

**CITY OF PATTERSON PLANNING COMMISSION AGENDA**  
**REGULAR MEETING**  
**THURSDAY, JANUARY 28, 2016, AT 7:00 P.M.**  
**City Council Chambers**  
**1 Plaza, Patterson, California**

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Planning or Public Works Department at (209) 895-8000. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ITEMS FROM THE PUBLIC** The public wishing to address the Planning Commission on items that do not appear on the agenda may do so; however, the Planning Commission will take no action other than referring the item to Staff for study and analysis and may place the item on a future agenda [Resolution 92-25].

Any member of the audience desiring to address the Planning Commission regarding a matter on the agenda, please raise your hand or step to the podium at the time the item is announced by the Chairperson. In order that all interested parties have an opportunity to speak, any person addressing the Planning Commission will be limited to a maximum of five (5) minutes unless the Chairperson grants a longer period of time.

**STATEMENT OF CONFLICT BY COMMISSIONERS**

**RIGHT TO APPEAL** Any person who is dissatisfied with the decision of the Planning Commission, may appeal such action to the City Council within ten (10) business days after action.

**CORRESPONDENCE** None

**INFORMATIONAL ITEMS**

**CONSENT AGENDA**

1. Planning Commission Meeting Minutes of January 14, 2016

**AGENDA ITEMS**

1. **Public Hearing: Second Amendment to the First Amended and Restated Development Agreement by and Between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC**  
The City of Patterson Planning Commission will consider recommendations for City Council approval of a Second Amendment to the First Amended and Restated Development Agreement by and between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC (the Agreement”) for the project known as the West Patterson Business Park (the “Project”). The purpose

of the public hearing is to discuss the removal of provisions for “Minimum Flex Parcels” under Section 2.7 and Exhibit L of the original Agreement. The Agreement will only apply to undeveloped property within the Project area.

**2. Public Hearing: Lot Line Adjustment #15-01- Westside Property Management**  
The project is a lot line adjustment to reconfigure APN 021-026-061, a 3.24 acre lot, and APN 021-026-062, a 47.83 acre lot, located on the northeast corner of Sperry Avenue and Park Center Drive. Approval would create a 2.06 acre lot and a 49.01 acre lot, with the smaller lot located on the corner of Sperry and Park Center. This action is proposed for future development of the 2.06 acre lot for commercial purposes. The lots are located in the West Patterson Industrial Business Park and West Patterson Light Industrial Zones with a Planned Development overlay. The lots are located within the Westridge Business Park Master Development Plan.

**3. Public Hearing: Lot Line Adjustment #15-02 – Villages of Patterson (VOP), North, LLC**  
The project is a lot line adjustment to reconfigure APN 047-025-030, a 4.85 acre lot, and APN 047-025-029, a 22.02 acre lot on the north side of Olive Avenue between 1<sup>st</sup> Street and Sycamore Avenue. Approval would create a 1.0 acre lot and a 25.87 acre lot. This action is proposed for future development of the area within the Villages of Patterson Master Development Plan. The lots are intended for medium- and low- density development under the Villages of Patterson Master Development Plan.

- ITEMS FROM STAFF
- ITEMS FROM COMMISSION
- ADJOURNMENT

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**CITY OF PATTERSON**  
**PLANNING COMMISSION MINUTES**  
**January 14, 2016**

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The Planning Commission regular meeting of January 14, 2016 was called to order by Chairperson West at 7:01 p.m.

**SHOWN PRESENT:** Chairperson West, Vice Chairperson Applegate, and Commissioner Bendix. Also shown present were City Planner Andrews, Associate Planner Rodriguez, and City Attorney Hallinan and Planning Commission Secretary Ochoa. Shown excused was Commissioner Barba and Commissioner Bingham.

**ROLL CALL:** Chairman West , Vice Chairman Applegate  
Commissioner Bendix

**EXCUSED:** Commissioner Barba, Commissioner Bingham

**ITEMS FROM PUBLIC:** None

**STATEMENT OF CONFLICT BY COMMISSIONERS:** None

**CORRESPONDENCE:** None

**INFORMATIONAL ITEMS:**

Planning Commissioners Academy

Planner Joel Andrews spoke about the Planning Commissioners Academy. It will be a full day session. Chairman West and Commissioner Bendix showed interest in attending also. Commissioner Bendix and Vice Chairman Applegate showed some interest in attending the event in Modesto.

**CONSENT AGENDA:**

**Motion to approve the minutes of December 17, 2015**

Commissioner Bendix

**Second:** Vice Chairman Applegate

**Motion passed:** 3-0 Vote

**ROLL CALL:** Chairman West , Vice Chairman Applegate  
Commissioner Bendix

**EXCUSED:** Commissioner Barba, Commissioner Bingham

**Ted Holzem, consultant from Mintier Harnish requested to move the Housing Element item to #1 on the agenda and he gave the staff report**

**1. Public Hearing: 2015-2023 Housing Element**

On June 25, 2015, the City of Patterson Planning Commission held a study session to review the Draft 2015-2023 Housing Element. The Housing Element is one of the State mandated General Plan Elements. The Housing Element provides a detailed analysis of the city's demographic, economic, and housing characteristics as required by State Law. The Element also provides a comprehensive evaluation of the City's progress in implementing the past policies and programs related to housing production, preservation, and conservation. Based on the community's housing needs, available resources, constraints, and opportunities for housing production and preservation, the Housing Element identifies goals, policies, and programs that address the housing needs of present and future residents. The Housing Element was submitted to the California Department of Housing and Community Development (HCD) for a mandated 60-day review and was found to be in compliance with statutory requirement. The Planning Commission will be asked to recommend adoption of the Housing Element to the City Council.

Commissioners discussed the item with the consultant

**Open Public Hearing:** 7:15 p.m.

No Public Testimony

**Close Public Hearing:** 7:15 p.m.

**Motion to recommend approval of the Housing Element and Negative Declaration to the City Council**

**Vice Chairman Applegate**

**Second:** Commissioner Bendix

**Motion passed:** 3-0 Vote

**ROLL CALL:** Chairman West, Vice Chairman Applegate

Commissioner Bendix

**EXCUSED:** Commissioner Barba, Commissioner Bingham

**2. Public Hearing: Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 Patterson Gas, APN # 021-028-038**

A new 2,853 square foot gas station (convenience store) with a 57'x40' Canopy cover for 8 bays (4 pumps). The project location is the southeast corner of Rogers Road and Speno Drive. The convenience store will sell the usual snacks plus beer and wine. The operational hours would be 24 hours/day 7 days/week. A draft Negative Declaration has been prepared noting that the project will not have a significant impact on the environment under the California Environmental Quality Act.

**Open Public Hearing:** 7: 33 p.m.

1. **Peter Singh-** He has reviewed the conditions of approval and he does not have any issues with any of them. Number 77 doesn't apply to his project only Patterson Mobil. He stated he will move and or replace the tree that is there now. The project will be a Shell gas station.
2. **Ken Buehner, Patterson** – He asked about the ADA parking on this project.
3. **Larry Buehner, 116 Mirror Court, Patterson** – He asked about diesel truck moving in this location.
4. **Dominic Speno** – The 76 station sells diesel gas also and there has never been an issue out there with trucks going in and out.

**Close Public Hearing:** 7:46 p.m.

Commissioners discussed the project with staff

**Re-Open Public Hearing:** 7:49 p.m.

1. **Manjit, Patterson** - She agrees with another public comment regarding the big truck traffic. She works at the Chevron station and she has seen big trucks having a hard time getting in and out of the locations out in that area.

**Close Public Hearing:** 7:51 p.m.

**Motion to continue the Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 Patterson Gas, APN #021-028-038 item to the February 11, 2016 Planning Commission meeting, pending further review from the Engineering department regarding delivery routes for recreational vehicles.**

**Second:** Vice Chairman Applegate  
**Motion passed:** Commissioner Bendix  
3-0 Vote

**ROLL CALL:** Chairman West, Vice Chairman Applegate  
Commissioner Bendix  
**EXCUSED:** Commissioner Barba, Commissioner Bingham

**3. Public Hearing: Architectural & Site Plan Review #15-03 & Conditional Use Permit #15-06 – Patterson Mobil, APN # 021-028-043**

A public hearing to consider an Architectural & Site Plan Review application for the construction of a new gas station facility. The project location is the northeast corner of Rogers Road and Anna Marie Avenue. The project consists of a new 4,735 square foot convenience store and gas station. The convenience store would include a small restaurant with seating for 16 and seating for 12 along the exterior. The project includes a 90'x40' canopy covering 12 bays (6 pumps). The project would provide 20 parking stalls with 1 accessible stall. Typical business hours for this type of business are 24 hours/day 7 days/week. The project site is currently vacant of trees, buildings, and other features. A draft Negative Declaration has been prepared noting that the project will not have a significant impact on the environment under the California Environmental Quality Act.

**Associate Planner Rodriguez gave the staff report**

The Commissioners discussed the project with staff

**Open Public Hearing:** 8:03 p.m.

1. **Peter Singh** – He spoke about the project and the stop sign and street signs that will be installed. He stated they will take care of the construction of the sidewalk and anything else that needs fixing.
2. **Ken Buehner, Patterson** - He asked how big the site of the project is.

**Close Public Hearing:** 8:15 p.m.

The Commissioners discussed the project with staff

**Motion to approve Architectural & Site Plan Review #15-03 & Conditional Use Permit #15-06 Patterson Mobil, APN # 021-028-043, eliminating Condition #35**

Vice Chairman Applegate

**Conditions of Approval**

1. The project shall comply with all applicable State and Municipal Codes, including the 2010 California Building Codes and the 2010 California Green Code and meet the requirements of the Public Works Department, City Engineer, Building Inspector, Planning Department and Fire Chief.

2. The applicant shall comply with all conditions of approval and adopted mitigation measures.
3. Development shall occur in substantial conformance with the site plan as may be approved by the Planning Commission.
4. The applicant shall agree to defend at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of said approval, or in anyway relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fee's which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.
5. Prior to issuance of a certificate of occupancy, mail receptacles shall be provided as required by the Postmaster of the City of Patterson.
6. The applicant shall obtain an encroachment permit from the Public Works Department for any work conducted within the public right-of-way.
7. Lights under the canopy shall be recessed or flush with the bottom of the canopy. Prior to issuance of a building permit, an exterior lighting plan and site lighting footcandle plan shall be prepared subject to the review and approval of the Community Development and Police Departments.
8. That architectural elements proposed for the convenience store shall be included on the canopy and canopy supports. Such elements may include, but are not limited to, decorative masonry work, stucco, and clay tile roofing.
9. That the decorative trellises, similar to those located on the convenience store, shall be included on the left side elevation of the convenience store.
10. Construction shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. on non-holiday weekdays, and on Saturdays to between the hours 8:00 a.m. and 6:00 p.m.; that additional hours may be permitted at the discretion of the Public Works Director. Construction activities may be allowed at any time on the interior of buildings once they are entirely enclosed, in conformance with the City's noise ordinance.

11. Prior to issuance of a certificate of occupancy for each building, all ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground, on the structure or elsewhere, shall be screened from public view with materials architecturally compatible with the main structure. It is especially important that gas and electric meters, electric transformers, and large water piping systems be completely screened from a standard public viewing height of 6 feet. All roof-mounted equipment which generates noise, solid particles, odors, etcetera, shall cause the objectionable material or effects to be directed away or shielded from adjoining land designated for residential development. A plan for the treatment of roof top equipment shall be submitted to the Planning Department prior to issuance of a building permit.
12. All planted areas shall be separated from driveways by concrete curbs.
13. Stop signs shall be provided at all project exits and internally as needed to ensure safety, including the internal driveway to the west.
14. Prior to issuance of a building permit, the applicant shall submit a detailed drawing of the trash enclosure for review and approval by the Planning Department and the Public Works Department. Trash enclosures shall be constructed to City standards and shall be architecturally compatible with the design of the project and shall be laid out for easy access by collection trucks.
15. Interior vehicle travel ways shall be designed to be capable of withstanding loads imposed by trash and delivery trucks.
16. All on-site utilities shall be underground and all utility fixtures, transformers, switching boxes and other installations shall be screened from view to the satisfaction of the Planning Department.
17. Per Title 24, Section 2-7102 of the State Disabled Access Regulations, the parking lot shall provide the required number of handicapped parking spaces.
18. Prior to the approval of grading and public improvement plans, the applicant shall establish a deposit account for plan check and inspection costs, post bonds as appropriate and obtain an encroachment permit as required.
19. For landscape and irrigation within the public ROW, a deposit shall be required to cover the installation of irrigation, landscaping, and plant materials (relocation) based upon the estimate of costs to be paid for and provided by the applicant. Project landscape plans must comply with AB1881 (Water Use Efficiency) requirements. Once the landscaping is complete an audit must be completed and the certificate sent into the City.
20. Prior to issuance of certificate of occupancy, the applicant shall post handicapped parking, per Police Department and Americans with Disabilities Act requirements.
21. Prior to issuance of a certificate of occupancy, the applicant shall install a burglary (or robbery) alarm system and security camera system to the satisfaction of the Chief of Police.

22. Permittee shall utilize anti-theft strategies to minimize the risk of thefts related to the availability of alcohol. Such strategies may include but are not limited to the use of anti-theft tags or sensors and CCTV.
23. Prior to issuance of a certificate of occupancy, the address shall be clearly visible on the building per City Standards.
24. Prior to concrete pour inspection, compaction tests are required for all footings.
25. Electrical conduit shall have a separate ground wire installed.
26. Improvements required for project development will include street paving, curb, gutter, street lights, sidewalks, landscaping, the required utilities, grading and drainage.
27. Prior to building permit issuance, the applicant shall submit to the City for review and approval a grading and drainage plan in compliance with all applicable regulations of the City of Patterson.
28. Sewer laterals shall be installed to each building with size to be calculated for the most intensive allowable use to the satisfaction of the Public Works Director.
29. At the time of Public Improvement Plan review, plans shall be submitted to all applicable public utility companies for review. Comments from the utilities regarding required easements, transformer locations, etc. shall be forwarded to Public Works Department for review and approval.
30. The applicant shall pay all applicable fees due the City and other Special Districts providing services to the site.
31. The applicant shall be responsible during construction for cleaning city streets, curbs, gutters and sidewalks of dirt tracked from the subject site. The flushing of dirt and debris to storm drain or sanitary sewer facilities shall not be permitted. The cleaning shall be done after each day's work or as directed by the Director of Public Works or the Planning Department.
32. All required public improvements shall be designed and constructed in accordance with the City of Patterson Standard Specifications and Drawings, including any standards updated prior to approval of the improvement plans.
33. The project shall include provisions for the sharing of parking, driveway access and shall incorporate easements necessary for all utilities to the approval of the City. Reciprocal use agreements shall be required for ingress, egress, and utilities.
34. The applicant shall submit a mitigation plan for review and approval by the City and the San Joaquin Valley Air Pollution Control District (SJVAPCD) for construction-related emissions prior to construction. Such a plan shall include provisions for compliance with District Rule VIII and shall include at least the following requirements:

a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.

b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.

c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

d. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.

e. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.

f. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets if and as needed when operations are occurring. *(The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)*

g. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

h. Limit traffic speeds on unpaved roads to 15 mph; and

i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

~~35. The Sperry Avenue driveway shall be signed for right turn exit only.~~

36. All signage shall be submitted for a sign permit and shall be in accordance with relevant provisions of the Patterson Zoning Ordinance and that any proposed monument sign shall be constructed with design elements and materials reflective of those of the main building.

37. Setbacks shall be verified by a licensed surveyor.

38. That the project shall participate in a City-Wide Maintenance Community Facility District (CFD), County Service Area (CSA) #15, or Benefit Assessment District (BAD) and Landscape Maintenance District (LMD). All costs associated with the formation of any maintenance districts/CSA are the responsibility of the developer/project owner.

39. That all trash enclosure must be constructed to comply with the latest Storm Water regulations (not located in close proximity of a drain inlet, have covers, have adequate secondary containment, etc.). Trash enclosures should be sized to comply with commercial recycling requirements. If the trash enclosure is being shared with another facility, the trash enclosure must be adequately sized to be able to service more than one facility. All trash enclosure plans must be reviewed and approved by the City's Planning Department.

## **Grading**

40. Complete grading and drainage plans shall be submitted to and approved by the City Engineer.
41. As required by the Public Works Department, the applicant shall deposit with the City, at time of plan check submittal, adequate funds to employ a qualified independent engineering consultant selected by the City to review grading and drainage improvement plans and to inspect the site prior to and during all major site preparation and grading. A qualified Soils Engineer shall submit tests and reports to certify each parcel as ready for construction prior to starting foundations.
42. Where the difference in average elevations between adjacent lots is in excess of six inches, slope shall not exceed 2 to 1 grade or a grade found reasonable in the soils report, or a retaining wall shall be required.
43. Prior to any site grading or construction, an erosion control plan and program shall be submitted to and approved by the Public Works Department. Said plan and program shall address specific temporary and permanent erosion control measures associated with the project.
44. It is the contractor's responsibility to use watering, dust fences, or other methods as directed by the City, to control dust throughout the construction operation. The applicant shall use all reasonable efforts to obtain non-potable water for construction or dust control purposes. This condition shall not be interpreted as prohibiting the use of City water supplies for the irrigation of street lines and landscaping required in common areas.
45. All grading construction debris materials shall be removed and disposed into an approved dump site prior to any excavation or fill operations and/or as directed by the Public Works Director.
46. The applicant or his/her agents or employees shall be responsible for removal and clean-up of any spill on public streets during his entire grading operations.
47. Lots shall drain into a street or approved drain in such a manner that there will be no undrained depressions. The design of all such drains shall be subject to the review and approval of the City Engineer.
48. An engineering cost estimate shall be submitted with the grading and improvement plans for public improvements. The applicant's engineer shall sign and stamp the calculation and cost estimates prior to issuance of building permits.

49. Prior to issuance of the grading permit, final right-of-way width and routes for drainage channels, pipelines, and service roads needed shall be established.

50. Measures to control erosion during construction shall be incorporated into the grading plans, and shall be subject to review and approval by the City Engineer.

51. Prior to issuance of a grading permit, the applicant shall submit a soils report, prepared by a registered geologist or qualified civil engineer, concerning soil conditions for grading, excavations, slope stabilization and revegetation, and footing and foundation construction.

52. The applicant shall obtain a grading permit for on-site excavation and fill prior to construction.

53. Grading of the pump area under the canopy shall be such that all drainage is captured and discharged to the sanitary sewer system to avoid possible contamination of storm water.

### **Sewer, Water and Drainage**

54. Prior to issuance of a building permit, sufficient water pressure and capacity to serve the portion of the project area where such development is proposed will be assured.

55. Design of the proposed project facilities shall include provisions to minimize water requirements, including the use of the following, to the extent deemed practical by the City:

- a) Use of low-flow fixtures, including shower heads and toilets as per the Uniform Building Code.
- b) Use of drought-tolerant, native landscaping.

56. The applicant shall design, construct and dedicate all water distribution mains and appurtenances, including a 15-foot easement for mains on private property, to the satisfaction of the City. All water distribution systems within project boundaries shall be extended for connection by future development. The applicant may request reimbursements from other future development which may benefit directly from the oversizing or over capacity of water system improvements installed or paid for by the applicant.

57. Non-potable water mains and appurtenances shall be installed as required by the City for demands that are compatible with non-potable water, including, but not limited to, landscape irrigation and car washing. Non-potable water system and installation shall be in accordance with the latest version of the City's non-potable water standards or guidelines, including pipe color, signage, cross connection control program, etc.

58. Separate water meters shall be installed for landscaping and indoor water services.

59. That all pre-existing sewer laterals and storm drains lines should be video inspected to ensure that the lines are clear of any debris and that they are not damaged.

60. All improvements shall be designed in accordance with the City of Patterson Improvement Standards, to the satisfaction of the Public Works Department.

61. Any abandoned wells on the project site shall be destroyed in accordance with requirements of the Stanislaus County Environmental Health Division prior to issuance of any grading permit or other site improvements. All abandoned/destroyed wells shall be clearly shown on the improvement plans for the project. Confirmation of well destruction shall be provided to the Public Works Department.

62. The project shall comply with City of Patterson Best Management Practices as defined in the City's latest Urban Water Management Plan, California Urban Water Conservation Council BMPs, AB 1881, and mandatory water conservation measures defined in the State of California Green Building Code.

63. Water mains shall be installed on-site to provide adequate flow and reliability as required by the City Water Engineer and Fire Marshal. Building fire suppression demands shall not exceed 2,500 gpm, or as limited by the water distribution system.

64. Backflow prevention devices shall be installed by the applicant on all water services as required by the Public Works Department and the California Department of Public Health standards.

65. Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.

66. Final inspection of the sewer and storm drain system shall be by televised inspection device as approved by the City Engineer at applicant's expense.

67. An appropriate sewer interceptor shall be included to the satisfaction of the City Engineer.

68. Runoff shall be detained and metered into the storm drainage system to the satisfaction of the City Engineer.

69. A grease interceptor shall be provided with a sampling point. The grease interceptor shall be located outside the building where it can be easily inspected by the City.

## **Roads**

70. All sight distances for all corners and driveways shall conform to the City's sight distance requirements to the satisfaction of the City Engineer.

71. All streets, alleys, sidewalks, curbs, and gutters adjacent to the project shall be improved as necessary to provide safe vertical and horizontal transitions to connect improvements constructed within this project to existing improvements, as directed by the City Engineer. Any street, alley, sidewalk, or curb damaged by the applicant or its agents or employees shall be repaired, prior to final acceptance of tract improvements by the City Council or sooner at the discretion of the City Engineer.

72. The applicant shall install street frontage improvements per ordinance to the satisfaction of the Department of Public Works. These improvements may include, but are not limited necessarily to, grading, curb and gutter, sidewalk, paving, storm drain, sanitary sewer, and water facilities.

73. The applicant shall pay for, and the Applicant shall install, to the City's satisfaction, street name signs, traffic regulatory and warning signs, and any necessary street striping and markings as required by the City Engineer. The signs shall conform to the City's requirements and shall be purchased by the applicant. Striping and signing shall be paid for by the applicant subject to review and approval of the City, and made a part of the improvement plans.

74. That the developer must update all ADA ramps within the project limits to current standards/requirements.

75. That the developer must replace all damaged existing concrete sidewalks within the project limits per City Standards.

76. That the developer must replace all damaged existing curb and gutter within the project limits per City Standards.

77. That the developer must install new sidewalk along Annamarie Ave that's within the project limits.

78. That all existing utilities (fire hydrants, storm drain inlet, street lights, pullbox, transformer, etc.) must be protected in place or replaced per city standards if damaged during construction.

79. That the applicant shall install a 'Stop' sign and 'Street name' sign at Anna Marié Ave and Rogers Rd.

## **Utilities**

80. All on-site utilities shall be underground. All existing overhead utilities adjacent to the property or within the property shall be placed underground.

81. Street lights will be provided and installed to the satisfaction of the City of Patterson Department of Public Works. The type, height, and design of street lights shall be subject to review and approval by the City and will direct lighting downward, shielding to the greatest extent practical, light exposure beyond that needed for proper intersection or street lighting.

82. The applicant is to be responsible for all damages to existing and new telephone facilities caused by workers or subcontractors under the direction of the applicant.

83. All new telephone facilities shall be underground except where indicated by the telephone company upon engineering of the project.

84. The applicant shall provide all necessary on-site easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the City. Said easements shall be subject to the review and approval of the Public Works Department, City Engineer and the City Attorney.

85. All water, gas, sewer, underground electrical power, cable T.V., or telephone lines, or conduits, or underground drain lines shall be installed before any paving is placed. Utility stub connections to property boundaries of each parcel may be omitted only with the express and written permission of the City Engineer.

86. The applicant shall install adequately sized utility services and laterals prior to final acceptance.

### **Fire Department**

87. All new construction shall meet the requirements of the City Fire Department.

88. Fire Department approved Knox boxes shall be installed to the right of the main entrance door with top of box to be no higher than 5' above finished grade.

89. That if any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided.

90. That a 20' fire access lane shall be maintained around the perimeter of the building.

91. That Fire Department connections shall be within 75' of a fire hydrant and located at the street.

92. That a fire alarm system shall be UL certified for the life of the building.

93. That fire extinguishers shall be mounted in cabinets at fuel pump islands. Top of extinguishers shall not be more than 48" above finished grade.

94. That all fire extinguishers within the building shall be at least a 2A10BC.

95. Fire hydrants shall be located to Fire Chief's specifications. Fire hydrants and fire hydrant flows shall meet all City of Patterson standards.

96. All roofs shall be class "A".

97. Prior to issuance of a certificate of occupancy, all buildings must be fully sprinkled per Building and Fire Department guidelines.

98. That the building shall be properly addressed with numerals at least 6" tall, contrasting with background, illuminated between dusk and dawn daily and be clearly visible from the street.

**Second:** Commissioner Bendix  
**Motion passed:** 3-0 Vote  
**ROLL CALL:** Chairman West, Vice Chairman Applegate  
Commissioner Bendix  
**EXCUSED:** Commissioner Barba, Commissioner Bingham

**ITEMS FROM STAFF:**

Planner Andrews stated the next Planning Commission meeting will be January 28, 2016, with two Lot Line Adjustment projects on the agenda.

**ITEMS FROM COMMISSION:** None

**ADJOURNMENT:** The Planning Commission regular meeting of January 14, 2016 was adjourned by Chairperson West at 8:15 p.m.

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Prepared by Lisa Ochoa, Secretary  
City of Patterson Planning Commission



# PLANNING COMMISSION AGENDA REPORT

**TO:** Members of the Planning Commission

**FROM:** Joel Andrews City Planner

**MEETING DATE:** January 28, 2016

**ITEM NO:** \_\_\_\_\_

**SUBJECT:** Second Amendment to the First Amended and Restated Development Agreement between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC.

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## SUMMARY

Motion to recommend City Council adoption of a Second Amendment to the First Amended and Restated Development Agreement by and between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC (“Second Amendment”).

## BACKGROUND

City of Patterson (“City”) staff has negotiated a Second Amendment to the Development Agreement between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC, to remove provisions for Flex Parcels from the development agreement. Approximately 51.25 acres of property remain undeveloped within Keystone Business Park, and only this remaining undeveloped property would be subject to the Second Amendment.

## ANALYSIS

The original development agreement was executed on April 15, 2003, between Keystone Pacific Business Park, LLC, Keystone Business Park West, LLC (“Landowner”) and the County of Stanislaus (“County”). On January 3, 2006, upon annexation of Keystone Business Park into the City, the City Council adopted Ordinance No. 670, approving an amended and restated development agreement (the “First Amendment”). On March 9, 2010, the City Council adopted Ordinance No. 710, approving an amendment to the First Amendment.

The subject property of this Amendment will only include parcels constituting of approximately 51.25 acres of undeveloped land remaining in the ownership of Keystone Business Park as of the date of execution of this Amendment (APNs 021-085-013, 021-085-015, 021-085-017, 021-085-021 and 021-088-015.)

Generally, the processing of a development agreement amendment constitutes a new land use entitlement, where the amendment proposes changes to the permitted land uses. The City has removed three provisions from the Second Amendment as requested by the Landowners, in order to allow marketing of parcels on equivalent footing with other developers within the West Patterson Business Park.

These three removals include Section 2.7, Section 3.2, and Exhibit L, and the removal of these provisions affects the permitted land uses of Keystone Business Park as follows: Section 2.7 required a minimum land area of approximately 27 acres to be designated for the development of Flex Parcels, and Section 3.2 provided for the development of flex uses within those areas designated for Flex Parcels. Exhibit L provided a map of the areas for Flex Parcels and mixed-use development. These provisions were vestiges of provisions negotiated between Keystone and the County, when the development of business parks in or adjacent to the City was new to the market and untested.

Upon review of the provisions, the City identified multiple reasons to accommodate the removal of these provisions and agree to the Second Amendment. These reasons include: (1) no other business park developer in the West Patterson Business Park has been burdened by such provisions; (2) other business park developers in the City have not been subject to the same provisions for Flex Parcels as a condition of a development agreement; (3) these provisions now hinder marketing of the remaining Keystone Pacific Business Park acreage on an equal playing field with other land being marketed in the City; (4) Keystone has proven its commitment to responsible development within the West Patterson Business Park and the City.

### **ENVIRONMENTAL REVIEW**

The Second Amendment is exempt from CEQA analysis under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (14 Cal. Code Reg. 15061.) Development of the remaining land within Keystone Business Park is within the scope of the previously approved West Patterson Projects EIR (SCN #2001022031), and Revised Environmental Impact Report (SCH#2001032037). By removing the Flex Parcel designation, future development must follow the remaining business park uses and types analyzed by the previous studies. As a result, approval of the Second Amendment will not have a direct or indirect impact to the environment and no new mitigation is required.

### **FISCAL IMPACT**

Adoption of the Second Amendment will not affect the City's general fund.

## **ALTERNATIVE ACTIONS**

The Planning Commission's options regarding the Resolution include:

1. Motion to adopt the Resolution recommending City Council adoption of the Ordinance;
2. Motion to adopt the Resolution with revisions and recommend City Council adoption of the revised Ordinance;
3. Motion to adopt a separate Resolution recommending City Council denial of the Ordinance.

## **RECOMMENDED ACTION**

Staff recommends that the Planning Commission move to adopt the Resolution recommending City Council approval of a Second Amendment to the First Amended Development Agreement between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC.

## **ATTACHMENTS**

Second Amendment to Development Agreement  
Resolution  
Ordinance

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

City Clerk  
City of Patterson  
P.O. Box 667  
Patterson, CA 95363

Recording fees exempt pursuant to  
Government Code §§ 6103, 27383

(Space Above For Recorder's Use Only)

APN: 021-085-013  
021-085-015  
021-085-017  
021-085-021  
021-088-015

SECOND AMENDMENT TO THE  
FIRST AMENDED AND RESTATED  
DEVELOPMENT AGREEMENT  
BY AND BETWEEN THE CITY OF PATTERSON,  
KEYSTONE PACIFIC BUSINESS PARK, LLC, AND  
KEYSTONE BUSINESS PARK WEST, LLC

**(Amendment to Recorded Document No. 2006-0084746-00)**

Ordinance No. \_\_\_\_ Adopted on \_\_\_\_\_, 2016

SECOND AMENDMENT TO THE  
FIRST AMENDED AND RESTATED  
DEVELOPMENT AGREEMENT BY AND BETWEEN THE  
CITY OF PATTERSON, KEYSTONE PACIFIC BUSINESS PARK, LLC, AND  
KEYSTONE BUSINESS PARK WEST, LLC

This SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PATTERSON, KEYSTONE PACIFIC BUSINESS PARK, LLC, AND KEYSTONE BUSINESS PARK WEST, LLC ("Amendment") is made and entered into on \_\_\_\_\_, 2016, by and between the CITY OF PATTERSON, a California municipal corporation ("City"), and KEYSTONE PACIFIC BUSINESS PARK, LLC, a North Carolina limited liability company and KEYSTONE BUSINESS PARK WEST, LLC, a North Carolina limited liability company, (together, "Landowner"), pursuant to Government Code section 65864 *et seq.* Landowner and City may herein be referred to individually as a "Party" and collectively as the "Parties." There are no other parties to this Agreement. This Agreement is entered into with reference to the following facts:

**RECITALS**

A. In order to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs of development, the Legislature of the State of California adopted Government Code section 65864 *et seq.* ("Development Agreement Statute"), and the City adopted Section 18.20.070 of the Patterson Municipal Code, authorizing the City and any person or entity having a legal or equitable interest in real property to enter into a development agreement establishing certain development rights in and obligations with respect to the property which is the subject of a development project application.

B. On or about April 15, 2003, Landowner and the County of Stanislaus ("County") entered into a development agreement (the "Original Agreement"). The subject property of the original Agreement involved approximately two hundred twenty four (224) acres of land.

C. On January 3, 2006, the City Council adopted Ordinance No. 670, approving an amended and restated development agreement (the "First Amendment").

D. On March 9, 2010, the City Council adopted Ordinance No. 710, approving an amendment to the First Amendment. The Original Agreement, First Amendment and amendment to the First Amendment shall be collectively referred to herein as the "Development Agreement".

E. Since the execution of the Development Agreement, new parcels have been created, parcels have been sold by Landowner to new landowners and land users, and new parcels have been added to be included under the Development Agreement. The Parties do not intend this Amendment to effect parcels that have been sold to third parties; the Original

Agreement will still apply, as applicable, to those parcels. Consequently, the subject property of this Amendment shall be the parcels constituting approximately 51.25 acres of land remaining in the ownership of Landowner as of the date of execution of this Amendment. Such parcels are known as Stanislaus County APN 021-085-013, 021-085-015, 021-085-017, 021-085-021 and 021-088-015.

F. These subject properties are more particularly described in **Exhibit A** and shall be collectively referred to in this Amendment as the “Property.”

G. Pursuant to Government Code section 65865(a), and as of the date of execution of this Amendment, Landowner owns either fee title or a legal or equitable interest to the remaining undeveloped Property.

H. Landowner intends to continue development of the Property as a business park development (the “Project”) in accordance with this Amendment, the Development Entitlements, and the West Patterson Business Park Master Development, as it may be amended from time to time if such amendments are in accord with the First Amendment, as amended.

I. Pursuant to Government Code sections 65867 and 65868, the Planning Commission of the City held a duly noticed and properly conducted public hearing on January 28, 2016, where it issued its recommendation regarding this Amendment to the City Council.

J. [Pursuant to Government Code sections 65867 and 65868, the City Council of the City held a duly noticed and properly conducted public hearing on \_\_\_\_\_, 2016, approving this Amendment. Pursuant to Government Code § 65867.5, the City Council found the provisions of this Amendment to be consistent with the City’s General Plan and the West Patterson Business Park Master Plan, and authorized execution of this Amendment.]

K. Development of the Property in accordance with the conditions of the Development Entitlements and this Amendment will provide orderly growth and development of the area in accordance with the policies set forth in the City’s General Plan and the West Patterson Master Plan.

**NOW, THEREFORE**, in consideration of the promises, covenants, and provisions set forth herein, the Parties agree as follows:

## **AGREEMENT**

**1. Recitals and Exhibits.** The above recitals and exhibits attached to this Amendment are incorporated by this reference and hereby made a part of this Amendment and the First Amendment.

**2. Effect of Agreement.** Except as provided herein, the defined terms used in this Amendment shall have the same meaning as the terms have in the Agreement. Unless expressly amended by this Amendment, all other terms and provisions of the First Amendment shall remain in full force and effect. If any terms or provisions of this

Amendment conflict with terms and provisions of the First Amendment, the terms and provisions of this Amendment shall control.

**3. Effective Date.** This Amendment shall be effective (the “Effective Date”) only after (a) thirty (30) days have passed from the City Council’s adoption of the ordinance approving this Amendment; and (b) all parties have executed this Amendment. This Amendment shall be recorded in the County of Stanislaus within ten (10) days following the Effective Date.

**4. Property Not Subject to Amendment.** The Property shall be the only property subject to this Amendment. This Amendment shall in no way affect any parcel that has been sold to third parties and shall in no way affect land not defined within the Property.

**5. Amendments.**

- (a) Section 2.7 of the First Amendment is hereby deleted.
- (b) Section 3.2 of the First Amendment is hereby deleted.
- (c) Exhibit L to the First Amendment is hereby deleted.
- (d) Section 9 to the First Amendment is hereby deleted and replaced as

follows:

**9. NOTICE**

Except as otherwise specifically provided herein or required by law, all notices, requests, demands, and other communications required to or permitted to be given under the Agreement shall be in writing and shall be conclusively deemed to have been duly given (i) when hand delivered to the other Party; or (ii) three business days after the same have been deposited in a United States post office with first class or certified mail return receipt requested postage prepaid and addressed to the Parties as set forth below; or (iii) the next business day after same have been deposited with a national overnight delivery service reasonably approved by the Parties (Federal Express and DHL Worldwide Express being deemed approved by the Parties), postage prepaid, addressed to the Parties as set forth below with the next-business-day delivery guaranteed, provided that the sending Party receives a confirmation of delivery from the delivery service provider.

To City:

City of Patterson  
P.O. Box 667  
Patterson, CA 95363  
Attn: City Manager

And with a copy to: Douglas L. White, Esq.  
Churchwell White LLP  
1414 K Street, Third Floor  
Sacramento, CA 95814

To Developer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And with a copy to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Processing Costs.** Pursuant to Patterson Municipal Code section 18.14.020, Landowner shall pay all processing costs incurred by the City in connection with this Amendment prior to City's execution of this Amendment.

**7. Third Party Legal Challenge.** In the event that legal action or special proceedings are commenced by any person or entity challenging this Amendment, the Parties agree to cooperate with each other as set forth herein. City may elect to tender the defense of any lawsuit filed and related to this Amendment, with legal counsel satisfactory to City. Developer will indemnify, hold City harmless from and defend City from all costs and expenses incurred in the defense of such lawsuit, including, but not limited to, damages, attorneys' fees and expenses of litigation awarded to the prevailing party or parties in such litigation. Developer shall pay all litigation fees to City within thirty (30) days of receiving a written request and accounting of such fees and expenses from City. Unless prevented by law or court order, City shall continue to process any applications related to this Amendment and the First Amendment, and any delay or failure to process such approvals or to take such other actions shall be considered a default by City of this Amendment and the First Amendment.

**8. Counterparts.** This Amendment may be executed in several counterparts, each which shall be deemed an original, but which together shall constitute one and the same instrument.

**9. Authority.** The Parties and their signatories below warrant and represent that they have the power and authority to enter into this Amendment and the names, titles and capacities herein stated on behalf of any entities, persons, states or firms represented or purposed to be represented by such entities, persons, states or firms and that all former requirements necessary or required by state or federal law in order to enter into this Amendment have been fully complied with. Further, by entering into this Amendment, each Party represents that this Amendment has not caused any breach of the terms or conditions of any other contract or agreement to which such Party is obligated.

*[Signatures on following page]*

DRAFT

**IN WITNESS WHEREOF**, this Agreement by the Parties shall take effect upon the Effective Date provided above.

**CITY:**

CITY OF PATTERSON, A California municipal corporation

By: \_\_\_\_\_  
Ken Irwin, City Manager

**ATTEST:**

By: \_\_\_\_\_  
Marisela Vela, City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Tom Hallinan, City Attorney

**LANDOWNER:**

KEYSTONE PACIFIC BUSINESS PARK, LLC, a North Carolina limited liability company

By: \_\_\_\_\_  
Patrick Gavaghan

Title: \_\_\_\_\_

KEYSTONE BUSINESS PARK WEST, LLC, a North Carolina limited liability company

By: \_\_\_\_\_  
Patrick Gavaghan

**EXHIBIT A**

**Properties Subject to this Amendment**

[List APN's]

DRAFT

RESOLUTION 2016-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PATTERSON, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE TO APPROVE A SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PATTERSON, KEYSTONE PACIFIC BUSINESS PARK, LLC, AND KEYSTONE BUSINESS PARK WEST, LLC.

---

WHEREAS, the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC have negotiated a Second Amendment to the Development Agreement relative to property located at Stanislaus County APNs 021-085-013, 021-085-015, 021-085-017, 021-085-021 and 021-088-015 (the "Second Amendment"); and

WHEREAS, the Planning Commission of the City of Patterson held a duly noticed public hearing on January 28, 2016, to consider the Second Amendment and make recommendations to the City Council; and

WHEREAS, the Planning Commission has reviewed the Second Amendment and finds that it complies with State law, the City Municipal Code provisions regarding zoning and the City's general plan; and

WHEREAS, adoption of the Second Amendment will not result in any conflicts with any other applicable ordinance; and

WHEREAS, the Planning Commission has reviewed the Second Amendment and finds that the public health, safety and general welfare are advanced by City Council adoption of the Second Amendment; and

WHEREAS, the Second Amendment is exempt from additional environmental review under the California Environmental Quality Act ("CEQA") based on the general rule that CEQA applies only to projects that could be reasonably foreseen to have a direct or indirect impact on the environment. (14 Cal. Code Reg. § 15061.)

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Patterson hereby recommends by this Resolution that the City Council of the City of Patterson adopt an Ordinance to approve the Second Amendment to the Development Agreement between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC ("Second Amendment"), and direct the City Manager to execute the Second Amendment.

The foregoing resolution of the Planning Commission of the City of Patterson was passed by the Planning Commission at a regular meeting held on the \_\_\_ day of \_\_\_\_ 2016, by \_\_\_\_\_, who moved its adoption, which motion was duly seconded by \_\_\_\_\_, and the resolution adopted by the following vote:

AYES:  
NOES:  
EXCUSED:

APPROVED:

---

Ron West, Planning Commission Chair  
City of Patterson

ATTEST:

---

Lisa Ochoa, Planning Commission Secretary  
City of Patterson

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON APPROVING  
A SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED  
DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PATTERSON,  
KEYSTONE PACIFIC BUSINESS PARK, LLC, AND KEYSTONE BUSINESS PARK WEST,  
LLC,

WHEREAS, in order to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs of development, the Legislature of the State of California adopted Government Code section 65864 et seq. (“Development Agreement Statute”), and the City adopted Section 18.20.070 of the Patterson Municipal Code, authorizing the City and any person or entity having a legal or equitable interest in real property to enter into a development agreement establishing certain development rights in and obligations with respect to the property which is the subject of a development project application; and

WHEREAS, on or about April 15, 2003, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC (“Landowner”) and the County of Stanislaus (“County”) entered into a development agreement (the “Original Agreement”). The subject property of the original Agreement involved approximately two hundred twenty four (224) acres of land; and

WHEREAS, on January 3, 2006, upon annexation of the property, the City Council adopted Ordinance No. 670, approving an amended and restated development agreement, and on March 9, 2010, the City Council adopted Ordinance No. 710, approving a subsequent amendment to the Original Agreement; and

WHEREAS, City staff recently received a request to further amend the development agreement in order to remove the designation and specific provisions for the development of Flex Parcels within Keystone Business Park, and the map on Exhibit L designating the location of such Flex Parcels ; and

WHEREAS, the Planning Commission of the City of Patterson held a duly noticed public hearing on January 28, 2016, to consider the Second Amendment and make recommendations to the City Council; and

WHEREAS, the Second Amendment is exempt from CEQA analysis under the general rule that CEQA only applies to projects that are reasonably foreseen to have a direct or indirect impact on the environment; the Second Amendment falls within the scope of the previously approved West Patterson Projects EIR (SCN #2001022031) and Revised Environmental Impact Report (SCH#2001032037); no new or greater density is permitted and the proposed activity is within the intensity of use type analyzed by the previous studies; and, as a result, no new significant impacts would occur and no new mitigation is required; and

WHEREAS, based on its independent review and analysis, the staff analysis, oral and written testimony, the previously certified environmental review, and the Planning Commission's

recommendation, the City Council finds, after due study, deliberation and public hearing that the Second Amendment to the Development Agreement:

- A. Is consistent with the objectives, policies, land uses, and programs specified in the City's general plan and the West Patterson Business Park Master Development Plan;
- B. Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;
- C. Is in conformity with the public convenience and general welfare and good land use practices;
- D. Will not be detrimental to the health, safety, and general welfare;
- E. Will not adversely affect the orderly development of property or the preservation of property values; and
- F. Will provide sufficient benefit to the city to justify entering into this agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PATTERSON ORDAINS AS FOLLOWS:

The City Council hereby approves the Second Amendment to the Development Agreement By and Between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC ("Second Amendment"), and instructs the City Manager to execute the Second Amendment along with the necessary technical revisions, if any, suggested by the City Attorney.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, and given its first reading at said meeting. Said Ordinance was given a second reading at a meeting of the City Council held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, and after such reading, Councilmember \_\_\_\_\_, who moved its adoption, seconded by Councilmember \_\_\_\_\_, and said ordinance was thereupon adopted by the following vote:

AYES:  
NOES:  
EXCUSED:  
ABSTAINED:

APPROVED:

---

Luis Molina  
Mayor of the City of Patterson

ATTEST:

---

Maricela Vela  
City Clerk of the City of Patterson

SAMPLE

**CITY OF PATTERSON  
Planning Commission Staff Report  
Westside Property Management/Fritz and Donna Schali Lot Line  
Adjustment  
Northeast corner of Sperry Avenue and Park Center Drive  
Lot Line Adjustment #15-01  
January 28, 2016 Meeting**

**PROJECT SUMMARY**

A public hearing to consider a lot line adjustment at APNs 021-026-061 and - 062, on the northeast corner of the intersection of Sperry Avenue and Park Center Drive. The lot line adjustment would rearrange the configuration of existing lots to create lots of 2.06 and 49.01 acres.

**APPLICANT AND SITE INFORMATION**

<b>Applicants/Owners:</b>	<b>Westridge Property Management/Fritz and Donna Schali</b>
<b>Environmental Review:</b>	<b>Categorically Exempt</b>
<b>Location:</b>	<b>North of Sperry Avenue, East of Park Center Drive</b>
<b>Assessor Parcel Numbers:</b>	<b>021-026-061 and 021-026-062</b>
<b>Project Size:</b>	<b>51.07 acres ±</b>
<b>General Plan Designation:</b>	<b>Light Industrial</b>
<b>Present Use:</b>	<b>Vacant land, single family residence</b>
<b>Surrounding Land Uses:</b>	<b>Residential, Industrial, and vacant land</b>
<b>Recommendation:</b>	<b>Conditional Approval</b>

**PROJECT DESCRIPTION**

The proposed lot line adjustment, submitted in accordance with State and City requirements, would reconfigure two existing lots. A 3.24 acre lot, APN 021-026-061, at the northeast corner of Sperry Avenue and Park Center Drive would be reduced to 2.09 and be arranged in a more rectangular configuration. The surplus property would be added to APN 021-026-062, a 47.83 acre lot surrounding the smaller parcel.

The change is proposed to accommodate a potential future development project. The project site is located in the Westridge Business Park Master Plan area. The West Patterson Industrial Business Park District requires a minimum lot size of 1.5 acres. The West Patterson Light Industrial District requires a minimum lot size of two acres. The adjusted lots would meet the minimum requirements.

**ENVIRONMENTAL REVIEW**

This project is exempt from review under the California Environmental Quality Act according to §15305.

## **ALTERNATIVE ACTIONS**

1. Determine that the findings for the Lot Line Adjustment can be made, and motion to approve application #15-01 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Lot Line Adjustment can be made, and motion to approve application #15-01 subject to the conditions recommended in the staff report with changes/revisions as may be submitted by the Commission.
3. Determine that the findings for the Lot Line Adjustment can not be made and deny application #15-01.

## **FINDINGS**

The Planning Commission must make the following findings to approve the Lot Line Adjustment:

1. That the proposed adjustment will not adversely affect the use of property in the vicinity or conflict with covenants, restrictions or improvements required by the subdivision of which the subject parcels may be a part.
2. That all parcels affected thereby after the adjustment shall meet minimum zoning district requirements applicable to the parcels unless said affected parcels in their original configuration do not meet said minimum zoning district requirements, and will not result in the creation of lots without adequate access to publicly dedicated streets.
3. That parcels affected by the lot line adjustment will remain of such a size, shape and configuration as to be consistent with good land use practices.
4. That the proposed lot line adjustment does not violate the provisions of the California Land Surveyors Act.
5. That the proposed lot line adjustment will not conflict with easements acquired by the public at large for access through or use of the subject property, or necessary irrigation easements.
6. Except that where existing parcels or structures are nonconforming with respect to zone requirements, a lot line adjustment may be approved so long as the degree of nonconformance is not increased.

## **RECOMMENDATION**

Staff recommends that the Planning Commission make the required findings and approve Lot Line Adjustment 15-01 with the following conditions:

1. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer.
2. That any deed of trust encumbering the parcels of land shall be reflected in the recordation of this lot line adjustment.
3. That easements of record shall remain in effect and shall be recorded on the new deeds.
4. That the applicant shall have a new deed prepared and shall have it recorded. That photocopies of the new deed shall be submitted to the city clerk within six months of the Planning Commission's approval and that failure to record the deed and submit copies thereof shall void Planning Commission approval of the application.
5. That the Certificate of Compliance prepared by the City Engineer shall be recorded by the applicant or his engineer. The cost shall be that amount invoiced by the City Engineer.
6. That no non-conforming condition of zoning be created by this approval, except as was in existence prior to such approval.
7. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers, and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter, be responsible to defend, indemnify, or hold City harmless.

Respectfully submitted,



Joel Andrews  
City Planner

Attachments

Lot Line Adjustment Maps  
Applicant's Project Description  
Applicant's Findings Statement  
Exhibit A – Legal Description Before Lot Line Adjustment  
Exhibit B – Legal Description After Lot Line Adjustment  
Resolution  
Public Notice



RECEIVED

NOV 25 2015

CDD / PLANNING DIVISION

BY: *[Signature]*

VICINITY MAP  
 FOR

**WESTRIDGE BUSINESS PARK**



SCALE: 1" = 1,000'

BETWEEN A.P.N. 021-026-061 AND 062 LYING IN SECTION 26, TOWNSHIP 5 SOUTH, RANGE 7 EAST, MOUNT DIABLO BASE AND MERIDIAN



RECEIVED  
NOV 20 2015

CDD / PLANNING DIVISION  
BY: *[Signature]*

**GDR ENGINEERING, Inc.**  
ENGINEERING/SURVEYING/PLANNING  
3525 MITCHELL ROAD, SUITE G GERRIS CA 95307  
TELEPHONE: (209) 538-3350 FAX: (209) 538-7370  
E-MAIL: gdr@gdrengineering.com

CURVE	RADIUS	LENGTH	CHORD	DELTA
C1	999.77'	530.48'	524.28'	307.2004°
C2	655.00'	353.48'	359.21'	302.2004°

LINE	BEARING	LENGTH
L1	S45°30'03"W	14.23'
L2	S00°14'45"W	60.00'
L3	S44°29'57"E	14.18'
L4	S00°20'00"W	81.69'
L5	N80°47'46"W	35.86'
L6	S89°40'27"E	143.80'
L7	N44°40'07"W	38.18'
L8	N00°20'00"E	82.11'
L9	N30°44'04"E	46.77'
L10	N30°44'04"E	200.41'
L11	N30°44'04"E	242.18'
L12	S00°20'00"W	37.49'

SCALE: 1" = 200'

**PROPERTY OWNERS**

A.P.N.: 021-026-091  
PROPERTY OWNER: FRITZ & DONNA SCHAU  
CONTACT: FRITZ SCHAU  
ADDRESS: 915 SCAMORE AVENUE  
CITY/STATE/ZIP: PATTERSON, CA 95353  
PHONE: 209.878-0480 (FRITZ)  
A.P.N.: 021-026-092  
PROPERTY OWNER: FRITZ & DONNA SCHAU / WESTSIDE PROPERTY MANAGEMENT  
CONTACT: FRITZ SCHAU AND/OR LARRY BUEHNER  
ADDRESS: 915 SCAMORE AVENUE  
CITY/STATE/ZIP: PATTERSON, CA 95353  
PHONE: 209.552.6584 (LARRY)

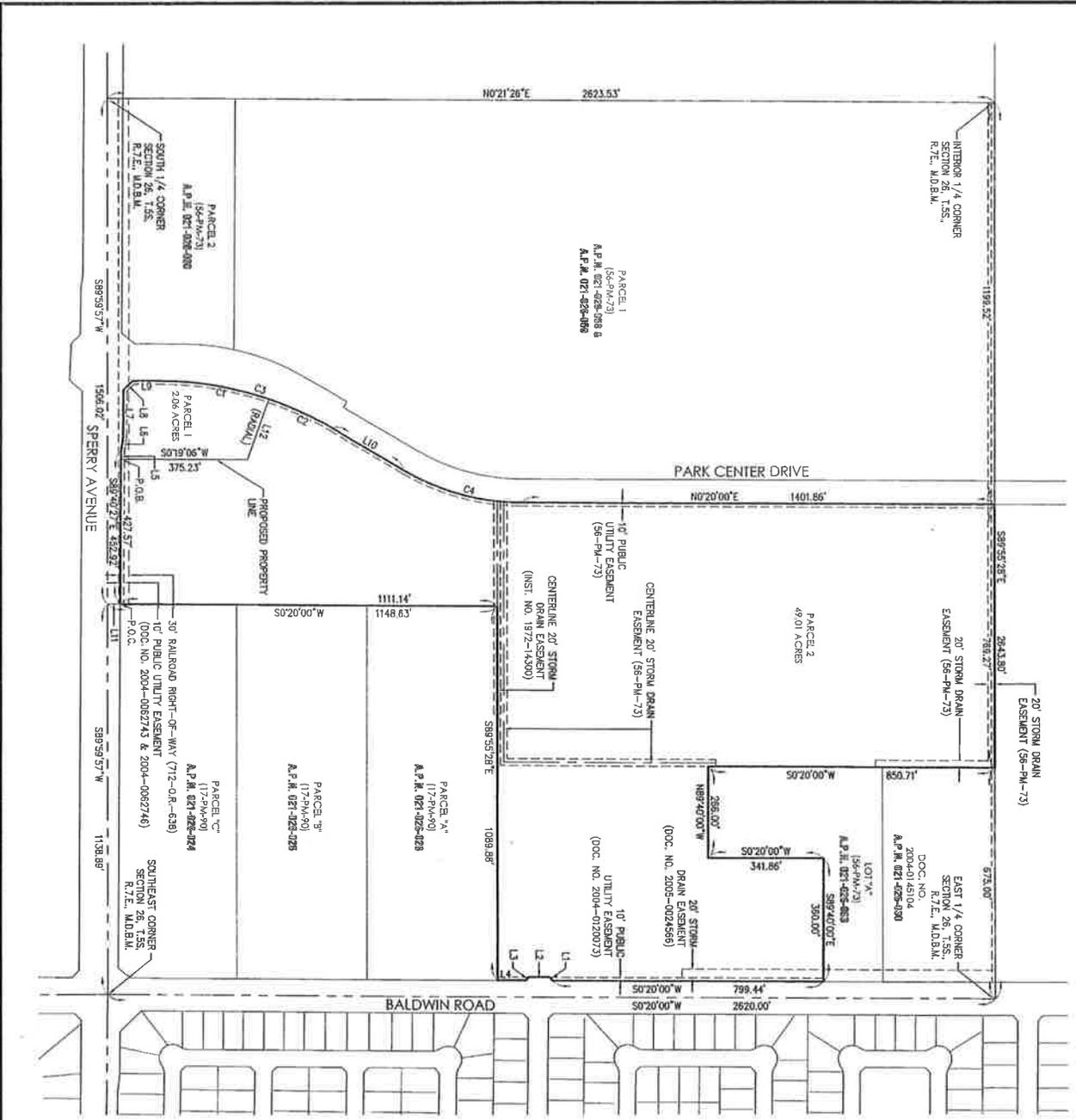
**PROJECT SUMMARY BEFORE LLA**

REMANINDER 1: 3.24 ACRES  
REMANINDER 2: 1.77 ACRES  
TOTAL: 5.01 ACRES

**BEFORE  
LOT LINE ADJUSTMENT  
WESTRIDGE BUSINESS PARK**

BETWEEN REMANINDER 1 & REMANINDER 2 AS SHOWN ON THE PARCEL MAP FOR WESTRIDGE BUSINESS PARK - PHASE 1. RECORDED IN BOOK 56 OF PARCEL MAPS, PAGE 73, STANISLAUS COUNTY RECORDS, LYING IN SECTION 26, T. 5 S., R. 7 E., MOUNT DIABLO MERIDIAN  
STANISLAUS COUNTY  
CITY OF PATTERSON  
NOVEMBER, 2015  
SHEET 1 OF 2





**GDR ENGINEERING, Inc.**  
 ENGINEERING/SURVEYING/PLANNING  
 3525 MITCHELL ROAD, SUITE C CORES, CA 95907  
 TELEPHONE: (209) 536-3360 FAX: (209) 538-7770  
 E-MAIL: gdr@engr.com

CURVE	RADIUS	LENGTH	CHORD	DELTA
C1	999.77'	327.60'	326.14'	18°46'28"
C2	999.77'	202.96'	202.53'	11°37'36"
C3	999.77'	530.45'	524.28'	30°24'04"
C4	695.00'	363.46'	359.21'	30°24'04"

LINE	BEARING	LENGTH
L1	S45°30'03"W	14.23'
L2	S00°44'57"W	60.00'
L3	S44°29'57"E	14.18'
L4	S00°20'00"W	81.69'
L5	S89°40'27"E	25.35'
L6	N80°47'46"W	38.88'
L7	S89°40'27"E	143.80'
L8	N44°40'01"W	38.16'
L9	N00°20'00"E	82.11'
L10	N50°44'04"E	2,471.18'
L11	S00°20'00"W	37.49'
L12	S70°53'32"E	191.44'

SCALE: 1" = 200'



**PROPERTY OWNERS**

A.P.N.: 021-028-051  
 PROPERTY OWNER: FRITZ & DONNA SCHAU  
 CONTACT: FRITZ SCHAU  
 ADDRESS: 915 SYCAMORE AVENUE  
 CITY/STATE/ZIP: PATTERSON, CA 95363  
 PHONE: 209.579-6480 (FRITZ)  
 A.P.N.: 021-028-092  
 PROPERTY OWNER: FRITZ & DONNA SCHAU / WESTRIDGE PROPERTY MANAGEMENT  
 CONTACT: FRITZ SCHAU AND/OR LARRY BIESENER  
 ADDRESS: 915 SYCAMORE AVENUE  
 CITY/STATE/ZIP: PATTERSON, CA 95363  
 PHONE: 209.652.6584 (LARRY)

**PROJECT SUMMARY AFTER LLA**

PARCEL NO. 1: 2.06 ACRES  
 PARCEL NO. 2: 48.01 ACRES  
 TOTAL: 50.07 ACRES

**AFTER  
 LOT LINE ADJUSTMENT  
 WESTRIDGE BUSINESS PARK**

BETWEEN REMAINDER 1 & REMAINDER 2 AS SHOWN ON THE PARCEL MAP FOR WESTRIDGE BUSINESS PARK - PHASE 1, RECORDED IN BOOK 56 OF PARCEL MAPS, PAGE 73, STANISLAUS COUNTY RECORDS, LYING IN SECTION 26, T. 5 S., R. 7 E., MOUNT DIABLO MERIDIAN  
 STANISLAUS COUNTY  
 CITY OF PATTERSON  
 JOB NO. 12048  
 CALIFORNIA  
 NOVEMBER, 2015  
 SHEET 2 OF 2



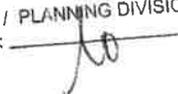
**Lot Line Adjustment Application for  
Westside Property Management and Fritz & Donna Schali  
(APN 021-026-061 and 062)**

**Project Description**

This application for Lot Line Adjustment is submitted to request an adjustment of the property line between APN 021-026-061 and 062. The existing property line is located where an irrigation lateral previously existed, and has since been abandoned. The Lot Line Adjustment will create parcels that are more compatible to future development in accordance with the City Zoning and General Plan and Westridge Business Park.

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BY: 

**Lot Line Adjustment Application for  
Westside Property Management and Fritz & Donna Schali  
(APN 021-026-061 and 062**

**Findings Statement**

- A. Proposed Lot Line Adjustment will not adversely affect the use of the properties in the vicinity and will not conflict with covenants, restrictions or improvements. The resultant properties will be subject to existing conditions, covenants, restrictions or improvements of those properties.
- B. Proposed parcels after proposed Lot Line Adjustment will be consistent with City of Patterson General Plan & Zoning Ordinances and will have adequate access to public streets.
- C. Proposed parcel sizes are consistent with City of Patterson General Plan & Zoning Ordinances and good land use practices.
- D. The proposed Lot Line Adjustment is in conformance with the provisions of the California Land Surveyors Act, (Chapter 15, Division 3 of the Business and Professions Code).
- E. Proposed Lot Line Adjustment will not conflict with existing easements for access, storm drainage or public utilities.

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BY: \_\_\_\_\_

**Exhibit "A"**  
**Legal Description of Properties Before Lot Line Adjustment**

**Parcel No. 1 (Westside/Schali)**

The land referred to herein below is situated in the City of Patterson, County of Stanislaus, State of California and is described as follows:

Remainder 1 parcel, as shown upon that certain Parcel Map filed for record January 5, 2012 in Book 56 of Parcel Maps, at Page 73, Stanislaus County Records.

APN: 021-026-061

Contains 3.24 acres, more or less.

**Parcel No. 2 (Westside/Schali)**

The land referred to herein below is situated in the City of Patterson, County of Stanislaus, State of California and is described as follows:

Remainder 2 parcel, as shown upon that certain Parcel Map filed for record January 5, 2012 in Book 56 of Parcel Maps, at Page 73, Stanislaus County Records.

APN: 021-026-062

Contains 47.83 acres, more or less.



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BY: \_\_\_\_\_

**Exhibit "B"**  
**Legal Description of Properties After Lot Line Adjustment**

**Parcel No. 1 (Westside/Schali)**

Being a portion of Remainder 1 and a portion of Remainder 2 as shown on the Parcel Map for Westridge Business Park – Phase 1, filed for record January 5, 2012 in Book 56 of Parcel Maps, Page 73, Stanislaus County Records, lying in the southeast quarter of Section 26, Township 5 South, Range 7 East, Mount Diablo Meridian, situate in the City of Patterson, County of Stanislaus, State of California, more particularly described as follows:

Commencing at the most southeasterly corner of said Remainder 2, said point lying on the northerly line of Sperry Avenue as shown on said Parcel Map and also lies on the westerly line of Parcel C as shown on the Parcel Map recorded in Book 17 of Parcel Maps, Page 90, Stanislaus County Records, thence along said northerly line of Sperry Avenue, North 89°40'27" West, 427.57 feet to the Point of Beginning; thence continuing along the northerly line of said Sperry Avenue and the southerly line of said Remainder 1 the following four (4) courses:

1. North 89°40'27" West, 25.35 feet;
2. North 80°47'46" West, 38.88 feet;
3. North 89°40'27" West, 143.80 feet;
4. North 44°40'01" West, 38.16 feet to the easterly line of Park Center Drive as shown on said Parcel Map for Westridge Business Park – Phase 1; thence along said easterly line, North 00°20'00" East, 82.11 feet to the beginning of a curve concave easterly, having a radius of 999.77 feet; thence northerly along the arc of said curve through a central angle of 18°46'28", a distance of 327.60 feet; thence South 70°53'32" East, 191.44 feet; thence South 00°19'06" West, 375.22 feet to the point of beginning.

Contains 2.06 acres, more or less.

**Parcel No. 2 (Westside/Schali)**

Remainder 1 and Remainder 2 as shown on the Parcel Map for Westridge Business Park – Phase 1, filed for record January 5, 2012 in Book 56 of Parcel Maps, Page 73, Stanislaus County Records, lying in the southeast quarter of Section 26, Township 5 South, Range 7 East, Mount Diablo Meridian, situate in the City of Patterson, County of Stanislaus, State of California.

**Excepting therefrom the following described property:**

Commencing at the most southeasterly corner of said Remainder 2, said point lying on the northerly line of Sperry Avenue as shown on said Parcel Map and also lies on the westerly line of Parcel C as shown on the Parcel Map recorded in Book 17 of Parcel Maps, Page 90, Stanislaus County Records, thence along said northerly line of Sperry Avenue, North 89°40'27" West, 427.57 feet to the Point of Beginning; thence continuing along the northerly line of said Sperry Avenue and the southerly line of said Remainder 1 the following four (4) courses:

1. North 89°40'27" West, 25.35 feet;
2. North 80°47'46" West, 38.88 feet;
3. North 89°40'27" West, 143.80 feet;
4. North 44°40'01" West, 38.16 feet to the easterly line of Park Center Drive as shown on said Parcel Map for Westridge Business Park – Phase 1; thence along said easterly line, North 00°20'00" East, 82.11 feet to the beginning of a curve concave easterly, having a radius of 999.77 feet; thence northerly along the arc of said curve through a central angle of 18°46'28", a distance of 327.60 feet; thence South 70°53'32" East, 191.44 feet; thence South 00°19'06" West, 375.22 feet to the point of beginning.

Contains 49.01 acres, more or less.



**WESTRIDGE BUSINESS PARK  
LOT LINE ADJUSTMENT CLOSURES**

November 24, 2015

**REMAINDER 1 – BEFORE LOT LINE ADJUSTMENT**

Segment #1 : Line

Course: N13° 07' 27"W Length: 491.47'

North: 1993100.89' East: 6369079.94'

Segment #2 : Line

Course: S30° 44' 04"W Length: 46.77'

North: 1993060.69' East: 6369056.04'

Segment #3 : Curve

Length: 530.48' Radius: 999.77'

Delta: 030°24'04" Tangent: 271.64'

Chord: 524.28' Course: S15° 32' 02"W

Course In: S59° 15' 56"E Course Out: N89° 40' 00"W

RP North: 1992549.74' East: 6369915.39'

End North: 1992555.56' East: 6368915.63'

Segment #4 : Line

Course: S00° 20' 00"W Length: 82.11'

North: 1992473.45' East: 6368915.16'

Segment #5 : Line

Course: S44° 40' 01"E Length: 38.16'

North: 1992446.31' East: 6368941.98'

Segment #6 : Line

Course: S89° 40' 27"E Length: 143.80'

North: 1992445.49' East: 6369085.78'

Segment #7 : Line

Course: S80° 47' 46"E Length: 38.88'

North: 1992439.27' East: 6369124.16'

Segment #8 : Line

Course: S89° 40' 27"E Length: 242.30'

North: 1992437.90' East: 6369366.45'

Segment #9 : Line

Course: N43° 29' 47"W Length: 254.13'

North: 1992622.25' East: 6369191.53'

Perimeter: 1868.11' Area: 3.24 Acres

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BY: \_\_\_\_\_

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**REMAINDER 2 – BEFORE LOT LINE ADJUSTMENT**

Segment #1 : Line  
Course: S89° 40' 27"E Length: 210.62'  
North: 1992436.70' East: 6369577.08'

Segment #2 : Line  
Course: N00° 20' 00"E Length: 1111.14'  
North: 1993547.82' East: 6369583.54'

Segment #3 : Line  
Course: S89° 55' 28"E Length: 1089.88'  
North: 1993546.39' East: 6370673.42'

Segment #4 : Line  
Course: N00° 20' 00"E Length: 81.69'  
North: 1993628.08' East: 6370673.89'

Segment #5 : Line  
Course: N44° 29' 57"W Length: 14.18'  
North: 1993638.19' East: 6370663.96'

Segment #6 : Line  
Course: N00° 14' 45"E Length: 60.00'  
North: 1993698.19' East: 6370664.21'

Segment #7 : Line  
Course: N45° 30' 03"E Length: 14.23'  
North: 1993708.16' East: 6370674.36'

Segment #8 : Line  
Course: N00° 20' 00"E Length: 799.44'  
North: 1994507.59' East: 6370679.01'

Segment #9 : Line  
Course: N89° 40' 00"W Length: 360.00'  
North: 1994509.68' East: 6370319.02'

Segment #10 : Line  
Course: S00° 20' 00"W Length: 341.86'  
North: 1994167.83' East: 6370317.03'

Segment #11 : Line  
Course: N89° 40' 00"W Length: 266.00'  
North: 1994169.38' East: 6370051.03'

Segment #12 : Line  
Course: N00° 20' 00"E Length: 850.72'  
North: 1995020.08' East: 6370055.98'

Segment #13 : Line  
Course: N89° 55' 28"W Length: 769.27'  
North: 1995021.10' East: 6369286.71'

Segment #14 : Line  
Course: S00° 20' 00"W Length: 1401.86'  
North: 1993619.26' East: 6369278.56'

Segment #15 : Curve  
Length: 363.46' Radius: 685.00'  
Delta: 030°24'04" Tangent: 186.12'  
Chord: 359.21' Course: S15° 32' 02"W  
Course In: N89° 40' 00"W Course Out: S59° 15' 56"E  
RP North: 1993623.25' East: 6368593.57'  
End North: 1993273.17' East: 6369182.36'

Segment #16 : Line  
Course: S30° 44' 04"W Length: 200.41'  
North: 1993100.91' East: 6369079.94'

Segment #17 : Line  
Course: S13° 07' 27"E Length: 491.47'  
North: 1992622.28' East: 6369191.53'

Segment #18 : Line  
Course: S43° 29' 47"E Length: 254.13'  
North: 1992437.93' East: 6369366.45'

Perimeter: 8680.35' Area: 47.83 Acres

\*\*\*\*\*

**PARCEL 1 – AFTER LOT LINE ADJUSTMENT**

Segment #1 : Line  
Course: S89° 40' 27"E Length: 25.35'  
North: 1992439.14' East: 6369149.51'

Segment #2 : Line  
Course: N00° 19' 06"E Length: 375.22'  
North: 1992814.35' East: 6369151.59'

Segment #3 : Line  
Course: N70° 53' 32"W Length: 191.44'  
North: 1992877.02' East: 6368970.70'

Segment #4 : Curve  
Length: 327.60' Radius: 999.77'  
Delta: 018°46'28" Tangent: 165.28'  
Chord: 326.14' Course: S09° 43' 14"W  
Course In: S70° 53' 32"E Course Out: N89° 40' 00"W  
RP North: 1992549.75' East: 6369915.39'  
End North: 1992555.56' East: 6368915.63'

Segment #5 : Line  
Course: S00° 20' 00"W Length: 82.11'  
North: 1992473.45' East: 6368915.16'

Segment #6 : Line  
Course: S44° 40' 01"E Length: 38.16'  
North: 1992446.31' East: 6368941.98'

Segment #7 : Line  
Course: S89° 40' 27"E Length: 143.80'  
North: 1992445.49' East: 6369085.78'

Segment #8 : Line  
Course: S80° 47' 46"E Length: 38.88'  
North: 1992439.27' East: 6369124.16'

Perimeter: 1222.56' Area: 2.06 Acres

\*\*\*\*\*

**PARCEL 2 – AFTER LOT LINE ADJUSTMENT**

Segment #1 : Line  
Course: S89° 40' 27"E Length: 427.57'  
North: 1992436.70' East: 6369577.08'

Segment #2 : Line  
Course: N00° 20' 00"E Length: 1111.14'  
North: 1993547.82' East: 6369583.54'

Segment #3 : Line  
Course: S89° 55' 28"E Length: 1089.88'  
North: 1993546.39' East: 6370673.42'

Segment #4 : Line  
Course: N00° 20' 00"E Length: 81.69'  
North: 1993628.08' East: 6370673.90'

Segment #5 : Line  
Course: N44° 29' 57"W Length: 14.18'  
North: 1993638.19' East: 6370663.96'

Segment #6 : Line  
Course: N00° 14' 45"E Length: 60.00'  
North: 1993698.19' East: 6370664.22'

Segment #7 : Line  
Course: N45° 30' 03"E Length: 14.23'  
North: 1993708.16' East: 6370674.37'

Segment #8 : Line  
Course: N00° 20' 00"E Length: 799.44'  
North: 1994507.59' East: 6370679.02'

Segment #9 : Line  
Course: N89° 40' 00"W Length: 360.00'  
North: 1994509.68' East: 6370319.02'

Segment #10 : Line  
Course: S00° 20' 00"W Length: 341.86'  
North: 1994167.83' East: 6370317.03'

Segment #11 : Line  
Course: N89° 40' 00"W Length: 266.00'  
North: 1994169.38' East: 6370051.04'

Segment #12 : Line  
Course: N00° 20' 00"E Length: 850.72'  
North: 1995020.08' East: 6370055.99'

Segment #13 : Line  
Course: N89° 55' 28"W Length: 769.27'  
North: 1995021.10' East: 6369286.72'

Segment #14 : Line  
Course: S00° 20' 00"W Length: 1401.86'  
North: 1993619.26' East: 6369278.56'

Segment #15 : Curve  
Length: 363.46' Radius: 685.00'  
Delta: 030°24'04" Tangent: 186.12'  
Chord: 359.21' Course: S15° 32' 02"W  
Course In: N89° 40' 00"W Course Out: S59° 15' 56"E  
RP North: 1993623.25' East: 6368593.57'  
End North: 1993273.17' East: 6369182.36'

Segment #16 : Line  
Course: S30° 44' 04"W Length: 247.18'  
North: 1993060.71' East: 6369056.04'

Segment #17 : Curve  
Length: 202.88' Radius: 999.77'  
Delta: 011°37'36" Tangent: 101.79'  
Chord: 202.53' Course: S24° 55' 16"W  
Course In: S59° 15' 56"E Course Out: N70° 53' 32"W  
RP North: 1992549.77' East: 6369915.39'  
End North: 1992877.04' East: 6368970.70'

Segment #18 : Line  
Course: S70° 53' 32"E Length: 191.44'  
North: 1992814.37' East: 6369151.59'

Segment #19 : Line  
Course: S00° 19' 06"W Length: 375.22'  
North: 1992439.16' East: 6369149.51'

Perimeter: 8968.01' Area: 49.01 Acres

## RESOLUTION NO. 2016-03

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PATTERSON APPROVING LOT LINE ADJUSTMENT 15-01**

**WHEREAS**, a Lot Line Adjustment has been submitted for property located on the north side of Sperry Avenue, East of Park Center Drive, consisting of APN's 021-026-061 and 021-026-062, City of Patterson, County of Stanislaus, and;

**WHEREAS**, the Lot Line adjustment conforms to Government Code §66412(d), which allows for land taken from one parcel to be added to an adjoining parcel, where a greater number of parcels than originally existed is not thereby created, and;

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on January 28, 2016 to consider the project, and;

**WHEREAS**, the project was determined to be exempt from review under the California Environmental Quality Act according to §15305, and;

**WHEREAS**, based on the staff analysis and oral and written testimony, the Planning Commission finds, after due study, deliberation and public hearing and based on its independent judgment that the following circumstances exist:

1. That the proposed adjustment will not adversely affect the use of property in the vicinity or conflict with covenants, restrictions or improvements required by the subdivision of which the subject parcels may be a part.
2. That all parcels affected thereby after the adjustment shall meet minimum zoning district requirements applicable to the parcels unless said affected parcels in their original configuration do not meet said minimum zoning district requirements, and will not result in the creation of lots without adequate access to publicly dedicated streets.
3. That parcels affected by the lot line adjustment will remain of such a size, shape and configuration as to be consistent with good land use practices.
4. That the proposed lot line adjustment does not violate the provisions of the California Land Surveyors Act.
5. That the proposed lot line adjustment will not conflict with easements acquired by the public at large for access through or use of the subject property, or necessary irrigation easements.
6. Except that where existing parcels or structures are nonconforming with respect to zone requirements, a lot line adjustment may be approved so long as the degree of nonconformance is not increased.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Patterson as follows:

The Planning Commission approves Lot Line Adjustment #15-01 subject to the conditions listed in Attachment A.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Patterson, held on the 28<sup>th</sup> day of January, 2016, by Commissioner \_\_\_\_\_, who moved its adoption, which motion was duly seconded by Commissioner \_\_\_\_\_ and the resolution adopted by the following vote:

AYES:

NOES:

EXCUSED:

APPROVED:

\_\_\_\_\_  
Ron West, Chairperson  
City of Patterson Planning Commission

ATTEST:

\_\_\_\_\_  
Lisa Ochoa, Secretary  
City of Patterson Planning Commission

**Attachment A**  
**Conditions of Approval**

1. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer.
2. That any deed of trust encumbering the parcels of land shall be reflected in the recordation of this lot line adjustment.
3. That easements of record shall remain in effect and shall be recorded on the new deeds.
4. That the applicant shall have a new deed prepared and shall have it recorded. That photocopies of the new deed shall be submitted to the city clerk within six months of the Planning Commission's approval and that failure to record the deed and submit copies thereof shall void Planning Commission approval of the application.
5. That the Certificate of Compliance prepared by the City Engineer shall be recorded by the applicant or his engineer. The cost shall be that amount invoiced by the City Engineer.
6. That no non-conforming condition of zoning be created by this approval, except as was in existence prior to such approval.
7. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers, and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter, be responsible to defend, indemnify, or hold City harmless.

**PUBLIC NOTICE  
THE CITY OF PATTERSON PLANNING COMMISSION  
REGULAR MEETING**

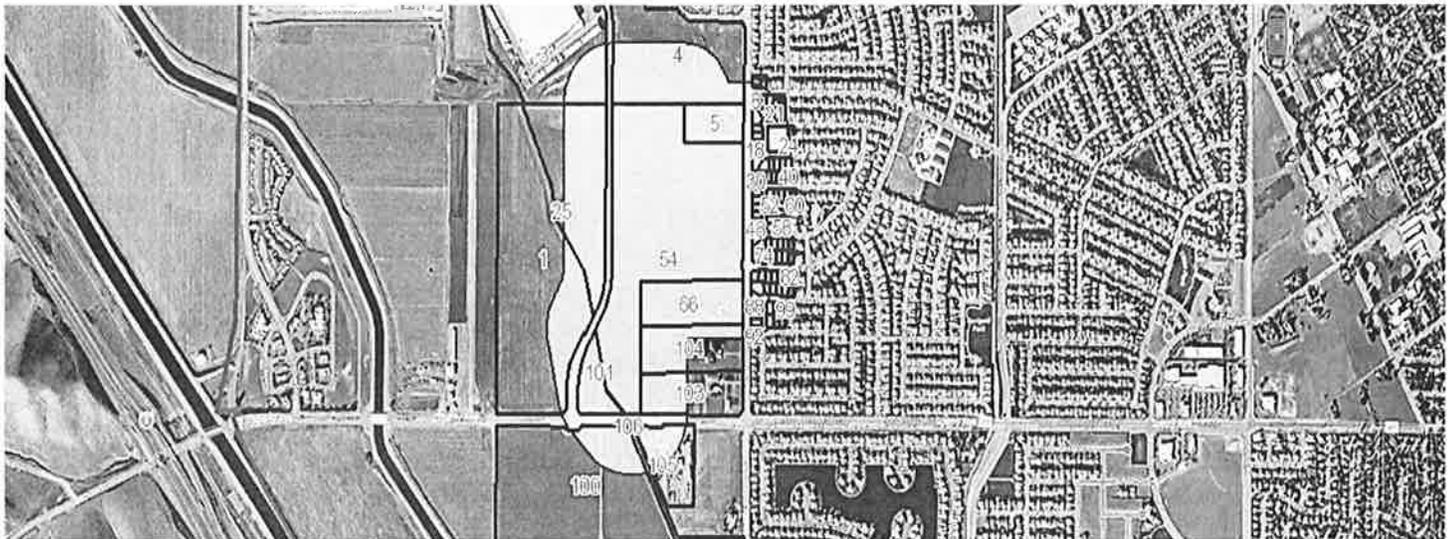
**NOTICE IS HEREBY GIVEN** that the City of Patterson Planning Commission will hold a Regular Meeting on **Thursday, January 28, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

**Public Hearing:      Lot Line Adjustment #15-01- Westside Property Management**  
The project is a lot line adjustment to reconfigure APN 021-026-061, a 3.24 acre lot, and APN 021-026-062, a 47.83 acre lot, located on the northeast corner of Sperry Avenue and Park Center Drive. Approval would create a 2.06 acre lot and a 49.01 acre lot, with the smaller lot located on the corner of Sperry and Park Center. This action is proposed for future development of the 2.06 acre lot for commercial purposes. The lots are located in the West Patterson Industrial Business Park and West Patterson Light Industrial Zones with a Planned Development overlay. The lots are located within the Westridge Business Park Master Development Plan.

At the above noted time and place, testimony from interested persons will be heard by the Planning Commission and duly considered prior to making a recommendation. Any material submitted to the Planning Commission for consideration (photographs, petitions, letters, etc.) will be retained by the City and cannot be returned.

If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the Public Hearing.

Lisa Ochoa, Planning Technician II  
Community Development Department



**CITY OF PATTERSON  
Planning Commission Staff Report  
VOP North, LLC Lot Line Adjustment  
North side of Olive Avenue Between First Street and Sycamore Avenue  
Lot Line Adjustment #15-02  
January 28, 2016 Meeting**

**PROJECT SUMMARY**

A public hearing to consider a lot line adjustment at APNs 047-025-029 and -030, north of Olive Avenue and approximately one quarter mile west of Sycamore Avenue. The lot line adjustment would rearrange the configuration of existing lots to create lots of 1.0 and 25.87 acres.

**APPLICANT AND SITE INFORMATION**

<b>Applicants:</b>	<b>William Traina and Joseph Traina</b>
<b>Owners:</b>	<b>VOP North, LLC</b>
<b>Environmental Review:</b>	<b>Categorically Exempt</b>
<b>Location:</b>	<b>North of Olive Avenue, approximately ¼ acre west of Sycamore Avenue</b>
<b>Assessor Parcel Numbers:</b>	<b>047-025-029 and 047-025-030</b>
<b>Project Size:</b>	<b>26.87 acres ±</b>
<b>General Plan Designation:</b>	<b>Medium- and Low-Density Residential</b>
<b>Present Use:</b>	<b>Agriculture, single family residence</b>
<b>Surrounding Land Uses:</b>	<b>Agriculture and Residential</b>
<b>Recommendation:</b>	<b>Conditional Approval</b>

**PROJECT DESCRIPTION**

The proposed lot line adjustment, submitted in accordance with State and City requirements, would reconfigure two existing lots. A 4.85 acre lot, APN 047-025-030, north of Olive Avenue, would be reduced to 1.0 acre to accommodate a single family residence currently on the site. The surplus property on the north side of that lot would be added to APN 047-025-029, a 22.02 acre lot to the east of the smaller parcel.

The change is proposed to accommodate a potential future development project around the existing single family home. The project site is located in the Villages of Patterson Master Development Plan with areas in both the Medium Density and Low-Density Residential districts. Both lots meet the minimum requirements laid out in the Master Plan. Since the parcels are located within the Master Plan, conditions of approval number seven and eight are included requiring that the developed parcel abandon well and septic service once city services are located within 200 feet of the parcel and also prohibiting new septic or well service on the undeveloped lot.

**ENVIRONMENTAL REVIEW**

This project is exempt from review under the California Environmental Quality Act according to §15305.

## **ALTERNATIVE ACTIONS**

1. Determine that the findings for the Lot Line Adjustment can be made, and motion to approve application #15-02 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Lot Line Adjustment can be made, and motion to approve application #15-02 subject to the conditions recommended in the staff report with changes/revisions as may be submitted by the Commission.
3. Determine that the findings for the Lot Line Adjustment cannot be made and deny application #15-02.

## **FINDINGS**

The Planning Commission must make the following findings to approve the Lot Line Adjustment:

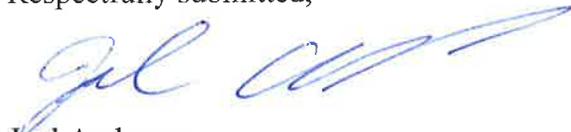
1. That the proposed adjustment will not adversely affect the use of property in the vicinity or conflict with covenants, restrictions or improvements required by the subdivision of which the subject parcels may be a part.
2. That all parcels affected thereby after the adjustment shall meet minimum zoning district requirements applicable to the parcels unless said affected parcels in their original configuration do not meet said minimum zoning district requirements, and will not result in the creation of lots without adequate access to publicly dedicated streets.
3. That parcels affected by the lot line adjustment will remain of such a size, shape and configuration as to be consistent with good land use practices.
4. That the proposed lot line adjustment does not violate the provisions of the California Land Surveyors Act.
5. That the proposed lot line adjustment will not conflict with easements acquired by the public at large for access through or use of the subject property, or necessary irrigation easements.
6. Except that where existing parcels or structures are nonconforming with respect to zone requirements, a lot line adjustment may be approved so long as the degree of nonconformance is not increased.

## **RECOMMENDATION**

Staff recommends that the Planning Commission make the required findings and approve Lot Line Adjustment 15-02 with the following conditions:

1. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer.
2. That any deed of trust encumbering the parcels of land shall be reflected in the recordation of this lot line adjustment.
3. That easements of record shall remain in effect and shall be recorded on the new deeds.
4. That the applicant shall have a new deed prepared and shall have it recorded. That photocopies of the new deed shall be submitted to the city clerk within six months of the Planning Commission's approval and that failure to record the deed and submit copies thereof shall void Planning Commission approval of the application.
5. That the Certificate of Compliance prepared by the City Engineer shall be recorded by the applicant or his engineer. The cost shall be that amount invoiced by the City Engineer.
6. That no non-conforming condition of zoning be created by this approval, except as was in existence prior to such approval.
7. That no additional well or septic tank shall be allowed for APN 047-025-029. Any development on this parcel shall require the extension of water and sewer mains from the City system to serve this property.
8. That the existing water well and septic tank on APN 047-025-030 shall be abandoned when City water and sewer are installed within 200 feet of the subject parcel.
9. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers, and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter, be responsible to defend, indemnify, or hold City harmless.

Respectfully submitted,



Joel Andrews  
City Planner

Attachments

Lot Line Adjustment Maps

Applicant's Project Description

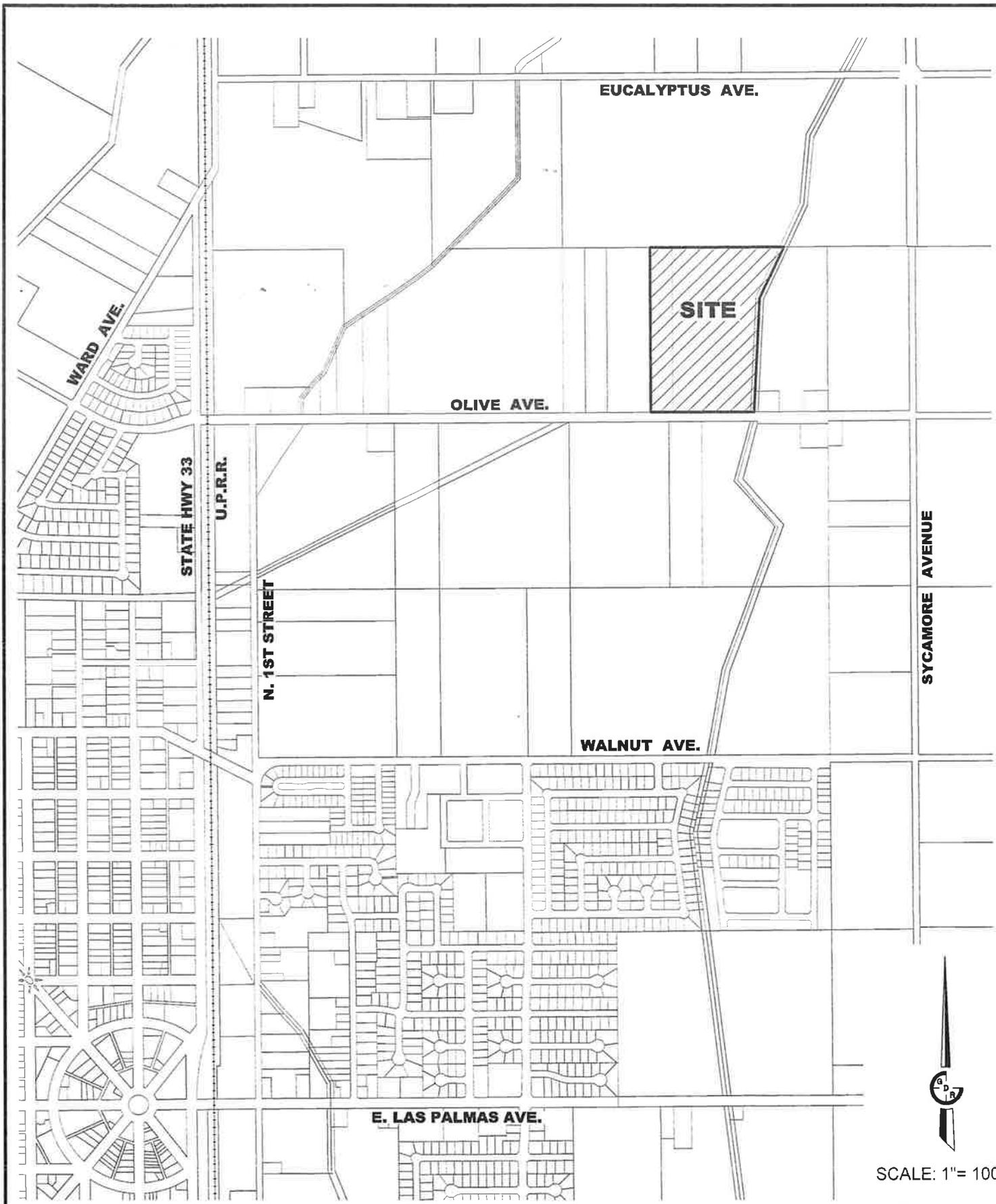
Applicant's Findings Statement

Exhibit A – Legal Description Before Lot Line Adjustment

Exhibit B – Legal Description After Lot Line Adjustment

Resolution

Public Notice



SYCAMORE AVENUE

EUCALYPTUS AVE.

SITE

OLIVE AVE.

STATE HWY 33

U.P.R.R.

N. 1ST STREET

WALNUT AVE.

E. LAS PALMAS AVE.



SCALE: 1" = 1000'



**GDR ENGINEERING, Inc.**  
 ENGINEERING/SURVEYING/PLANNING  
 3525 MITCHELL ROAD, SUITE G, CERES, CA 95307  
 PHONE: (209) 538-3360

**LOCATION MAP  
 LOT LINE ADJUSTMENT FOR  
 VOP NORTH, LLC**

CITY OF PATTERSON, STANISLAUS COUNTY, CALIFORNIA

JOB NO.  
15054

DATE:  
NOV., 2015

12/8/15



**Lot Line Adjustment Application for  
VOP NORTH, LLC  
(APN 047-025-029 and 030)**

**Project Description**

This application for Lot Line Adjustment is submitted to request an adjustment of the property line between APN 047-025-029 (Parcel 2) and 047-025-030 (Parcel 1) to separate the existing home site from the field crops. Currently Parcel 1 is 4.85 acres and includes a portion of the field crops of Parcel 2 (22.02 acres).

At the conclusion of the Lot Line Adjustment Parcel 1 will be a one-acre home site with septic and well. Parcel 2 will be 25.87-acre agricultural parcel.

The Lot Line Adjustment will not affect the current uses of the properties.

12/8/15 am

**Lot Line Adjustment Application for  
VOP NORTH, LLC  
(APN 047-025-029 and 030)**

**Findings Statement**

- A. Proposed Lot Line Adjustment will not adversely affect the use of the properties and will not conflict with covenants, restrictions or improvements. The two properties will be subject to existing conditions, covenants, restrictions or improvements of those properties.
- B. Proposed parcels after proposed Lot Line Adjustment will be consistent with City of Patterson General Plan & Zoning Ordinances and will have adequate access to public streets.
- C. Proposed parcel sizes are consistent with City of Patterson General Plan & Zoning Ordinances and good land use practices.
- D. The proposed Lot Line Adjustment is in conformance with the provisions of the California Land Surveyors Act, (Chapter 15, Division 3 of the Business and Professions Code).
- E. Proposed Lot Line Adjustment will not conflict with existing easements for access, storm drainage or public utilities.

12/8/15 pm

**Exhibit "A"**  
**Legal Description of Properties Before Lot Line Adjustment**

**Parcel No. 1**

The land referred to is situated in the City of Patterson, County of Stanislaus, State of California and is described as follows:

The Westerly 165 feet of Lot 54 of Patterson Colony Subtract No. One, as per map thereof recorded December 13, 1909 in Book 4 of Maps, Page 40, Stanislaus County Records.

APN: 047-025-030

Contains 4.85 acres, more or less.

**Parcel No. 2**

The land referred to is situated in the City of Patterson, County of Stanislaus, State of California and is described as follows:

All that portion of Lots 53 and 54 of Patterson Colony Subtract No. One, as per map thereof recorded December 13, 1909 in Book 4 of Maps, Page 40, Stanislaus County Records, more particularly described as follows:

Beginning at the corner common to Lots 10, 11, 53 and 54; thence along the dividing line between said Lots 11 and 53, North 60° East, 433 feet to the intersection of said dividing line between Lots 11 and 53 with the center line of lateral canal running through said Lot 53; thence along the center line of said lateral canal, South 03°40' East, 422.6 feet to a point; thence continuing along the center line of said lateral canal, South 26°25' East, 943.00 feet to the intersection of the center line of said lateral canal with the center line of Olive Avenue as shown on said map; thence along the center line of said Olive Avenue, South 60° West, 681 feet, more or less, to a point lying 165.00 feet from the southerly corner of common to Lots 54 and 55 and the centerline of Olive Avenue; thence North 30° West, parallel with and 165.00 feet easterly of the line common to Lots 54 and 55, 1320 feet, more or less, to the line common to Lots 10 and 54 and 165.00 feet from the corner common to Lots 9, 10, 54 and 55; thence along the line dividing Lots 10 and 54, 495 feet, more or less to the point of beginning.

12/8/15

**Excepting therefrom** the southerly 37.5 feet, being the northerly one-half of Olive Avenue.

APN: 047-025-029

Contains 22.02 acres, more or less.



Sean Harp 11-17-2015  
Sean Harp, L.S. 7823 Date

**Exhibit "B"**  
**Legal Description of Properties After Lot Line Adjustment**

**Parcel No. 1**

The land referred to is situated in the City of Patterson, County of Stanislaus, State of California and is described as follows:

The Westerly 165 feet of Lot 54 of Patterson Colony Subtract No. One, as per map thereof recorded December 13, 1909 in Book 4 of Maps, Page 40, Stanislaus County Records.

**Excepting therefrom** the following described property:

Commencing at the most southerly corner of said Lot 54, said point being on the centerline of Olive Avenue (75'); thence along the westerly line of said Lot 54, North 30°00'00" West, 301.50 feet to the **Point of Beginning**; thence continuing along said westerly line, North 30°00'00" West, 1018.50 feet to the most westerly corner of said Lot 54; thence along the northerly line of said Lot 54, North 60°00'00" East, 165.00 feet; thence along a line that lies 165.00 feet easterly of and parallel with said westerly line of Lot 54, South 30°00'00" East, 1018.50 feet; thence along a line that lies 301.50 feet northerly of and parallel with the southerly line of said Lot 54 and the centerline of said Olive Avenue, South 60°00'00" West, 165.00 feet to the point of beginning.

Contains 1.14 acres gross (1.00 acres net), more or less.

**Parcel No. 2**

The land referred to is situated in the City of Patterson, County of Stanislaus, State of California and is described as follows:

All that portion of Lots 53 and 54 of Patterson Colony Subtract No. One, as per map thereof recorded December 13, 1909 in Book 4 of Maps, Page 40, Stanislaus County Records, more particularly described as follows:

Beginning at the corner common to Lots 10, 11, 53 and 54; thence along the dividing line between said Lots 11 and 53, North 60° East, 433 feet to the intersection of said dividing line between Lots 11 and 53 with the center line of lateral canal running through

said Lot 53; thence along the center line of said lateral canal, South 03°40' East, 422.6 feet to a point; thence continuing along the center line of said lateral canal, South 26°25' East, 943.00 feet to the intersection of the center line of said lateral canal with the center line of Olive Avenue as shown on said map; thence along the center line of said Olive Avenue, South 60° West, 681 feet, more or less, to a point lying 165.00 feet from the southerly corner of common to Lots 54 and 55 and the centerline of Olive Avenue; thence North 30° West, parallel with and 165.00 feet easterly of the line common to Lots 54 and 55, 1320 feet, more or less, to the line common to Lots 10 and 54 and 165.00 feet from the corner common to Lots 9, 10, 54 and 55; thence along the line dividing Lots 10 and 54, 495 feet, more or less to the point of beginning.

**Excepting therefrom** the southerly 37.5 feet, being the northerly one-half of Olive Avenue.

**Together with** the following described property:

Commencing at the most southerly corner of said Lot 54, said point being on the centerline of Olive Avenue (75'); thence along the westerly line of said Lot 54, North 30°00'00" West, 301.50 feet to the **Point of Beginning**; thence continuing along said westerly line, North 30°00'00" West, 1018.50 feet to the most westerly corner of said Lot 54; thence along the northerly line of said Lot 54, North 60°00'00" East, 165.00 feet; thence along a line that lies 165.00 feet easterly of and parallel with said westerly line of Lot 54, South 30°00'00" East, 1018.50 feet; thence along a line that lies 301.50 feet northerly of and parallel with the southerly line of said Lot 54 and the centerline of said Olive Avenue, South 60°00'00" West, 165.00 feet to the point of beginning.

Contains 25.87 acres, more or less.



Sean Harp      11-17-2015  
Sean Harp, L.S. 7823      Date

## **RESOLUTION NO. 2016-02**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PATTERSON APPROVING LOT LINE ADJUSTMENT 15-02**

**WHEREAS**, a Lot Line Adjustment has been submitted for property located on the north side of Olive Avenue, approximately 1,300 feet east of Sycamore Avenue, consisting of APN's 0047-025-029 and 047-025-030, City of Patterson, County of Stanislaus, and;

**WHEREAS**, the Lot Line adjustment conforms to Government Code §66412(d), which allows for land taken from one parcel to be added to an adjoining parcel, where a greater number of parcels than originally existed is not thereby created, and;

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on January 28, 2016 to consider the project, and;

**WHEREAS**, the project was determined to be exempt from review under the California Environmental Quality Act according to §15305, and;

**WHEREAS**, based on the staff analysis and oral and written testimony, the Planning Commission finds, after due study, deliberation and public hearing and based on its independent judgment that the following circumstances exist:

1. That the proposed adjustment will not adversely affect the use of property in the vicinity or conflict with covenants, restrictions or improvements required by the subdivision of which the subject parcels may be a part.
2. That all parcels affected thereby after the adjustment shall meet minimum zoning district requirements applicable to the parcels unless said affected parcels in their original configuration do not meet said minimum zoning district requirements, and will not result in the creation of lots without adequate access to publicly dedicated streets.
3. That parcels affected by the lot line adjustment will remain of such a size, shape and configuration as to be consistent with good land use practices.
4. That the proposed lot line adjustment does not violate the provisions of the California Land Surveyors Act.
5. That the proposed lot line adjustment will not conflict with easements acquired by the public at large for access through or use of the subject property, or necessary irrigation easements.
6. Except that where existing parcels or structures are nonconforming with respect to zone requirements, a lot line adjustment may be approved so long as the degree of

nonconformance is not increased.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Patterson as follows:

The Planning Commission approves Lot Line Adjustment #15-02 subject to the conditions listed in Attachment A.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Patterson, held on the 28<sup>th</sup> day of January, 2016, by Commissioner \_\_\_\_\_, who moved its adoption, which motion was duly seconded by Commissioner \_\_\_\_\_ and the resolution adopted by the following vote:

AYES:

NOES:

EXCUSED:

APPROVED:

\_\_\_\_\_  
Ron West, Chairperson  
City of Patterson Planning Commission

ATTEST:

\_\_\_\_\_  
Lisa Ochoa, Secretary  
City of Patterson Planning Commission

**Attachment A**  
**Conditions of Approval**

1. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer.
2. That any deed of trust encumbering the parcels of land shall be reflected in the recordation of this lot line adjustment.
3. That easements of record shall remain in effect and shall be recorded on the new deeds.
4. That the applicant shall have a new deed prepared and shall have it recorded. That photocopies of the new deed shall be submitted to the city clerk within six months of the Planning Commission's approval and that failure to record the deed and submit copies thereof shall void Planning Commission approval of the application.
5. That the Certificate of Compliance prepared by the City Engineer shall be recorded by the applicant or his engineer. The cost shall be that amount invoiced by the City Engineer.
6. That no non-conforming condition of zoning be created by this approval, except as was in existence prior to such approval.
7. That no additional well or septic tank shall be allowed for APN 047-025-029. Any development on this parcel shall require the extension of water and sewer mains from the City system to serve this property.
8. That the existing water well and septic tank on APN 047-025-030 shall be abandoned when City water and sewer are installed within 200 feet of the subject parcel.
9. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers, and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter, be responsible to defend, indemnify, or hold City harmless.

**PUBLIC NOTICE  
THE CITY OF PATTERSON PLANNING COMMISSION  
REGULAR MEETING**

**NOTICE IS HEREBY GIVEN** that the City of Patterson Planning Commission will hold a Regular Meeting on **Thursday, January 28, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

**Public Hearing:      Lot Line Adjustment #15-02 – Villages of Patterson (VOP), North, LLC**

The project is a lot line adjustment to reconfigure APN 047-025-030, a 4.85 acre lot, and APN 047-025-029, a 22.02 acre lot on the north side of Olive Avenue between 1<sup>st</sup> Street and Sycamore Avenue. Approval would create a 1.0 acre lot and a 25.87 acre lot. This action is proposed for future development of the area within the Villages of Patterson Master Development Plan. The lots are intended for medium- and low- density development under the Villages of Patterson Master Development Plan.

At the above noted time and place, testimony from interested persons will be heard by the Planning Commission and duly considered prior to making a recommendation. Any material submitted to the Planning Commission for consideration (photographs, petitions, letters, etc.) will be retained by the City and cannot be returned.

If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the Public Hearing.

Lisa Ochoa, Planning Technician II  
Community Development Department

