

**CITY OF PATTERSON PLANNING COMMISSION AGENDA**  
**REGULAR MEETING**  
**THURSDAY, FEBRUARY 11, 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** None

**CONSENT AGENDA**

1. Planning Commission Meeting Minutes of January 28, 2016

**AGENDA ITEMS**

1. **Public Hearing:** **Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 Patterson Gas, APN # 021-028-038**  
**(This item was continued from the January 14, 2016 meeting)**  
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.

**2. Public Hearing:**

**Conditional Use Permit #16-01 Somos Un Mundo Daycare,  
102 Jersey Lane, Patterson, APN # 021-049-011**

A public hearing to consider the establishment of a large daycare center (9-14 children) in a single family home at 102 Jersey Lane, located in the LR, Low Density Residential Zone. The applicant is currently licensed from the State of California for up to eight children. The project is exempt from review under the California Environmental Quality Act.

- **ITEMS FROM STAFF**
- **ITEMS FROM COMMISSION**
- **ADJOURNMENT**

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**CITY OF PATTERSON**  
**PLANNING COMMISSION MINUTES**  
**January 28, 2016**

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The Planning Commission regular meeting of January 28, 2016 was called to order by Chairperson West at 7:01 p.m.

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

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

**EXCUSED:** None

**ITEMS FROM PUBLIC:** None

**STATEMENT OF CONFLICT BY COMMISSIONERS:** Commissioner Bingham has a conflict with Public Hearing #2

**CORRESPONDENCE:** None

**INFORMATIONAL ITEMS:** None

**CONSENT AGENDA:**

**Motion to approve the Planning Commission minutes of January 14, 2016**

Commissioner Bendix

**Second:** Vice Chairman Applegate

**Motion passed:** 3-0 Vote W/2 Abstentions

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

**EXCUSED:** None

**ABSTAINED:** Commissioner Barba, Commissioner Bingham

**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

City Attorney Hallinan gave the staff report

**Open Public Hearing:** 7:10 p.m.

1. **Keith Schneider, Keystone** - He spoke in favor of the amendment and answered questions from the Commission.

**Close Public Hearing:** 7:12 p.m.

**Motion to approve the 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:** Vice Chairman Applegate  
Commissioner Bendix  
**Motion passed:** 5-0 Vote  
**ROLL CALL:** Chairman West, Vice Chairman Applegate, Commissioner Barba,  
Commissioner Bingham, Commissioner Bendix  
**EXCUSED:** None

*Commissioner Bingham has a conflict with this project and excused himself for Public Hearing #2*

Planner Andrews gave the staff report

**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.

**Open Public Hearing:**

7:15 p.m.

1. **Max Garcia, GDR Engineering** – He spoke about the project, describing the parcel changes on the site.
2. **Larry Buehner, 116 Mirror Court, Patterson** – He spoke on the project, mainly regarding the intersection and driveway.

**Close Public Hearing:**

7: 23 p.m.

**Motion to approve Lot Line Adjustment #15-01 – Westside Property Management**

Vice Chairman Applegate

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.

**Second:** Commissioner Bendix  
**Motion passed:** 4-0 Vote  
**ROLL CALL:** Chairman West, Vice Chairman Applegate, Commissioner Barba, Commissioner Bendix  
**ABSTAINED:** Commissioner Bingham  
**EXCUSED:** None

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.

**Planner Andrews gave the staff report**

The Commissioners discussed the project with staff

**Open Public Hearing:** 7:26 p.m.

1. **Max Garcia, GDR Engineering** – He answered questions regarding the repairs to the well, stating nothing can be added to the larger parcel.
2. **Fritz Schali, Sycamore Avenue**- He spoke about the project and the water district.

**Close Public Hearing:** 7:32 p.m.

The Commissioners discussed the project with staff

**Motion to approve Lot Line Adjustment #15-02 - Villages of Patterson (VOP) North, LLC, adding "domestic well" to Condition #7**

Vice Chairman Applegate

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 domestic 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.

**Second:** Commissioner Bendix  
**Motion passed:** 5-0 Vote  
**ROLL CALL:** Chairman West, Vice Chairman Applegate, Commissioner Barba, Commissioner Bingham, Commissioner Bendix  
**EXCUSED:** None

**ITEMS FROM STAFF:**

City Planner Andrews stated the next Planning Commission meeting will be February 11, 2016, with a few items on the agenda, the continued Patterson Gas project and a conditional use permit for a large child daycare.

**ITEMS FROM COMMISSION:**

1. Chairman West stated the basin was full of water, and all the water is just being sent right into the ocean. He asked that Mike from Public Works come and speak to the Planning Commission about this issue/concern.
2. Vice Chairman Applegate asked about projects that get approved by the Planning Commission and asked what the process is if the project applicant does not or cannot comply with the conditions of approval.

**ADJOURNMENT:** The Planning Commission regular meeting of January 28, 2016 was adjourned by Chairperson West at 7:43 p.m.

Prepared by Lisa Ochoa, Secretary

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Prepared by Lisa Ochoa, Secretary  
City of Patterson Planning Commission

**CITY OF PATTERSON  
Planning Commission Staff Report  
Patterson Gas  
Architectural & Site Plan Review #15-06  
Conditional Use Permit #15-08  
February 11, 2016 Meeting (continued from January 14, 2016 meeting)**

**PROJECT SUMMARY**

A public hearing to consider a fueling station, consisting of a new 2,853 square foot gas station (convenience store) with a 57'x40' Canopy cover for 8 fueling stations (4 pumps). The convenience store will sell the usual snacks plus beer and wine. The operational hours would be 24 hours/day 7 days/week. The project site is located on the south east corner of Rogers Road and Speno Drive.

**APPLICANT AND SITE INFORMATION**

|                                  |  |
|----------------------------------|--|
| <b>Owner/Applicant:</b>          | <b>Kiran Singh</b>                                       |
| <b>Environmental Review:</b>     | <b>Draft Negative Declaration</b>                        |
| <b>Location:</b>                 | <b>Southeast corner of Rogers Road &amp; Speno Drive</b> |
| <b>Assessor Parcel Numbers:</b>  | <b>021-028-038</b>                                       |
| <b>Project Size:</b>             | <b>0.75 acres ±</b>                                      |
| <b>General Plan Designation:</b> | <b>HSC, Highway Service Commercial</b>                   |
| <b>Zoning:</b>                   | <b>HSC, Highway Service Commercial</b>                   |
| <b>Present Use:</b>              | <b>Vacant Land</b>                                       |
| <b>Surrounding Land Uses:</b>    | <b>Commercial, and vacant land</b>                       |
| <b>Recommendation:</b>           | <b>Conditional Approval</b>                              |

**BACKGROUND AND REVIEW**

At the January 14, 2016 Planning Commission meeting, the Commission continued the Public Hearing to allow time to provide a truck circulation map for the proposed project. That map has been included as an attachment to this report. Based on the information provided, a change has been made to the site layout and a condition of approval has been added: A parking spot near the southeast corner of the site was removed to better accommodate trucks maneuvering on the site. A parking space was also added along the front of the store on the east end. Based on the circulation plan provided, staff has added condition of approval #39, which requires that diesel fuel distribution be limited to the two northern fuel stations to try to limit large vehicles from causing circulation problems at the southern fueling station.

## **ENVIRONMENTAL REVIEW**

An initial study prepared for this project concludes that the project will not have a significant impact on the environment and a draft negative declaration has been prepared reflecting this. The changes made do not generate impacts not previously considered in the initial study.

## **ALTERNATIVE ACTIONS**

1. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit can be made, and motion to approve Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit can be made, and motion to approve Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 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 Architectural & Site Plan Review & Conditional Use Permit cannot be made and deny Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08.

## **FINDINGS**

To approve the architectural and site plan review, the Planning Commission must find the following:

1. That the architectural and general appearance of the structures and grounds shall have architectural unity and be in keeping with the character of the neighborhood as not to be detrimental to the orderly and harmonious development of the city, or to the desirability of investment or occupation in the neighborhood.
2. That the site plan is consistent with this title, any applicable specific plan, any adopted development standards and design guidelines, and the general plan.

## **RECOMMENDATION**

Staff's recommendation is that the Commission should:

1. Conduct a public hearing and allow members of the public to testify;
2. Consider the issues discussed in this report; And,
3. Motion to approve Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 subject to the findings and conditions of approval.

Respectfully submitted,



Joel Andrews  
City Planner

Attachments

Proposed Conditions of Approval  
Truck Path of Travel  
January 14, 2016 Planning Commission Report

## 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 shall comply with AB1881 (Water Use Efficiency) requirements. Once the landscaping is complete an audit shall 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. 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.

36. Setbacks shall be verified by a licensed surveyor.
37. 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.
38. That all trash enclosure shall 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 shall be adequately sized to be able to service more than one facility. All trash enclosure plans shall be reviewed and approved by the City's Planning Department.
39. That diesel fuel distribution shall be limited to the two northernmost fueling stations.

## **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 shall update all ADA ramps within the project limits to current standards/requirements.
75. That the developer shall replace all damaged existing concrete sidewalks within the project limits per City Standards.

76. That the developer shall replace all damaged existing curb and gutter within the project limits per City Standards.
77. That all existing utilities (fire hydrants, storm drain inlet, street lights, pullbox, transformer, etc.) shall be protected in place or replaced per city standards if damaged during construction.
78. That, if not already existing, the applicant shall install a 'Stop' and 'Street' sign at Speno Drive and Rogers Rd.

### **Utilities**

79. All on-site utilities shall be underground. All existing overhead utilities adjacent to the property or within the property shall be placed underground.
80. 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.
81. 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.
82. All new telephone facilities shall be underground except where indicated by the telephone company upon engineering of the project.
83. 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.
84. 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.
85. The applicant shall install adequately sized utility services and laterals prior to final acceptance.

### **Fire Department**

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

87. 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.
88. 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.
89. That a 20' fire access lane shall be maintained around the perimeter of the building.
90. That Fire Department connections shall be within 75' of a fire hydrant and located at the street.
91. That a fire alarm system shall be UL certified for the life of the building.
92. That fire extinguishers shall be mounted in cabinets at fuel pump islands. Top of extinguishers shall not be more than 48" above finished grade.
93. That all fire extinguishers within the building shall be at least a 2A10BC.
94. Fire hydrants shall be located to Fire Chief's specifications. Fire hydrants and fire hydrant flows shall meet all City of Patterson standards.
95. All roofs shall be class "A".
96. Prior to issuance of a certificate of occupancy, all buildings shall be fully sprinkled per Building and Fire Department guidelines.
97. 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.



**CITY OF PATTERSON  
Planning Commission Staff Report  
Patterson Gas  
Architectural & Site Plan Review #15-06  
Conditional Use Permit #15-08  
January 14, 2016 Meeting**

**PROJECT SUMMARY**

A public hearing to consider a fueling station, consisting of a new 2,853 square foot gas station (convenience store) with a 57'x40' Canopy cover for 8 fueling stations (4 pumps). The convenience store will sell the usual snacks plus beer and wine. The operational hours would be 24 hours/day 7 days/week. The project site is located on the south east corner of Rogers Road and Speno Drive.

**APPLICANT AND SITE INFORMATION**

|                                  |  |
|----------------------------------|--|
| <b>Owner/Applicant:</b>          | <b>Kiran Singh</b>                                       |
| <b>Environmental Review:</b>     | <b>Draft Negative Declaration</b>                        |
| <b>Location:</b>                 | <b>Southeast corner of Rogers Road &amp; Speno Drive</b> |
| <b>Assessor Parcel Numbers:</b>  | <b>021-028-038</b>                                       |
| <b>Project Size:</b>             | <b>0.75 acres ±</b>                                      |
| <b>General Plan Designation:</b> | <b>HSC, Highway Service Commercial</b>                   |
| <b>Zoning:</b>                   | <b>HSC, Highway Service Commercial</b>                   |
| <b>Present Use:</b>              | <b>Vacant Land</b>                                       |
| <b>Surrounding Land Uses:</b>    | <b>Commercial, and vacant land</b>                       |
| <b>Recommendation:</b>           | <b>Conditional Approval</b>                              |

**PROJECT SITE**

The project would be located on approximately 0.75 acres on the southeast corner of Rogers Road and Speno Drive. The site is located between the Villa del Lago Hotel and Kentucky Fried Chicken/A&W. Jack in the Box is located immediately south of the parcel and Denny's Diner is located to the west. The parcel is surrounded by other commercial uses. The project site is fairly flat and currently undeveloped.

**PROJECT DESCRIPTION AND ANALYSIS**

The project consists of a new 2853 square foot single story convenience store and gas station. The convenience store will sell the usual snacks plus beer and wine. There are 14 existing parking stalls, 8 new typical parking stalls and 1 new accessible stall will be added. There is an existing covenant on the 14 existing parking stalls and is to be shared between the adjacent hotel and the new convenience store/gas station. The project site is located within the General Commercial zone. The proposed use is permitted in that zone.

## **Architectural Design**

The main building is wood construction with a Spanish tile hip roof and parapet wall system along with exterior wall finishes consists of a 3 layer light sand stucco system. The main entrance is accentuated with an automatic aluminum sliding storefront bi-doors with matching side windows and transom above and numerous three (3') foot section storefront windows with transom along the front and sides. Furthermore, the building aesthetics is enhanced by a 3 foot high brick veneer with soldier laid brick trim all around building and at columns. Prefabricated foam cornice trims at top of parapet wall around the building and at tower soffits. Exterior wall sconces at front columns and photo-electric motion sensor light fixtures mounted at sides and rear of building.

## **Circulation and Parking**

Since the project is located within an already developed area, its access points are already established. There is a 30' driveway off of Rogers Road and a 32' driveway off of Speno Drive. The type of use requires 12 parking spaces and based on the site plan, the project meets that requirement. The trash enclosure is located at the rear of the building and will be constructed according to city standards. The City's Engineering department has reviewed the site plan and no comments or concerns were noted regarding the circulation plan.

## **Signage**

The project does identify one monument sign but no specific measurements or placement was submitted. Prior to issuance of a building permit the applicant shall submit a sign application with exact measurements and placement of the proposed signs. Condition of approval #36 requires that the monument sign be constructed with design elements and materials reflective of those of the main building.

## **Landscaping**

Landscaping consists of four trees along with various shrubs throughout the perimeter of the property. The site plan calls for the removal of one existing tree within a curb that will remain. Staff is recommending that the applicant keep that tree to allow the ratio of one (1) tree every ten (10) parking spaces to remain. Staff has included condition #9 requiring that climbing vines be planted along the left side elevation of the building to help the building blend in with the surrounding uses.

## **Lighting**

There are no new proposed pole lights for the project. Lighting for the project consists of canopy lights. This lighting is expected to provide a sense of security and comfort to patrons. Since the project is within a commercial zone in an already developed area, there is no potential concern regarding impacts to surrounding properties. Staff has included condition # 7 requiring that lights under the canopy be recessed or flush with the bottom of the canopy to reduce the potential for glare.

## **Public Health and Safety**

Gasoline service stations are subject to an array of County and State agencies and their associated laws and policies. The project will be subject to review from the Stanislaus County Department of Environmental Resources related to hazardous waste, storage tanks, and a hazardous material management plan. Air emissions are subject to the San Joaquin Valley Air Pollution Control District. The State Department of Toxic Substances Control reviews businesses that generate, transport, treat, or dispose of hazardous waste. Storage tanks are subject to the State Board of Equalization. Any facility that discharges waste that may affect groundwater quality is subject to review from the State Water Resources Control Board. Further, condition of approval #51 requires that the area under the canopy be graded so as to drain to the sewer system, so that oils and other chemicals that may build up in that area are treated properly rather than discharging into the storm water system. Lastly, the project is subject to the latest versions of the California Building and Fire Codes.

Altogether, service stations are highly regulated with the intent to protect the public and the environment. Such regulation and review should reasonably ensure the safety of patrons, residents, and others in the vicinity of the proposed project.

## **ENVIRONMENTAL REVIEW**

An initial study prepared for this project concludes that the project will not have a significant impact on the environment and a draft negative declaration has been prepared reflecting this.

## **ALTERNATIVE ACTIONS**

1. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit can be made, and motion to approve Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit can be made, and motion to approve Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 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 Architectural & Site Plan Review & Conditional Use Permit cannot be made and deny Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08.

## **FINDINGS**

To approve the architectural and site plan review, the Planning Commission must find the following:

1. That the architectural and general appearance of the structures and grounds shall have architectural unity and be in keeping with the character of the neighborhood as not to be detrimental to the orderly and harmonious development of the city, or to the desirability of investment or occupation in the neighborhood.
2. That the site plan is consistent with this title, any applicable specific plan, any adopted development standards and design guidelines, and the general plan.

## **RECOMMENDATION**

Staff's recommendation is that the Commission should:

1. Conduct a public hearing and allow members of the public to testify;
2. Consider the issues discussed in this report; And,
3. Motion to approve Architectural & Site Plan Review #15-06 & Conditional Use Permit #15-08 subject to the findings and conditions of approval.

Respectfully submitted,



Teresa Rodriguez  
Associate Planner

### Attachments

Proposed Conditions of Approval  
Project Location  
Proposed Site Plan  
Proposed Elevations  
Proposed Negative Declaration  
Public Notice

## 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 Avenuc 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.
54. 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.
  55. 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.
  56. Separate water meters shall be installed for landscaping and indoor water services.
  57. 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.
  58. All improvements shall be designed in accordance with the City of Patterson Improvement Standards, to the satisfaction of the Public Works Department.
  59. 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.
  60. 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.
  61. 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.
  62. 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.

63. Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.
64. 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.
65. An appropriate sewer interceptor shall be included to the satisfaction of the City Engineer.
66. Runoff shall be detained and metered into the storm drainage system to the satisfaction of the City Engineer.
67. 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**

68. All sight distances for all corners and driveways shall conform to the City's sight distance requirements to the satisfaction of the City Engineer.
69. 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.
70. 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.
71. 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.
72. That the developer must update all ADA ramps within the project limits to current standards/requirements.
73. That the developer must replace all damaged existing concrete sidewalks within the project limits per City Standards.

74. That the developer must replace all damaged existing curb and gutter within the project limits per City Standards.
75. That the developer must install new sidewalk along Annamarie Ave that's within the project limits.
76. 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.
77. That the applicant shall install a 'Stop' and 'Street' sign at Anna Marie Ave and Rogers Rd.

### **Utilities**

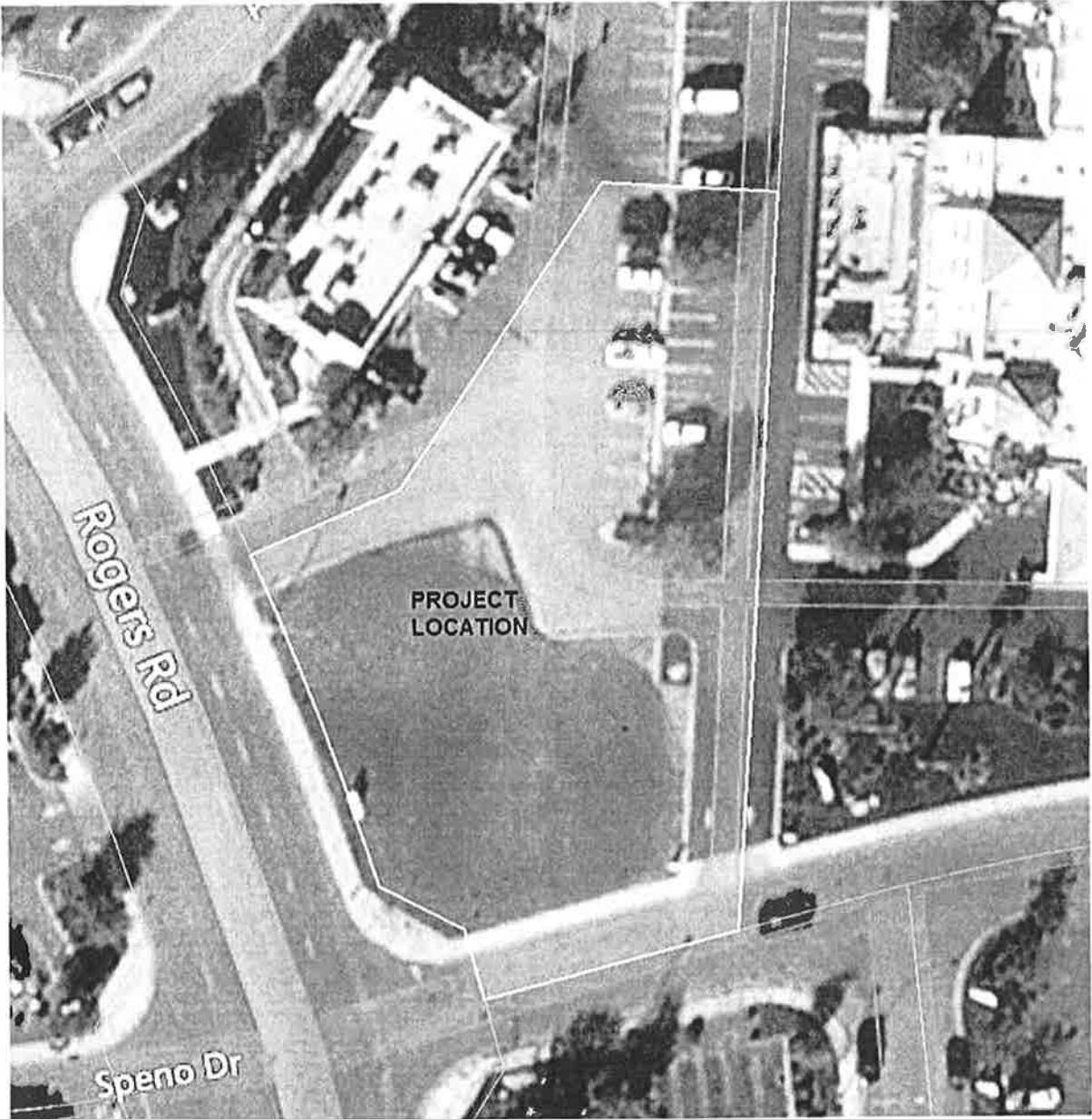
78. All on-site utilities shall be underground. All existing overhead utilities adjacent to the property or within the property shall be placed underground.
79. Street lights will be provided and installed to the satisfaction of the City of Patterson Department of Public Works. The type, height, and 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.
80. 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.
81. All new telephone facilities shall be underground except where indicated by the telephone company upon engineering of the project.
82. 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.
83. 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.
84. The applicant shall install adequately sized utility services and laterals prior to final acceptance.

### **Fire Department**

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

86. 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.
87. 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.
88. That a 20' fire access lane shall be maintained around the perimeter of the building.
89. That Fire Department connections shall be within 75' of a fire hydrant and located at the street.
90. That a fire alarm system shall be UL certified for the life of the building.
91. That fire extinguishers shall be mounted in cabinets at fuel pump islands. Top of extinguishers shall not be more than 48" above finished grade.
92. That all fire extinguishers within the building shall be at least a 2A10BC.
93. Fire hydrants shall be located to Fire Chief's specifications. Fire hydrants and fire hydrant flows shall meet all City of Patterson standards.
94. All roofs shall be class "A".
95. Prior to issuance of a certificate of occupancy, all buildings must be fully sprinkled per Building and Fire Department guidelines.
96. 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.

PROJECT LOCATION









PARCEL No.

PARCEL MAP  
BOOK 51, PAGE 88, S.C.

PARCEL 1

PROPOSED SITE PLAN



| NO. | REVISIONS | DATE |
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PROPOSED  
SITE PLAN

SCALE: AS SHOWN

DATE: 8-2-2008

DRAWN BY: [Signature]

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DATE: 8-2-2008

SCALE: AS SHOWN



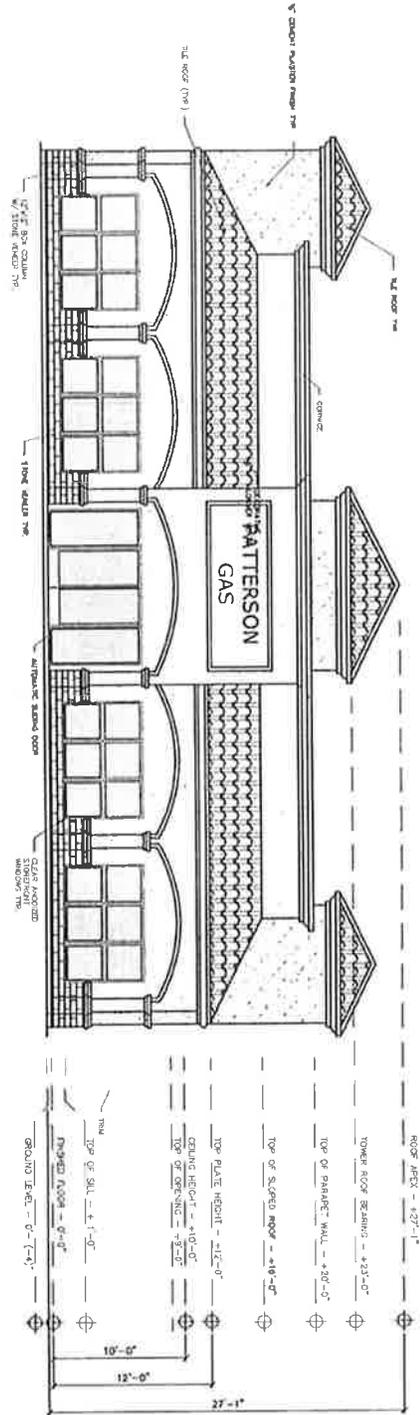
"PATTERSON GAS"  
GAS STATION MINI-MART  
ROGERS ROAD & SPENO DRIVE  
PATTERSON, CA 95363  
APN: 021-028-038

**CENTRAL VALLEY**  
ENGINEERING & SURVEYING, INC.

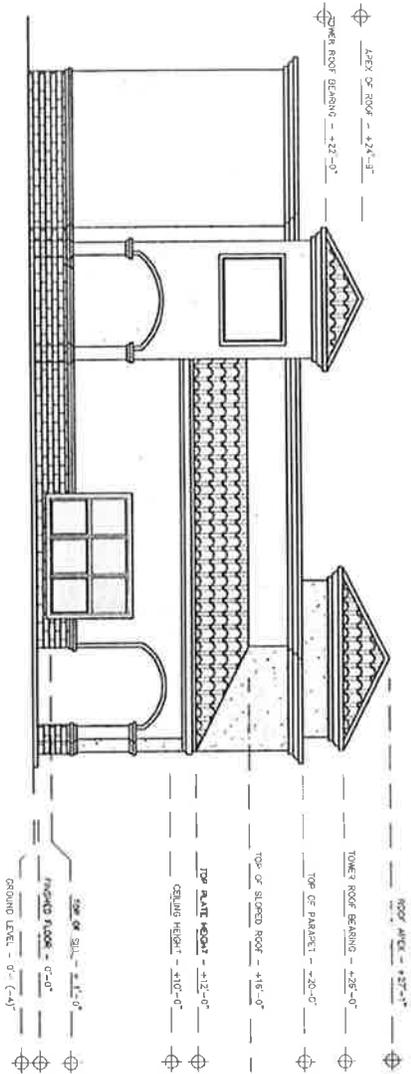
**CVEAS**

2000 PATTERSON ROAD  
PATTERSON, CA 95363  
TEL: 209-223-8888  
FAX: 209-223-8889  
WWW.CVEAS.COM

A1.2



FRONT ELEVATION - SOUTH



LEFT SIDE ELEVATION - WEST

**CENTRAL VALLEY**  
ENGINEERING & SURVEYING, INC.

**CV&S**

2025 REG. NO. 00000000  
14, 1500 S. 9th Street  
P.O. Box 1000  
Tulsa, OK 74101  
Tel: 918-438-1111  
Fax: 918-438-1112  
www.centralvalleyeng.com

"PATTERSON GAS"  
GAS STATION MINI-MART  
ROGERS ROAD & SPENO DRIVE  
PATTERSON, CA 95363  
APN: 021-028-038



| REVISION | DATE |
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|          |      |
|          |      |
|          |      |

|              |          |
|--------------|----------|
| DESIGN JOB # |          |
| DATE         | 8-2-2025 |
| DRAWN BY     |          |
| CHECKED BY   |          |
| SCALE        | AS NOTED |
| PLANNED BY   |          |

A2.0









**CITY OF PATTERSON**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**P O BOX 667, PATTERSON, CALIFORNIA 95363**  
**(209) 895-8020, FAX (209) 895-8019**

FILED  
2015 DEC 14 PM 1:51  
SANISLAUS CO. CLERK-RECORDER  
Jennifer Mercado

**PROPOSED**  
**NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21.000, et. seq.) that the project for Patterson Gas which, when implemented, will not have a significant impact on the environment.

**PROJECT TITLE:** Patterson Gas

**PROJECT LOCATION:** APN 021-028-038, Southeast corner of Rogers Road and Speno Drive

**DESCRIPTION OF PROJECT:** A new 2,853 square foot gas station (convenience store) with a 57'x40' Canopy cover for 8 bays (4 pumps). The convenience store will sell the usual snacks plus beer and wine. The operational hours would be 24 hours/day 7 days/week.

**FINDINGS AND BASIS FOR A NEGATIVE DECLARATION:**

1. The project will not adversely affect water or air quality or increase noise levels;
2. The project will not have adverse impacts on the flora and fauna of the area;
3. The project will not degrade the aesthetic quality of the area;
4. The project will not have adverse impacts on traffic or land use;
5. In addition, the project will not:
  - a. Create impacts which have the potential to degrade the quality of the environment;
  - b. Create impacts which achieve short-term to the disadvantage of long term environmental goals;
  - c. Create impacts for a project which are individually limited, but cumulatively considerable;
  - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly;

The City of Patterson has, therefore, determined that the potential environmental impact of the project is insignificant.

**MITIGATION MEASURES INCLUDED IN THE PROJECT, IF ANY, TO AVOID POTENTIALLY SIGNIFICANT EFFECTS:** N/A

**INITIAL STUDY:** The City of Patterson Community Development Department has reviewed the potential environmental impacts of this project and has found that the probable impacts are potentially insignificant. A copy of the Initial Study is attached.

**REVIEW PERIOD:** December 14, 2015 through January 12, 2016

All comments regarding correctness, completeness, or adequacy of this Negative Declaration must be received by the City of Patterson Community Development Department, PO Box 667, Patterson, CA 95363 or at (209) 895-8020, no later than 5:00 p.m. on January 12, 2016.

**DATE:** December 14, 2015

**SIGNATURE:**

Teresa Rodriguez, Associate Planner

Phone: (209) 895-8020

Fax: (209) 895-8019



# CITY OF PATTERSON

## Initial Study of Environmental Impact

### I. Summary of Findings

|                      |  |
|----------------------|--|
| Project Name:        | Patterson Gas  |
| Project Description: | A new 2,853 square foot gas station (convenience store) with a 57'x40' Canopy cover for 8 bays (4 pumps). The convenience store will sell the usual snacks plus beer and wine. The operational hours would be 24 hours/day 7 days/week.                    |
| Sources:             | This initial study was prepared using the Patterson Zoning Ordinance, 2010 General Plan, 2010 General Plan EIR, the 2001 Municipal Water Master Plan, the 2003 Patterson Wastewater Master Plan, and the City's guidelines for the implementation of CEQA. |
| Applicant:           | City of Patterson, 1 Plaza, PO Box 667, Patterson, CA 95363  |
| Recommendation:      | Negative Declaration.  |
| Location:            | Southeast Corner of Rogers Road and Speno Drive, APN: 021-028-038  |
| Date:                | December 14, 2015  |

### II. Project Description

The project consists of a new 2,853 square foot convenience store and gas station. The convenience store would sell the typical snack food plus beer and wine. The project includes a 57'x40' canopy covering 8 bays (4 pumps). The project would provide 8 new parking stalls with 1 accessible stall. Typical business hours for this type of business are 24 hours/day 7 days/week.

#### Environmental Setting

The site area is an undeveloped parcel of the Villa Del Lago Development. Surrounding uses include commercial uses to the north, commercial to the west and south, hotel to the east. See Figure 1. Applicant would be installing all the onsite public improvements for the project. See Figure 2.

Figure 1 – Project Location:

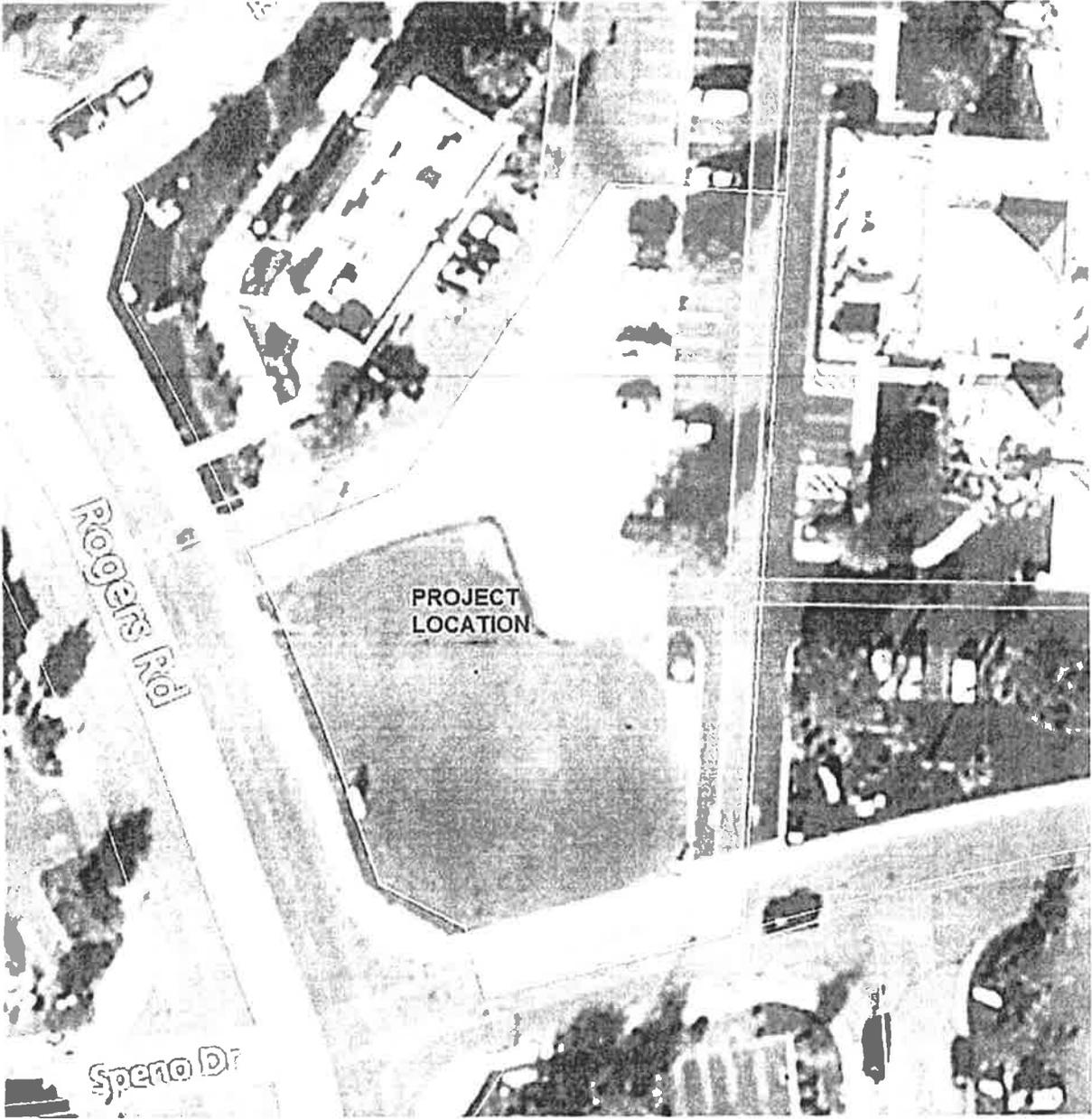
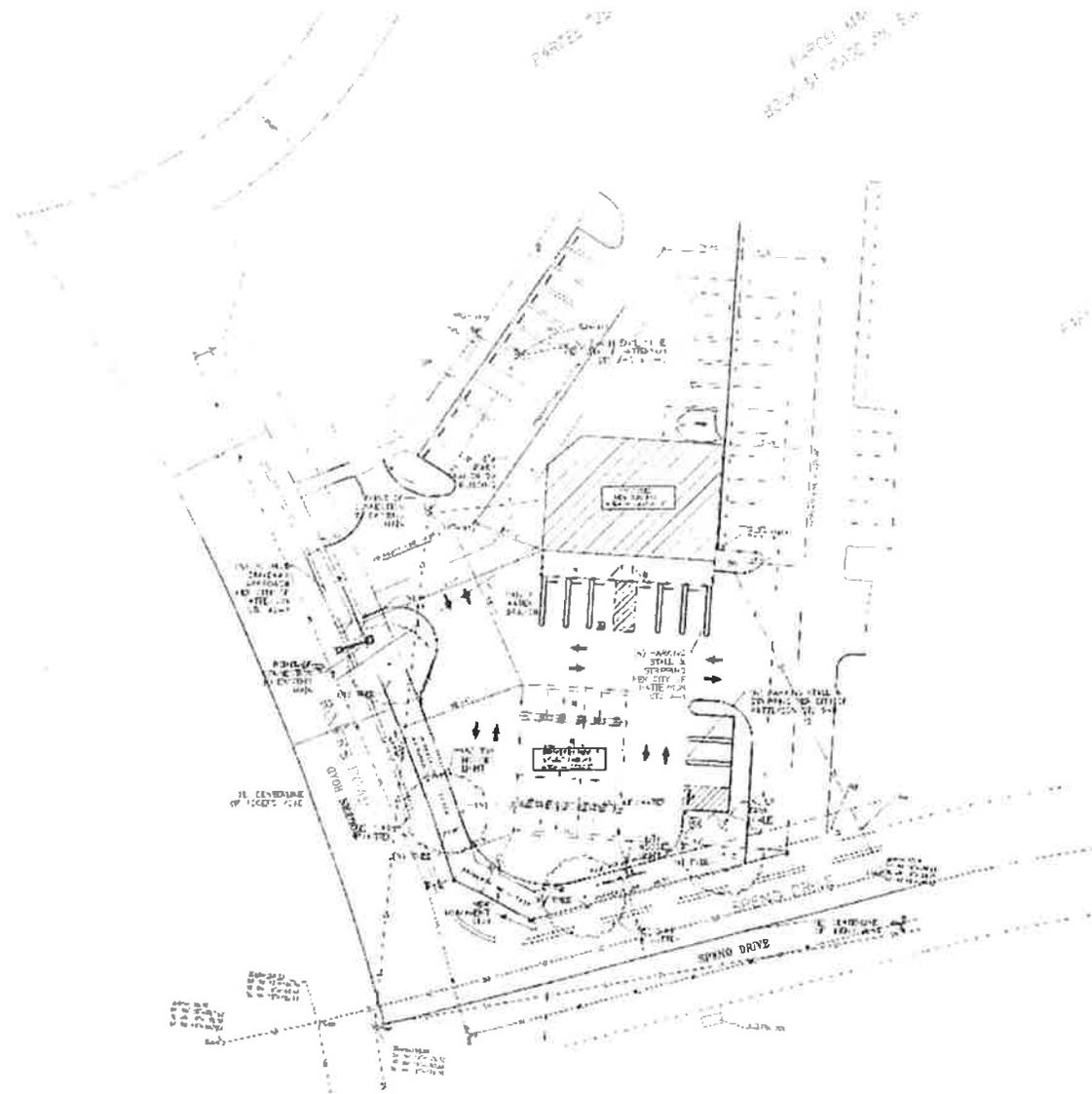


Figure 2 – Project Site



### III. Initial Study Environmental Checklist

This section discusses potential environmental impacts associated with approval of the proposed project.

The following guidance, adapted from Appendix I of the State CEQA Guidelines, was followed in answering the checklist questions:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the discussion. A “No Impact” answer is adequately supported if the discussion shows that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained when it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. All analyses must be based on a comparison between conditions that would occur if the project were implemented and existing conditions (also known as baseline conditions).
4. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
5. “Potentially Significant unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (State CEQA Guidelines Section 15063[c][D]). Earlier analyses are discussed in the project description above under “Previous Environmental Documents and Site-Specific Information”.

The discussion that follows each section of checklist questions:

- analyzes previously certified environmental analysis and/or mitigation relevant to the issue, including the potential for each effect to be significant and adverse and standard requirements and measures that will preclude adverse impacts;
- describes proposed measures that will preclude adverse impacts;
- analyzes the potential for residual or remaining significant adverse impacts following implementation of the project and all previously identified, standard, and proposed requirements and measures; and
- summarizes the applicable mitigation measures established by the various support documents and project-specific measures that will reduce the impacts to a less-than-significant level.

Identification of the potential for residual significant adverse environmental impacts would trigger the need for preparation of an EIR. For issue areas in which no significant adverse impact would result or impacts would be reduced to a less-than-significant level by mitigation, further analysis is not required.

**I. LAND USE AND PLANNING**

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal:</i>  |                                |  |                              |           |
| a. Conflict with general plan designation or zoning?  |                                |  |                              | ■         |
| b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?           |                                |  |                              | ■         |
| c. Be incompatible with existing land use in the vicinity?  |                                |  |                              | ■         |
| d. Affect agricultural resources or operations (e.g., impacts on soils or farmlands, or impacts from incompatible land uses)? |                                |  |                              | ■         |
| e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?     |                                |  |                              | ■         |

**Setting:**

The basis for land use and planning in the city is the City of Patterson 2010 General Plan, adopted in November 2010. The 2010 General Plan Land Use Element provides the primary guidance on issues related to land use, land use intensity, and design. In conjunction with the General Plan, Title 18 of the City of Patterson Municipal Code establishes zoning districts in the city and specifies allowable uses and development standards for each district.

The City updated its Zoning Ordinance in 2013. As shown in the City of Patterson General Plan Zoning Map, the project site is designated Highway Service Commercial (HSC). Pursuant to section 18.42 of the City of Patterson Municipal Code, an automobile fueling station is permitted with a conditional use permit while general retail uses are permitted by right in the HSC zoning district.

A new 2,853 square foot gas station (convenience store) with a 57'x40' Canopy cover for 8 bays (4 pumps). The convenience store will sell the usual snacks plus beer and wine. The operational hours would be 24 hours/day 7 days/week.

**Discussion Of Impacts:**

- a) *No Impact.* The project site is located within a commercial district surrounded by similar uses.

- b) *No Impact.* As noted above, the project site is currently designated Highway Service Commercial. The proposed project would be consistent with the current designation; therefore the project would have no impact on the City's applicable land use plans and applicable polices.
- c) *No Impact.* No habitat conservation or natural community conservation plans are applicable to the project site. There would be no impact.

Mitigation Measures

None required.

## II. POPULATION AND HOUSING

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal:</i>   |                                |  |                              |           |
| a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of road or other infrastructure)? |                                |  | ■                            |           |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?  |                                |  |                              | ■         |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?  |                                |  |                              | ■         |

### Setting:

According to the California Department of Finance (Jan. 2015), the population of the City of Patterson was 21,094 in 2015.

### Discussion Of Impacts:

- a) *Less Than Significant Impact.* The proposed project does not include the construction of any new homes. Employment opportunities would be limited to construction workers during the construction period and an estimated 3 full-time employees five days a week. The project is proposing 2-3 full time employees at the project site. As such, the project would not add a substantial number of employees who would require additional housing or extension of roads or infrastructure. The project would not result in population growth and this impact would be less than significant.
- b) *No Impact.* Project site is currently vacant and zoned for commercial use. Therefore, project implementation would not displace any housing or people.
- c) *No Impact.*

### Mitigation Measures

None Required.

### III. GEOLOGIC HAZARDS

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in or expose people to potential impacts involving:</i>             |                                |  |                              |           |
| a. Fault rupture?  |                                |  |                              | ■         |
| b. Seismic ground shaking?   |                                |  |                              | ■         |
| c. Seismic ground failure, including liquefaction?   |                                |  |                              | ■         |
| d. Seiche, tsunami, or volcanic hazard?  |                                |  |                              | ■         |
| e. Landslides or mudflows?   |                                |  |                              | ■         |
| f. Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? |                                |  | ■                            |           |
| g. Subsidence of the land?   |                                |  |                              | ■         |
| h. Expansive soils?  |                                |  | ■                            |           |
| i. Unique geologic or physical features?   |                                |  |                              | ■         |

#### Setting

The area is within a zone of low seismic activity. All impacts have been addressed in the General Plan EIR. No significant soils effects or geological problems are expected which cannot be addressed through the use of current engineering standards adopted by the City and State.

#### Discussion of Impacts

- a) *No Impact.*
- b) *No Impact.*
- c) *No Impact.*
- d) *No Impact.*
- e) *No Impact.*
- f) *Less Than Significant Impact.* Project site soils have a low erosion potential. However, project implementation would include land clearing, excavating, and other soil disturbing activities which would expose site soils to wind and water erosion. All construction activities would be subject to California Building Code Chapter 70 standards, which would ensure implementation of appropriate measure during grading activities to reduce soil erosion.

- g) *No Impact.*
- h) *Less Than Significant Impact.* The impact of expansive soils on the project site will be less than significant. However, the project shall be designed as required for expansive soils conditions that will be addressed during the plan check phase.
- i) *No Impact.*

**Conclusion**

The project will not result in impacts relating to geologic hazards considered to be significant.

**IV. DRAINAGE AND WATER SUPPLY**

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in:</i>   |                                |  |                              |           |
| a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?   |                                |  |                              | ■         |
| b. Exposure of people or property to water-related hazards such as flooding?   |                                |  |                              | ■         |
| c. Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?  |                                |  |                              | ■         |
| d. Changes in the amount of surface water in any water body?   |                                |  |                              | ■         |
| e. Changes in currents, or the course or direction of water movements?   |                                |  |                              | ■         |
| f. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? |                                |  |                              | ■         |
| g. Alteration to the direction or rate of flow of groundwater?   |                                |  |                              | ■         |
| h. Impacts on groundwater quality?   |                                |  |                              | ■         |
| i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?   |                                |  |                              | ■         |

**Setting**

**Discussion of Impacts**

- a) *No Impact.*
- b) *No Impact.*
- c) *No Impact.*
- d) *No Impact.*
- e) *No Impact.*
- f) *No Impact.*

g) *No Impact.*

h) *No Impact.*

i) *No Impact.*

#### **Conclusion**

The project is not expected to result in significant impacts relating to drainage and water quality or quantity.

## V. AIR QUALITY

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal:</i>   |                                |  |                              |           |
| a. Conflict with or obstruct implementation of the applicable air quality plan?  |                                |  | ■                            |           |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   |                                |  |                              | ■         |
| c. result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? |                                |  |                              | ■         |
| d. Expose sensitive receptors to substantial pollutant concentrations?   |                                |  |                              | ■         |
| e. Create objectionable odors affecting a substantial number of people?  |                                |  | ■                            |           |

### Setting

The project site is located within Stanislaus County which is managed by the San Joaquin Valley Air Control District (SJVACD). Both the US Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. The ambient air quality standards represent levels of contaminants that are considered at safe levels which avoid specific adverse health effects associated with each pollutant. The ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. The SJVACD is classified as a "Severe non-attainment" area for both the federal and State standards for ozone and a "serious" non-attainment area for the federal standard for respirable particulate matter (PM<sub>10</sub>, or particles 10 microns or smaller in diameter). Emissions of these air pollutants, and their precursors, will increase as a result of motor vehicle trips generated by the project, and from grading and construction operations. Together, these activities may hinder efforts to achieve and maintain air quality standards established by federal and State laws.

### Discussion

- a. Development of the project site will result in short-term air pollutant emissions and dust generation from construction activities. Such activities will generate short-term fugitive

dust and vehicle exhaust emissions as a result of excavation, grading, and construction-related vehicle trips.

#### Construction Emissions

A project's construction phase produces many types of emissions, but PM-10 is the pollutant of greatest concern. PM-10 emissions can result from a variety of construction activities, including excavation, grading, demolition, vehicle travel on paved and unpaved surfaces, and vehicle exhaust. Construction-related emissions can cause substantial increases in localized concentrations of PM-10, as well as affecting PM-10 compliance with ambient air quality standards on a regional basis. Particulate emissions from construction activities can lead to adverse health effects as well as nuisance concerns such as reduced visibility and soiling of exposed surfaces.

The SJVUAPCD's approach to CEQA analyses of construction impacts is to require implementation of effective and comprehensive control measures rather than to require detailed quantification of emissions. PM-10 emitted during construction can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors, making quantification difficult. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM-10 emissions from construction. The SJVUAPCD has determined that compliance with Regulation VIII for all sites and implementation of all other control measures as appropriate, depending on the size and location of the project site will constitute sufficient mitigation to reduce PM-10 impacts to a level considered less-than-significant.

San Joaquin Valley Unified Air Pollution Control District air quality mitigation measures are already included as mitigations for all projects as standard procedure to address these issues. Additionally, appropriate policies are dealt with in the 2010 General Plan EIR:

The City shall require all of the following as a condition of project approval of future development projects:

- 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, covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- 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.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the

building shall be wetted during demolition.

- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (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.)
- 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.
- Within urban areas, track-out (earth material deposited on City streets by construction equipment) shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
- Any site with 150 or more vehicle trips per day shall prevent carryout and track-out.
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;
- Install wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds exceed 20 mph; and  
Limit area subject to excavation, grading, and other construction activity at any one time. Regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent opacity limitation.

- a. Impacts associated with the project are related to construction activities. Such impacts are temporary and have been addressed through the listed measures. As a result, no significant impact is anticipated.

#### **Conclusion**

The project will not result in significant impacts to air quality.

## VI. TRANSPORTATION/CIRCULATION

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in:</i>   |                                |  |                              |           |
| a. Increased vehicle trips or traffic congestion?  |                                |  | ■                            |           |
| b. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? |                                |  |                              | ■         |
| c. Inadequate emergency access or access to nearby uses?   |                                |  |                              | ■         |
| d. Insufficient parking capacity onsite or offsite?  |                                |  |                              | ■         |
| e. Hazards or barriers for pedestrians or bicyclists?  |                                |  |                              | ■         |
| f. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?                          |                                |  |                              | ■         |
| g. Rail, waterborne, or air traffic impacts?   |                                |  |                              | ■         |

### Discussion

a) *Less Than Significant Impact.* The project site is zoned as Highway Service Commercial. In 1992 a Focused EIR was adopted for this project as part of the approval for the Patterson Gateway Project. The EIR implemented a few mitigation measures that would alleviate some of the impacts development would have on the area. Since 1992, the five mitigation measures that were recommended in the Traffic Study have been implemented. In addition, the 2010 General Plan EIR also addressed the traffic impacts this zone would have to the area.

As part of the construction of the project, there will be minor traffic associated with it. These changes are temporary and minor so they are not considered significant.

### Conclusion

The project will not result in significant impacts to transportation or circulation systems.

## VII. BIOLOGICAL RESOURCES

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in impacts on:</i>   |                                |  |                              |           |
| a. Endangered, threatened or rare species or their habitats (including, but not limited to, plants, fish, insects, animals, and birds)? |                                |  | ■                            |           |
| b. Locally designated species (e.g., heritage trees)?   |                                |  |                              | ■         |
| c. Locally designated natural communities (e.g., oak forest)?   |                                |  |                              | ■         |
| d. Wetland habitat (e.g., marsh, riparian, and vernal pool)?  |                                |  |                              | ■         |
| e. Wildlife dispersal or migration corridors?   |                                |  |                              | ■         |

### Setting/Discussion

a) *Less Than Significant Impact.* Endangered, threatened, or rare species in the Patterson area include the San Joaquin Kit Fox (*Vulpes macrotis mutica*), Swainson's Hawk (*Buteo swainsoni*), Western Pond Turtle (*Clemmys marmorata*), and Burrowing Owl (*Athene cunicularia*). The San Joaquin Kit Fox's preferred habitat is grassland and rolling hills. Swainson's Hawk and Burrowing Owl both prefer grasslands. Impacts associated with biological resources were thoroughly addressed in the 1992 Patterson Gateway EIR and the 2010 General Plan.

b) *No Impact.*

c) *No Impact.*

d) *No Impact.*

### Conclusion

The project will not result in significant impacts to biological resources.

## VIII. ENERGY AND MINERAL RESOURCES

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in:</i>  |                                |  |                              |           |
| a. Conflict with adopted energy conservation plans?   |                                |  |                              | ■         |
| b. Use nonrenewable resources in a wasteful and inefficient manner?   |                                |  |                              | ■         |
| c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state? |                                |  |                              | ■         |

### Discussion

According to the 2010 General Plan, there are no known mineral resources within the City of Patterson.

a) *No Impact.*

b) *No Impact.*

c) *No Impact.*

### Conclusion

The project would not result in a significant increase in the use of energy or mineral resources.

## IX. HAZARDS

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal involve:</i>  |                                |  |                              |           |
| a. A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)? |                                |  |                              | ■         |
| b. Possible interference with an emergency response plan or emergency evacuation plan?  |                                |  |                              | ■         |
| c. The creation of any health hazard or potential health hazard?  |                                |  |                              | ■         |
| d. Exposure of people to existing sources of potential health hazards?  |                                |  |                              | ■         |
| e. Increased fire hazard in areas with flammable brush, grass, or trees?  |                                |  |                              | ■         |

### Discussion

a) *No Impact.*

b) *No Impact.*

c) *No Impact.*

d) *No Impact.*

e) *No Impact.*

### Conclusion

The project will have a less than significant impact on health and safety.

## X. NOISE

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in:</i>          |                                |  |                              |           |
| a. Increases in existing noise levels?        |                                |  | ■                            |           |
| b. Exposure of people to severe noise levels? |                                |  | ■                            |           |

### Setting

The Noise Element of the General Plan provides goals, policies, and implementation measures intended to reduce the adverse effects of noise. The Noise Element sets standards for the maximum allowable noise exposure from transportation sources as summarized on Table HS-3, below.

| Land Use                           | Outdoor Activity Areas <sup>1</sup> | Interior Spaces        |
|------------------------------------|-------------------------------------|------------------------|
|                                    | Ldn/CNEL, DbLdn/CNEL,               | dbLeq, Db <sup>2</sup> |
| Residential                        | 60 <sup>3</sup>                     | 45                     |
| Transient Lodging                  | 60 <sup>3</sup>                     | 45                     |
| Hospitals, Nursing Homes           | 60 <sup>3</sup>                     | 45                     |
| Theaters, Auditoriums, Music Halls |                                     | 35                     |
| Churches, Meeting Halls            | 60 <sup>3</sup>                     | 40                     |
| Office Buildings                   | 60 <sup>3</sup>                     | 45                     |
| Schools, Libraries, Museums        |                                     | 45                     |
| Playgrounds, Neighborhood Parks    | 70                                  |                        |

1. Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use.
  1. As determined for a typical worst-case hour during periods of use.
2. Where it is not possible to reduce noise in outdoor activity areas to 60 Db Ldn/CNEL or less using a practical application of the best available noise reduction measures, an exterior noise level of up to 65 Db Ldn/CNEL may be allowed, provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

Noise is typically expressed in decibels (dB). The decibel scale is logarithmic because of the physical characteristics associated with noise transmission and reception. For example, a 3.0 decibel (dB) increase in noise levels normally results in a doubling of *noise energy*; however, because of the structure of the human auditory system, a 10-decibel increase is required to perceive a doubling of *noise*. A 1- to 2-decibel change in ambient noise levels is

generally not perceptible to the human ear. The A-weighted decibel (dBA) incorporates the human ear's sensitivity to sounds of different frequencies. On this scale, the sound level of normal talking is about 60 to 65 dBA.

Noise levels diminish (or attenuate) as distance from the source increases based on an inverse square rule, but the rate constant varies with the type of sound source. Sound from point sources, such as industrial facilities, attenuates at a rate of 6 dBA per doubling of distance. Heavily-traveled roads with few gaps in traffic behave as continuous line sources with an attenuation rate of 3 dBA per doubling of distance. Otherwise, roads typically have an attenuation rate of 4.5 dBA.

Construction work is the main source of noise as a result of the project.

Since the project is an infill project and surrounded by similar uses, the noise levels are less than significant.

#### **Discussion**

- a) *Less Than Significant.* Noise levels on the project site will increase as a result of construction activities associated with the project. Such noise is temporary and is not considered significant.
- b) *Less Than Significant.* Noise from the proposed use is not expected to exceed noise standards outlined in the 2010 General Plan EIR.

#### **Conclusion**

Noise levels resulting from construction and operation of the project have been addressed and can be mitigated per the 2010 General Plan EIR.

**XI. PUBLIC SERVICES**

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:</i> |                                |  |                              |           |
| a. Fire protection?  |                                |  |                              | ■         |
| b. Police protection?  |                                |  |                              | ■         |
| c. Schools?  |                                |  |                              | ■         |
| d. Maintenance of public facilities, including roads?  |                                |  |                              | ■         |
| e. Other governmental services?  |                                |  |                              | ■         |

**Setting/Discussion**

The project is not expected to affect the need for services.

- a) *No Impact.*
- b) *No Impact.*
- c) *No Impact.*
- d) *No Impact.*
- e) *No Impact.*

**Conclusion**

The project will not result in a significant impact on the need for and maintenance of public services.

## XII. UTILITIES AND SERVICE SYSTEMS

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:</i> |                                |  |                              |           |
| a. Power or natural gas?   |                                |  | ■                            |           |
| b. Communications systems?   |                                |  | ■                            |           |
| c. Local or regional water treatment or distribution facilities?   |                                |  | ■                            |           |
| d. Sewer or septic tanks?  |                                |  | ■                            |           |
| e. Stormwater drainage?  |                                |  | ■                            |           |
| f. Solid waste disposal?   |                                |  | ■                            |           |
| g. Local or regional water supplies?   |                                |  | ■                            |           |

### Setting/Discussion

- a) *Less Than Significant Impact.* Since the project includes the construction of a new gas station canopy along with a convenience store, it would include the addition of new power lines to serve the use. The project is located within an already developed area so the impact would be less than significant.
- b) *Less Than Significant Impact.* New construction would include the addition of communication systems to serve the convenience store.
- c) *Less Than Significant Impact.* The project would be subject to the City of Patterson Municipal Code Chapter 18.78 which requires implementation of various water-conserving measures and submittal of an irrigation plan detailing the irrigation equipment, water demand, and monthly irrigation schedule. Based on the 2010 General Plan, the City has adequate water supply for build out.
- d) Wastewater generated by the proposed project would be conveyed to the wastewater treatment plant. The plant currently meets all applicable water quality standards and waste discharge requirements. Therefore, the proposed project would not result in an exceedance of any wastewater treatment requirements and would have less than significant impact on wastewater
- e) *Less Than Significant Impact.* The proposed project would not require the construction of any new stormwater facilities. A drainage system consisting of new inlets and underground pipes and water treatment landscaping plants would be constructed. As such, the project would have a less than significant impact on storm water facilities.
- f) *Less Than Significant Impact.*
- g) *Less Than Significant Impact.*

**Conclusion**

The project will not result in a significant impact to utility or service systems

**XIII. AESTHETICS**

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal:</i>                        |                                |  |                              |           |
| a. Affect a scenic vista or scenic highway?       |                                |  |                              | ■         |
| b. Have a demonstrable negative aesthetic effect? |                                |  |                              | ■         |
| c. Create light or glare?                         |                                |  |                              | ■         |

**Setting/Discussion**

- a) *No Impact.* Project area is surrounded by similar uses in an already developed zone, the use would have no impact on any scenic highways or vistas.
- b) *No Impact.* Project is an infill project surrounded by similar uses.
- c) *No Impact.*

**Conclusion**

The project will not have a significant adverse effect on the aesthetic quality of the City.

#### XIV. CULTURAL RESOURCES

| Issues   | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal:</i>   |                                |  |                              |           |
| a. Disturb paleontological resources?  |                                |  |                              | ■         |
| b. Disturb archaeological resources?   |                                |  |                              | ■         |
| c. Affect historical resources?  |                                |  |                              | ■         |
| d. Have the potential to cause a physical change which would affect unique ethnic cultural values? |                                |  |                              | ■         |
| e. Restrict existing religious or sacred uses within the potential impact area?                    |                                |  |                              | ■         |

#### Setting

A review of relevant archaeological literature found no evidence of prehistoric, historic or archeological sites within the project vicinity according to the archival record. The construction project is subject to mitigation measures from the 2010 General Plan EIR. If cultural resources are unearthed during excavation or construction, the project will be halted and appropriate agencies contacted for further site assessment.

- a) *No Impact*
- b) *No Impact*
- c) *No Impact*
- d) *No Impact*
- e) *No Impact*

#### Conclusion

Development of the project site will have no effect on archaeological, historic or paleontological resources.

**XV. RECREATION**

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <i>Would the proposal:</i>  |                                |  |                              |           |
| a. Increase the demand for neighborhood or regional parks or other recreational facilities? |                                |  |                              | ■         |
| b. Affect existing recreational opportunities?  |                                |  |                              | ■         |

**Setting/Discussion**

The project will not result in a significant impact to recreational resources.

a) *No Impact.*

b) *No Impact.*

**Conclusion**

Project related impacts to recreation facilities and opportunities are considered less than significant.

## XVI. MANDATORY FINDINGS OF SIGNIFICANCE

| Issues  | Potentially Significant Impact | Potentially Significant unless Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? |                                |  |                              | ■         |
| b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?  |                                |  |                              | ■         |
| c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)  |                                |  |                              | ■         |
| d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?  |                                |  |                              | ■         |

### Discussion of Checklist Answers

The project is not expected to result in significant adverse impacts on the environment.

- a) *No Impact*
- b) *No Impact*
- c) *No Impact*
- d) *No Impact*

## XVII. Determination

In accordance with Sections 15152 and 15168 of the State CEQA Guidelines, this initial study has been prepared to evaluate the potential impacts of the proposed project.

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in the initial study. A NEGATIVE DECLARATION will be prepared.
- I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

  
\_\_\_\_\_  
Teresa Rodriguez

Associate Planner  
City of Patterson  
(209) 895-8026

12/14/15  
\_\_\_\_\_  
Date

**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 14, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

**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.

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  
Somos Un Mundo Daycare  
Conditional Use Permit #16-01  
February 11, 2016 Meeting**

**PROJECT SUMMARY**

A public hearing to consider the establishment of a large daycare center at an existing residence located at 102 Jersey Lane in the LR, Low Density Residential Zone.

**APPLICANT AND SITE INFORMATION**

|                                  |   |
|----------------------------------|---|
| <b>Applicant:</b>                | <b>Ofelia Guevara</b>                         |
| <b>Owners:</b>                   | <b>Ofelia Guevara &amp; Javier Villanueva</b> |
| <b>Environmental Review:</b>     | <b>Exempt</b>                                 |
| <b>Location:</b>                 | <b>102 Jersey Lane</b>                        |
| <b>Assessor Parcel Number:</b>   | <b>021-049-011</b>                            |
| <b>Building Size:</b>            | <b>Approximately 2,925 square feet</b>        |
| <b>Parcel Size:</b>              | <b>Approximately 7,038 square feet</b>        |
| <b>General Plan Designation:</b> | <b>LR, Low Density Residential</b>            |
| <b>Zoning Designation:</b>       | <b>LR, Low Density Residential</b>            |
| <b>Present:</b>                  | <b>Single Family Residence</b>                |
| <b>Surrounding Land Uses:</b>    | <b>Single Family Homes, Park</b>              |
| <b>Recommendation:</b>           | <b>Conditional Approval</b>                   |

**PROJECT DESCRIPTION**

The project consists of a large daycare center (9-14 children) in a single family home at 102 Jersey Lane, located in the LR, Low Density Residential Zone. The applicant currently runs a small daycare with licensing from the State of California for up to eight children. If the Conditional Use Permit is approved, the applicant will be able to apply for a license to care for up to 14 children. The project site is an existing two-story home.

Depending on the number of children present, the daycare provider would have one or two assistants present during the hours of operation. The daycare would operate from 6:00 a.m. to 6:00 p.m. Monday through Friday. The applicant is licensed to care for children ranging from infant up to elementary-school aged children. The applicant currently has one (1) employee but depending on the number and age of the children, the need for additional employees may be needed.

This item was duly noticed and as of the date this report was finalized, staff had not received any comments from the public related to this project.

## **KEY ISSUES**

Typical areas of concern related to large daycare facilities are parking, traffic and noise.

Condition One requires that the driveway be kept clear of the owner/operator's personal vehicles during hours of operation to allow drop-off and pick-up parking for customers. Drop-off and pick-up times tend to be naturally staggered and last approximately five to ten minutes. This should prevent a convergence of high levels of traffic around the facility at any given time. The applicant's residence has a 3 car garage which would allow for additional off street parking to occur.

Condition Two restricts outdoor activities before 9:00 a.m. to avoid the possibility of disturbance of neighbors at earlier hours.

The Municipal Code requires 200 square feet of outdoor play area per child. The residence has an approximately 2,720 square foot backyard, providing sufficient play area for 14 children. Since the age and the number of children present at the daycare ranges any given day, it appears that the facility will have enough play area for all of the children.

## **ENVIRONMENTAL REVIEW**

This project is exempt from review under the California Environmental Quality Act according to §15274.

## **FINDINGS**

In order to approve the Conditional Use Permit application, the Planning Commission must find the following:

1. That the development is consistent with the city general plan and the municipal code.
2. That the use is of compatible size, scale and appearance, so as to be in harmony with the character and quality of surrounding development within the zone.
3. That the use, as proposed, will not be detrimental to surrounding developments or improvements.
4. That the development, as proposed, will provide quality development, including ample landscaping and screening, adequate parking and circulation, and other amenities necessary to preserve compatibility with surrounding development and prevent nuisances.
5. That the project provides a needed service for the neighborhood and the City.

## **ALTERNATIVE ACTIONS**

1. Determine that the findings for the Conditional Use Permit can be made and motion to approve CUP #16-01 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Conditional Use Permit can be made, and motion to approve CUP #16-01 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 Conditional Use Permit can not be made and deny CUP #16-01.

## **RECOMMENDATION**

Staff's recommendation is that the Commission should:

1. Conduct a public hearing and allow members of the public to testify;
2. Consider the issues discussed in this report; and,
3. Motion to approve Conditional Use Permit #16-01 subject to the findings and following conditions of approval:
  1. That the daycare operator shall not have more vehicles at the site than can be parked in the garage and that the garage shall remain clear and available to park those vehicles, thereby leaving the driveway available for drop off and pick up. Personal vehicles shall not be parked in or remain in the driveway during operating hours for the facility.
  2. No outdoor play or other outside activity likely to cause sounds disturbing to neighbors shall be allowed prior to 9 a.m. Every reasonable attempt to reduce outdoor noise shall be made at all other times.
  3. That any construction shall be subject to obtaining permits as required by the applicable construction codes as adopted and enforced by the City of Patterson.
  4. That this use permit shall expire and shall be to no effect if the licensee forfeits, is required to surrender, or for any reason abandons the State daycare license.
  5. One window sign shall be allowed for display, in accordance with City requirements, and shall be subject to review and approval by the Planning Department.

6. That all on-site landscaping, fences, structures and other improvements shall be kept in a serviceable, well-maintained and presentable manner which makes a positive contribution to the surrounding area.
7. That the use shall be subject to all City, County, State and Federal regulations concerning daycare, child care, health and safety, food preparation and other applicable regulations.
8. Current proof of such certification shall remain on file with the Community Development Department.
9. That the Use Permit shall be subject to review at a noticed public hearing before the Planning Commission at six (6) months and at one (1) year after commencement of the use. Subsequent annual review shall be at the discretion of the Planning Commission.
10. 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 the City harmless.

Respectfully submitted,



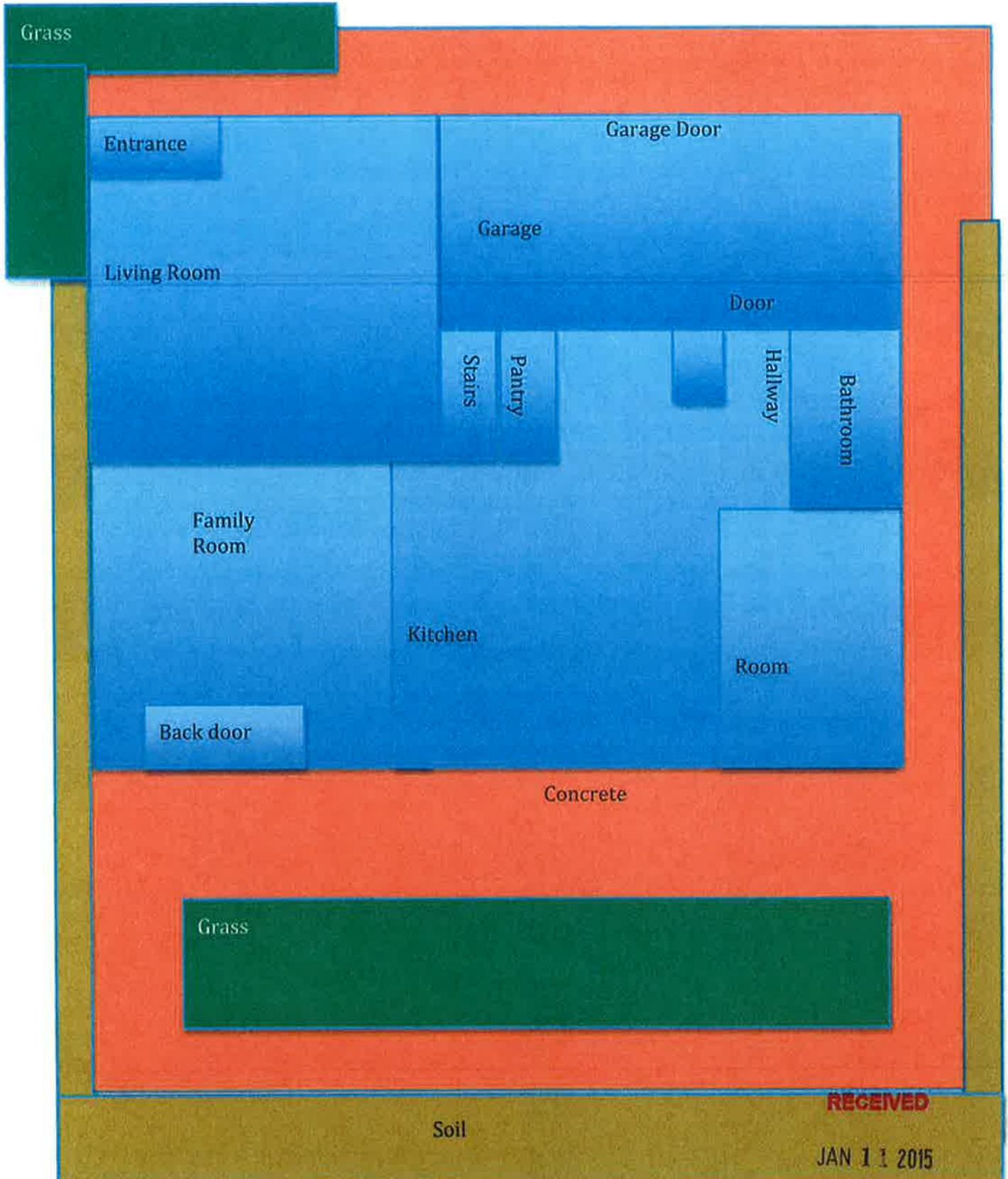
Teresa Rodriguez  
Associate Planner

Attachments

Public Notice for CUP  
Floor Plan  
Site Plan  
State License



# Floor Plan

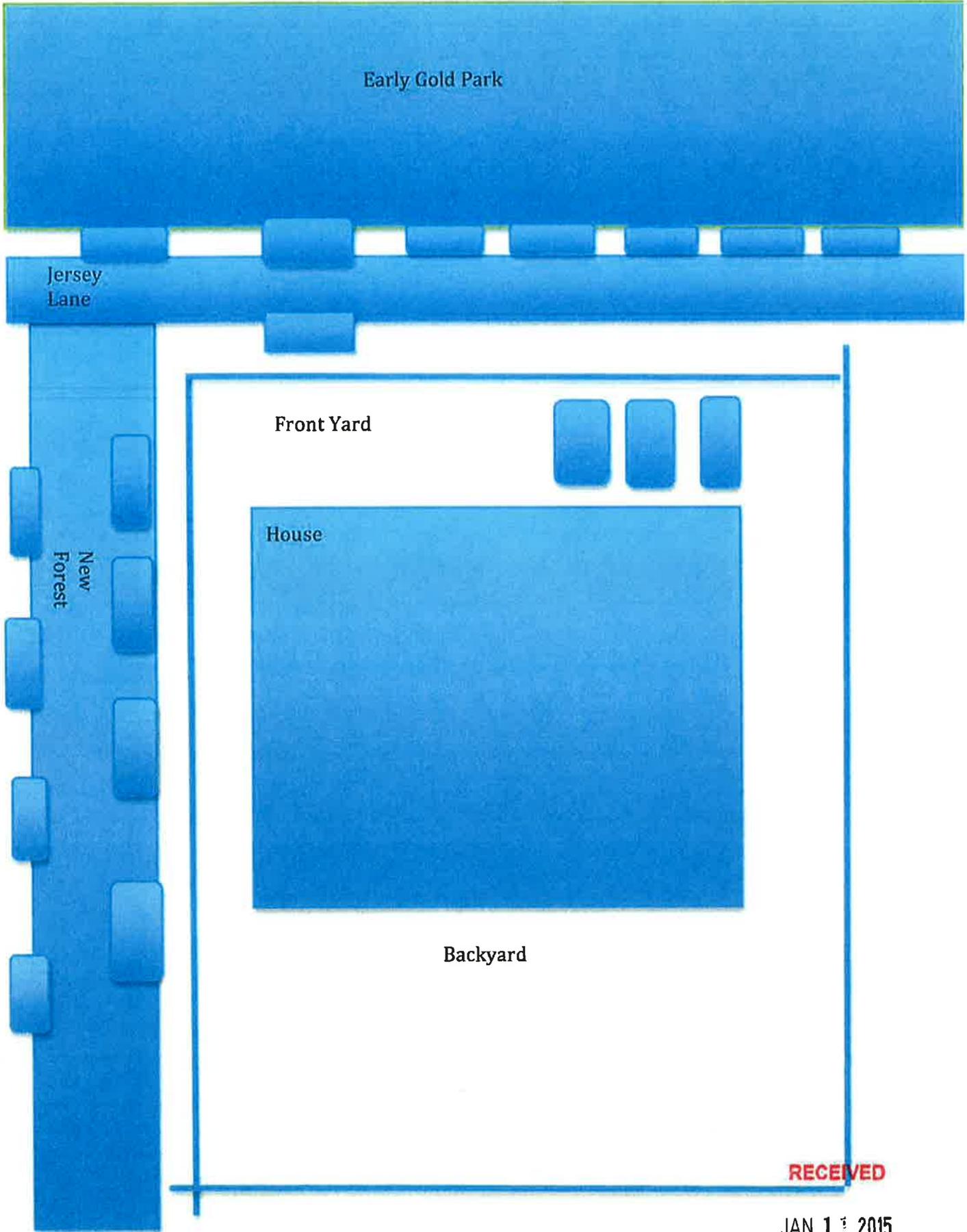


RECEIVED

JAN 11 2015

CDD / PLANNING DIVISION  
BY: \_\_\_\_\_

Site Plan



RECEIVED

JAN 1 1 2015

CDD / PLANNING DIVISION  
BY: \_\_\_\_\_



# State of California

## Department of Social Services

Facility Number: 503903750

Effective Date: 07/10/2006

Total Capacity: 8

In accordance with applicable provisions of the Health and Safety Code of California, and its rules and regulations; the Department of Social Services hereby issues

### this License to

GUEVARA, OFELIA

to operate and maintain a

FAMILY DAY CARE HOME

### Name of Facility

GUEVARA, OFELIA FAMILY CHILD CARE

102 JERSEY LANE

PATTERSON, CA 95363

This License is not transferable and is granted solely upon the following:

MAX. CAP: 6 - NO MORE THAN 3 INFANTS OR 4 INFANTS ONLY. CAP. 8 - NO MORE THAN 2 INFANTS, 1 CHILD IN KINDERGARTEN OR ELEMENTARY SCHOOL AND 1 CHILD AT LEAST AGE 6.

Client Groups Served:

CHILDREN / INFANT

Complaints regarding services provided in this facility should be directed to:

CCLD Regional Office

(559) 243-4588

Jeffrey Hiratsuka  
Deputy Director,  
Community Care Licensing Division

*Cristina Hernandez*  
Authorized Representative of Licensing Agency

**POST IN A PROMINENT PLACE**

LIC209A (03/07) FAS  
Print Date 08/01/2013

CU-TA018b

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JAN 13 2015

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