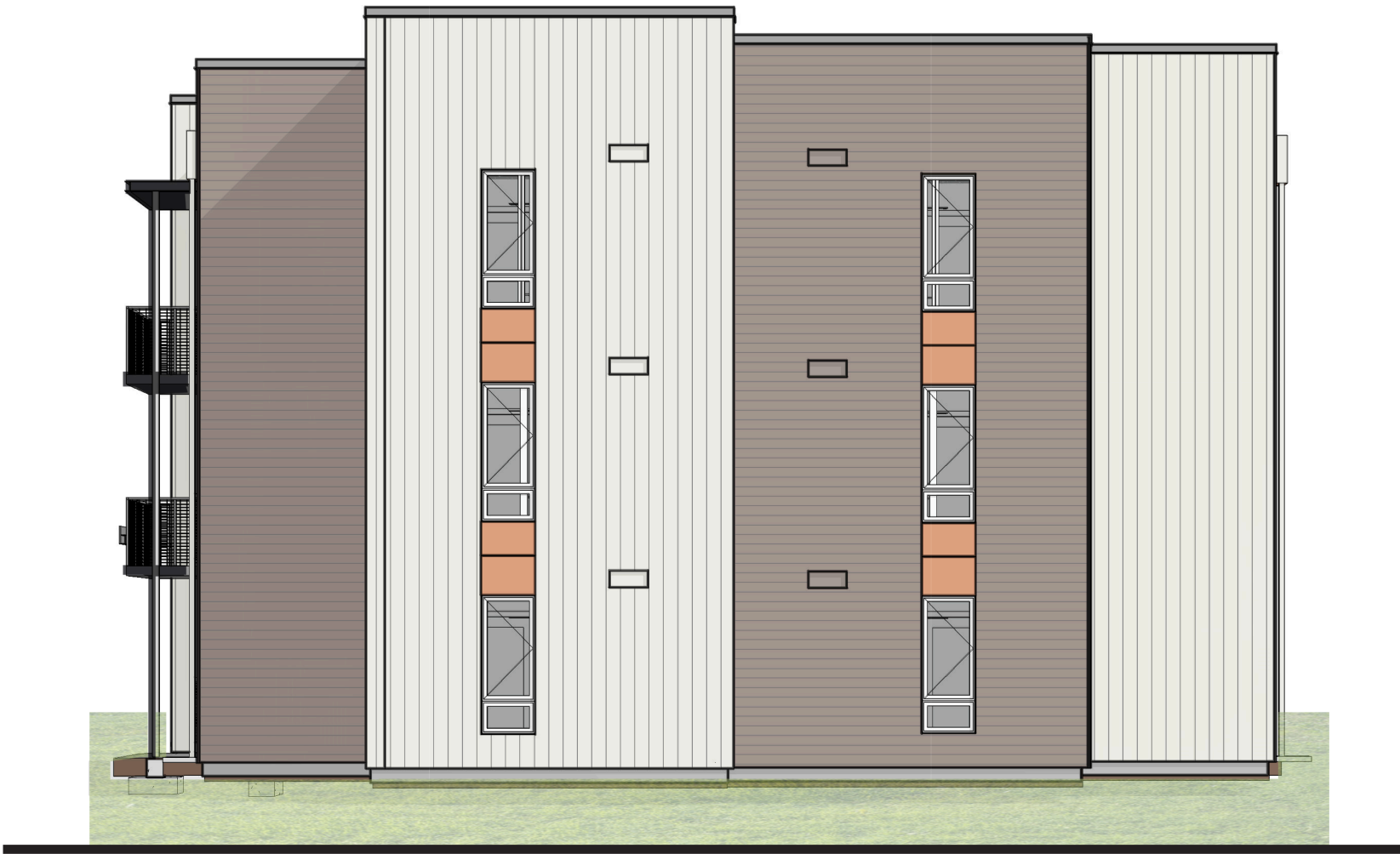
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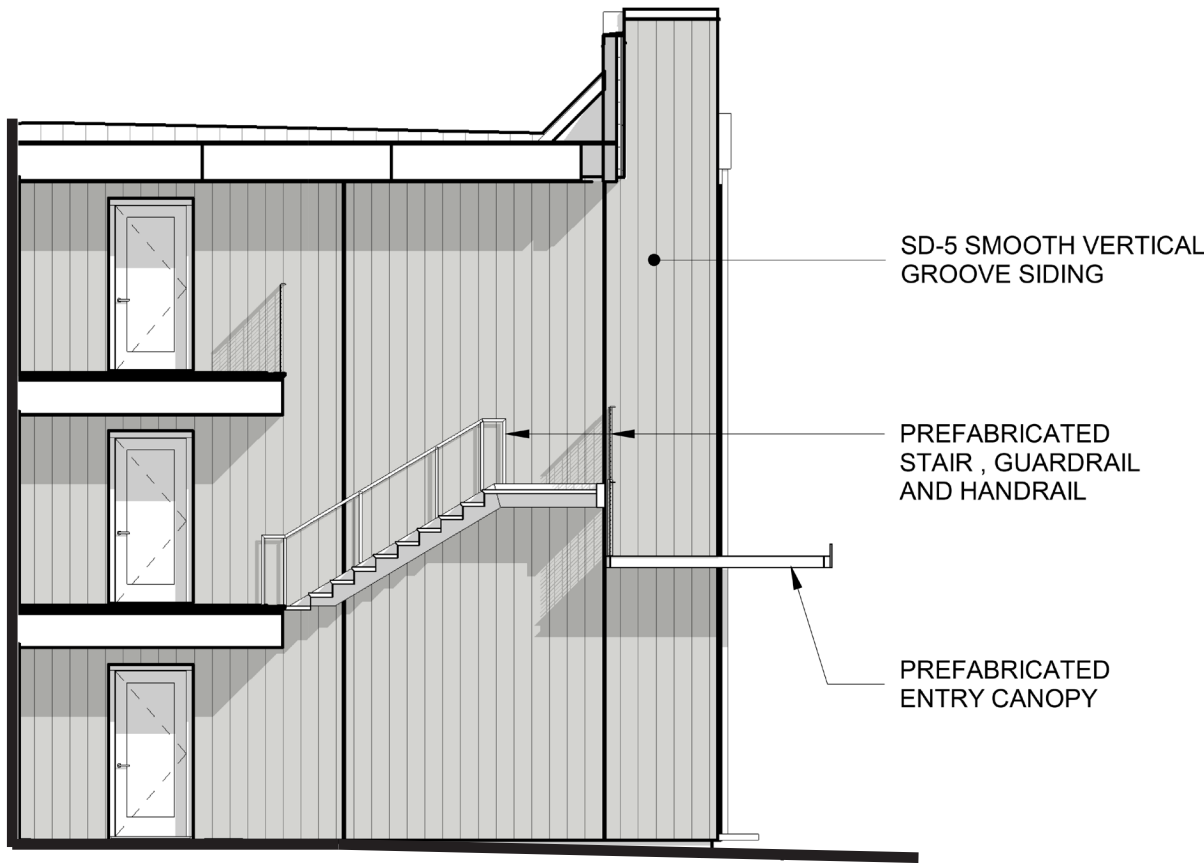
K3 ELEVATIONS



K3 BUILDING BF FRONT ELEVATION



K3 BUILDING BF RIGHT ELEVATION



SECTION AT BREEZEWAY



K3 BUILDING BF BACK ELEVATION



K3 BUILDING BF LEFT ELEVATION



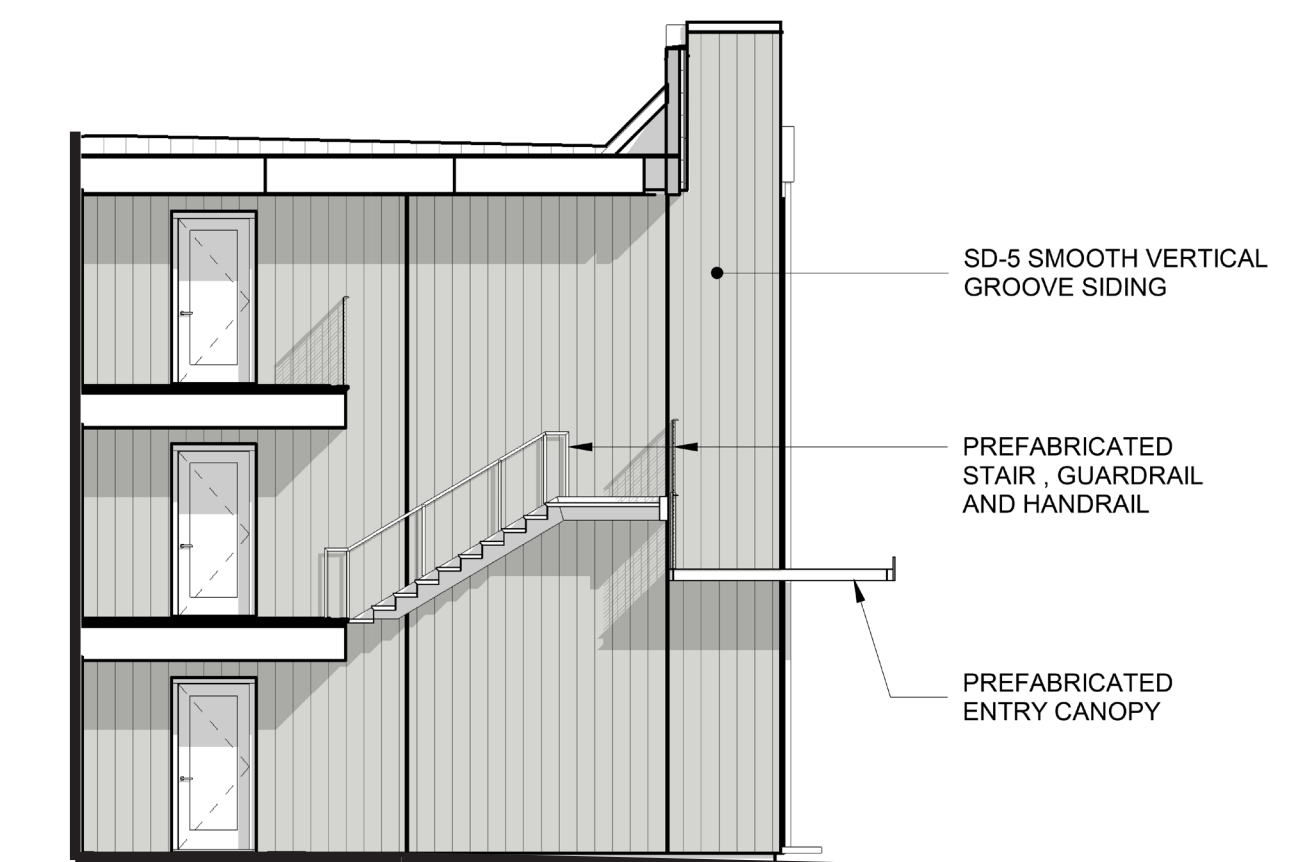
## K3 ELEVATIONS



### K3 BUILDING DD FRONT ELEVATION



K3 BUILDING DD RIGHT ELEVATION



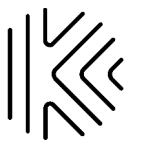
SECTION AT BREEZEWAY



### K3 BUILDING DD BACK ELEVATION



K3 BUILDING DD LEFT ELEVATION



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Project Manager Chris Lyon  
Job Number      000-18023  
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SITE  
RENDERING  
G.01.20



STREET VIEW RENDERING



VIEW FROM INTERSECTION OF VALPICO RD & GLENBRIAR ROAD

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STREET VIEW RENDERING



PARK VIEW BETWEEN BUILDING 8 & CLUBHOUSE



## Tracy Parking Study

June 2012

RECEIVED

JUN 22 2012

CITY OF TRACY  
D.E.S.

Prepared by:  
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M.S. Urban Planning

400 Main Street, Ste. 210  
Pleasanton, CA 94566

Phone: 925-462-0191  
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# Table of Contents

## Tracy Parking Study

|  |     |
|--|-----|
| Executive Summary  | E-1 |
| Chapter 1- Survey of Tracy Apartment Parking                           | 1-1 |
| Tracy Results  | 1-1 |
| Figure 1.1   |     |
| Table 1.1  |     |
| Waterstone   | 1-2 |
| Chesapeake Bay   | 1-2 |
| Tracy Park   | 1-2 |
| Sycamore Village   | 1-3 |
| Tracy Garden Apartments  | 1-3 |
| Comparison with ITE Parking Generation Manual                          | 1-3 |
| Chapter 2- Comparison with Apartment Parking Standards in Other Cities | 2-1 |
| Summary of Results   | 2-1 |
| Figure 2.1   |     |
| Table 2.1  |     |
| Per Unit vs. Per Bedroom Standards                                     | 2-1 |
| Covered Spaces   | 2-2 |
| The Garage Problem   | 2-2 |
| The San Jose Approach  | 2-2 |
| Chapter 3- Policy Considerations                                       | 3-1 |
| Apartment Demographics   | 3-1 |
| Parking Literature   | 3-1 |
| Framework for Analysis   | 3-2 |
| Needlepoint Peaks?   | 3-2 |
| Per Bedroom or Per Unit Requirements                                   | 3-3 |
| On Street Spaces   | 3-4 |
| Garage and Tandem Spaces   | 3-4 |
| Case Study   | 3-4 |
| Safety Margin  | 3-5 |
| Conclusion   | 3.6 |
| Figures  |     |
| Figure 1.1 Tracy Apartment Parking Survey Chart                        |     |
| Figure 2.1 Apartment Parking Standards by Jurisdiction Chart           |     |
| Tables   |     |
| Table 1.1 Tracy Apartment Parking Survey Data                          |     |
| Table 2.1 Apartment Parking Standards by Jurisdiction Data             |     |



## **Executive Summary**

### **Tracy Parking Study**

Planning commentators have long criticized cities for mandating too much parking for apartments, thereby raising the cost of housing, wasting urban space, and creating bad design. In fact, the Tracy General Plan Housing Element calls for an examination of parking requirements to improve affordability, allowing credit for on-street parking, and other parking adjustments to lower costs. This parking survey suggests that it would be possible to reduce parking requirements in Tracy somewhat and have no adverse impact on the quality of life of the people who reside in apartments.

Chapter 1 is a survey of 5 apartment complexes in Tracy, representing a cross-section of old and new apartments, with different unit mixes. The surveys were conducted in the late evening hours, after 9:30 p.m. on school nights, which is when apartment parking reaches its peak. The five apartment projects surveyed ranged between 1.1 and 1.31 cars parked per unit, with an average of 1.24 cars parked per unit (See Figure 1.1). Adjusted based on ITE data for an expected 8% increase in parking demand from 10 p.m. to midnight, our survey results are 1.34 (adj.) average vehicles per unit at the midnight peak.

Chapter 1 also compares the Tracy results with the Institute of Traffic Engineers, Parking Generation Manual (ITE Study), excerpted in Appendix A. The ITE Study results for suburban low to midrise apartments show slightly lower peak parking occupancy (1.23 vehicles per unit) than our Tracy parking survey (1.34(adj.) vehicles per unit). A higher parking ratio would be expected in a commuter community like Tracy with a high degree of dependence on automobile transportation.

Chapter 2 summarizes the parking requirements for 12 comparable Northern California jurisdictions (at Table 2.1). The various parking standards were then analyzed assuming a 100 unit apartment project with half one bedroom and half two bedroom units (at Figure 2.1). Tracy parking requirements are in the upper quartile of comparable cities, but not significantly higher than a lot of cities. For the typical 100 unit apartment complex, Tracy requires 195 parking spaces (1.95 spaces per unit). The median requirement for that same typical apartment



complex in the twelve jurisdictions is 175 spaces (1.75 spaces per unit). The average parking requirement for the 12 cities is 176.8 spaces (1.77 spaces per unit). The huge gap between measured peak parking demand (1.23 to 1.34 vehicles per unit) and municipal parking requirements (1.77 vehicles per unit) suggests there is a municipal tendency to overestimate parking demand that is widely shared, or perhaps, widely copied between cities.

Chapter 3 reviews some of the policy issues and literature regarding parking requirements and parking demand. Chapter 3 discusses the critique of high parking requirements, the appropriate safety margin (including the potential for a needlepoint peak), the trade-offs of improved design and increased density, the parking impact of additional bedrooms, the impact of garages, credit for on-street spaces, and other factors that would inform selection of an appropriate parking standard.

What this study does not include is a review of specific options for changes to the Tracy parking ordinance, which is most appropriately left for Tracy professional staff, and policy makers.

In summary, the parking survey suggests some reduction in Tracy's parking requirements would have no impact on the availability of parking to apartment residents, no adverse impact upon adjacent properties, and would free up land which would otherwise be wasted in never used parking spaces.



## **Chapter 1**

### **Survey of Tracy Apartment Parking**

This parking survey is the most important chapter in this study, because it provides the actual facts about parking demand in Tracy. What this parking survey reveals is that the current Tracy parking code requires parking supply substantially in excess of parking demand, even at peak demand hours, which for apartments are on weekday nights. Tracy requires 1.7 parking spaces for one bedroom units, and 2.2 parking spaces for two bedroom and larger units. The apartment projects that comply with current parking standards in Tracy have acres of empty parking lots night after night (Waterstone, Chesapeake Bay, and Tracy Park.)

The methodology was to count cars in apartment parking lots after 9:30 p.m., after residents are home for the evening, on the day before a school day. It is assumed that peak parking demand coincides with the night before a regular school day, which is typically also a regular work day. Based upon information from the ITE Study, parking measured at 10 p.m. is 8% below the actual peak which occurs from midnight to 4 p.m. in the morning. The five apartment projects surveyed had 876 units consisting of 200 one bedroom units, 650 two bedroom units, and 26 three bedroom units – so, the unit mix is heavily weighted toward two bedroom units.

#### **Tracy Results**

Table 1.1 and Figure 1.1 summarize the apartment survey results. The late evening average for surveyed projects was 1.24 vehicles parked per unit. Increased by 8% based on ITE Study data for time of day variations, the Tracy average is 1.34 (adj.) vehicles per unit at the midnight peak. The highest number of cars parked per unit, if we assume a 8% increase between 10 p.m. and midnight, would be Chesapeake Bay at 1.41 (adj.) vehicles parked per unit. (Overnight increase discussed further under Waterstone below) Again assuming an 8% parking increase from 10 p.m. to midnight, the apartments surveyed had



Figure 1.1 Tracy Apartment Parking Survey

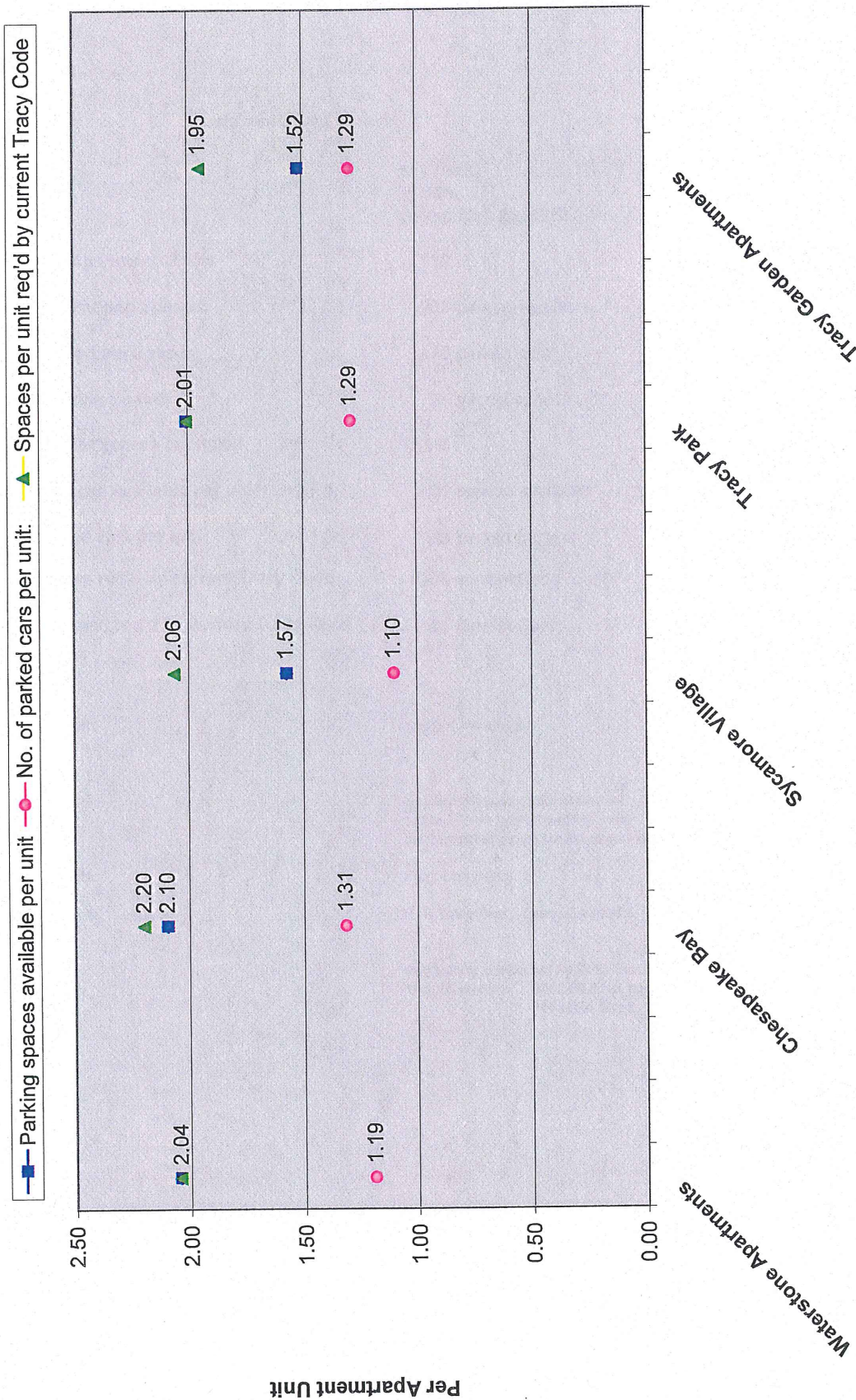




Table 1.1. Tracy Apartment Parking Survey

Late weeknight evening and overnight is considered the peak parking time for apartment projects.

|   | Waterstone Apartments                               |                                      | Chesapeake Bay                     |                                    | Sycamore Village                    |                                     | Tracy Park                        |                                     | Tracy Garden Apartments |  |
|---|---|--------------------------------------|------------------------------------|------------------------------------|-------------------------------------|-------------------------------------|-----------------------------------|-------------------------------------|-------------------------|--|
|   | 9:45 p.m.<br>Monday, March 19, 2012                 | 5:00 a.m.<br>Thursday, March 8, 2012 | 10:15 p.m.<br>Monday, May 28, 2012 | 10:15 p.m.<br>Monday, May 28, 2012 | 9:30 p.m.<br>Thursday, May 10, 2012 | 9:30 p.m.<br>Thursday, May 10, 2012 | 9:30 p.m.<br>Monday, May 28, 2012 | 10:45 p.m.<br>Thursday May 24, 2012 |                         |  |
| A | Number of Apartment Units:                          | 156                                  | 156                                | 216                                | 324                                 | 132                                 | 48                                |                                     |                         |  |
| B | Number of Parking Spaces:                           | 319 parking spaces                   | 319 parking spaces                 | 453 parking spaces                 | 510 parking spaces                  | 265 parking spaces                  | 73 parking spaces                 |                                     |                         |  |
| C | Occupied Parking Spaces                             | 186 parked cars                      | 198 parked cars                    | 284 parked cars                    | 357 parked cars*                    | 170 parked cars*                    | 62 parked cars*                   |                                     |                         |  |
| D | Vacant Parking Spaces                               | 133 vacant spaces                    | 121 vacant spaces                  | 169 vacant spaces                  | 153 vacant spaces                   | 95 vacant spaces                    | 11 vacant spaces                  |                                     |                         |  |
| E | Percentage of spaces occupied                       | 58.31%                               | 62.07%                             | 62.69%                             | 70.00%                              | 64.15%                              | 84.93%                            |                                     |                         |  |
| F | Parking spaces available per unit                   | 2.04 spaces available                | 2.04 spaces available              | 2.10 spaces available              | 1.57 spaces available               | 2.01 spaces available               | 1.52 spaces available             |                                     |                         |  |
| G | No. of parked cars per unit:                        | 1.19 parked per unit                 | 1.27 parked per unit               | 1.31 parked per unit               | 1.10 parked per unit                | 1.29 parked per unit                | 1.29 parked per unit              |                                     |                         |  |
| H | No. of spaces req'd by current Tracy Code           | 319 current Code                     | 319 current Code                   | 475 current Code                   | 689 current Code                    | 285 current Code                    | 94 current Code                   |                                     |                         |  |
| I | Spaces per unit req'd by current Tracy Code = H / A | 2.04 current Code                    | 2.04 current Code                  | 2.20 current Code                  | 2.06 current Code                   | 2.01 current Code                   | 1.95 current Code                 |                                     |                         |  |

Notes:

Unit Breakdown:

Other notes:

Occupancy Rate:

Address:

-108 two b.r., and 48 one b.r.

same project

-13 three b.r., 203 two b.r.

-13 three b.r., 223 two b.r., 88 one b.r.

-92 two b.r., 40 one b.r.

24 one b.r., 24 two b.r.

5 a.m. is assumed to be the peak parking time.

same

95% unit occupancy

1951 West Middlefield Drive, Tracy CA 95377

same

97% unit occupancy

2843 W Lowell Ave, Tracy CA 95377

400 W. Central Ave. Tracy, CA 95376

2800 N. Tracy Blvd., Tracy, CA 95376

2826 N. Tracy Blvd., Tracy, CA 95376

Adjacent street parking being used.

Parking shared with adjacent comm'l. Second count at 10 p.m. on May 23 came in lower at 23 shared with adjacent business parking.

98% unit occupancy

98% unit occupancy

Parking survey conducted by Peter MacDonald  
Contact Information: 925.462.0191 and pmacdonald@macdonaldlaw.net  
400 Main Street, Suite 210, Pleasanton, CA 94566

Cumulative totals surveyed:  
876 apartment units consisting of 2001 b.r., 6502 b.r., and 263 b.r. units.  
1620 available parking spaces  
1822 current parking requirements  
1059 occupied spaces in late evening. Assuming 8% overnight increase in parking, then 1144 spaces occupied at midnight.  
2.08 spaces required per unit under current Tracy parking code.  
1.24 spaces occupied per unit  
1.34 (adj.) spaces occupied per unit (assumes increase by 6% from 10 p.m. to midnight)



peak parking occupancy equal to only about 63% of the Tracy parking code requirements (2.08 spaces per unit for the mix of units surveyed).

#### Waterstone

We initially surveyed Waterstone, the most recent project built in 2006, as representing the three story design which is characteristic of the projects likely to be built within the Tracy market, and the style most favored by institutional investors in residential real estate. We were initially surprised by the number of vacant parking spots in the late evening.

As a check on how many people come in later than the survey hours (typically 9:30 p.m. to 11:00 p.m.), we did a 5 a.m. Thursday morning count at Waterstone. That count showed an almost 4% higher occupancy rate in the early morning. This result corresponds exactly with the ITE Study data which showed an expected increase of 4% between 10 p.m. and 5 a.m..

#### Chesapeake Bay

The highest count we got was 1.31 occupied spaces per unit at Chesapeake Bay, an all two bedroom plus project. Even with an assumed 8% increase in overnight parking occupancy, the parking count would only be 1.41 spaces per unit. At 1.41 spaces per unit, parking occupancy at Chesapeake Bay would still be far below the City requirements of 2.2 parking spaces per unit at Chesapeake Bay.

Chesapeake Bay is a rare situation, with zero one bedroom units, 203 two bedroom units, and 13 three bedroom units. Nevertheless, Chesapeake Bay in the evening had only 1/10 of a vehicle per unit higher parking occupancy than for projects with a mix of one and two bedroom units. Notably, the Tracy parking code increases the parking requirement by 0.5 spaces per unit for that second bedroom (issue discussed below and in Chapter 3).

#### Tracy Park

One project, Tracy Park, represents a unique situation, because it shares parking with adjacent commercial properties. This practice is encouraged by Housing Element policies. The commercial is primarily offices. By 9:30 in the evening, parking on the office side of the shared parking lane was down to about 6 cars. It should be noted that the parking lane includes some 26 spaces officially designated as shared commercial- residential spaces. Other spaces in the shared parking lane are officially exclusively commercial, but at the late evening of our survey had some apparently residential cars parked in them. The shared spaces plus exclusively residential spaces meet current Tracy parking requirements. But, because a number of those "commercial" spaces were obviously being used by apartment tenants, we included those parked cars in our



count. So the actual vacancy rate of residentially designated spaces would have been slightly higher. Of course, at 5 p.m. in the afternoon, the shared office-apartment parking may be more occupied, but that is not relevant to establishing the general parking requirement for apartments.

#### Sycamore Village

Sycamore Village had the lowest number of cars parked at only 1.1 occupied spaces per unit. This is a project built during the 1980's when the parking standard was lower (i.e. there are only 1.57 parking spaces per unit). Nevertheless, there were ample vacant spaces at night. Because the cars parked per unit is lower (1.1), we wondered if there is some impact from an available bus route, relative proximity to downtown, or regulatory limits from the landlord. The remainder of surveyed projects were consistent at 1.2 to 1.3 cars parked per unit in late evening.

#### Tracy Garden Apartments

Finally, the Tracy Garden Apartments is an older project built around 1970, and had only 1.52 spaces available per unit. But, there were still ample spaces available in late evening. The Manager mentioned that there is available street parking, and it looked like the street parking was being used by 3 or 4 cars, enough to loosen up the on-site parking.

#### Comparison with ITE Parking Generation Manual

The Tracy parking survey surprised us with the small number of cars parked per unit. But, in reviewing the Institute of Traffic Engineers, Parking Generation Manual, 4<sup>th</sup> Edition 2010 (ITE Study at Appendix A), Tracy apartment parking counts (after 8% adjustment) were slightly higher than the ITE surveyed suburban apartments (1.23 vehicles per unit v. 1.34 (adj) vehicles per unit). This is not surprising given the automobile dependency of most Tracy apartment locations, and the higher proportion of commuters who need a car to get to jobs outside of the City of Tracy.

In summary, the ITE results were:

|  |               |
|--|---------------|
| Low/Midrise Apartment: Weekday Suburban Peak Period: | 1.23 veh/unit |
| Low/Midrise Apartment: Weekday Urban Peak Period:    | 1.20 veh/unit |
| Low/Midrise Apartment: Saturday Urban (overnight)    | 1.03 veh/unit |

One issue raised by the ITE apartment parking survey, but not explained, is the potential for a needlepoint peak. For the range of results on Low/Midrise Suburban Weekday (overnight) peak, involving 21 projects surveyed, ITE shows a range of 0.59 to 1.94 vehicles per dwelling unit. At 1.94 vehicles per dwelling



unit, at least one project could exceed most standard municipal parking codes requirements. But, ITE does not explain the one high result. It may have been a true outlier, related to unique circumstances of that particular location, because the 95% confidence interval was shown as 1.10 to 1.37 vehicles per unit – not pulled up on the high side by that one data point. Chapter 3 has further discussion regarding any potential needlepoint peak.

For the Tracy apartment parking survey, we did drive through the several projects on a weekend afternoon to see if parking occupancy was greater, but parking occupancy was somewhat lower. Consistent with our observations, the ITE Study Saturday survey also did not reveal a weekend peak comparable to the weekday night peak, dropping from 1.23 down to 1.03 vehicles parked per unit.

The ITE Study at p.51 does include a 24 hour survey, with percentage of the peak occupancy shown for each hour. The ITE Study finds the peak parking period to be from 12 a.m. to 4 a.m., with parking demand at 10 p.m. at 92% of the peak, and parking demand at 5 a.m. at 96% of the peak. The ITE difference between 10 p.m. and 5 a.m. comes out at 4%, which equals the difference our Waterstone 5 a.m. count demonstrated for those hours. Not surprisingly, during the day and early evening, between 7 a.m. and 9 p.m. the parking occupancy falls to more than 20% below the overnight peak.

The ITE Study (at p. 50) has some data on the parking increase between entire projects that average 1.5 bedrooms or less, versus entire projects that average over 2 bedrooms each. For projects averaging less than 1.5 bedrooms, parking was 92% of the overall average. For the projects averaging over 2 bedrooms, parking was 13% higher than the average. So, the difference in parking demand between apartment projects averaging less than 1.5 bedrooms and those averaging over 2.0 bedrooms is about 21% - a substantial increase. (Issue discussed further in Chapter 3).

Overall, nothing in the ITE parking survey suggests the Tracy apartment parking survey missed some important factor. Tracy parking demand is a little higher than national parking patterns for apartments (0.08 vehicles per unit higher).



## **Chapter 2**

### **Comparison with Apartment Parking Standards in Other Cities**

We compared Tracy's parking ordinance and requirements with those of 11 other Northern California cities (Table 2.1). For the cities studied, we applied their parking standards to a typical apartment project consisting of 100 apartments, with 50 one bedroom units, and 50 two bedroom units. The results of that comparison are shown graphically in Figure 1.1. The parking code excerpts from those cities are at Appendix B.

#### **Summary of Results**

The required parking for that typical apartment project range from 1.48 spaces per unit in San Jose, up to 2.00 spaces per unit in Dublin and Lodi. Among the 12 comparable cities, Tracy's parking requirements are third highest, at 1.95 spaces per unit just below Dublin and Lodi, and just above San Leandro at 1.88 spaces per unit. The median parking requirement for the subject cities is 1.75 spaces per unit. The average parking requirement is 1.77 spaces per unit, and the most common parking requirement, shared by four cities, is 1.75 spaces per unit.

While the parking requirement ranged from 1.48 to 2.00 spaces per unit, the formulas for calculating parking requirements varied substantially between cities.

#### **Per Unit vs. Per Bedroom Standards.**

In effect, three of the 12 cities have a "per unit" standard, rather than a standard that varies by the number of bedrooms. For the remainder of cities that do increase the parking requirement per bedroom, the steepest increased parking requirement is typically between one and two bedroom units. For those cities, the two bedroom requirement is typically at least 0.5 spaces higher than for one bedroom units. Tracy requires 0.5 spaces more for a two bedroom unit than for a one bedroom unit. As discussed further in Chapter 3, the ITE Study does suggest that the second bedroom might add a marginal demand for about 0.35 to 0.45 additional parking spaces.



## Covered Spaces.

Only half of the twelve studied cities require covered spaces. Some cities like Dublin say "covered or garaged spaces". Typically, the city requires only one covered space per unit, but San Leandro requires 2 covered spaces for 2 bedroom and larger units, and Dublin does the same for two bedroom condominium units.

## The Garage Problem

Surprisingly, the only city with a notable problem relating their parking was Dublin, with the highest apartment parking requirement of all cities studied, at 2.00 spaces per apartment unit. In fact, Dublin has even higher parking requirements for condominiums, requiring two "covered or garaged" spaces for condominiums, but only one "covered or garaged" space for apartment units. Dublin then requires an additional 0.5 space of open parking per condo.

The parking problem arose in a complex of townhouse- condominium projects, in Eastern Dublin, built recently (after 2000) under the existing parking standards. In touring that area, every open parking spot seems to be taken, and there are overflow cars parked on nearby vacant fields. According to a consultant to the master developer, the builder built inside, garaged parking spaces for most of the condominiums constructed. Some of the inside spaces are tandem spaces. Now, it appears, a number of the occupants have converted their garaged spaces into storage, and those occupants are vying for the open parking spots. It was pointed out the on-street spaces in many cases are more convenient to the unit than the garaged spaces at a lower level.

The issue of garaged spaces is addressed in only two of the ordinances studied, San Jose and Modesto. San Jose has higher parking requirements for projects with garaged spaces. For example, for a two bedroom unit with one garaged space, San Jose requires 0.3 additional open parking spaces. For a two bedroom unit with two garaged spaces, San Jose requires 0.8 additional open parking spaces. Modesto requires an additional 0.5 open parking spaces for each garaged space.

## The San Jose Approach

The San Jose parking ordinance was substantially re-written in the year 2000. Though simple and understandable, the San Jose parking ordinance is also nuanced. The parking ordinance revision was apparently the result, at least in part, of a larger public-private collaboration, led by the Silicon Valley Manufacturers Association. In the late 1990's, the San Jose community was concerned because having the highest housing costs in the country was making



it increasingly difficult to retain quality employees and firms in Silicon Valley. The San Jose metro area economy was losing competitiveness to new high tech centers, both in and out of United States. The result was a systematic effort by the City of San Jose to produce high density development, when possible coupled with transit, so market rate affordable housing would be more available to potential employees. From 1996 to 2000, multi-family units jumped from 47% to 70% of total housing production, and has stayed above that percentage almost every year since. Beyond that, San Jose has an even lower parking standard for "pedestrian oriented zoning districts", like downtown and transit oriented (TOD) developments.

By addressing the special problem of garaged spaces explicitly, San Jose was apparently able to lower its base parking standard to a level much closer to the measured demand for apartment parking. I.e. Compared to other cities, the San Jose standard of 1.48 spaces per unit is much closer to the ITE measured average peak period parking demand for low to midrise apartment projects (1.20 to 1.23 spaces per unit in ITE Study).

The survey of comparable cities shows a lot of similarity in total parking requirements between Northern California cities. But, with the exception of San Jose, the municipal parking requirements are typically about half a space per unit in excess of the peak parking demand that can be expected from new apartment projects.



## **Chapter 3**

### **Policy Considerations**

The Tracy parking survey shows parking at only 1.34 (adj.) vehicles per unit at midnight peak. We gained some confidence in the Tracy results when the ITE Study came up with similar, but lower, peak parking results (1.23 vehicles per unit). Both survey results demonstrate parking demand far below the parking requirements for Tracy and comparable cities.

#### **Apartment Demographics**

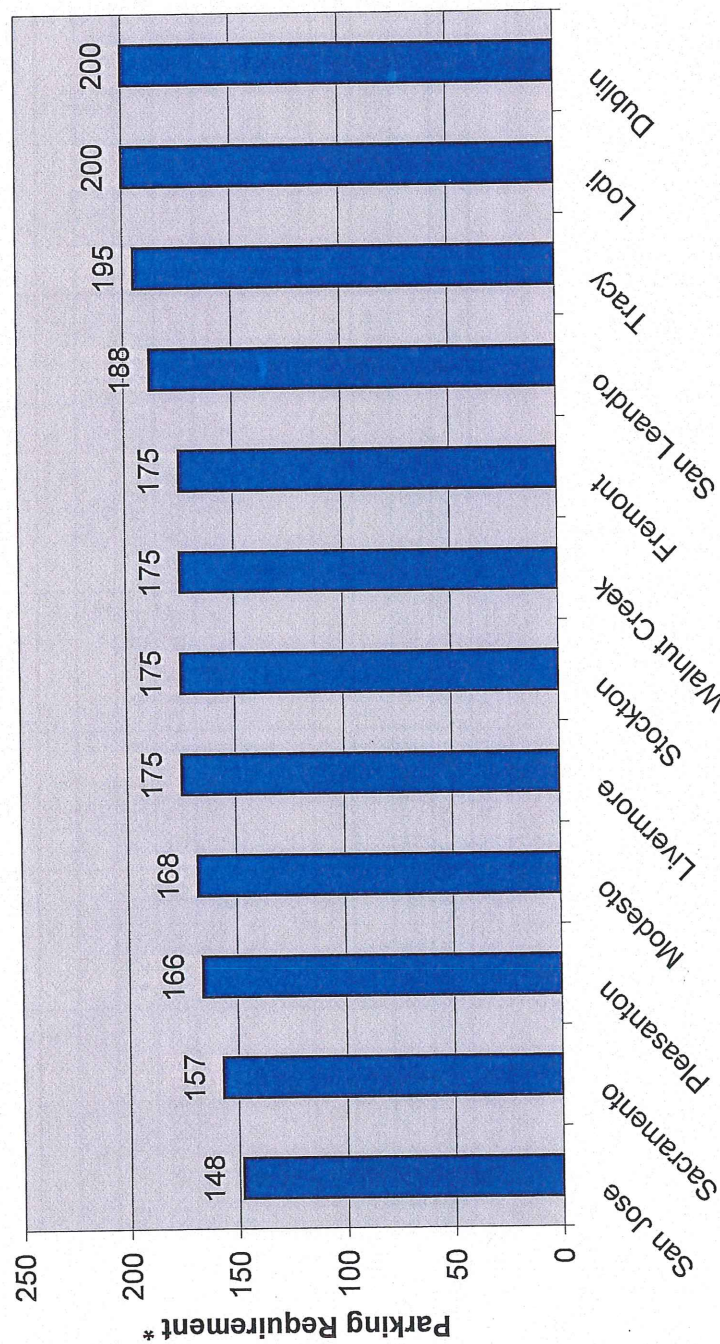
However, the parking survey results are no longer surprising when we look at the demographics of renters. The National Multi Housing Council collated U.S. Population Survey and other results from the U.S. Government studies, included here as Appendix C. Appendix C at page 4 shows that 49% of rental households have only one person. Also at page 4, 70% of rental households consist of a single male, a single female, or a single parent. The entire balance of parking demand has to come from the remaining half of the units, so 1.23 to 1.34 vehicles parked per unit allows for a high proportion of two vehicle ownership among two adult households (especially when we factor in people away traveling with their vehicles and some no vehicle households). We could find no authority suggesting that the long run trend toward smaller household size is about to change.

#### **Parking Literature**

A number of critics, led by Donald Shoup, a UCLA urban planning professor, have written at length about how free parking distorts urban design and raises costs (e.g. *The High Cost of Free Parking*, Updated Edition, 2011). Dr. Shoup argues from an almost libertarian point of view, suggesting that we should "let prices do the planning". Another group of critics, centered on the Conference for the New Urbanism, and personified by Andres Duany and his wife Elizabeth



**Figure 2.1 Apartment Parking Standards by Jurisdiction**



\* Parking Requirement for a 100 Unit Apartment with 50 1-bedroom Units and 50 2-bedroom Units



**Table 2.1. Apartment Parking Standards by Jurisdiction**

|    | Jurisdiction | Studio    | 1 BR      | 2 BR      | 3 BR      | guest      | Ratio/Unit                         | Parking req'mt:     |
|----|--------------|-----------|-----------|-----------|-----------|------------|------------------------------------|---------------------|
|    |              |           |           |           |           |            |                                    | 100 unit apartment; |
|    |              |           |           |           |           |            |                                    | with 50 1 br units  |
|    |              |           |           |           |           |            |                                    | and 50 2 br units   |
| 1  | San Jose     | 1.25/unit | 1.25/unit | 1.7/unit  | 2/unit    |            |                                    | 148                 |
| 2  | Sacramento   | 1.5/unit  | 1.5/unit  | 1.5/unit  | 1.5/unit  | 0.067/unit |                                    | 157                 |
| 3  | Pleasanton   | 1.5/unit  | 1.5/unit  | 1.5/unit  | 2/unit    | 0.143/unit | 2 ea. For 1st 4 units              | 166                 |
| 4  | Modesto      | 1/unit    |           |           |           |            | 2.0 1st 36 un,<br>then 1.5 per un. | 168                 |
| 5  | Livermore    | 1/unit    | 1/unit    | 2/unit    | 2/unit    | 0.25/unit  |                                    | 175                 |
| 6  | Stockton     |           |           |           |           | 0.25/unit  | 1.5/unit                           | 175                 |
| 7  | Walnut Creek | 1.25/unit | 1.5/unit  | 2/unit    | 2.25/unit |            |                                    | 175                 |
| 8  | Fremont      | 1/unit    | 1/unit    | 1.5/unit  | 1.5/unit  | 0.5/unit   |                                    | 175                 |
| 9  | San Leandro  | 1.5/unit  | 1.5/unit  | 2.25/unit | 2.5/unit  |            |                                    | 188                 |
| 10 | Tracy        | 1.5/unit  | 1.5/unit  | 2/unit    | 2/unit    | 0.2/unit   |                                    | 195                 |
| 11 | Lodi         |           |           |           |           |            | 2/unit                             | 200                 |
| 12 | Dublin       | 2/unit    | 2/unit    | 2/unit    | 2/unit    |            |                                    | 200                 |

**Notes:**

- 1 San Jose: None covered; Bicycle spaces req'd; higher standard for garaged spaces.
- 2 Sacramento: None covered.
- 3 Pleasanton: 1 covered space per unit; 2 spaces each for first 4 units.
- 4 Modesto: None covered; higher standard for garaged spaces; 2 spaces each for first 36 units; tandem, RV provisions.
- 5 Livermore: None covered.
- 6 Stockton: None covered.
- 7 Walnut Creek: 1 covered space per unit.
- 8 Fremont: 1 covered space per unit; possible credit for available on-street parking.
- 9 San Leandro: 2 covered for 2 br and +; a .25 guest space req'mt is included in per bedroom standard- not additional.
- 10 Tracy: 1 covered space per unit.
- 11 Lodi: None covered.
- 12 Dublin: 1 covered space per unit.

Peter MacDonald  
M.S. Urban Planning

June 2012



Plater-Zybeck argue for walkable high density cities built around public transit to encourage a lively street life. These critics follow in the footsteps of the great Jane Jacobs, who wrote *The Death and Life of Great American Cities* in 1961, which changed the perspective of urban planning away from providing convenience for cars to providing livable neighborhoods. Both lines of criticism have much validity, but are generally directed at central city settings.

### Framework for Analysis

This parking study needs to address the setting of the freestanding suburban apartment complex, and the planning considerations that could help select the most appropriate parking standards. The widespread adoption of municipal off-street parking requirements following World War II addressed the problem of externalities: By requiring property owners to provide adequate on-site parking for its customers or residents, the city avoids the nuisance of all those vehicle owners taking up limited public parking, and saves the vehicle owner from the inconvenience of walking great distances to their destination.

For this analysis, we start by accepting the need to handle all parking needs of apartment residents on-site. That requires understanding the actual parking demand that can be expected, including what types of peaks might occur, and how often. Given that information, there remains a key policy question about what "safety margin" should be required to deal with unexpected peaks and changing demographics.

There are several additional urban planning considerations that should influence selection of the safety margin for municipal parking requirements. First there is cost, because space wasted on un-needed parking increases the cost of housing. The Tracy General Plan Housing Element at Program 4.3 calls for the City to "*facilitate affordable housing development by reducing development standards such as parking requirements, setbacks, and other requirements.*" Second, un-needed parking adversely affects the design and amenities in projects. The alternative designs for the MacDonald Apartments provide a case study of how design can improve with reduced parking requirements (discussion below). The public costs of an unrealistically high safety margin for parking are more expensive housing, less desirable design, and fewer amenities. There is no public benefit from unrealistically high parking standards.

### Needlepoint Peaks?

The Tracy Parking Survey, and the ITE Study, both suggest that weeknight peak parking demand for apartments averages about 1.20 to 1.34 vehicles per apartment unit. But, what about annual or monthly peaks? The ITE Study gives the range of peak parking demand for the surveyed projects. According to ITE, for suburban apartments there was one project with 1.94 vehicles per unit, and for urban apartments there was one project with 2.50 vehicles per unit. The



urban project can probably be ignored because urban parking garages are frequently managed to lease out any predictably unused parking. The suburban project at 1.94 vehicles per unit is more troubling, but as one of 21 projects surveyed, it apparently had no companion projects at the high end or there would have been more impact on the average.

Apartment parking is unlike retail parking in which there are peaks far above the daily pattern of usage, at Christmas, special events, and certain times of the week or times of the day. By its nature, apartment occupancy peaks each night, especially on weeknights before school days, as confirmed by our surveys and the ITE survey. At other times when parking demand might increase for some residents, as with Christmas parties, or summer visitors, there will be a reciprocal contingent of the apartment residents going to parties elsewhere or traveling elsewhere. The typical weekday is apparently quite close to the annual peak. If there is a peak time that we have missed, anyone with special knowledge is encouraged to share that information with us.

#### Per Bedroom or Per Unit Requirements

In Chapter 1, we reported the ITE Study results showing that parking demand is 21% higher for projects averaging 2.0 bedrooms or more than for projects averaging 1.5 bedrooms or less. But, we don't know exactly what the average number of bedrooms was for those two groups to derive a gradient for the marginal impact on parking demand of going from a one bedroom to a two bedroom apartment. If we assume the two groups of projects have an average difference of 0.7 bedrooms (e.g. 1.4 bedrooms average for the smaller sized projects and 2.1 bedrooms average for the larger sized projects), then each marginal bedroom would generate demand for 0.35 additional parking spaces. If we assume (unrealistically) that the two groups of projects have an average difference of exactly 0.5 bedrooms (i.e. 1.5 bedrooms average for the smaller sized projects, and 2.0 bedrooms for the larger sized projects), then each marginal bedroom would generate demand for 0.50 additional parking spaces. That is the Tracy standard. Either way, it is obvious that a per bedroom standard does capture a real factor causing increased parking demand.

Another clue is the San Jose ordinance, which appears to be based upon more precise study than other cities, certainly with respect to total parking demand. There the parking requirement for studio and one bedroom units is 1.25 spaces, but for two bedroom units it jumps to 1.70 spaces – an increase of 0.45 spaces for the second bedroom. So, the range of 0.35 to .045 additional spaces would appear to capture the marginal impact of a second bedroom. The Tracy standard of 0.5 additional spaces for two bedroom and larger units probably also captures the further parking demand resulting from the occasional three bedroom unit.



## On Street Spaces

The Tracy General Plan Housing Element at Program 4.3 provides: "Depending on the location of proposed development, consider shared parking opportunities (between nonresidential and residential uses) and the ability of street parking to fulfill a portion of a project's parking demand" Several of the comparable cities including Fremont and Dublin have such a policy. In the survey of Tracy Garden Apartments (built under a lower parking standard), the Manager mentioned that tenants do use on-street parking near their units, thereby lowering demand for on-site spaces.

Whether or not parking credit is given, on street parking adjacent to apartments has several worthy impacts of the kind that Jane Jacobs would approve. First, on street spaces are "anytime" spaces, available not just to guests and residents of the apartment, but also to provide overflow parking for events up and down the neighborhood street. Second, on-street parking provides a protective shield to the adjacent sidewalk, making use of that sidewalk by kids, bikes, trikes, and people out walking, more comfortable and physically safe. When combined with buildings facing the street, the eyes on the street from apartments above, and people activity below, on street spaces make the sidewalk safer from crime and encourage increased use of the sidewalk. Third, on any residential street, the presence on-street parking slows down through traffic to residential speeds, protecting the safety of pedestrians and vehicles further up and down the adjacent street.

A middle ground from a policy perspective might be to allow on-street spaces to count toward the guest parking requirements. In Tracy that would put a limit of 0.2 spaces per unit on the use of adjacent on-street spaces. Another policy option would be to limit credit to only those on street spaces immediately adjacent to the project itself.

## Garage and Tandem Spaces

The lesson from the Dublin experience with garages and tandem spaces described in Chapter 2 is that additional parking should be required for garages and tandem spaces, such as the standards set in the San Jose parking ordinance.

## Case Study

The impact of parking requirements on apartment design and cost can be best understood by review of alternative site plans considered in designing the MacDonald Apartments, at Appendix D. Both Alt 2 and Alt 3 have 60 units consisting of 3 three story buildings (two 24 plexes, and one 12 plex).



The plan labeled Alt 2 has the 12 plex forward facing the street. Alt 2 (building front plan) is an earlier version of the plan which has recently been submitted to the City for approval. In contrast, Alt 3 (parking front plan) has the 12 plex set back on the lot with a parking bay along the frontage. Alt 3 was designed to overcome the potential shortage of required parking, and will be revived if necessary.

It should be noted that increasing density by going above three stories with structured parking or using underground parking is not economically feasible in Tracy. The cost impact of structured parking is an increase of approximately \$75 per rentable square foot.

Comparing Alt. 2 and Alt 3, the Alt. 3 parking yield from a geometric parking lot adjacent to the public street is 9 additional parking spaces. The Alt 3 plan lacks the building wall on the street that Alt 2 provides, and has somewhat less open space. But Alt 3 meets the requirements of the Tracy parking and design codes (if on street parking is given credit).

If the 8 new on-street spaces are given parking credit, then Alt 3 exceeds the City parking requirement of 117 spaces by 2 spaces (at 1.98 spaces per unit). In contrast, even if the 8 on-street spaces are given parking credit, the Alt 2 plan (at only 1.83 spaces per unit) still falls 7 spaces short of the City parking requirements. Both plans substantially exceed the measured peak parking demand in Tracy of 1.34 (adj.) spaces per unit. Even at 1.83 spaces per unit, the Alt 2 plan is parked at almost half a space higher per unit than projected parking demand (i.e. 0.49 spaces per unit excess parking which is a 37% safety margin).

Now if it becomes necessary to meet the current parking requirements, there are two ways to adjust the project proposal. First, Alt 2 can be modified to eliminate the third floor from the 8 plex, eliminating the need for 7.8 spaces. Second, if on-street spaces are not given credit, elimination of the 12 plex third floor and a fall back to the Alt 3 plan would provide 9 additional spaces, for a 17 space swing, causing the project to exceed current parking code by ~~0.8~~ of a space.

*2 spaces*

#### Safety Margin

Finally, the real issue is what level of safety margin (excess parking) should the City deem sufficient. To provide residents a choice of readily available parking spaces, there needs to be more parking than peak weekday evening parking demand. That buffer can also help deal with the needlepoint peak that we considered earlier, should one ever occur. To analyze, we compare the results of the Tracy parking survey (1.34 (adj.) vehicles per unit) to the Tracy parking code requirement for the combination of units included in the survey (2.08 spaces per unit including the 0.2 required guest spaces).



The following are the safety margins that result for alternative parking standards expressed as per unit parking standards: (spaces per unit standard / 1.34)

|                      |   |
|----------------------|---|
| 2.08 spaces per unit | = Safety margin of 55.2% -current requirement |
| 1.90 spaces per unit | = Safety margin of 41.8%                      |
| 1.80 spaces per unit | = Safety margin of 34.3%                      |
| 1.70 spaces per unit | = Safety margin of 26.9%                      |
| 1.60 spaces per unit | = Safety margin of 19.4 %                     |
| 1.50 spaces per unit | = Safety margin of 11.9%                      |

#### Conclusion

There is nothing in the planning literature or the two surveys to suggest that apartment projects are subject to needlepoint peaks in parking demand which require an extraordinary safety margin. Thus, the safety margin needed to provide ample parking choice to residents should suffice to handle any peak event that might occur. The public costs of having an excessive safety margin is higher housing costs, fewer amenities, and less desirable project designs. We have provided accurate parking data, but the appropriate size of the safety margin is a policy decision for public officials of the City of Tracy.



August 14, 2019

RESOLUTION 2019-\_\_\_\_\_

APPROVING DEVELOPMENT REVIEW APPLICATION NUMBER D19-0018  
AND DETERMINATION REGARDING OFF-STREET PARKING SPACE REDUCTION  
FOR THE GLENBRIAR VALPICO APARTMENTS LOCATED ON APPROXIMATELY 11.62  
ACRES ON THE NORTH SIDE OF VALPICO ROAD AT GLENBRIAR DRIVE  
ASSESSOR'S PARCEL NUMBERS 246-12, 13, AND 14

WHEREAS, On December 18, 2012, the Tracy City Council approved Development Review applications for the Valpico and MacDonald apartments projects at 501 and 451 E. Valpico Road – also known as 2605 and 2795 S. MacArthur Drive (Application Numbers D12-0004 and D12-0006), and

WHEREAS, On July 7, 2015, the City Council granted a time extension to the Valpico and MacDonald apartment projects, extending the expiration to February 14, 2017, and

WHEREAS, On November 12, 2015, Republic Tracy, LLC submitted Development Review Application Number D15-0024 which combined the Valpico and MacDonald projects and made revisions to the site plan, architecture, and included a total of 252 apartment units in the project. The City Council approved this revised project on April 19, 2016, and

WHEREAS, The property owner submitted a parking study documenting that 1.58 off-street parking spaces per unit is sufficient to mitigate the potential parking demands of the project, and

WHEREAS, A Negative Declaration was adopted by the City Council for the Valpico Apartments on December 18, 2012 and the project is consistent with the development density analyzed in the General Plan EIR and the Valpico Apartments Negative Declaration, and

WHEREAS, An Addendum to the 2012 Negative Declaration has been prepared demonstrating that the Negative Declaration serves as the appropriate document addressing the environmental impacts pursuant to the California Environmental Quality Act, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on August 14, 2019, and

NOW, THEREFORE BE IT RESOLVED, That the Planning Commission approves Development Review Application Number D19-0018 for a 264-unit residential apartment project on approximately 11.62 acres on the north side of Valpico Road at Glenbriar Drive (Assessor's Parcel Numbers 246-140-12, 13, and 14) and approve an Off-Street Parking Space Reduction to approximately 1.58 spaces per unit for this project, in accordance with Tracy Municipal Code Section 10.08.3470(e), subject to the conditions contained in Exhibit 1 and based on the following findings:

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

The project involves the construction of a 264-unit residential apartment complex; with 417 off-street parking spaces; an approximately 440-foot long extension of Glenbriar Drive; over an acre (more than 50,000 square feet) of usable open space, consisting of a



clubhouse (with fitness room, lounge, and other amenities), a pool, a dog park with shade trellis, open lawn areas with a shade pavilion, outdoor lounge, and outdoor courtyards between buildings.

The multi-family land use and design of the apartment complex is compatible with the adjacent single-family home neighborhood, located at a lower grade to help respect privacy of adjacent residents; the pool, dog park, and other active areas of the site are focused away from the adjacent residential neighborhood; exterior lighting of the apartments will be directed down so as not to shine directly on neighboring residential property; adjacent and nearby commercial sites will benefit from potential customers of the project; the project has direct access onto Valpico Road, thereby avoiding a need for apartment traffic to pass through existing residential neighborhoods; and the site is adjacent to vacant property to the west, designated Residential High within the City's General Plan.

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

The subject property is designated Residential High by the City's General Plan and is zoned High Density Residential. These designations provide for multi-family development with a density range of from 12.1 to 25 dwelling units per acre. The proposed apartment project is consistent with City land use and density regulations, at approximately 23 dwelling units per acre. The project meets or exceeds City policies and regulations in that buildings front on the public street with varying setbacks to provide visual interest; the project has a meaningful focal point with the Clubhouse and pool area; utilities will be screened or painted to match building color; the buildings include visual interest with simple shapes through the use of both vertical and horizontal façade breaks visible from street view; the project includes approximately eight times the minimum amount of "usable open space" required by the City's Zoning Regulations; technical studies regarding sewer, water, storm drainage, and roads were conducted to verify compliance with the City's Infrastructure Master Plans; and a parking study was conducted to document the project will adequately mitigate impacts on off-street parking.

\* \* \* \* \*

The foregoing Resolution 2019-\_\_\_\_\_ was adopted by the Planning Commission of the City of Tracy on the 14<sup>th</sup> day of August, 2019, by the following vote:

|          |                     |
|----------|---------------------|
| AYES:    | COMMISSION MEMBERS: |
| NOES:    | COMMISSION MEMBERS: |
| ABSENT:  | COMMISSION MEMBERS: |
| ABSTAIN: | COMMISSION MEMBERS: |

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
STAFF LIAISON



**ADDENDUM TO INITIAL STUDY/MITIGATED NEGATIVE  
DECLARATION for the  
TRACY VALPICO APARTMENTS PROJECT**

July 2019

Submitted to:

City of Tracy  
Development Services Department  
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Tracy, California 95376  
(209)831-6400

Prepared by:

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## **1.0 INTRODUCTION**

This environmental document is an Addendum to the Tracy Valpico Apartments Project Initial Study/Mitigated Negative Declaration ([IS/MND] adopted on December 18, 2012 by the City of Tracy, with subsequent revisions approved in 2016. Since adoption of the IS/MND and subsequent revisions, additional changes to the site plan and proposed number of residential units for the previously Approved Project have been proposed, thus requiring further environmental analysis. The proposed changes to the site plan and minor increase in residential units are addressed in this Addendum. As demonstrated in this Addendum, the IS/MND continues to serve as the appropriate document addressing the environmental impacts of the Project, pursuant to the California Environmental Quality Act (CEQA).

## **1.1 BACKGROUND**

In 2012, the City of Tracy received development applications for two adjacent apartment projects: the Valpico Apartments and the MacDonald Apartments.

The IS/MND was prepared to address construction-level and operational impacts of the proposed Valpico Apartment project, which was approved concurrently with the adjacent MacDonald Apartments project at the same public hearing.

While the Valpico project relied on the above-referenced IS/MND for CEQA clearance, the MacDonald Apartments project relied on a CEQA Guidelines Section 15183 exemption.

The previously approved Valpico project included plans to construct 184 apartments, while the previously approved MacDonald project proposed 60 apartment units. Together, these projects would consist of 244 multi-family housing units with associated parking and onsite residential amenities. The two project sites are adjacent to each other on approximately 11.62 total acres. The two projects have been planned and designed to serve as a single development project with consistent design and shared amenities and utilities.

Subsequent revisions to the combined projects were approved in 2016 that slightly increased the total number of housing units from 244 to 252 multi-family housing units. However, no additional CEQA review was necessary because of the projects' similarity to the original approvals.

The IS/MND (Valpico) and the 15183 exemption (MacDonald) evaluated potential environmental effects associated with full development of each residential multi-family apartment project. The environmental analysis in the Valpico IS/MND addressed the following topics: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land



use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems, and mandatory findings of significance. All impacts in the IS/MND were mitigated to below a level of significance through the implementation of mitigation measures.

Since adoption of the IS/MND and subsequent revisions, the Project Applicants for both the Valpico and MacDonald projects have decided to combine their projects into a single cohesive multifamily residential development.

This combined project, now referred to as the Katterra Project, is the subject of the analysis in this Addendum. The Katterra Project is also referred to as the “Modified Project” in this document. The Modified Project would include eleven 3-story residential apartment buildings, totaling 264 units and a 6,500 square foot clubhouse amenity and onsite parking.

Overall, the development of the Modified Project would remain consistent with the uses, building heights, and overall layout of the uses approved in 2012 and again in 2016 for the Valpico and MacDonald projects, but with an increase of 20 additional units than were contemplated in the 2012 approvals, and 12 additional units beyond what was approved in 2016. These refinements are described in Section 2.0 of this document and are the subject of this Addendum.

## **1.2 PURPOSE OF ADDENDUM TO THE IS/MND**

When an approved project is changed or there are changes in the environmental setting or other circumstances surrounding the development of the project, a determination must be made by the Lead Agency as to whether an Addendum or Subsequent EIR or MND is prepared. CEQA Guidelines Sections 15162 and 15164 sets forth criteria to assess which environmental document is appropriate. Based on those criteria and the initial study, if the Lead Agency concludes all of the following, then an Addendum is the appropriate document:

- No new significant impacts will result from the project or from new mitigation measures.
- No substantial increase in the severity of environmental impact will occur.
- Alternatives or mitigation measures previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives.
- Feasible alternatives or mitigation measures which are considerably different from those analyzed in the previous CEQA document would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.



Based upon the information provided in Section 3.0 of this document, the changes to the Approved Project will not result in new significant impacts or substantially increase the severity of impacts previously identified in the IS/MND, and there are no new or previously infeasible mitigation measures or alternatives that would substantially reduce any significant environmental effects of the Modified Project.

Because none of the conditions described in Section 15162(a) of the CEQA Guidelines is present, the City has determined that an Addendum is the appropriate form of CEQA compliance for the Modified Project, and this Addendum has been prepared to document that determination.

### **1.3 CONCLUSIONS**

This Addendum addresses the environmental effects associated only with refinements to the Approved Project that have occurred since adoption of the IS/MND. The conclusions of the analysis in this Addendum remain consistent with those made in the IS/MND. No new significant impacts will result, and no substantial increase in the severity of impacts will result from those previously identified in the IS/MND, and none of the other conditions described in Section 15162(a) are present that would require further environmental review.

## **2.0 PROJECT DESCRIPTION**

The Modified Project would include the construction and operation of 264 multi-family residences on the 11.62-acre site. Additional project details are described below under Section 2.2.

### **2.1 PROJECT LOCATION AND SETTING**

The approximately 11.62-acre project site is located at the northwest quadrant of the intersection of South MacArthur Drive and Valpico Road in the southern portion of the City of Tracy. The project site is bound by Valpico Road to the south, existing development to the North and east and vacant land to the west. The project site contains a single-family home at its west end, which will be demolished. Landscaping trees are located along the southern edge and western vicinity of the project site. Lands to the south, east, and north of the project site consist of single-family residential uses. There is a Rite Aid store located immediately east of the project site, along the project site's eastern boundary. Commercial, industrial, and vacant land uses are located adjacent to the west and northwest of the project site.

### **2.2 PROJECT MODIFICATIONS SINCE IS/MND ADOPTION**

The previous environmental analyses describe the development of 184 multi-family housing units on the Valpico site and 60 multi-family housing units on the MacDonald site. The Approved Projects would consist of nine, three-story buildings with 24 apartment units in each building, one tree-story building with 12 units, plus 16 rental townhomes in six buildings of two stories each. Parking would



be located throughout the site, adjacent to the apartment buildings. The Approved Projects would include a leasing office, swimming pool, sidewalks, a bike path, and landscaping improvements throughout the site. Landscaping would be provided throughout the site. All existing structures, foundations, surfacing, etc. would be demolished and removed as part of the Approved Project. The Approved Valpico Project also included a request for a General Plan Amendment (GPA) to designate the site Residential High, and a zoning change to zone the site High Density Residential. This GPA and zoning change were approved by the City in 2012, but the project was never constructed.

The Approved Project also describes the development of all associated supporting infrastructure (driveways, water, sewer, etc.). Utility extensions would be installed to provide services to the project. Utility lines within the project site and adjacent roadways would be extended throughout the project site. Wastewater, water, and storm drainage lines would be connected via existing lines along the surrounding roadways (Valpico Road).

Access to the project site would be provided along Valpico Road. As part of the Approved Project, the project applicant would construct a new segment of Glenbriar Drive, running north-south, along the western edge of the site. There would be two access points to the western side of the project site from the newly constructed segment of Glenbriar Drive. An additional site access point would be provided from Valpico Road, near the southeastern corner of the project site.

As noted previously, the original Valpico project was approved concurrently with adjacent MacDonald Apartments Project on the western portion of the site. However, no buildings have been constructed since the approvals were granted. In 2016 the City Council received and approved revisions to both projects, increasing the total number of units from 244 multi-family housing units total to 252 residential multi-family units as part of the combined Valpico and MacDonald projects.

The Modified Project, which is the subject of this analysis, would consist of 264 multi-family apartment units located within 11 3-story buildings, 418 onsite parking spaces, and a 6,500 sf clubhouse. All development associated with the Modified Project would fall within the footprint of the previously-analyzed projects.

### **3.0 ENVIRONMENTAL ANALYSIS**

As explained in Section 1.0, this comparative analysis has been undertaken pursuant to the provisions of CEQA Sections 15162 and 15164 to provide the City with the factual basis for determining whether any changes in the project, any changes in circumstances, or any new information since the IS/MND was adopted require additional environmental review or preparation of a Subsequent MND or EIR to the IS/MND previously prepared.



As described in Section 2.0, Project Description, refinements to the project's proposed site plan and total unit count have occurred since the preparation and adoption of the IS/MND. Because of this, new analysis for impacts within the project area is provided in this Addendum.

**Aesthetics:** The Modified Project refinements would not result in significant impacts to aesthetic resources beyond those identified in the IS/MND. The IS/MND identified impacts to lighting that could occur on nearby properties, and mitigation was proposed to ensure that all lighting associated with the Proposed Project would conform to the City's regulations and safety standards, with provisions for shields on all lighting fixtures. The proposed modifications to the project are not substantial changes to the originally anticipated project relating to Aesthetics. The Modified Project does not designate any new sites for development that were not previously approved for multifamily housing development by the City in 2012. Building height and massing would be similar to the previously approved project, and site design characteristics would be comparable. Therefore, there would be no new impacts to aesthetics. The mitigation identified in the IS/MND for aesthetics impacts remains applicable to the Modified Project. No new mitigation measures are required for the proposed refinements to the Approved Project.

**Agriculture and Forestry Resources:** The design refinements and residential unit count increase would not result in additional impacts to agriculture lands or resources beyond those identified in the IS/MND. As noted in the IS/MND, there are no prime, unique, or statewide important farmlands in the project study area and the site is designated as Vacant or Disturbed Land and Urban and Built-Up Land. The agricultural value of the project site is compromised by a variety of factors that render the site unsuitable for agricultural production or agricultural operations. The project site was historically used as a sand and gravel extraction area, which has resulted in soil disturbances and the removal of topsoil that renders the site unviable for agricultural uses. Additionally, the project site is designated for urban land uses by the Tracy General Plan Land Use Designations Map and the project site is surrounded by urban land uses, and there are no agricultural land uses or agricultural operations adjacent to the site. As noted in the IS/MND, there is no impact related to this topic.

**Air Quality:** The Modified Project refinements would not result in additional impacts to air quality beyond those identified in the IS/MND. The background conditions, construction equipment mix, and work hours identified in the IS/MND would remain similar, and construction-related air quality emissions and impacts would not increase as a result of the Modified Project. The IS/MND includes standard mitigation measures that are required of the project in order to ensure that construction related emissions are reduced to less than significant levels.



In terms of operational emissions, as shown in Table 1 of the IS/MND, emissions from the Approved Project would be significantly below the adopted threshold of significance for criteria pollutants. The additional units proposed as part of the Modified Project would not result in an increase of criteria pollutant emissions that would exceed any adopted thresholds. The air quality mitigation measures contained in the IS/MND remain valid and applicable. No new mitigation measures are required for the proposed refinements to the Approved Project.

**Biological Resources:** The Modified Project would slightly alter the site plan and number of onsite residential units, but would not increase the area proposed for disturbance beyond the sites approved for development in 2012, and would not increase or alter impacts to biological resources, either directly or indirectly. The mitigation measure identified in the Approved Project IS/MND for biological resources impacts remains applicable to the Modified Project. No new mitigation measures are required for the proposed refinements to the Approved Project.

**Cultural Resources:** The Modified Project would slightly alter the site plan and number of onsite residential units, but would not increase the area proposed for disturbance beyond the sites approved for development in 2012, and would not increase or alter potential impacts to cultural resources, either directly or indirectly. The mitigation measure identified in the Approved Project IS/MND for cultural resources impacts remains applicable to the Modified Project. No new mitigation measures are required for the proposed refinements to the Approved Project.

**Geology and Soils:** The proposed refinements would not result in substantially different geophysical impacts beyond those identified in the IS/MND. While the Modified Project would involve minor changes to the site plan and number of units, these changes do not represent a substantial deviation from the project analyzed in the IS/MND, and the conclusions of the IS/MND remain valid. Compliance with applicable code standards, seismic requirements, and mitigation measures identified in the IS/MND would reduce geotechnical concerns to below the level of significance.

**Greenhouse Gas Emissions:** The Modified Project would result in a similar duration and intensity of construction activities relative to the Approved Project. As such, construction-related GHG emissions would remain essentially unchanged. As described in the IS/MND, GHG emissions from the Approved Project would be less than significant. The City of Tracy has not established a threshold of significance for determining what level of CO<sub>2</sub> emissions from vehicle trips is considered a significant impact. The Modified Project represents an infill project within the City. Additionally, the project is a high-density residential development, which promotes a compact development pattern, and minimizes the consumption of open space lands and resources. The project provides for additional high-density housing opportunities within the City of Tracy, and would assist the City in achieving the housing goals established in the City's Housing Element. The residential population



growth that would occur as a result of project implementation would contribute to the growth anticipated in the City's General Plan and General Plan EIR. This impact would remain less than significant under the Modified Project.

**Hazards and Hazardous Materials:** The Modified Project would not increase the area proposed for ground disturbance beyond the sites approved for development in 2012, nor would it introduce new uses, beyond those addressed in the IS/MND, that could generate hazards or hazardous materials. The Modified Project would have similar impacts to those addressed in the IS/MND, and all mitigation measures related to this impact would remain applicable and be required of the project.

**Hydrology and Water Quality:** The Modified Project would be required to comply with all applicable water quality regulations during and following construction and operational activities. The Modified Project would not result in increased rates of runoff or changes to water quality impacts beyond those from the Approved Project that were analyzed in the IS/MND. The mitigation identified in the IS/MND for hydrology and water quality impacts remains applicable to the Modified Project. No new mitigation measures are required for the proposed refinements to the Approved Project for hydrology and water quality.

**Land Use and Planning:** The Modified Project would not result in notably increased adverse impacts on adjacent land uses, as the overall proximity and intensity of construction activities would not be substantially different than under the Approved Project. The Modified Project is an infill project in an urban area and would be consistent and compatible with the surrounding land uses. The Modified Project would require same or similar entitlements, permits, and/or other approvals as the Approved Project. The IS/MND did not identify any potentially significant impacts to land use and planning; therefore, mitigation was not required. No new mitigation measures are required for the proposed refinements to the Approved Project for this topic.

**Mineral Resources:** The proposed refinements would not result in additional impacts to mineral resources beyond those identified in the IS/MND. The project site is not located within an area of known mineral resources, either of regional or local value, and the IS/MND did not identify any impacts to mineral resources; therefore, mitigation was not required. The Modified Project, and the Modified Project would not increase the area proposed for development beyond the area approved for development in 2012, therefore no new or more severe impacts relating to mineral resources are anticipated and no new mitigation measures are required for the changes to the Approved Project.

**Noise:** The Modified Project would not result in any significant additional impacts to noise beyond those identified in the IS/MND. The proposed construction timing/activities would not significantly change, and there would not be any significant change to the operation of the Modified Project beyond



what was analyzed in the IS/MND. Despite the refinements to the Approved Project, noise would not be significantly different from the anticipated noise impacts from the Approval Project. Future residential uses would be subject to the same level of roadway noise exposure as was analyzed under the Approved Project. Additionally, the increase in unit count that would occur under the Modified Project would not result in noticeable increases in traffic noise generation beyond the levels analyzed and disclosed in the IS/MND because the volume and speed of the traffic (factors which affect noise) will remain within the range anticipated by the Transportation Master Plan and General Plan EIR. The same mitigation measures that were applicable to the Approved Project are also applicable to the Modified Project. No new mitigation measures are required for the changes to the Approved Project.

**Population and Housing:** The Modified Project would not result in any housing loss or residential displacement. The additional housing units included in the Modified Project would incrementally increase the population growth potential of the project, but would not result in any new or increased environmental impacts. No mitigation is required.

**Public Services:** The proposed refinements to the Approved Project would not result in any additional impact to public services beyond those identified in the IS/MND because they would not result in operational changes to the project that may affect public service levels or resources beyond those evaluated in the IS/MND for the Approved Project. The IS/MND did not identify any potentially significant impacts to public services; therefore, mitigation was not required. No new mitigation measures are required for the Modified Project.

**Recreation:** Impacts identified in the IS/MND of the Approved Project included an increase in demand for parks and recreational facilities within the City of Tracy, and would increase the use of the City's existing parks and recreation system. Mitigation was proposed to ensure that impacts to recreation with the Approved Project would conform to the City's standards, with provisions for the payment of a Park Development Impact Fee to the City of Tracy. The proposed refinements to the Approved Project would not result in any additional impacts to recreation beyond those identified in the IS/MND. No new mitigation measures for recreation would be required for the proposed refinements.

**Transportation/Traffic:** A Traffic Impact Study was prepared in August 2012 (TJKM Transportation Consultants) that addressed potential traffic and roadway impacts associated with the development of both the Valpico project and the MacDonald project. The 2012 Traffic Study assumed a combined total housing unit count of 249 units. The Modified Project would allow for construction of up to 264 multifamily units, which is a 15-unit increase from what was studied in the 2012 Traffic Study.



The Traffic Study concluded that the combined projects would result acceptable level of service (LOS) on all study intersections under both existing plus project conditions and cumulative plus project conditions. All study intersections would operate at LOS C or better under existing and cumulative conditions, with the addition of project traffic. The minimum LOS standard for City roadways and intersections is LOS D. A project that causes a roadway facility to fall below LOS D is considered to significantly impact the roadway facility.

The addition of 15 housing units above the levels studied in the 2012 Traffic Study would not cause any study area intersections to fall below LOS C. Traffic related impacts would remain less than significant under the Modified Project, and no mitigation is necessary.

**Utilities and Service Systems:** The Modified Project would not require or result in the construction or expansion of any public utilities beyond those required for the Approved Project. Temporary short-term and operational demands on public utilities or other infrastructure would not measurably change under the Modified Project. As demonstrated in the IS/MND, there is ample capacity and supply available in terms of water supplies, wastewater treatment capacity, and stormwater conveyance capacity. As such, impacts would be less than significant and no mitigation measures are required.

**Mandatory Findings of Significance:** The potential impacts of the Modified Project with regard to direct and indirect effects on human beings would be comparable to the Approved Project. This potential impact would remain less than significant.

### 3.1 CONCLUSIONS

Based on the information provided above, the proposed modifications to the Approved Project would not result in a measurable increase in environmental impacts over what was previously analyzed in the IS/MND. Based on the evidence included in the above analysis, the Modified Project as described in Section 2.0 would not result in a substantial change in the conclusions and analysis included in the IS/MND. The adopted MMRP for the previously Approved Project shall continue to apply to the Modified Project, and no new mitigation is required.



**City of Tracy**  
**Conditions of Approval**  
Valpico Glenbriar Apartments  
Application Number D19-0018  
August 14, 2019

These Conditions of Approval shall apply to the real property described as the Valpico Glenbriar Apartments (Application Number D19-0018). The approximately 11.62-acre subject property is located on the north side of Valpico Road at Glenbriar Drive, 501 E. Valpico Road (also known as 2795 S. MacArthur Drive and 2605 S. MacArthur Drive), (Assessor's Parcel Numbers 246-140-12, 13, and 14).

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

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
3. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
4. "Conditions of Approval" shall mean the conditions of approval applicable to the Valpico Glenbriar Apartments, Application Number D19-0018. The approximately 11.62-acre subject property is located on the north side of Valpico Road at Glenbriar Drive, 501 E. Valpico Road (also known as 2795 S. MacArthur Drive and 2605 S. MacArthur Drive) (Assessor's Parcel Numbers 246-140-12, 13, and 14).
5. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
6. "Project" means the real property consisting of approximately 11.62 acres located on the north side of Valpico Road at Glenbriar Drive, 501 E. Valpico Road (also known as 2795 S. MacArthur Drive and 2605 S. MacArthur Drive) (Assessor's Parcel Numbers 246-140-12, 13, and 14) Application Number D15-0024.
7. "Property" means the real property generally located on the north side of Valpico Road, at Glenbriar Drive, 501 E. Valpico Road (also known as 2795 S. MacArthur Drive and 2605 S. MacArthur Drive) (Assessor's Parcel Numbers 246-140-12, 13, and 14).
8. "Subdivider" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. "Subdivider" also means Developer. The term "Developer" shall include all successors in interest.



B. General 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 following: 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 Project shall comply with all City Regulations.
3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all mitigation measures identified in the General Plan Environmental Impact Report, dated February 1, 2011 and the Valpico Apartments Project Mitigated Negative Declaration, adopted by the Tracy City Council on December 18, 2012.
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 otherwise modified herein, all construction shall be consistent with the plans received by the Development and Engineering Services Department on July 31, 2019.
6. Prior to the issuance of a building permit, the applicant shall provide a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code Section 10.08.3560, and the City's Design Goals and Standards to the satisfaction of the Development Services Director. The landscape and irrigation plan shall also be designed consistent with the applicable Department of Water Resources Model Efficient Landscape Ordinance on private property, to the satisfaction of the Utilities Director. Said landscape plans shall include documentation which demonstrates there is no less than 20 percent of the parking area in landscaping, and 40 percent canopy tree coverage at tree maturity in accordance with City Regulations. Newly planted, on-site trees shall be a minimum size of 24-inch box and shrubs shall be a minimum size of five gallons.
7. Prior to the issuance of a building permit, an Agreement for Maintenance of Landscape and Irrigation Improvements shall be executed and financial security submitted to the Development Services Department. The Agreement shall ensure maintenance of the on-site landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the on-site landscape and irrigation improvements, or \$2.50 per square foot of on-site landscape area.



8. 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 Valpico Road, Glenbriar Drive, or any other public right-of-way. All roof-mounted equipment shall be contained within the roof well or screened from view from the public rights-of-way by the roof of the building, to the satisfaction of the Development Services Director.
9. All vents, gutters, downspouts, flashing, electrical conduit, and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.
10. Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way or nearby residential property, to the satisfaction of the Development Services Director.
11. Prior to the issuance of a building permit, vehicle and bicycle parking spaces, including one covered vehicle parking space per unit, shall be provided in accordance with Tracy Municipal Code Chapter 10.08 Article 26 to the satisfaction of the Development Services Director.
12. 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.
13. Prior to the issuance of a building permit, a lot line adjustment or other instrument shall be approved by the City and recorded to effectively merge the three lots of the Project site into one lot.
14. The "Entry Monument", as shown near the northeast corner of Valpico Road and Glenbriar Drive, is approved with this Development Review Permit. However, prior to the installation of any signs on the Entry Monument or elsewhere, the applicant shall submit a sign permit application and receive approval from the Development Services Director in accordance with City Regulations.
15. Prior to the issuance of a building permit, the Developer shall submit detailed trash and recycling enclosure plans which include the following, to the satisfaction of the Development Services Director: the walls shall be of masonry construction, at least seven feet in height (except the trash enclosure nearest Valpico Road, between Buildings 8 and 9, which shall be eight feet in height), include solid metal doors, a solid roof, and an interior perimeter concrete curb. The enclosures shall include exterior color and material consistent with the adjacent building exterior.
16. Prior to the issuance of a building permit, the developer shall design a recycling program consistent with State Assembly Bill 341, to the satisfaction of the Public Works Director. The program shall include enclosures with adequate space for both refuse and recycling and shall be incorporated with the trash and recycling enclosures described in General



Condition of Approval Number B.15, above. Each enclosure shall have signs that clearly indicate refuse and recycling locations as well as prohibition of scavenging. The program shall include recycling options or elements at the pool area and other common areas for the tenants.

17. Because the project is located within Tracy Municipal Airports' Airport Influence Area, prior to the issuance of a building permit, and thereafter as applicable, the developer shall comply with the following San Joaquin County Council of Government's (COG) 2009 Airport Land Use Compatibility Plan conditions, to the satisfaction of San Joaquin County COG:
  - a. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include the following:
    - i. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
    - ii. Sources of dust, steam, or smoke which may impair pilot visibility.
    - iii. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
  - b. Occupied structures must be soundproofed to reduce interior noise to 45dB according to State Guidelines.
18. Prior to the issuance of a building permit, the developer shall document compliance with the City of Tracy Multi-Agency Post-Construction Stormwater Standards Manual (Manual) to the satisfaction of the Utilities Director, which includes the requirement for Site Design Control Measures, Source Control Measures and Treatment Control Measures under the guidelines in a project Stormwater Quality Control Plan (SWQCP). Compliance with the Manual includes, but is not limited to, addressing outdoor storage areas, loading and unloading areas, trash enclosures, parking areas, any wash areas and maintenance areas. The SWQCP must conform to the content and format requirements indicated in the Manual and must be approved by the Utilities Director prior to issuance of grading or building permits.
19. The project shall comply with all applicable provisions of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, including Incidental Take Minimization Measures applicable at the time of permit and a pre-construction survey prior to ground disturbance, to the satisfaction of San Joaquin Council of Governments.
20. Prior to issuance of the first building permit, the applicant shall do one of the following, subject to the approval of the Finance Director:
  - a. CFD or other funding mechanism. The applicant shall enter into an agreement with the City, to be signed by the Finance Director, which shall be recorded



against the property, which stipulates that prior to the issuance of the first building permit, the applicant will form or annex into a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for funding the on-going operational costs of providing Police services, Public Works services and other City services to serve the Project area. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. The applicant shall be responsible for all costs associated with the formation or annexation proceedings. Upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment.

Or

- b. Direct funding. The applicant shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that prior to the issuance of the first building permit, the applicant will fund a fiscal impact study to be conducted and approved by the City to determine the long term on-going operational costs of providing Police services, Public Works services and other City services to serve the Project area, and deposit with the City an amount necessary, as reasonably determined by the City, to fund the full costs in perpetuity as identified by the approved study.

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

21. Prior to the issuance of a building permit, the developer shall identify the design of the "Park", "Dog Park", "Outdoor Lounge" and other "usable open space" areas (as defined by Tracy Municipal Code Section 10.08.1640), including landscaping, furniture, recreational equipment, swimming pool, or other improvements. If the entire project is not constructed and occupied at one time, the phasing of usable open space improvements shall be improved consistent with City standards to the satisfaction of the Development Services Director. Recognizing that amenities or other improvements of the usable open space areas may change from time to time, all usable open space area improvements shall be designed, improved, and maintained consistent with City standards to the satisfaction of the Development Services Director.
22. If the developer obtains residential building permits through the Regional Housing Needs Allocation provisions of the City's Growth Management Ordinance (Tracy Municipal Code Section 10.12.065), then prior to the issuance of the first building permit, the developer shall cause to be recorded an affordable housing agreement or similar instrument, in a form satisfactory to the City Attorney. The Agreement shall contain provisions to ensure that rent(s) for all of the units meet the California Department of Housing and Community Development State income limits for Moderate Income levels (120 percent of the Area Median Income or equivalent) and residents meet the income requirements for the Moderate Income affordability category for which building permits



were obtained. The Agreement shall also contain provisions requiring annual monitoring, to be financed, by the developer. The term of the Agreement shall be no less than ten years from building occupancy.

### C. ENGINEERING DIVISION CONDITIONS OF APPROVAL

1. Conditions of Approval Prior to Approval of Grading Permit Applications: Developer shall submit all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
  - a. The Developer has completed all requirements set forth in this section.
  - b. Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer and Geotechnical Engineer. The Grading and Improvement Plans prepared in accordance with the Subdivision Ordinance and the City Design Documents.
  - c. Memorandum issued by the City's storm drainage consultant confirming the invert elevation of the outlet pipe at the Project's permanent storm drainage connection point.
  - d. The Grading Plans shall be prepared to specifically include, but not be limited to, the following items:
    - i. All existing and proposed utilities.
    - ii. Method of disposing storm water in the interim and ultimate conditions, the Project's on-site drainage connections to City's storm drainage system as approved by the City Engineer.
    - iii. Two (2) sets of the Project's Geotechnical Report signed and stamped by a licensed Geotechnical Engineer licensed to practice in the State of California. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, pavement design recommendations, percolation rate, and elevation of the highest observed groundwater level.
    - iv. Three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) for the Project with a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any relevant documentation or written approvals from the SWQCB, including the Wastewater Discharge Identification Number (WDID#).
    - v. A copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD).



- vi. Payment of applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval
2. Conditions of Approval Prior to Approval of Encroachment Permit Applications:  
Developer shall submit all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
- a. The Developer has completed all requirements set forth in Condition C-1 above, and this section.
  - b. The Developer has obtained the approval of all other public agencies with jurisdiction over the required public facilities.
  - c. Execution of all agreements, posting of all improvement security, and providing documentation of insurance, as required by these Conditions of Approval.
  - d. The improvement plans for all improvements (on-site and off-site) required to serve the development project in accordance with the Subdivision Ordinance, the City Design Documents, and these Conditions of Approval. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:
    - i. All existing and proposed utilities.
    - ii. All supporting calculations, specifications, cost estimate, and reports related to the design of streets and utilities improvements.
    - iii. Improvement Plans prepared on 24" x 36" size polyester film (mylar) with the City Engineer and Fire Marshall approval and signature blocks. 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.
    - iv. Joint Trench Plans and Composite Utility Plans for the installation of dry utilities such as electric, gas, TV cable and others that will be located within the 10 feet wide Public Utility Easement or for the conversion of aerial lines to underground facilities.
    - v. A construction cost estimate for all required public facilities, prepared in accordance with City Regulations.
  - e. Payment of applicable fees required by these Conditions of Approval and City Regulation including plan checking, grading and encroachment permit processing, construction inspection, testing, and agreement processing fees.
  - f. Tracy's Fire Marshall's signature on the Improvement Plans indicating their approval of the location and construction detail of the fire service connection and



the location and spacing of fire hydrants that are required to be installed to serve the Project.

- g. Signed and notarized Offsite Improvement Agreement (OIA) with the fully executed improvement security for faithful performance, labor and materials, and warranty, for the construction of Valpico Road Frontage Improvements and Glenbriar Drive Improvements.
3. Conditions of Approval Prior to Approval of Building Permit. No building permit within the Project boundaries will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
- a. The Developer has completed all requirements set forth in Condition C-2, above, and this section.
  - b. Copy of the improvement plans and structural calculations for all on-site retaining walls, signed and stamped by the Design Engineer and approved by the City's Building Division.
  - c. Payment of all applicable and adopted development impact fees required by these Conditions of Approval and City Regulations, that are in effect at the time of issuance of the building permit.
  - d. In-lieu payment in the amount of \$14,000.00, for the Project's estimated share of cost of the re-striping on Valpico Road as required in the Tiburon Village Traffic Impact Study, Final Report dated February 6, 2004 (Traffic Study). Refer to Table I of the recommended Mitigation Measures in the Traffic Study.
4. Conditions of Approval Prior to Certificate of Occupancy or Final Building Inspection. No certificate of occupancy within the Project boundaries will be approved by the City or final building inspection will be performed until the Developer provides documentation which demonstrates, to the satisfaction of the City Engineer, that:
- a. The Developer has completed all requirements set forth in Condition C-3, above and this section.
  - b. The Developer has completed construction of all public facilities required to serve the building for which a certificate of occupancy is requested. Unless specifically provided in these Conditions of Approval, or some other City Regulation, the Developer shall take 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. Signed and notarized Deferred Improvement Agreement (DIA) including improvement security(s) in the amounts approved by the City Engineer and form approved by the City Attorney



- d. Signed and notarized Grant of Public Access Easement with the legal description and plat map.
  - e. Signed and notarized easement for maintenance of the private storm drainage, water and sanitary sewer lines crossing on Glenbriar Drive (Private Utility Crossing Agreement).
  - f. Signed and notarized Grant Deed with the legal description and plat map that describes the land to be dedicated to the City, for the construction of Valpico Road Frontage Improvements.
  - g. Signed and notarized Grant of Public Access Easement with the legal description and plat map. Signed and notarized Grant of Easement with the legal description and plat map that describes the location of the 10-foot wide PUE on Valpico Road and Glenbriar Drive, for the installation, use, repair, and maintenance of public utilities such as electric, gas, TV cable, telephone and other utilities and for the conversion of the existing aerial utilities into underground facility.
  - h. Signed and notarized Irrevocable Offer of Dedication with the legal description and plat map that describes the land to be dedicated to the City, for construction of Glenbriar Drive Improvements.
  - i. Signed and notarized Storm Water Maintenance Agreement (SWMA) with the City for maintenance of the storm water treatment facilities.
  - j. Documentation evidencing that the Property has been annexed to an existing Landscape Maintenance District (LMD).
5. Undergrounding of Overhead Utilities:
- a. Prior to starting work, the Developer shall obtain written permission from the respective owner(s) of private utilities, for the installation of permanent surface improvements and structures over their underground facilities located within the 10-foot wide Public Utility Easement along Valpico Road.
  - b. All private utility services such as electric, telephone and cable TV to the building must be installed underground, and to be installed at the location approved by the respective owner(s) of the utilities. The Developer shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are necessary to serve the Project.
  - c. The Developer shall dedicate a 10 feet wide Public Utility Easement along the Property frontages on Valpico Road and Glenbriar Drive, for the installation of private utilities. The Grant of Easement shall be filed for recording with the Office of the San Joaquin County Recorder prior to Final Building Inspection. The Developer is responsible for the cost of preparing the easement document and legal description and plat map.



6. Grading:

- a. A Grading Plan prepared by a Registered Civil Engineer and accompanied by Soils Engineering report shall be submitted to the City with the Grading and Storm Drainage Plans. The report shall provide recommendations regarding adequacy of sites to be developed by the proposed grading and also information relative to the stability of soils such as soil classification, percolation rate, soil bearing capacity and others.
- b. Slope easements shall be dedicated to the City where cuts or fills do not match existing ground or final grade adjacent to public right of way (up to a maximum grade differential of two feet only). 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.
- c. All grading work (on-site and off-site) shall require a Grading Permit. Erosion control measures shall be implemented in accordance with Grading Plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall specify all erosion control methods to be employed and materials to be used.
- d. Prior to the issuance of the Grading Permit, the Developer shall submit three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB including a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID). 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. The Developer shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the Storm Water Regulations adopted by the City.

7. Street Improvements:

- a. Glenbriar Drive Improvements  
The extension of Glenbriar Drive from Valpico Road to the Project's northern boundary will include but not limited to, installation of concrete curb, gutter, sidewalk, asphalt concrete pavement, handicap ramp, storm drain, catch basin or drop-inlet, landscaping and street trees with automatic irrigation system, median curb, hand-placed grouted cobblestones, pavement signing and striping, barricade and guardrail, and intersection improvements on Glenbriar Drive/Valpico Road such as traffic signal pole and light, traffic detecting loops,



traffic loops pull boxes, conduits and wires, audible pedestrian warning, electronic sign, and other improvements as determined by the City Engineer that are deemed to be necessary to have a safe and functional street improvements (Glenbriar Drive Improvements).

The Developer shall complete the construction of Glenbriar Drive Improvements prior to the issuance of the Final Building Inspection for the first building to be constructed within the Property. Upon completion of Glenbriar Drive Improvements, Developer shall record Irrevocable Offer of Dedication (IOD) to the City for the right-of-way for the Glenbriar Drive Improvements. City shall not accept Glenbriar Drive improvements and the IOD until Glenbriar Drive is extended north of the Project boundary to connect to properties to the north (by others).

Glenbriar Drive shall remain a private street until the northerly extension is completed. The Developer shall record a Public Access Easement and utility easements as required by the City for access on Glenbriar Drive. The DIA shall address requirements pertaining to Developer's responsibilities prior to acceptance of Glenbriar Drive right-of-way by the City.

b. Valpico Road Improvements

The Developer is also required to construct certain street and utilities improvements on Valpico Road which include but not limited to, concrete bike path, concrete sidewalk, handicap ramp, offsite water main upgrade, concrete curb and gutter, replacement of pavement marking and striping, traffic signs, and the installation of bus shelter and associated improvements such as water service with hose bibb, garbage receptacle, additional concrete paving, removal and replacement of disturbed irrigation and landscaping improvements with automatic irrigation system and other improvements on Valpico Road as determined by the City Engineer (Valpico Road Frontage Improvements). The final location of the bus shelter will be determined at the time of review of improvement plans, and the materials specifications and construction details of the bus shelter will be provided by the City at the time of preparation of the improvement plans.

Completion of Valpico Road Frontage Improvements is required to be completed prior to the final building inspection of the first building to be constructed on the Property. To guarantee completion of these improvements, within the time specified above, the Developer will be required to execute an Offsite Improvement Agreement (OIA) with the City and post improvement security in the amounts approved by the City Engineer and form acceptable to the City Attorney. The OIA requires approval from the City Council.

Upon completion of Valpico Road Frontage Improvements, Developer shall convey to the City the right-of-way for the Valpico Road Frontage Improvements which City shall not accept until after satisfactory completion of those improvements to applicable standards, and satisfactory completion of the final building inspection on the last building to be constructed on the Property.



- c. The Developer shall dedicate 60-feet wide right-of-way from the existing right-of-way line of Valpico Road towards the Property along the frontage west of Glenbriar Drive for the construction of Valpico Road Frontage Improvements. The Developer shall execute a Grant Deed to convey the land in fee title and submit legal description and plat map that describes the area to be dedicated, prior to the issuance of the Grading Permit. The cost of roadway dedication including the cost of preparing the legal description and plat map will be the sole responsibility of the Developer.
- d. Prior to the approval of the OIA, the Developer is required to submit Improvement Plans, Technical Specifications and Cost Estimates, prepared in a 24" x 36" size polyester film or known as mylar, signed and stamped by the Design Engineer, for City's approval and signature. All engineering calculations for the design of the improvements must be submitted. The Developer will be required to pay Engineering Review Fees which include plan checking, agreement and permit processing, testing, engineering inspection, and program management fees prior to the approval of the OIA.
- e. All work to be performed and improvements to be constructed within City's right-of-way will require an Encroachment Permit from the City, prior to starting the work. The Developer or its authorized representative shall submit all documents that are required to process the Encroachment Permit including but not limited to, approved Improvement Plans, Traffic Control Plan that is prepared by and signed and stamped by a Civil Engineer or Traffic Engineer registered to practice in the State of California, payment of Engineering Review Fees, copy of the Contractor's license, Contractor's Tracy business license, and certificate of insurance with the insurance coverage specified in the OIA and naming the City of Tracy as additional insured or as a certificate holder.
- f. The Developer shall grant a Public Access Easement (PAE), for the benefit of the public for rights to access Glenbriar Drive until such time that the City accepts Glenbriar Drive as a public street. The Grant of Public Access Easement must be filed at the Office of the San Joaquin County Recorder, prior to City's acceptance of Glenbriar Drive Improvements. The Developer is responsible for all costs associated in dedicating the necessary public access easement to the City including the cost of preliminary title report, and preparing the easement document, legal description and plat map.
- g. The design and construction of Glenbriar Drive Improvements and Valpico Road Frontage Improvements shall meet City Regulations and all applicable requirements and recommendations specified in the final traffic report dated August 14, 2012 and titled "Traffic Impact Study for the Proposed 189 units Valpico Apartments and 60 units MacDonald Apartments" prepared by TJKM Transportation Consultants. The final traffic report is on file with the Office of the City Engineer.



8. Storm Drainage:

- a. The on-site storm drainage system and site grading shall be designed such that the Project storm drainage overland release point will be directly to a public street with existing storm drainage system in accordance with City standards. The City may allow overland storm drainage release to private property(s), only if, the Developer enter into an agreement with the fee owners of the affected property(s) and indemnify the City for any liability, damages and costs that may arise as a result of utilizing their property as the Project's storm drainage release point. The irrevocable agreement must be signed by fee owner(s) of all affected property(s) and will be reviewed by the City Engineer and will be recorded to the Property and to all affected properties. The Developer shall provide a copy of the fully executed agreement to the City, prior to the issuance of the Grading Permit. Cost of obtaining permission and/or easement(s) and the agreement from the fee owner(s) of the affected property(s) will be the sole responsibility of the Developer.

The Deferred Improvement Agreement will require approval from the City Council and will be recorded against the Property. The Developer shall pay all costs associated with the preparation, processing and approval of the agreement, including the cost of preparing the legal description and map, and recording the agreement.

- b. The Developer has proposed to use a trench infiltration system as an interim solution for disposing storm water generated from the Project site. The City will allow this method of disposing storm water, if the Developer executes a Deferred Improvement Agreement, to guarantee performance of the Developer's responsibilities and obligations and conditions described below including paying all costs associated in complying with all the requirements described under this section: a) that the Developer will be responsible for repairing, rectifying, and maintaining the trench infiltration system to acceptable standards and to the satisfaction of the City; b) the Developer will provide guarantee acceptable to the City Engineer for performing the responsibilities and obligations c) the Developer will also install the Project's permanent storm drainage connection as the final method of disposing storm water; and d) the Developer will provide other means of disposing storm water such as a temporary storm drainage retention basin within the time specified by the City, if the trench infiltration system fails to function to the level or condition acceptable to the City, or fails to drain storm water as designed or intended to do as determined by the City Engineer, or if determined by the City that a temporary storm drainage retention basin is necessary to be constructed due to public health and safety reasons.

Draining the storm water to the City's storm drainage system is the required final solution of disposing storm water from the Project site. The Developer shall design and install all the necessary improvements for the final solution of disposing storm water. The Developer is responsible for installing the Project's permanent storm drainage connection from the Project site to the City's future public storm drain line at the location and grade approved by the City Engineer.



The future public storm drain line starts from a new storm drain manhole near the northerly property boundary of the Project to the City's proposed storm drainage detention basin described as Detention Basin #2B (DB#2B).

It is the Developer's responsibility to repair, rectify, and maintain the trench filtration system or the temporary storm drainage retention basin, if constructed, to the satisfaction of the City. The Developer shall submit engineering calculations for the design and sizing of the trench filtration system or the temporary storm drainage retention basin, including a percolation report prepared, signed and stamped by a registered Geo-technical Engineer, and a copy of the written permission from property owner(s), if off-site retention basin is utilized, as part of the Grading and Drainage Plans.

The use of trench infiltration system shall not reduce the amount of storm drainage development impact fees due from the Project nor will entitle the Developer storm drainage development impact fee credits or reimbursement(s).

- c. In the event an off-site retention basin is required, the Developer shall obtain written permission or agreement and/or easements from fee owner(s) of all affected property(s), for the use of their property(s) as a temporary storm drainage retention basin. The Developer shall indemnify and hold harmless the City for any liability, damages and costs that may arise as a result of the use their property(s) for a storm drainage retention basin. The easement agreement must be signed by fee owner(s) of the property(s) and will be reviewed by the City Engineer and will be recorded to the Property and to all affected properties. The Developer shall provide a copy of the fully executed agreement to the City, prior to starting the grading work on the involved property. Cost of obtaining permission and/or easement(s) and the agreement from the fee owner(s) of the affected property(s) will be the sole responsibility of the Developer.
- d. As part of a complete submittal of the Grading and Drainage Plans, the Developer obtain a technical memorandum from the City's consultant, stating that the pipe invert elevation of the Project's permanent storm drainage connection is consistent with the design of the Zone 1 Storm Drain Line Improvements. The cost of the technical memorandum and coordination with the City's storm drain consultant shall be paid by the Developer.
- e. The project site will need to include storm water quality treatment provisions that conform to the **Multi-Agency Post-Construction Stormwater Standards Manual**. Calculations related to the design and sizing of on-site storm water treatment facilities must be submitted with the Grading and Storm Drainage Plans, and approved by City's Water Resources Coordinator prior to issuance of the Grading Permit for the Project. The Trench Filtration system shall function as stormwater treatment facility for the Project after the permanent connection to City's Detention Basin DB#2 is completed, and the interim on-site storm drainage facilities are no longer required. The Developer shall execute Storm Water Maintenance Agreement with the City for maintenance of the storm water treatment facilities.



9. Sanitary Sewer:

- a. A sanitary sewer lift-station will be used to convey domestic sewage from the Property to the City's existing sewer main on Valpico Road. The sewer lift-station including the sewer force main and the sewer pipeline up to the new sewer manhole on Glenbriar Drive / Valpico Road are private improvements and they will be owned, operated and maintained by the Developer. These private improvements are required to be installed and made functional, prior to the final inspection of the first building to be constructed on the Property. The City has no responsibility of repairing and maintaining these improvements. The Developer will be required to provide documentation in the form acceptable to the City's Chief Building Official as a guarantee that the sewer lift-station will be repaired and maintained by the Developer.
- b. The Developer will be required to design and construct the sewer, water and storm drainage lines crossing on Glenbriar Drive at the location and grade shown on the improvement plans. The City will grant a permanent easement to grant access rights to the Developer, to enter City's right-of-way on Glenbriar Drive, for the repair and maintenance of the sewer line crossing. The Developer will be required to execute a maintenance agreement with the City, to guarantee the responsibilities and obligations of the Developer regarding the use, operation, repair, and maintenance of the private utility crossings on Glenbriar Drive. The Developer shall pay all costs associated with the processing of the grant of easement and maintenance agreement including the cost of preparing the legal description and map. The maintenance agreement will be filed for recording with the Office of the San Joaquin County Recorder, prior to City's acceptance of public improvements on Glenbriar Drive.
- c. The Developer shall pay for an update of the sewer analysis dated July 2012 titled "Wastewater System Fee for Valpico Apartments and Peter MacDonald Apartments" prepared by CH2MHill ("Wastewater Analysis") to update recommendations in the report for the current Project. The Developer shall comply with all the recommendations with regards to design, and construction of wastewater conveyance as identified in the update to the Wastewater Analysis.

10. Water System:

- a. The Developer shall pay for an update of the water analysis report dated July 16, 2012 titled "Hydraulic Evaluation of Valpico and MacDonald Apartments". Prepared by West Yost Associates ("Water Analysis"). The Developer shall comply with all the recommendations with regards to design, and construction of water improvements as identified in the update to the Water Analysis.
- b. The Developer is required to install the pipe upgrade of approximately 50 feet of existing 8-inch diameter water main located at the intersection of Valpico Road / Glenbriar Drive to a 12-inch diameter Ductile Iron Pipe (DIP) water main at the location and grades approved by the City Engineer, all at the Developer's sole cost and expense.



The Developer shall submit improvement plans that include the design, location, and grade of the offsite water main upgrade including all existing improvements that will be affected or restored and replaced as a result of installing the offsite water main upgrade. The Developer shall obtain an Encroachment Permit, prior to starting the work. The offsite water main upgrade shall be completed by the Developer, prior to final inspection of the first building to be constructed on the Property.

- c. All costs associated with the installation of the offsite water main upgrade including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings, replacing traffic detecting loops, conduits, and wires, relocating existing utilities that may be in conflict with the new water main, and other improvements shall be paid by the Developer. When street cuts are made, the Developer is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes.

If water main shut down is necessary, the City will allow a maximum of 4 hours water supply shutdown. The Developer shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Developer shall submit a Traffic Control Plan, to show the method and type of construction signs to be used for regulating traffic during the installation of the offsite water main upgrade. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California.

- d. The Developer shall design and install domestic and irrigation water service connection, including a remote-read master water meter (the water meter to be located within City's right-of-way) and an R/P Type back-flow protection device in accordance with City Regulations. The domestic and irrigation water service connection must be completed before the final inspection of the building. Sub-metering will be allowed within private property. The City will not perform water consumption reading on sub-meters. The City's responsibility to maintain water lines shall be from the water main on the street to the master water meter (inclusive) only. Maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer.
- e. The Developer shall design and install fire hydrants at locations approved by the Building Division and Fire Department. Location and construction details of the fire service line shall be approved by the Building Division and Fire Department. Prior to the approval of the Improvement Plans, the Developer shall obtain written approval from the Building Division and Fire Department for the design, location and construction details of the fire service connection to the Project, and



for the location and spacing of fire hydrants that are to be installed to serve the Project.

11. Special Conditions:

- a. All improvements shall be in accordance with all City Regulations, Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, Tracy Design Standards and Specifications, and Parks and Parkways Design Manual, or as otherwise specifically approved by the City.
- b. All improvement plans shall contain a note stating that the Subdivider (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Subdivider's sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).
- c. All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Developer shall be responsible for all costs associated with the abandonment or removal of the water well(s) including the cost of permit(s) and inspection. The 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.
- d. The 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.
- e. 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 requesting additional revisions and requirements to the final parcel map and improvement plans, prior to the City Engineer's signature and approval of the proposed final parcel map and improvement plans, if the City deems it necessary. The Developer shall bear the all cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.