

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

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 April 14, 2016

AGENDA ITEMS

1. **Public Hearing:** **Conditional Use Permit #16-05 – Taquería Barajas, 101 E. Las Palmas Avenue, Patterson, APN # 047-033-012**
A public hearing to consider a Conditional Use Permit for the establishment of a mobile food vendor at 101 E. Las Palmas, located in the Industrial Zone. Hours of operation would be from 10:00 a.m. – 10:00 p.m. Monday – Sunday. The project is exempt from review under the California Environmental Quality Act.

2. Public Hearing: Tentative Parcel Map #15-01 – Arthur & Frances Filice, 261 Olive Avenue, Patterson, APN # 047-025-048
A public hearing to consider a tentative parcel map at APN 047-025-048, also known as 261 Olive Avenue. The project would divide the existing 3.83± acre parcel into 2 parcels. The division will create one 3.10± acre parcel and a 0.71± acre parcel. The site is zoned Medium Density Residential under the Villages of Patterson specific plan. The project is exempt from the California Environmental Quality Act.

3. Public Hearing: Architectural & Site Plan Review #16-02 – Cuts Unlimited Roll Up Security Door, 40 S. 3rd Street, APN# 131-008-015
A public hearing to consider an Architectural & Site Plan Review for the placement of roll up security door at 40 S. 3rd Street. Based on the Downtown Design Guidelines, Planning Commission review is required for placement of this type of screening. Planning Commission will determine whether the design is compatible with the guidelines set out for that area. The project is exempt from review under the California Environmental Quality Act.
(THIS ITEM WAS CONTINUED FROM THE 4-14-16 MEETING SO THE APPLICANT COULD SUBMIT MORE INFORMATION)

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

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

The Planning Commission regular meeting of April 14, 2016 was called to order by Chairperson West at 7:00 p.m.

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

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

ITEMS FROM PUBLIC: None

STATEMENT OF CONFLICT BY COMMISSIONERS: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS: None

CONSENT AGENDA:

Motion to approve Planning Commission meeting minutes of March 10, 2016 (change to state that the discussion regarding the freeway oriented sign ordinance was general and not project specific):

Vice Chairperson Applegate
Second: Commissioner Bingham
Motion passed: 4-0 vote

ROLL CALL: Commissioner Barba, Commissioner Bingham, Chairperson West, Vice Chairperson Applegate
Ayes: Chairperson West, Vice Chairperson Applegate, Commissioner Barba, Commissioner Bingham
Noes: None
Abstained: None
Excused: Commissioner Bendix

Motion to reverse the order of the Public Hearings:

Second: Vice Chairperson Applegate
Commissioner Barba
Motion passed: 4-0 vote

ROLL CALL: Commissioner Barba, Commissioner Bingham, Chairperson West, Vice Chairperson Applegate
Ayes: Chairperson West, Vice Chairperson Applegate, Commissioner Barba, Commissioner Bingham
Noes: None
Abstained: None
Excused: Commissioner Bendix

AGENDA ITEMS:

- 1. Public Hearing: Architectural & Site Plan Review #16-02 – Cuts Unlimited Roll Up Security Door, 40 S. 3rd Street, APN# 131-008-015**
A public hearing to consider an Architectural & Site Plan Review for the placement of roll up security door at 40 S. 3rd Street. Based on the Downtown Design Guidelines, Planning Commission review is required for placement of this type of screening. Planning Commission will determine whether the design is compatible with the guidelines set out for that area. The project is exempt from review under the California Environmental Quality Act.

Associate Planner Rodriguez gave the staff report. Commissioners asked questions of staff.

Open Public Hearing: 7:12 p.m.

Tony Garcia, representing his family and Cuts Unlimited

Mr. Garcia introduced himself and asked if the Commissioners had any questions. He introduced his property manager, Ramon Rivera, to talk about the proposed project.

Ramon Rivera, 127 S. 7th Street, Patterson, CA, representing Cuts Unlimited

Mr. Rivera explained the purpose of the roll up door was to secure their place and protect their family. He stated that other businesses have roll up doors. He also stated that the business has been vandalized a couple of times. He showed pictures to the Commission of other businesses in town that have roll up doors. Mr. Rivera answered questions from the Commission.

Adrian Garcia, owner of Cuts Unlimited, 40 S. 3rd Street, Patterson

Mr. Garcia stated that his business is in jeopardy because of the vandalism. He stated that he has replaced the broken windows several times. He is responsible for the repairs and is tired of having to replace them. He stated that he would like to put the roll up door on the outside and put his company logos on it. He would also like to display valuable hair styling tools in the windows but is afraid people will break the windows and steal the items.

Close Public Hearing: 7:29 p.m.

Commissioners discussed the proposed project.

Reopen Public Hearing: 7:31 p.m.

Adrian Garcia stated that putting something up like plywood is flammable and not the best solution but a roll up door is the best option.

Reclose Public Hearing: 7:33 p.m.

Commissioners continued to discuss the proposed project.

Reopen Public Hearing: 7:34 p.m.

Ramon Rivera stated that the information before the Commission should be enough to make the decision.

Reclose Public Hearing: 7:35 p.m.

Motion to deny Architectural & Site Plan Review #16-02:

Vice Chairperson Applegate

Motion died, no second

Reopen Public Hearing: 7:39 p.m.

Adrian Garcia stated that the roll up door will be painted to match the salon and will have vinyl on the door. He answered questions from the Commission.

Ramon Rivera stated that they could paint the roll up door with some type of mural background similar to the mural behind the dais in the council chambers.

Reclose Public Hearing: 7:44 p.m.

Commissioners discussed the proposed project.

Motion to continue Architectural & Site Plan Review #16-02 to the April 28th Planning Commission meeting so the applicant can provide an artistic design and proposal to make the roll up door consistent with the design guidelines:

Vice Chairperson Applegate

Second: Commissioner Bingham

Motion passed: 4-0 vote

ROLL CALL: Commissioner Barba, Commissioner Bingham, Chairperson West, Vice Chairperson Applegate
Ayes: Chairperson West, Vice Chairperson Applegate, Commissioner Barba, Commissioner Bingham
Noes: None
Abstained: None
Excused: Commissioner Bendix

- 2. Public Hearing: Conditional Use Permit #16-03 – Lucky Pan Brenda’s Pupuseria, 401 N. 1st Street, APN # 131-001-001**
A public hearing to consider a Conditional Use Permit for the establishment of a mobile food vendor at 401 N. First Street, located in the Industrial Zone. Hours of operation would be from 10:00 a.m. – 10:00 p.m. Monday – Sunday. The project is exempt from review under the California Environmental Quality Act.

Associate Planner Rodriguez gave the staff report. She answered questions from the Commission.

Open Public Hearing: 7:56 p.m.

Oscar Rivera, Brenda Zavala, owners of business

Mr. Rivera stated that they like Patterson and want to sell a different type of food. He also stated that they purchased a new vehicle to sell their El Salvadorian food to the public. Ms. Zavala stated that they are excited to open their business.

Close Public Hearing: 7:59 p.m.

Commissioners discussed the proposed project.

Motion to approve Conditional Use Permit #16-03 with two findings and twelve conditions:

Vice Chairperson Applegate

Conditions of Approval

1. That the mobile food preparation unit shall be equipped with a fully charged fire extinguisher in good condition.
2. That no cooking or food preparation shall be done while the mobile food preparation unit is in motion.
3. That waste water shall not be permitted to flow into the street.
4. That all trash and debris accumulating in the general vicinity of the vendor, by reason of the vendor, shall be collected by the vendor and deposited in a trash container.

5. That trash receptacles shall be provided on the site for the use of customers. Trash removal shall either be arranged with the City or the vendor shall obtain written permission from the property owner to utilize trash receptacles provided for other businesses on the same site.
6. That wastewater generated on-site shall not be released on-site or into the storm drainage system.
7. That this use permit is not transferable and shall expire and shall be to no effect if the licensee forfeits, is required to surrender or for any reason abandons the business license.
8. That the mobile food preparation unit shall clearly exhibit the name and business address of the person, firm, association, organization, company or corporation of the owner of the unit in accordance with Section 114299 of the California Retail Food Code.
9. That this use permit is not transferable and shall expire and shall be to no effect if the licensee surrender the use for any reason.
10. That the hours of operation will be limited to the following: Sunday through Thursday eight a.m. to midnight; Friday and Saturday eight a.m. to one a.m.
11. That the project shall comply with all applicable State and Municipal Codes, and meet the requirements of the Public Works Director, City Engineer, Building Official, Community Development Director, and Fire Chief. Plans submitted for construction shall be overprinted or have attached all conditions of approval.
12. 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.

Second: Commissioner Bingham
Motion passed: 4-0 vote

ROLL CALL: Commissioner Barba, Commissioner Bingham, Chairperson West, Vice Chairperson Applegate

Ayes: Chairperson West, Vice Chairperson Applegate, Commissioner Barba, Commissioner Bingham

Noes: None

Abstained: None

Excused: Commissioner Bendix

Motion to direct staff to send a letter to the property owner of the parcel before approving future businesses he must come to the Planning Commission with a master plan:

Second: Vice Chairperson Applegate
Commissioner Barba
Motion passed: 4-0 vote

ROLL CALL: Commissioner Barba, Commissioner Bingham, Chairperson West, Vice Chairperson Applegate
Ayes: Chairperson West, Vice Chairperson Applegate, Commissioner Barba, Commissioner Bingham
Noes: None
Abstained: None
Excused: Commissioner Bendix

ITEMS FROM STAFF:

City Planner Andrews stated that the next Planning Commission meeting will be on April 28th with a mobile vendor and parcel map.

ITEMS FROM COMMISSION:

Vice Chairperson Applegate stated that future tattoo parlors need a Conditional Use Permit.

Commissioner Bingham asked about the Chevron station water issue. He also complained about a homeowner that had washing machines in his front yard. Staff stated that they would talk to Code Enforcement.

ADJOURNMENT: The Planning Commission regular meeting of April 14, 2016, was adjourned by Chairperson West at 8:10 p.m.

Prepared by Denise Melo, Secretary
City of Patterson Planning Commission

**CITY OF PATTERSON
Planning Commission Staff Report
Taqueria Barajas
Conditional Use Permit #16-05
April 28, 2016 Meeting**

PROJECT SUMMARY

A public hearing to consider the establishment of a mobile food vendor at 101 E. Las Palmas within the Heavy Industrial Zone.

APPLICANT AND SITE INFORMATION

Applicant:	Elvia Barajas
Owners:	Harpal & Dalvindar Grewal
Environmental Review:	Exempt
Location:	101 E. Las Palmas Ave.
Assessor Parcel Number:	047-033-012
Building Size:	N/A
Parcel Size:	Approximately 12,000 square feet
General Plan Designation:	HI, Heavy Industrial
Zoning Designation:	HI, Heavy Industrial
Present Land Use:	Heavy Industrial Uses – Gas Station
Surrounding Land Uses:	Heavy Industrial Uses (Used auto car sales)
Recommendation:	Conditional Approval

BACKGROUND AND SITE DESCRIPTION

This Conditional Use Permit relates to the placement of a mobile food preparation unit, along with related equipment and a seating area at 101 E. Las Palmas Avenue.

In 2007, the City Council approved an updated ordinance related to mobile vendors, entitled “Vending on Streets, Sidewalks, and Private Property” (PMC Chapter 5.10). This ordinance requires all new and relocated mobile food preparation units to obtain a conditional use permit. The Stanislaus County Department of Environmental Resources enforces the California Retail Food Code which relates to health permits, the safe handling of food, restroom facilities, and other issues related to food preparation.

The conditional use permit allows the Planning Commission to review a project to ensure that it is consistent with the municipal code and general plan, will not be detrimental to the surrounding community, and will be in harmony with the character and quality of the surrounding development.

The mobile vendor site is surrounded by heavy industrial uses in all directions. The site proposed by the applicant is where the Valero Gas Station is located. If approved, the mobile food truck would be located on the east side of the existing building.

Restroom facilities are arranged with the on-site business. Mobile vendors typically do not generate a lot of traffic. With the amount of parking stalls available onsite, parking does not appear to be an issue. Staff believes the site has adequate space for a mobile vendor.

PROJECT DESCRIPTION

The complete project consists of a catering truck, a canopy tent and one (1) bench. An approved electrical outlet is located at this position; all inspections will be performed at the time of business license approval. The applicant proposes business hours of 10:00 am to 10:00 pm daily. This would be a family operated business.

The applicant has received all necessary approvals from Stanislaus County Department of Environmental Resources, the vehicle's registration is up-to-date and the applicants have all the commercial insurance requirements that are needed.

ENVIRONMENTAL REVIEW

This project is exempt from review under the California Environmental Quality Act according to §15303(c).

FINDINGS

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

1. That the requested Conditional Use Permit is consistent with the City of Patterson General Plan and Zoning Ordinance.
2. That the establishment, maintenance, or operation of the proposed use or structure will conform to the requirements and the intent of this title; and that such proposed use or structure will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use, or to the general welfare of the city.

ALTERNATIVE ACTIONS

1. Determine that the findings for the Conditional Use Permit can be made and motion to approve CUP #16-05 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 #16-05 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 #16-05.

RECOMMENDATION

Staff's recommendation is that the Commission should motion to approve Conditional Use Permit #16-05 subject to the findings and following conditions of approval:

1. That the mobile food preparation unit shall be equipped with a fully charged fire extinguisher in good condition.
2. That no cooking or food preparation shall be done while the mobile food preparation unit is in motion.
3. That waste water shall not be permitted to flow into the street.
4. That all trash and debris accumulating in the general vicinity of the vendor, by reason of the vendor, shall be collected by the vendor and deposited in a trash container.
5. That trash receptacles shall be provided on the site for the use of customers. Trash removal shall either be arranged with the City or the vendor shall obtain written permission from the property owner to utilize trash receptacles provided for other businesses on the same site.
6. That wastewater generated on-site shall not be released on-site or into the storm drainage system.
7. That this use permit is not transferable and shall expire and shall be to no effect if the licensee forfeits, is required to surrender or for any reason abandons the business license.
8. That the mobile food preparation unit shall clearly exhibit the name and business address of the person, firm, association, organization, company or corporation of the owner of the unit in accordance with Section 114299 of the California Retail Food Code.
9. That this use permit is not transferable and shall expire and shall be to no effect if the licensee surrender the use for any reason.
10. That the hours of operation will be limited to the following: Sunday through Thursday eight a.m. to midnight; Friday and Saturday eight a.m. to one a.m.

11. That the project shall comply with all applicable State and Municipal Codes, and meet the requirements of the Public Works Director, City Engineer, Building Official, Community Development Director, and Fire Chief. Plans submitted for construction shall be overprinted or have attached all conditions of approval.
12. 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 Rodríguez
Associate Planner

Attachments

Public Notice for CUP
Statement of Operation
Health Department Facility Inspection
Site Plan

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

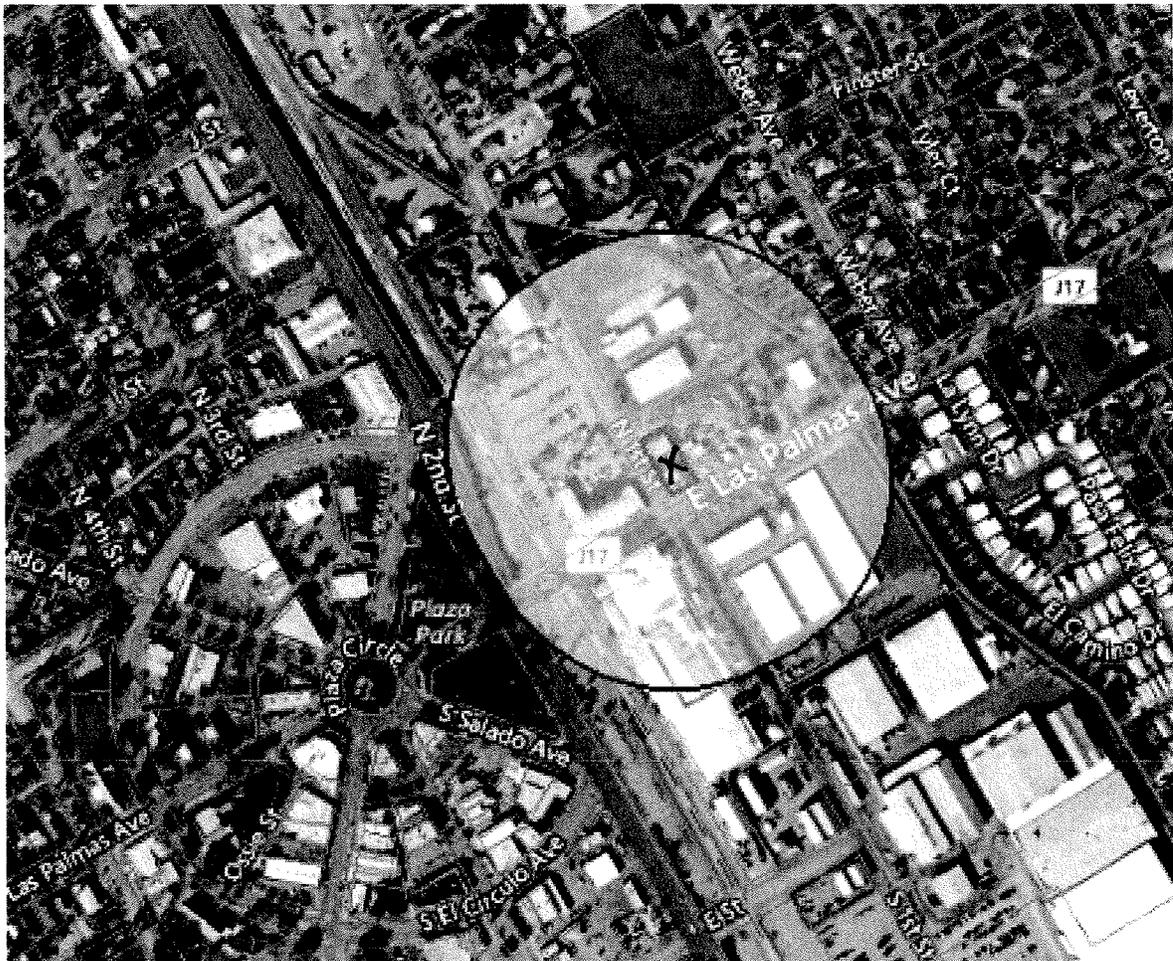
NOTICE IS HEREBY GIVEN that the City of Patterson Planning Commission will hold a Regular Meeting on **Thursday, April 28, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

Public Hearing: Conditional Use Permit #16-05 – Taquería Barajas, 101 E. Las Palmas Avenue, Patterson, APN # 047-033-012
A public hearing to consider a Conditional Use Permit for the establishment of a mobile food vendor at 101 E. Las Palmas, located in the Industrial Zone. Hours of operation would be from 10:00 a.m. – 10:00 p.m. Monday – Sunday. The project is exempt from review 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.

Denise Melo, Planning Technician II
Community Development Department



Elvia Barajas
(209) 417-0185

Taqueria Barajas

La taqueria la abriria de las 10 Am asta
las 10pm de lunes a viernes y los fines
de semana a las 8am.

no tendria empleado porque yo la ~~trabaria~~ trabajaria
solamente me alludarian los miembros de mi familia
es un negocio familiar.

Elvia Barajas 04/11/16



FOOD FACILITY INSPECTION OFFICIAL NOTICE

Facility: Tropicana Date: 03-23-16 Pg 1 of 1

Address: 200 7th St F.N.: 0000 Time In: 2:00

City: Modesto Zip: 95201 Specialist: John Doe

Purpose: Permit Routine Vehicle Complaint F.B.I. Re-inspection # Other:

License # 4NJ1778
 Vin # 5533
 permit # 0042-17
 on 4/29/16 there was one violation remaining.
 sanitizer is present chlorine test strips are provided
 permit to operate is approved pending the approval
 of other public agencies. A copy of the food
 safety certificate is provided.
 Decal is applied to the vehicle today 3/28/16
 expires 3/11/17.

COMPLIANCE DATE:

open

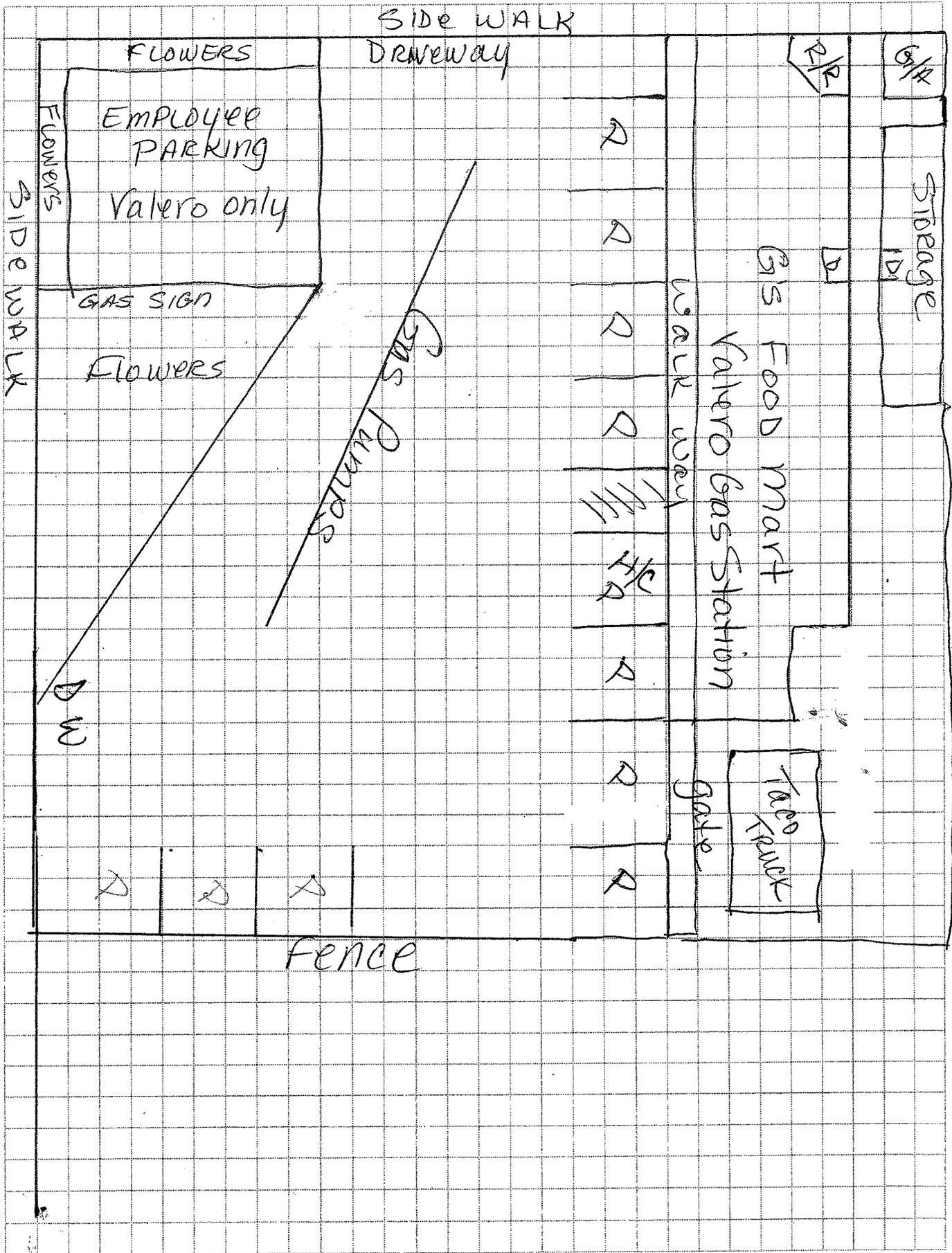
One re-inspection is conducted at no charge. An escalating service fee is assessed for each additional re-inspection required. \$ will be charged if violations are not corrected by the compliance date.

Received by: [Redacted]

Date: 3/28/16

1st Street

E LAS PALMAS (J17)



**CITY OF PATTERSON
Planning Commission Staff Report
Filice Parcel Map – 261 Olive Avenue
Tentative Parcel Map #15-01
April 28, 2016 Meeting**

PROJECT SUMMARY

A public hearing to consider a tentative parcel map to create two parcels from one 3.83 acre parcel located at 261 Olive Avenue.

APPLICANT AND SITE INFORMATION

Applicant:	Arthur & Frances Filice
Owner:	Arthur & Frances Filice
Environmental Review:	Categorically Exempt
Location:	261 Olive Avenue
Assessor Parcel Numbers:	047-025-048
Project Size:	3.83 acres
General Plan Designation	MR, Medium Density Residential
Zoning:	MR, Medium Density Residential
Present:	Single Family residence with various outbuildings
Surrounding Land Uses:	Single family residences and vacant land
Recommendation:	Conditional Approval

PROJECT DESCRIPTION

The proposed parcel map, submitted in accordance with State and City requirements, would divide the existing 3.83 acre parcel into two parcels. One parcel would be 0.71 acre and the other 3.10 acres. The site is located in the Medium Density Residential Zone within the Villages of Patterson. The lot includes one main dwelling with a storage shed. The main dwelling would be located on the 0.71 acre lot and the shed would remain with the 3.10 acres lot.

Approval would create a temporary flag lot, or a lot at the end of a driveway corridor. The applicant is proposing a 30-foot wide revocable fire lane off of Olive Avenue. Within the Villages of Patterson project there's a proposed Hartley Street alignment. This street would be located on the east side of the parcel, so the 3.10 acre lot would eventually have a street frontage along Hartley Street. The parcel map was reviewed by our Engineering Department as well as Fire and no negative comments were received. The 30-foot driveway provides adequate access for the rear 3.10 acre parcel.

It is anticipated that this area will be developed in conjunction with other parcels in the area as part of the Villages of Patterson Master Plan, however, staff must consider the possibility that this parcel could develop ahead of surrounding areas. If the parcel were to develop before surrounding areas, staff has included Condition of Approval #13 & #14 to ensure the future uses are compatible with its zoning designation. At a maximum density of 12 units per acre in the Medium Density Residential zone, the 3.10 acre site could potentially accommodate 38 units. At 3.1 units per acre

the site could accommodate 10 units. Any further development would require approval from the Planning Commission.

The Planning Commission's role in reviewing a tentative parcel map includes the following:

- Find that the parcel map is consistent with the Subdivision Map Act.
- Find that the parcel map is consistent with the City's General Plan.
- Consider any applicable environmental documents related to the provisions of the California Environmental Quality Act.
- Consider the effect of the Commission's decision on the City's residents as well as the City's fiscal and environmental resources.

Following the close of the public hearing, the Planning Commission may approve, conditionally approve, or deny any application based upon the required findings.

ENVIRONMENTAL REVIEW

This project is exempt from review under the California Environmental Quality Act according to §15315.

FINDINGS

In order to approve the Tentative Parcel Map, the Planning Commission must make the following findings:

1. That the parcel map does not adversely affect the use of property in the vicinity or conflict with covenants, restrictions or improvements required by the subdivision of which the project parcels may be a part.
2. That all parcels hereby created, while not meeting minimum zoning district requirements applicable to the parcels, might reasonably be developed if a zoning variance is granted at the time the property is to be developed.
3. That the parcels hereby created are consistent with the intent of the Housing Element of the General Plan.
4. That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, storm drain, schools and police protection to serve the project.
5. That the parcel map does not violate the provisions of the California Land Surveyors Act or the Subdivision Map Act.
6. That the parcel map will not conflict with easements acquired by the public at large for access through or use of the property, or necessary irrigation easements.

ALTERNATIVE ACTIONS

1. Determine that the findings for the Tentative Parcel Map can be made, and motion to approve Tentative Parcel Map #15-01 subject to the conditions recommended in the staff report.

2. Determine that the findings for the Tentative Parcel Map can be made, and motion to approve Tentative Parcel Map #15-01 subject to the conditions recommended in the staff report with changes/revisions as may be submitted by the Commission.
3. Determine that the findings for the Tentative Parcel Map cannot be made and deny Tentative Parcel Map #15-01.

RECOMMENDATION

Staff recommends that the Planning Commission make the required findings and approve Tentative Parcel Map 15-01 with the following conditions:

1. That the project shall comply with all applicable State and Municipal Codes, and meet the requirements of the Public Works Director, City Engineer, Building Inspector, Community Development Director, and Fire Chief. Plans submitted for construction shall reflect and be consistent with the Villages of Patterson Master Development Plan.
2. That the final map submitted for checking and recordation shall be prepared by a licensed civil engineer or land surveyor, each licensed to practice in the state of California, and shall meet all of the specifications of the state Subdivision Map Act.
3. That no non-conforming condition of zoning be created by this approval, except as was in existence prior to such approval.
4. That the parcels shall comply with the requirements of the zoning classification for the zone in which the land is located unless a zoning variance is in effect.
5. That the project shall comply with all applicable State and Municipal codes and meets the requirements of the City Engineer.
6. That such street dedications and easements be made as required to provide circulation to these and other parcels in the Villages of Patterson Master Planned Area, consistent with the final circulation plan adopted by the City Council, if not already accomplished.
7. That prior to final map approval, the developer shall enter into a Deferred Improvement Agreement (if required) for improvements to be constructed along the project boundaries, including, but not limited to, curb, gutter, sidewalk, street paving, street lighting, storm drain, water, sewer and landscaping. These improvements shall be at the owners expense and constructed when deemed necessary by the City.
8. That the applicant shall secure an encroachment permit for any construction to be done in the public right of way, in easements, or on lands to be dedicated to the City of Patterson upon completion of the improvements. The encroachment permit shall be obtained prior to the start of said work. The permit fees shall be determined per the current adopted development fee schedule.

9. That the applicant shall connect to the City's sanitary sewer system per PMC and Ordinance #250. If connection is not practical per ordinance #250, the applicant shall obtain a variance from the City to install a septic tank.
10. That the applicant shall connect to the City's water system per PMC and Ordinance #348. If Connection is not practical per Ordinance #348, the applicant shall obtain a variance from the City to install a potable well.
11. That the applicant shall provide a 30' wide revocable driveway as access to the remainder lot.
12. That the final map submitted for checking and recordation shall be prepared by a licensed civil engineer or land surveyor, each licensed to practice in the state of California, and shall meet all of the specifications of the state Subdivision Map Act.
13. That development of the parcel shall comply with the requirements of the zoning classification for the Medium Density Residential zone as outlined in the Villages of Patterson Master Plan.
14. That development of the site shall not occur until adequate site access is provided.
15. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer.
16. That easements of record shall remain in effect and shall be recorded on the final map.
17. Public utility easements shall be granted as required by the appropriate companies and to the satisfaction of the Public Works Director and City Engineer. All such easements shall be recorded on the deeds.
18. The applicant shall file one copy of the Tentative Map to be used for assigning addresses.
19. That prior to approval of a final map, all structures overlying proposed lot lines shall be demolished and all structures not in compliance with setback requirements related to the proposed lot lines shall be demolished or altered to comply with setback requirements. Demolition shall comply with the City's Construction and Demolition Ordinance and a Construction Waste Management Plan shall be submitted to the Public Works Department for review and approval.
20. That, per Patterson Municipal Code Section 16.20.010, failure to record a final map within twenty-four months of the date of approval or conditional approval of the tentative map shall terminate all proceedings, unless otherwise provided for under the Subdivision Map Act; provided, however, that upon application of the subdivider in writing, an extension not exceeding one year may be granted by the planning commission, except as provided under subsections (B) and (C) of this section. In the event the commission denies the subdivider's application for extension, the subdivider may appeal to the city council. Where proceedings have terminated because of failure to file a final map or failure to receive extension by the planning commission or city council, a new tentative

map shall be filed in accordance with the provisions of this chapter before a final map may thereafter be recorded or any lot sold.

21. That construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale must obtain the Construction Activities Storm Water General Permit (2009-0009-DWQ Permit). Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. Construction activity does not include routine maintenance such as, maintenance of original line and grade, hydraulic capacity, or original purpose of the facility. Therefore a SWPPP Plan must be completed and submitted to the City prior to any construction activities and must address grading, drainage, erosion control, and Post Construction BMPs. In addition, the project must file an NOI with the State via the SMARTS System to obtain a Stormwater State Permit (WDID).
22. A SWPPP Inspection Deposit shall be posted with the City to cover all SWPPP Inspections for the duration of the project. The City current Storm water Management Hourly cost is \$114.69 and every inspection is billed by the hour and an initial deposit is required.
23. The project shall have dust control at all times and the project site must be kept clean. 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 Public Works Department. If project is less than 1 acre and the project requires a permit and is disturbing dirt, an Erosion and Sediment Control Plan will be required. Stormwater BMPs must be installed prior to any soil disturbance activities and a SWPPP Inspection completed by the City's Stormwater Inspector. Post Construction BMPs for storm water are required and must be included in the plans that are developed for this project.
24. Construction must comply with the latest edition of the California Green Building Code, including sections addressing Water Efficiency & Conservation for indoor and outdoor water use; Construction Waste Reduction, Disposal, and Recycling; Site Development; Construction & Demolition; Irrigation Controllers; Storm Water Drainage and Retention, etc.
25. That prior to building permit issuance, any private wells or septic tanks located onsite shall be abandoned according to Stanislaus County Well Abandonment Standards. Owner shall obtain a well destruction permit through the Public Works Department.
26. 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. Irrigation systems must be set to comply with the City's Watering Schedule and SWPPP regulations.

27. Prior to approval of the final map, the project shall enter into a City-Wide Maintenance Community Facility District (CFD) or Benefit Assessment District (BAD) and Landscape Maintenance District (LMD).
28. Street Trees must be installed per City Standards and a street tree deposit posted with the City of Patterson prior to building permit issuance, per City's Municipal Code Section 12.16. All street tree types must also be in compliance with the City's Approved Street Tree Plan.
29. Prior to building permit issuance, impact fees shall be paid.
30. Any water meters shall be installed per City Standards and must be ordered and purchased through the Public Works Department.
31. Plans for off-site improvements and landscaping shall be submitted to the City Engineer for review and approval. Work in the City's right-of-way shall require a City Encroachment Permit.
32. If construction water will be obtained from the City's Fire Hydrant(s), a Fire Hydrant Use Permit Application must be submitted and approved by the Public Works Department.
33. If property is within a Special Flood Hazard Area, developer shall obtain a floodplain development permit and build according to floodplain standards.
34. All construction activities for single family residential, commercial, and industrial projects require an Encroachment Permit from the Public Works Department. Any damage that occurs shall be the sole responsibility of the Developer/Contractor to repair.
35. Any sidewalk tripping hazards that are existing or created after construction of the homes shall be removed and replaced by the developer prior to receiving an Occupancy Certificate from the City.
36. Prior to connection to City water and sewer systems, all pre-existing sewer laterals and storm drain lines shall be video inspected to ensure that the lines are clear of any debris and that they are not damaged. TV video of the existing storm drain line along the north side of the project (in the easement) must be completed to verify the condition of the line.
37. All landscaping in the Public Right-of-Way requires the review and approval of the City's Planning Department.
38. All pre-existing driveway approaches shall be adequately aligned with the planned driveway for all units that will be developed. Any changes required to the pre-existing must be reviewed and approved by the City's Planning Department.
39. All projects shall be constructed to City Standards and plans shall have copies of the applicable City Standards copied on to the plans when submitted to the City.
40. Residential units shall be connected to the City's municipal system for water, sewer and

storm and be signed up for services prior to being in operation, including garbage services.

41. 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

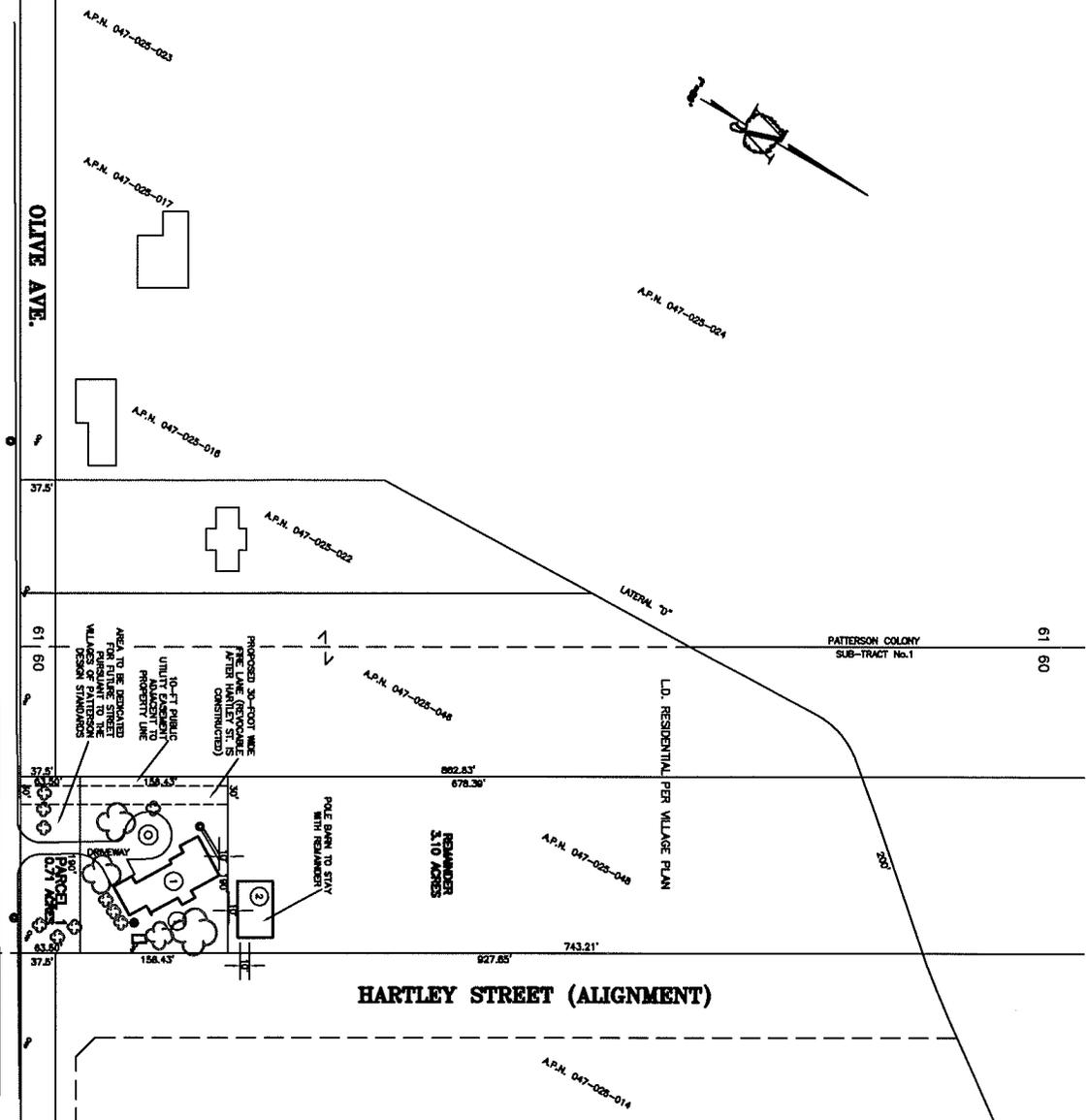
Attachments

Proposed Tentative Parcel Map
Owner Statement
Villages of Patterson Map
Public Notice

FIRST ST

NOTE:
THE EXISTING HOUSE SHALL BE CONNECTED TO THE PUBLIC WATER AND SEWER SYSTEM WHEN THEY ARE AVAILABLE TO THIS AREA.

(*) 30-FOOT WIDE FIRE LANE AND ACCESS EASEMENT TO BE REVOKED AFTER HARTLEY STREET IS AND ACCEPTED FOR PUBLIC USE BY THE CITY OF PATTERSON.



HARTLEY STREET (ALIGNMENT)

- BUILDING LEGEND:**
- ① RESIDENTIAL DWELLING
 - ② POLE BARN

- LEGEND:**
- PROJECT BOUNDARY
 - EXISTING STRUCTURES (OH-SIT)
 - EXISTING STRUCTURES (ADJACENT)
 - POWER POLE (FOR OVERHEAD POWER LINES)
 - SEPTIC TANK (WITH LEACH LINES)
 - WELL (DOMESTIC)
 - EXISTING LANDSCAPE TREE
 - STUMP REMNANT
 - CITY OF PATTERSON OR MAIN TRUNK LINE

NOTES:

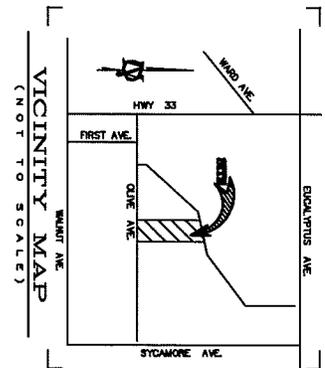
PROJECT DESCRIPTION:
TO SEPARATE THE CURRENT DWELLING UNIT FROM THE REMAINDER OF THE PROPERTY HEREBY ALLOWING THE REMAINDER TO BE UNDEVELOPED AND REMAIN AS AN AGRICULTURAL ZONE IN THE LOW DENSITY ZONE OF THE CITY OF PATTERSON.

PROJECT SIZE: 3.858 ACRES

OWNER:
ARTHUR AND FRANCES FILICE
281 OLIVE AVENUE
PATTERSON, CA 95353
PH. (209) 526-9724

SUBMITTOR:
ASPEN SURVEY COMPANY INC
1121 OAKDALE ROAD, SUITE 6
MODESTO, CA 95350
PH. (209) 526-9724

UTILITIES AND FACILITIES:
WATER - PRIVATE WELLS
SEWER DISPOSAL - SEPTIC PATTERSON (MAIN TRUNK)
ELECTRICITY - PACIFIC GAS & ELECTRIC COMPANY
GAS - PACIFIC GAS & ELECTRIC COMPANY
TELEPHONE - AT&T
PATTERSON INNOVATION DISTRICT
FLOOD HAZARD: ZONE AO PER FEMA MAP NUMBER 0907700702E (10-28-2000)
ASSESSOR'S PARCEL: 047-025-048
PROJECT ADDRESS: 281 OLIVE AVENUE, PATTERSON, CA 95353
CURRENT ZONING: LOW DENSITY RESIDENTIAL



ASPEN SURVEY
1121 OAKDALE RD. SUITE 6, MODESTO, CA 95356
PH. (209) 526-9724 FX. (209) 526-0472

DATE: Feb 25, 2016
SCALE: 1"=40'
DRAWN: DLH
JOB: 15-030
SHEET: 1
OF 1 SHEETS

TENTATIVE PARCEL MAP
FOR
ARTHUR AND FRANCES FILICE
BEING A DIVISION OF PROPERTY LYING IN LOT 90 OF RESURVEY OF LOTS 1 & 2 OF PATTERSON COLONY SUB-TRACT No. 1 SECTION 19 TOWNSHIP 6 SOUTH RANGE 6 EAST, MOUNT DIABLO MERIDIAN, CITY OF PATTERSON STANISLAUS COUNTY, CALIFORNIA

Project Description
(narrative)

The project is situate at 261 Olive Avenue, Patterson, Ca. 95363
Arthur and Frances Filice, have owned the current parcel and formerly owned and farmed surrounding parcels since 1963

The Filice's wish to separate their current home from the remaining property.
The Remainder Parcel will be useful for future development (by others) and will be subject to design conformance with City Planning and ordinances at time of future development.

The home site parcel will continue its current use and may be subject to standard improvements as the area develops in the future.

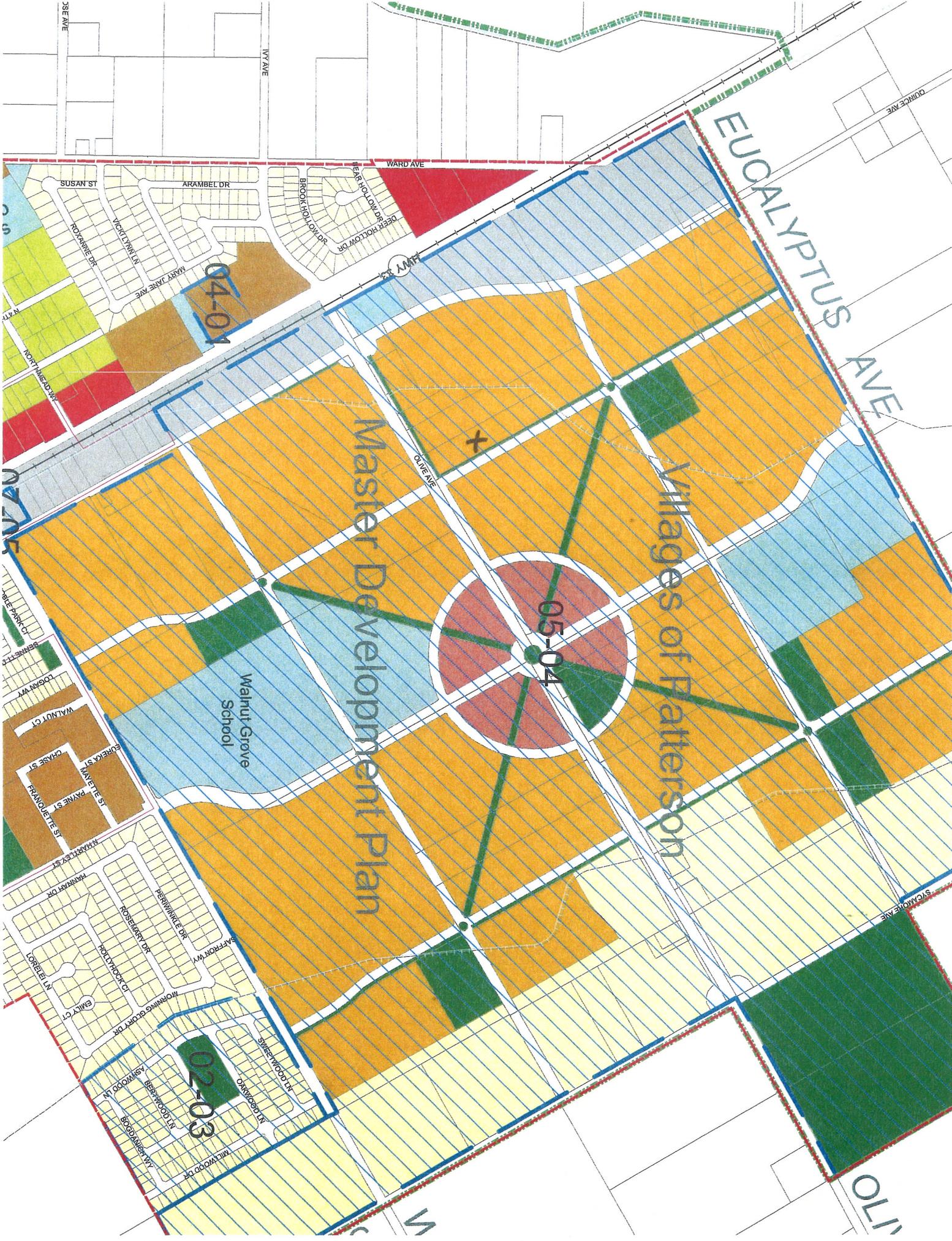
Due to the fact that the Filice's property is zoned low density residential, the home site parcel conforms with the City of Patterson General Plan.

The creation of the home site parcel will not cause displacement of people nor will it inhibit the use and enjoyment of neighboring lands by their respective owners.

Conclusion,

This proposed Parcel Map will not cause a significant change in scenery, nor will it cause an unnecessary drain on public services such as police, fire, or other health and welfare services.

REC 8/3/15 *an*



Master Development Plan

Villages of Patterson

05-04

04-01

03-03

Walnut Grove School

EUCALYPTUS AVE

WARD AVE

OLIVE AVE

38E AVE

147 AVE

SUSAN ST

ARAMBEL DR

BROOKHOLLOW DR

DEER HOLLOW DR

DEER HOLLOW DR

ROSEMARY DR

NORTH HILL LN

MARY JANE AVE

NORTH HILL DR

BEAR CREEK CT

DOGAN WY

WALNUT CT

CHASE ST

FRANKLIN ST

WALNUT ST

WALNUT ST

ROSEMARY DR

PERMINKLE DR

SAFFRON WY

MORNING GLOTT DR

WILLOW DR

OLI'

**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, April 28, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

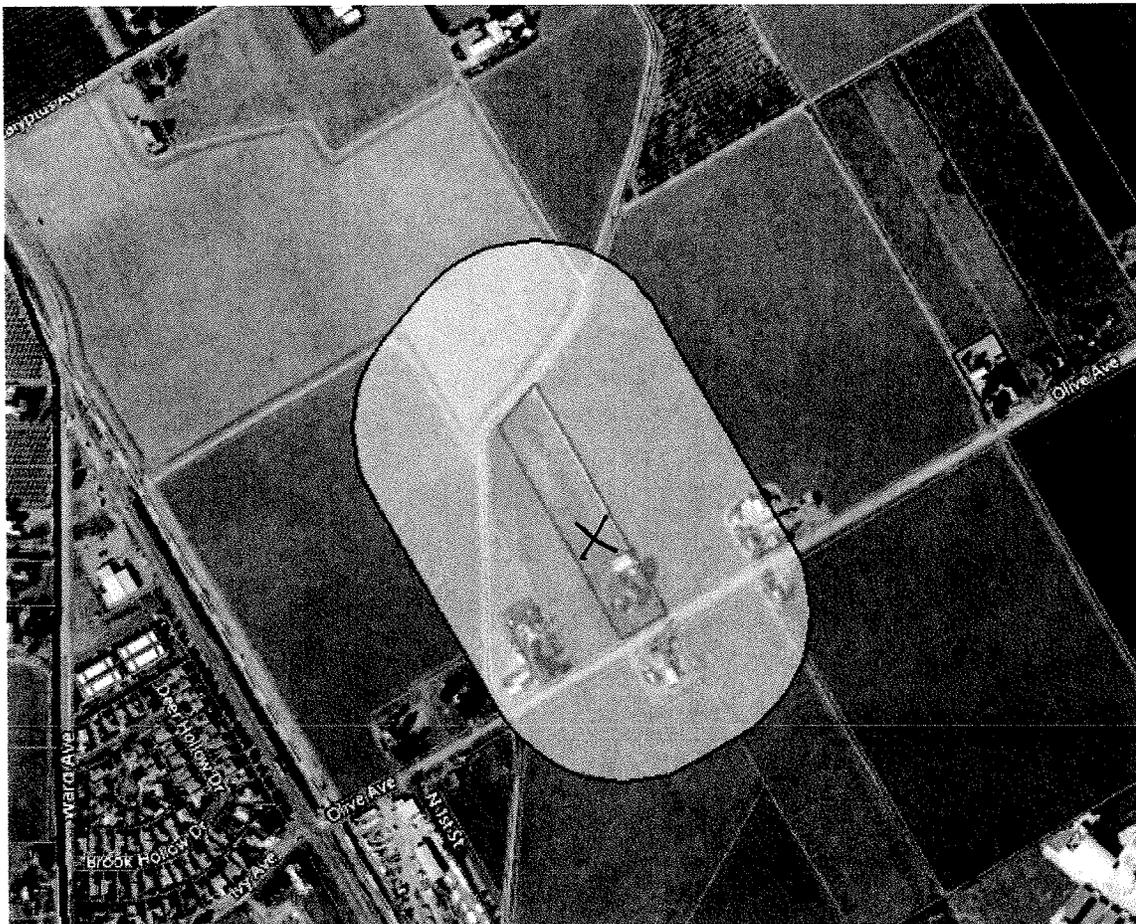
Public Hearing: Tentative Parcel Map #15-01 – Arthur & Frances Filice, 261 Olive Avenue, Patterson, APN # 047-025-048

A public hearing to consider a tentative parcel map at APN 047-025-048, also known as 261 Olive Avenue. The project would divide the existing 3.83± acre parcel into 2 parcels. The division will create one 3.10± acre parcel and a 0.71± acre parcel. The site is zoned Medium Density Residential under the Villages of Patterson specific plan. The project is exempt from 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.

Denise Melo, Planning Technician II
Community Development Department



**CITY OF PATTERSON
Planning Commission Staff Report
Cuts Unlimited (Roll Up Security Door)
Architectural & Site Plan Review #16-02
April 28, 2016 Meeting**

PROJECT SUMMARY

A public hearing to consider the placement of a metal roll-up security door at Cuts Unlimited at 40 S. 3rd Street within the Downtown Core Zone.

APPLICANT AND SITE INFORMATION

Applicant:	Mario & Adrian Garcia
Owners:	Mario & Becky Garcia
Environmental Review:	Exempt
Location:	40 S. 3rd Street
Assessor Parcel Number:	131-008-015
Building Size:	1,750 sf
Parcel Size:	Approximately 2,719 square feet
General Plan Designation:	DC, Downtown Core
Zoning Designation:	DC, Downtown Core
Present Land Use:	Beauty Salon
Surrounding Land Uses:	Commercial Uses
Recommendation:	Conditional Approval

BACKGROUND

Staff did not receive the required documentation by printing time. The item will return to Planning Commission once all necessary documents are submitted. This may require the item to be advertised once again.