

**CITY OF PATTERSON PLANNING COMMISSION AGENDA**  
**REGULAR MEETING**  
**THURSDAY, AUGUST 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** The Basic Reason Why There Just Isn't Enough Decent Housing For The Poor - The Washington Post

**CONSENT AGENDA** Planning Commission Meeting Minutes of June 9, 2016

**AGENDA ITEMS**

- 1. Public Hearing:** **Conditional Use Permit #16-01 (6 Month Review) Somos Un Mundo Daycare, 102 Jersey Lane, Patterson, APN # 021-049-011**  
Review 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 use was approved by the Planning Commission on February 11, 2016. Since its approval date, staff has not received any complaints.

**2. Public Hearing:**

**Pilot/Flying J Master Sign Program**

To consider the Pilot/Flying J Master Sign Program and Conditional Use Permit applications. The proposed project would develop the site with a travel center, truck yard and fast food restaurant on the northeast corner of Sperry Avenue and Park Center Drive. The Planning Commission approved Architectural and Site Plan Review No.16-01, Conditional Use Permit No. 16-02, and Tentative Map No. 16-01 on May 26, 2016 to develop the travel center and fast-food restaurant. The Planning Commission will now consider the required master sign program associated with the proposed project. The proposed signs include building signage, canopy signage, murals, and two freestanding signs, which include a 75-foot tall mid-rise sign and an eight-foot tall monument sign.

**3. Public Hearing:**

**Conditional Use Permit #16-07 Joe's Landscaping & Concrete, Inc. (Concrete Batch Plant), 100 S. 2<sup>nd</sup> Street, Patterson, APN # 131-003-013**

The applicant has submitted an application for a concrete batch plant at 100 S. 2<sup>nd</sup> Street. The use consists of portable concrete mixers utilized for light batch capacities. Hours of operation would be Monday-Saturday from 8 a.m.-5 p.m. and Sunday from 8 a.m. – 12 p.m. Business policy requires customers to clean all portable mixers prior to being returned; this will eliminate the need for any onsite cleaning. Due to the nature of the business, the project is exempt from review under the California Environmental Quality Act.

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

The Washington Post

Wonkblog

# The basic reason why there just isn't enough decent housing for the poor

By Emily Badger July 26

At the very bottom of the housing market, where families live on a fraction of what the typical American household makes, the math simply doesn't add up. The market can serve up old homes, mobile homes, homes that are cheap because they're rundown.

But the private market can't, on any meaningful scale, create new affordable housing for the very low-income from scratch.

Such properties, as developers put it, don't pencil out. The costs of building them outstrip what the people who may live in them could afford to pay in rent. And this is broadly true in expensive coastal cities and cheaper Midwestern ones alike.

To illustrate the fundamental math problem here — and the solution it points to — the Urban Institute and National Housing Conference recently looked at the financials from a number of housing projects in Denver that sought affordable housing fund loans and tax credits last year. Denver is a relatively good national case study: It doesn't have a white-hot housing market like Washington, but new housing construction there is healthier than in many places, and it's not overly regulated. Denver is like Minneapolis or Charlotte.

There, the researchers posed this common question about housing for the relative poor: "Why is it that the private market just can't build housing at a cost people can afford?" asked Erika Poethig of the Urban Institute.

For renters who make 30 percent of the local median income, or even 60 percent, new multifamily buildings were simply impossible to build without public help once you factor in the costs of acquiring land, paying designers, constructing buildings, maintaining them and servicing loans. The Urban Institute has built a revealing interactive — based on composites of all of those real Denver deals — that lets you adjust the details to try to make the math work.

Nudge down the design and development fees, pay the construction workers less, drop the interest rate as low as it will go, spend nothing on maintenance, even assume that someone gave the land for free — and the buildings still aren't feasible. A 50-unit apartment is still millions short.

"Even if you try to tweak a lot," Poethig says, "for people of extremely low incomes, there's just going to be this gap to the cost of development and production of housing."

Even if you could build an entire property for free, an apartment meant for extremely low-income renters (those making 30 percent of area median income or less) probably wouldn't work at the end of the day. Those apartments could still cost more to maintain over time than the families living in them would yield in rent. That's basically the story of what's broken with public housing today.

In the Urban Institute's model, there are really only three ways to solve the equation. You can demand renters pay more than what's considered affordable to them, or 30 percent of their income in rent. Push that assumption closer to 100 percent — assuming the poor don't need much for groceries, or bus tickets, or school clothes or prescriptions — and you may get there. Or you can push the target income for the renters higher, designing a building for families at 80 or 120 percent of the median income -- and that may do the trick, too. But then you're not really building affordable housing for the poor.

**Sign up**

Or you can bridge the gap with public subsidies. That's the bottom line.

"Building affordable housing is truly a public-private partnership," Poethig says, "and the private only takes you so far."

Most of these properties will require some kind of aid for both the renter and the developer.

To the extent that government should step in when the private market can't, affordable housing is a prime example. The larger problem, though, is that we hardly devote the kind of public resources to this market failure that it demands.

Developers often say the same of luxury housing like much of what's rising right now in Washington — that they can't make any other kind of project pencil out. And where that's true, cities are starting to ponder this same calculation for the middle class. But the low-income math that the Urban Institute illustrates applies effectively everywhere. Even the cheaper cost of land or labor -- or low regulations -- won't save a community from this problem.

Emily Badger is a reporter for Wonkblog covering urban policy. She was previously a staff writer at The Atlantic Cities. [Follow @emilymbadger](#)

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**CITY OF PATTERSON  
PLANNING COMMISSION MINUTES  
JUNE 9, 2016**

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The Planning Commission regular meeting of June 9, 2016 was called to order by Chairperson West at 7:20 p.m.

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

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

**ITEMS FROM PUBLIC:** None

**STATEMENT OF CONFLICT BY COMMISSIONERS:** None

**CORRESPONDENCE:**

City Planner Andrews stated that a letter came in concerning the agenda item (Les Schwab) after the agenda was printed. Staff gave the letter to the Commissioners.

**INFORMATIONAL ITEMS:** None

**CONSENT AGENDA:** None

## AGENDA ITEMS:

- 1. Public Hearing: Les Schwab Tire Center – Architectural & Site Plan Review #16-03, Conditional Use Permit #16-04, Lot Line Adjustment #16-01, Negative Declaration #16-01, APN #'s 048-047-021, 048-047-023**  
Application for an architectural and site plan review and conditional use permit for the construction and operation of a service center for vehicle tires, wheels, shocks, brakes, batteries, and alignment, located on the north side of Sperry Avenue approximately 750 feet east of Ward Avenue. The building consists of a 12,000 square foot building, with approximately 4,400 sq. ft. allocated to retail and office uses, and the remainder allocated to eight service bays and storage. A 1,300 sq. ft. mezzanine is also included for storage. The project would be located on a 1.4 acre site with 50 parking spaces, including two accessible parking spaces. Access would be provided at a shared driveway to the west of the project site. The project is located in a Planned Development zone with a General Commercial General Plan designation. A draft negative declaration will be considered noting that the project will not have a significant impact on the environment under the California Environmental Quality Act. A lot line adjustment associated with this project will also be considered, which would move a line between APN 048-047-021 (a 17.05 acre lot and APN 048-047-023 (a 2.52 acre lot) to create a 1.56 acre lot to accommodate the project and an 18.01 acre lot.

City Planner Andrews gave a powerpoint presentation. He answered questions from the Commission.

**Open Public Hearing:** 7:30 p.m.

### **Rona Dhruv, Les Schwab Tire Centers, Pasadena, CA**

Ms. Dhruv spoke in favor of the project and described the proposed project. She also answered questions from the Commission.

### **J.P. Smith (representing Mahaffey Farms) P.O. Box 5522, Incline Village, NV**

Mr. Smith stated that the project meets and exceeds all the requirements of the City. He spoke in favor of the project and stated that Prime Shine should be starting soon and also Arco AMPM should be coming in when they can get clear title. He stated that there isn't a better tire store than Les Schwab. He asked that the Commissioners approve the project.

### **George MacMaster, 210 S. 9<sup>th</sup> Street, Patterson, CA**

Mr. MacMaster stated that the site is an inappropriate use for the project since interaction of the vehicles and noise would seem to be a problem being close to the residences. He stated that the bays are pointing at his house. Mr. MacMaster also stated that there are no sound walls to protect the other side of Sperry Avenue and Toyon and Madrone Lanes to the east of the project. He asked if a sound wall could be put up to protect the residents. He stated that he is concerned with truck traffic going to the site. He asked that bay doors be closed when operating air impact wrenches which may help with the sound.

**J.P. Smith (representing Mahaffey Farms) P.O. Box 5522, Incline Village, NV**

Mr. Smith stated that sound studies were done and submitted to the Planning Dept. to include with the report. He stated that they'll be a good neighbor and address any concerns the surrounding neighborhood has.

**Chris Nunnemaker, 815 Madrone Lane, Patterson, CA**

Mr. Nunnemaker stated that the noise is like a funnel and he'd like a sound wall on the east edge of the property to reduce the noise in the area. He also had a concern with used tires displayed in the open and hopes that there would be an enclosure for them. He's concerned with all the noise invading his neighborhood.

**Jose Lemus, Galloway, Fresno, CA**

Mr. Lemus stated that he listened to the concerns of the neighbors and stated that the used tires will be in an enclosure. He stated some facts regarding noise. He also stated that the residences to the east of the project will not hear any of the noise from the proposed business.

J.P. Smith spoke about noise levels.

**Chris Korth, Patterson, CA**

Ms. Korth had a question regarding widening of the road. Staff addressed her concerns.

**Close Public Hearing:** 8:00 p.m.

**Reopen Public Hearing:** 8:01 p.m.

Commissioner Bingham asked Mr. Nunnemaker what was discussed with the applicant. Mr. Nunnemaker stated that he was asking what the structure was at the northeast part of the property. Staff stated that it was a trash enclosure.

**Reclose Public Hearing:** 8:02 p.m.

Commissioners discussed the proposed project and asked questions of staff.

**Motion to approve Architectural & Site Plan Review #16-03, Conditional Use Permit #16-04, Lot Line Adjustment #16-01 and Negative Declaration #16-01 approving Resolution #2016-05 with 16 findings and 109 conditions of approval:**

Commissioner Bendix

## **Conditions of Approval**

1. The project shall comply with all applicable State and Municipal Codes, including the 2013 California Building Codes and the 2013 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 any way 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 fees 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. 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.
6. Lighting fixtures shall be mounted, aimed, and shielded to prevent glare, light trespass and light pollution.
7. 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.
8. All planted areas shall be separated from driveways by concrete curbs.
9. Street trees shall be required along street frontages; the type, size, and location shall be in accordance with the Planned Development #05-03 Master Development Plan and the

City's street tree list, and as approved by the Planning Department and the Public Works Director.

10. Prior to issuance of a building permit, a final landscaping and irrigation plan shall be prepared by a licensed landscape architect, subject to review and approval by the Planning, Public Works, Parks and Recreation, Police, Building and Fire Departments, and in compliance with AB 1881. After installation is complete, a landscape audit shall be completed and the certificate sent to the City's Public Works Department. The landscaping plan shall be consistent with City Standards and with other phases of Planned Development #05-03 and shall include the following:
  - (1) Tree staking, soil preparation and planting detail;
  - (2) The use of landscaping to screen ground-mounted utility and mechanical equipment;
  - (3) The required landscaping and improvements. This includes:
    - (a) Deep root planters shall be included in areas where trees are within five feet (5') of asphalt or concrete surfaces and curbs;
    - (b) Water conservation practices including the use of low flow heads, drip irrigation, mulch, gravel, drought tolerant plants and mulches shall be incorporated into the landscaping plan;
    - (c) An automated irrigation system; emphasizing low-water use techniques where feasible;
  - (4) The size, type and location of all plant materials; native and low-water use and drought resistant species shall be emphasized;
  - (5) The type and location of all paving and furniture, including benches, fountains, or other features;
  - (6) At least two of the following low impact development methods:
    - (a) bioretention,
    - (b) cisterns and rain barrels,
    - (c) green roofs,
    - (d) roof leader disconnection,
    - (e) permeable and porous paving (must be no less than 20% of walking or patio surface per Section 18.78.040),
    - (f) vegetative swell and filter strips,
    - (g) volume retention
11. 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. Trash enclosures shall comply with storm water regulations and sized

to comply with commercial recycling requirements.

12. That the trash/tire recycling enclosure shall incorporate vertical elements and/or other architectural features intended to break up the length of the structure to the satisfaction of the Community Development Department.
13. Interior vehicle travelways shall be designed to be capable of withstanding loads imposed by trash and delivery trucks.
14. Per Title 24, Section 2-7102 of the State Disabled Access Regulations, the parking lot shall provide the required number of accessible parking spaces.
15. All end parking spaces and spaces adjacent to raised curbing shall be one foot wider than the normal stall width (10 feet total).
16. Bicycle racks shall be designed and installed in accordance with City standards, with placement to be approved by the Planning Department.
17. 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.
18. Applicant shall provide design details (or vendor specifications) for all streetscape items (planters, waste containers, benches, bicycle racks etc.) with the building permit application.
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.
20. Prior to concrete pour inspection, compaction tests are required for all footings.
21. The applicant shall pay all applicable fees due the City and other Special Districts providing services to the site.
22. The project shall participate in a City-wide maintenance community facility district (CFD) or Benefit Assessment District (BAD) and Landscape Maintenance District (LMD).
23. All required public improvements shall be designed and constructed in accordance with the City of Patterson Standard Specifications and Drawings to the satisfaction of the Public Works Director, including any standards updated prior to approval of the improvement plans.
24. 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:

- (1) 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.
  - (2) All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
  - (3) 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.
  - (4) With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
  - (5) 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.
  - (6) 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.)*
  - (7) 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.
  - (8) Limit traffic speeds on unpaved roads to 15 mph; and
  - (9) Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
25. All signage shall be consistent with the master sign plan as may be approved by the Planning Commission.
26. The applicant shall provide a Construction Waste Management Plan to the City for review/approval.
27. Prior to building permit issuance, an application shall be submitted and approved creating the lot for the project.

## **Grading**

28. Complete grading and drainage plans shall be submitted to and approved by the City Engineer.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. 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.
36. 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.
37. 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.

38. 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.
39. 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.
40. 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.
41. The applicant shall obtain a grading permit for on-site excavation and fill prior to construction.

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

42. 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.
43. 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:
  44. Use of low-flow fixtures, including shower heads and toilets as per the Uniform Building Code.
  45. The project shall connect to the non-potable water supply system that runs along Sperry Avenue for water used for irrigation and non-potable water services.
  46. 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.
47. The project shall purchase a water meter through the Public Works Department.
48. If construction water will be obtained from a City fire Hydrant, the developer shall receive approval of a Fire Hydrant Use Permit
49. The project shall connect to the City's water system. 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.
50. If connecting to the City's storm drainage system, runoff shall be detained and metered into the storm drainage system to the satisfaction of the City Engineer. The project shall meet all SWPPP requirements.

51. A SWPPP Inspection Deposit shall be posted with the City to pay for all SWPPP inspections.
52. The SWPPP plan shall be prepared by a Qualified Stormwater Developer.
53. If construction activity results in a land disturbance of one acre or more, or less than one acre, but part of a larger common plan of development, the developer must obtain a Construction Activities Storm Water General Permit. In addition, the project shall file an NOI with the State via the SMARTS System to obtain a Stormwater State Permit (WDID).
54. Applicant shall obtain an Industrial Stormwater Permit as required by the State Water Resources Control Board.
55. A storm interceptor shall be installed to prevent pollutants from entering the City's municipal system or basin.
56. Any permanent stormwater basins shall be designed to meet post-construction stormwater standards and AB 1881 requirements. Any temporary stormwater basins shall have adequate Best Management Practices in place including a monitoring gauge to monitor levels and provide an Emergency Contingency Plan to address high levels during the heavy storm season.
57. The private storm drain basin shall be completed to the satisfaction of the Public Works and Engineering Departments prior to submission of improvement plans. Plans shall be submitted to the Engineering Department to determine adequate size.
58. The owner shall provide the Public Works Department with a copy of the maintenance plan for the storm drain basin provided on site for the Mahaffey Plaza project area and comply with all stormwater regulations.
59. 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.
60. The developer shall have any pre-existing sewer laterals and storm drain lines video inspected to ensure the lines are clear of any debris and are not damaged.
61. The project shall connect to the City sewer system.
62. The project shall comply with the City's Fats, Oil and Grease (FOG) Program requirements. Grease interceptors shall be constructed for any facility that will result in oil, grease, sand, or other solids being discharged into the City's sanitary sewer system.

## **Roads**

63. All sight distances for all corners and driveways shall conform to the City's sight distance requirements to the satisfaction of the City Engineer.
64. Stop signs shall be provided at all project exits and internally, as needed, to ensure safety.
65. As applicable, 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.
66. 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.

## **Utilities**

67. 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.
68. 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 the Public Works Department for review and approval.
69. The applicant shall obtain an encroachment permit from the Public Works Department for all work in the public right-of-way.
70. 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.
71. All new telephone facilities shall be underground except where indicated by the telephone company upon engineering of the project.
72. 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.
73. 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.
74. Electrical conduit shall have a separate ground wire installed.

75. The applicant shall install adequately sized utility services and laterals prior to final acceptance.
76. Applicant shall provide a street light on Sperry Avenue with location and material approved by the Public Works Department. All street lighting shall be LED and meet the requirements of the Engineering and Public Works Departments.

### **Fire Department**

77. All new construction shall meet the requirements of the City Fire Department.
78. Fire sprinkler system shall be designed and installed in accordance with NFPA 13, CFC, CFC Appendix B, and City of Patterson Municipal/Fire Code Amendments.
79. An onsite fire hydrant shall be required. Fire hydrants shall be located to Fire Inspector's specifications. Fire hydrants and fire hydrant flows shall meet all City of Patterson standards.
80. Fire Department Connection shall be within 75' of a fire hydrant and be located near the street. Locking Knox FDC plugs shall be provided.
81. Prior to occupancy, 3A40BC fire extinguishers shall be installed at approved locations throughout the building to the satisfaction of the Fire Department.
82. Fire flow and hydrant spacing shall be in accordance with 2013 CFC Appendix B and C.
83. Truck turn-around at rear of property shall be in accordance with 2013 CFC Appendix D.
84. Fire apparatus access roads shall be in accordance with the 2013 California Fire Code Section 503 and Appendix D.
85. Fire alarm system shall be designed and installed in accordance with 2013 California Fire Code, 2013 NFPA 72 (with California amendments) and 2013 City of Patterson Municipal (Fire) Code Amendments. Alarm systems shall be U.L. Certified with a maintenance contract.
86. The main electrical service disconnect(s) shall be accessible for emergency shut off from the outside of the building(s) in one general location. This may be accomplished by providing one (1) main disconnect, (2) a KNOX disconnect, (3) shunt trip device, (4) electrical room with direct outside access.
87. Address numerals shall be at least 6" tall with 3/4" stroke, be clearly visible from street, contrast with background and be either internally or externally illuminated from dusk to dawn daily.

88. A KNOX key safe shall be installed on the right of the main entrance door, mounted no higher than 6' above finished grade.

### **Air Quality**

89. 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.
90. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
91. 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.
92. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
93. 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.
94. 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.)
95. 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.
96. 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.
97. Any site with 150 or more vehicle trips per day shall prevent carryout and track-out.
98. Limit traffic speeds on unpaved roads to 15 mph;
99. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
100. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;

101. Install wind breaks at windward side(s) of construction areas;
102. 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.

**Lot Line Adjustment Conditions of Approval**

1. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer and Public Works Director.
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 Bingham  
**Motion passed:** 3-0 vote

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

**ITEMS FROM STAFF:**

City Planner Andrews stated that the next Planning Commission meeting will be in July. He also stated that Flying J has submitted offsite plans and building plans and is moving right along.

**ITEMS FROM COMMISSION:**

1. Commissioner Bingham asked if we heard anything from the roll up door guy. He asked if anyone had been in the drive thru at McDonald's because it's a mess the way it was designed.
2. Commissioner Bendix asked about any new restaurants coming in.

**ADJOURNMENT:** The Planning Commission regular meeting of June 9, 2016, was adjourned by Chairperson West at 8:09 p.m.

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Prepared by Denise Melo, Secretary  
City of Patterson Planning Commission

CITY OF PATTERSON  
**Planning Commission Staff Report**  
**Somos Un Mundo Daycare**  
**Review of Conditional Use Permit #16-01**  
**August 11, 2016 Meeting**

**PROJECT SUMMARY**

A public hearing to review the established daycare center approved on February 11, 2016.

**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**

This is a noticed public hearing, as required by ordinance, on the operation of a large preschool / daycare center located at 102 Jersey Lane located in the LR, Low Density Residential Zone. Learn & Play Schoolhouse Daycare was approved by the Planning Commission as Conditional Use Permit #16-01 at the February 11, 2016 meeting. Noticed public hearings are required by ordinance at 6 months. Notice has been sent to all neighbors within 500' of the use and to other City Departments. No derogatory comments or information have been made known to staff. The recommendation is that the use be allowed to continue operations as originally permitted, and that no further formal review be required. The original conditions of approval are repeated below for the Commission's information, and if no further formal review is required condition #9, in italics below, would be deleted. Action on this item is exempt from CEQA Review.

**ALTERNATIVE ACTIONS**

1. Determine that the use is in substantial compliance with the conditions of approval for Use Permit 16-01 and move to recommend that the use continue as

permitted with no further requirement for periodic review.

2. Determine that the use is in substantial compliance with the conditions of approval for Use Permit 16-01 and move to recommend that the use continue as permitted, with further review scheduled for \_\_\_\_\_.

## **RECOMMENDATION**

The recommendation is that, unless credible information is presented at the meeting which would indicate otherwise, the use be allowed to continue operations as originally permitted, and that no further formal review be required.

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

February 11, 2016 Planning Commission Staff Report

**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, August 11, 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 #16-01 (6 Month Review) Somos Un Mundo Daycare, 102 Jersey Lane, Patterson, APN # 021-049-011**  
Review 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 use was approved by the Planning Commission on February 11, 2016. Since its approval date, staff has not received any complaints.

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  
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,



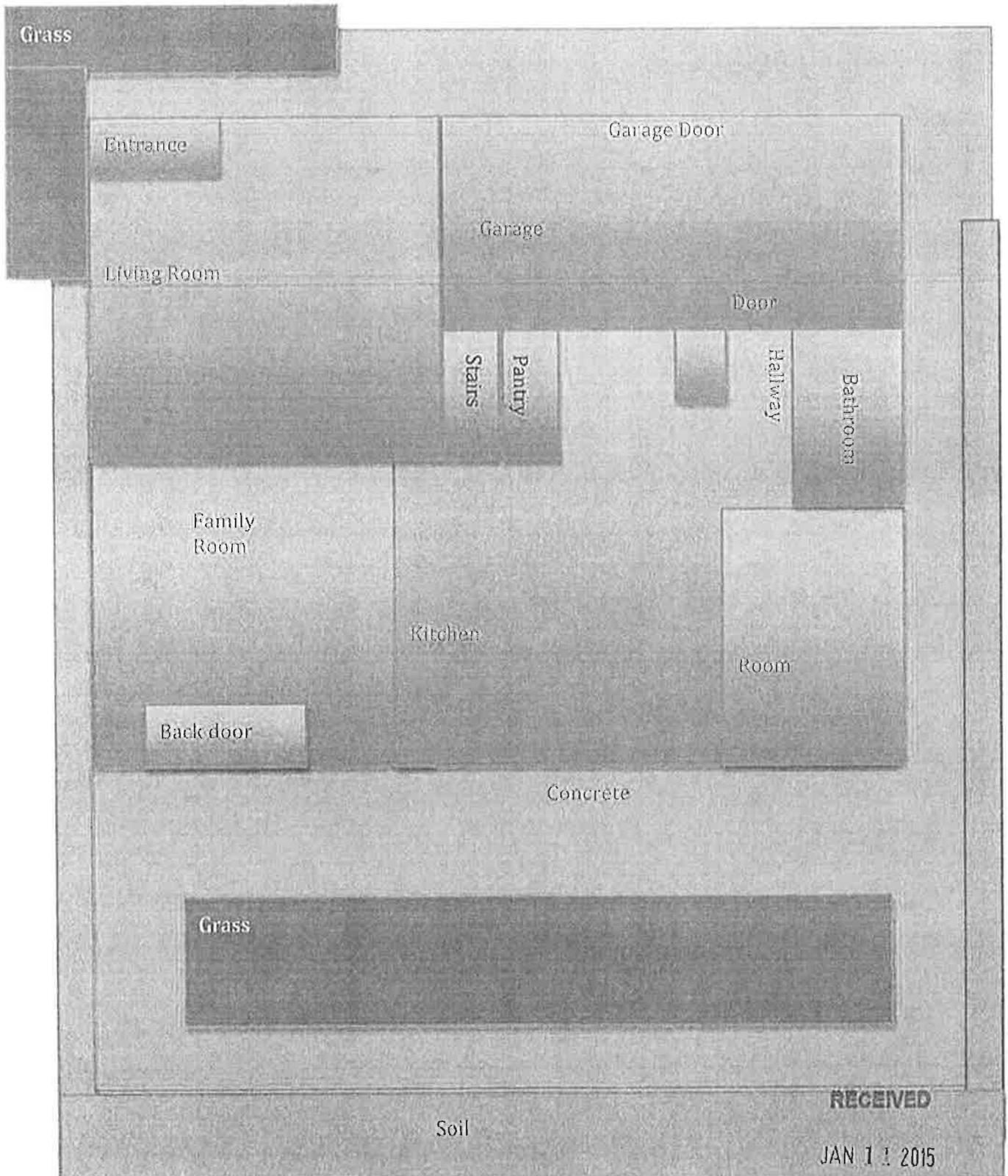
Teresa Rodriguez  
Associate Planner

Attachments

Public Notice for CUP  
Floor Plan  
Site Plan  
State License



# Floor Plan

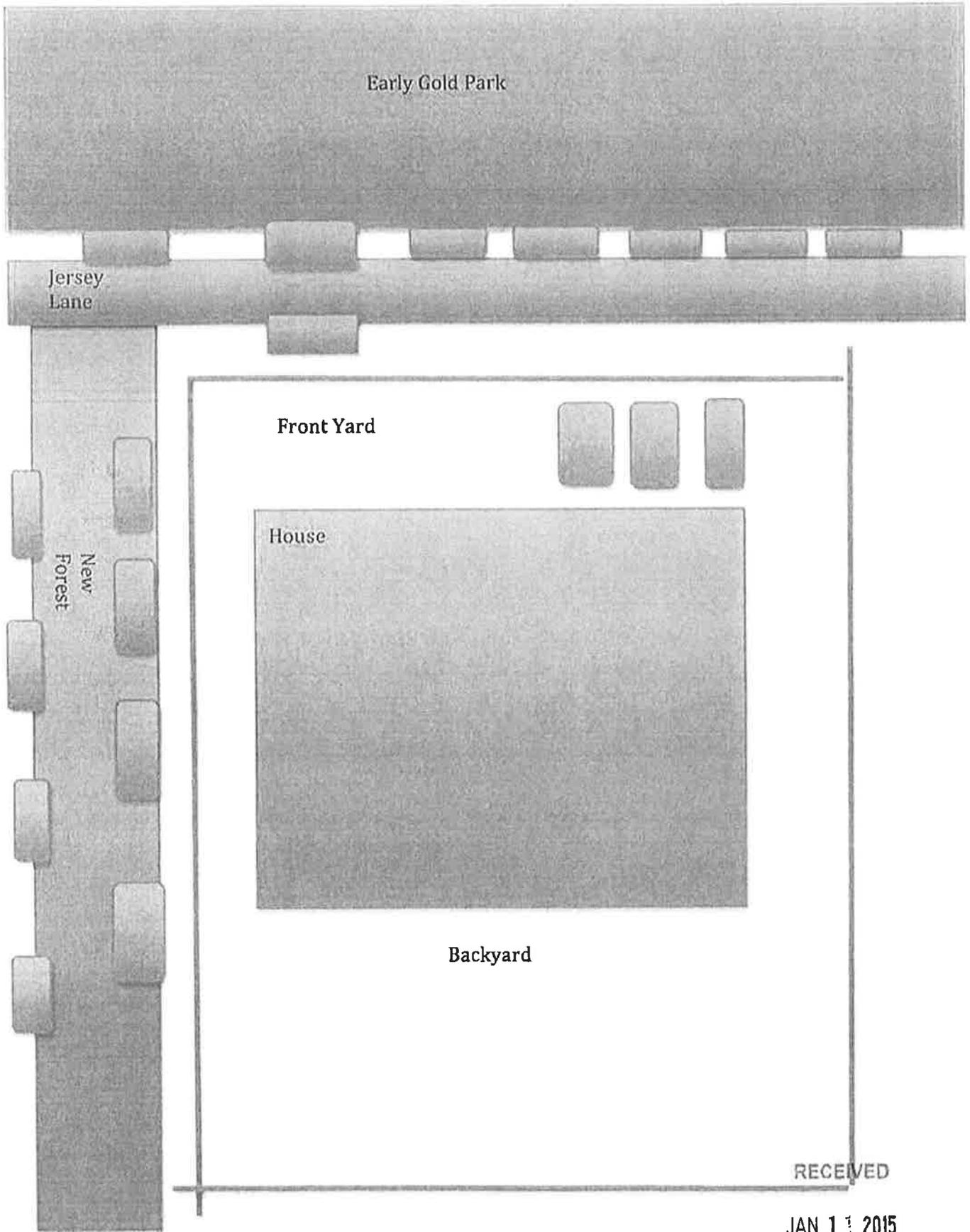


RECEIVED

JAN 1 1 2015

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

Site Plan



RECEIVED

JAN 13 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: 8 - 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

*[Signature]*  
Authorized Representative of Licensing Agency

**POST IN A PROMINENT PLACE**

LIC208A (03/07) FAS  
Print Date 08/01/2013

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CCLD / PLANNING DIVISION

**CITY OF PATTERSON  
Planning Commission Staff Report  
Pilot-Flying J Master Sign Plan  
Master Sign Plan Review  
Conditional Use Permit # 16-02  
August 11, 2016 Meeting**

**PROJECT SUMMARY**

The applicant proposes to construct a travel center, truck yard, and fast-food restaurant, on the northeast corner of Sperry Avenue and Park Center Drive. The Planning Commission approved Architectural and Site Plan Review No.16-01, Conditional Use Permit No. 16-02, and Tentative Map No. 16-01 on May 26, 2016 to develop the travel center and fast-food restaurant. However, the Planning Commission did not take action on its decision to approve the required master sign plan associated with the proposed project until adequate information is presented in order to make the appropriate findings. The applicant proposes to include building signage, canopy signage, murals, and two freestanding signs, which include a 75-foot tall mid-rise sign and an eight-foot tall monument sign.

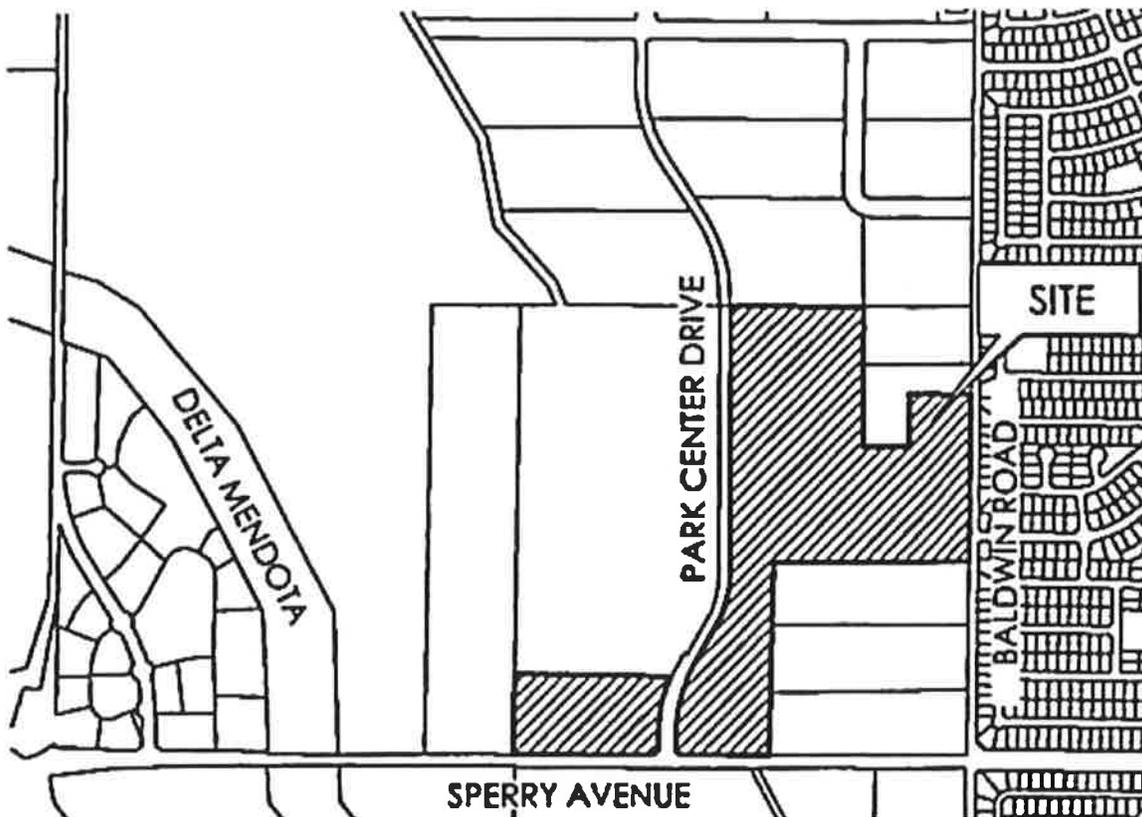
**APPLICANT AND SITE INFORMATION**

<b>Owner/Applicant:</b>	<b>Brandon Parks</b>
<b>Environmental Review:</b>	<b>Addendum to EIR for the West Patterson Projects EIR</b>
<b>Location:</b>	<b>Northeast corner of Sperry Avenue &amp; Park Center Drive</b>
<b>Assessor Parcel Numbers:</b>	<b>021-026-061 and a portion of 021-026-062</b>
<b>Project Size:</b>	<b>11.3 acres ±</b>
<b>General Plan Designation:</b>	<b>Light Industrial</b>
<b>Zoning:</b>	<b>West Patterson Industrial Business Park (IBP) &amp; West Patterson Light Industrial (IL)</b>
<b>Present Use:</b>	<b>Vacant land</b>
<b>Surrounding Land Uses:</b>	<b>Light industrial to the north, low density residential to the east, public service (Cal Fire station) to the south, and Patterson Airport and highway service commercial uses to the west.</b>
<b>Recommendation:</b>	<b>Conditional Approval</b>

## PROJECT SITE

The project site is approximately 11.3 acres and located on the northeast corner of Sperry Avenue and Park Center Drive (see **Figure 1**). The project site is currently vacant land. The former Patterson Airport property, the Amazon Fulfillment Center and CVS Warehouse are located northwest of the project site; predominately vacant land is located immediately north of the site, three single family residential lots are located east of the site with low density residential homes located further east of the site, a Cal Fire station is located immediately southeast of the site, and the Villa Del Lago Plaza and Interstate Highway 5 (I-5) is located further west of the project site. The project site is relatively flat.

**Figure 1: Location Map**



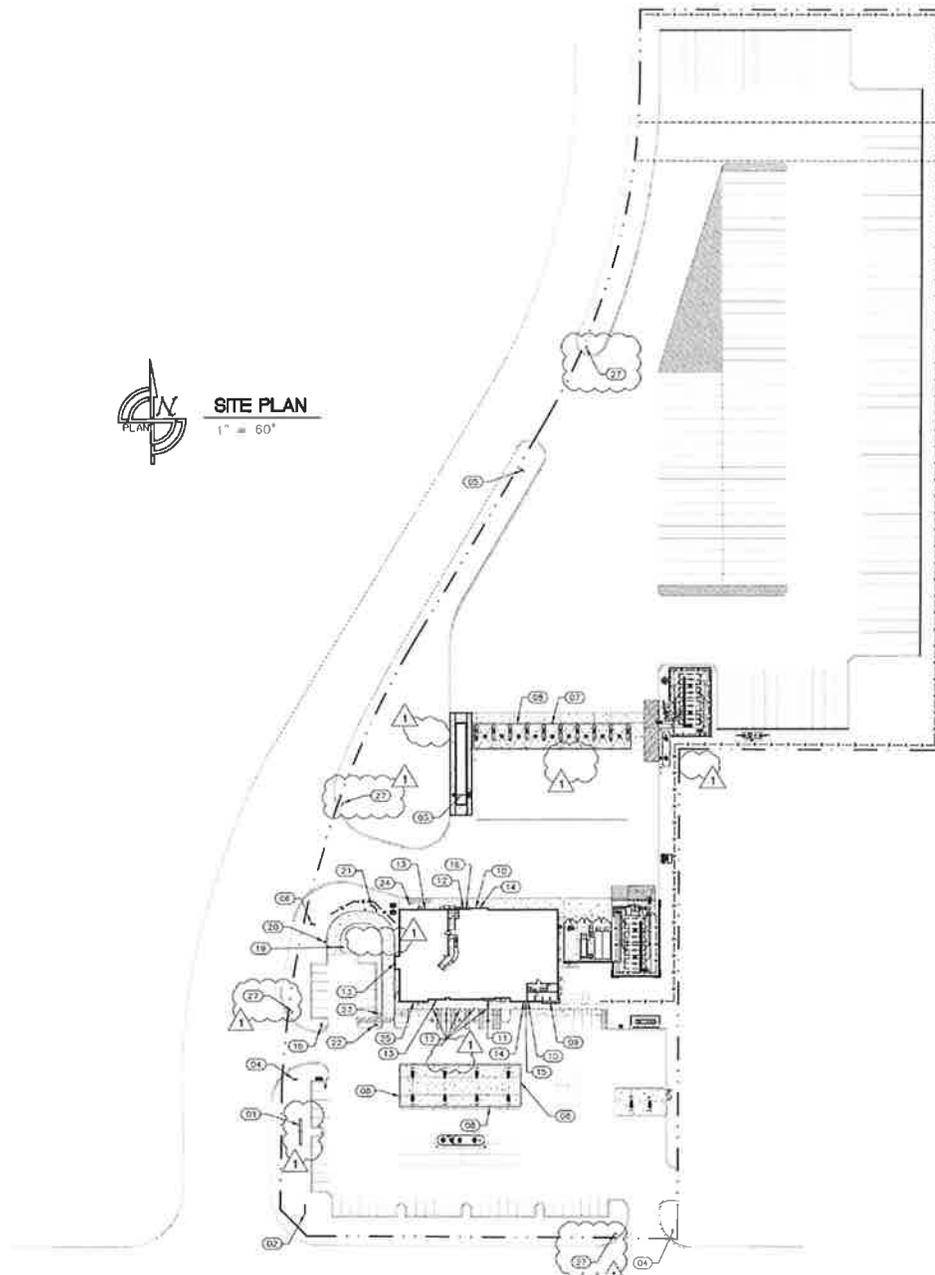
## PROJECT DESCRIPTION AND ANALYSIS

The project site consists of one parcel and a portion of a second parcel (APN 021-026-061 and a part of 021-026-062). Historically, the site contained irrigated agricultural land. The project site is located within the West Patterson Projects area and is subject to the West Patterson Business Park Master Development Plan, the Westridge Business Park Development Agreement and associated amendments<sup>1</sup>, and the West Patterson Projects EIR.

<sup>1</sup> Ordinance No. 712 adopted the first amendment to the Westridge Business Park Development Agreement on May 18, 2010. Ordinance No. 785 adopted the second amendment to the Westridge Business Park Development Agreement on November 3, 2015.

The proposed project would develop the site with a travel center and a truck yard that includes 20 fuel pumps, of which 10 are for automobiles and recreational vehicles (RVs), and 10 are for semi-trailer trucks (see **Figure 2**). The project consists of three components: 1) 14,788 square foot travel center building and parking lot, 2) 2,798 square fast-food restaurant within the travel center building with a drive-thru lane, and 3) 270,740 square foot designated truck yard consisting of 150 parking spaces for trucks and trailers and a weighing station. The proposed project would operate 24 hours a day, 7 days a week.

**Figure 2: Project Site Plan**



## Master Sign Plan

In addition to standard parking and wayfinding signs that would direct drivers to designated parking areas and entry and exit points, the proposed project would include additional signs throughout the project site including: canopy signs above the fueling stations, logo and welcome signs associated with the travel center building, a sign for the weighing station, murals, a monument sign, and a mid-rise freeway-oriented sign (see **Figures 3a through 3d**). Table 2 summarizes the characteristics of the proposed signs.

The City of Patterson's Sign Ordinance (Section 18.82) includes standards for commercial and industrial zones (Section 18.82.060(B)) and standards for specific types of signs (Section 18.82.070). Standards for commercial and industrial zones include maximum sign height, maximum number of signs allowed per parcel, maximum sign area allowed per parcel, and building floor allowed for different sign types. Table 3 summarizes specific standards from the Sign Ordinance that are applicable to the proposed project and whether the proposed project complies with the standard. Specific standards include freestanding signs, sign area measurement, prohibited signs, and sign lighting. Components of the proposed sign program that are not in compliance with the standards are highlighted.

Staff recommends for the Planning Commission to grant the following exceptions to the proposed master sign Plan:

- Per Section 18.82.070.C.3, multiple signs shall be separated by a minimum of 75 feet to ensure adequate visibility. The proposed monument and mid-rise signs are less than 75 feet apart. However, visibility of both proposed signs are adequate because the actual signs mounted on the 75-foot mid-rise sign begin at approximately 45 feet above the eight-foot tall monument sign (see **Figure 3d**). The 75-foot mid-rise sign is intended for freeway travelers on Interstate 5 (I-5), which is located approximately one mile west of the project site, while the monument sign is intended for vehicle travelers approaching the project site from Sperry Avenue.
- Per Section 18.82.040.M, pole signs are prohibited unless approved by a special permit. The applicant has requested an exception. The proposed mid-rise sign would be mounted on poles and set on a 20-foot by 6-foot sunset stone pillars to match the exterior façade of the travel center building. Due to the intent of the proposed mid-rise sign to serve as a freeway-oriented sign, the size of the signs is larger, and would need to be supported by poles.
- Per Section 18.82.040.N, freestanding signs over 30 feet in height are prohibited unless approved by a special permit. The proposed mid-rise sign is 75 feet in height. The applicant has requested an exception. As provided in the discussion below, staff recommends for the Planning Commission to approve a 60-foot tall mid-rise sign instead of the proposed 75-foot sign.

*Freestanding Signs.* Because the proposed mid-rise sign is over thirty feet tall, the sign would not be in compliance with Section 18.82.070, including the recent amendment (Ordinance No. 794 adopted for freeway-oriented signs unless the conditional use permit required for the sign allows greater height) Section 18.82.070(d)(1)). Per amended Section 18.82.070(d), the Planning Commission has the ability to approve a Conditional Use Permit if the Commission first finds that the site cannot be adequately identified by other signs permitted within the applicable zoning

district. The Planning Commission also has the ability to allow the proposed freeway-oriented sign if the applicant provides evidence, and the Commission makes a finding, that a majority of the project's anticipated customers will be freeway travelers.

Project Customers. The project applicant has identified that the proposed freeway-oriented freestanding sign would maximize the visibility of their business to their main customer base, interstate freeway vehicle travelers driving both trucks and automobiles. The applicant noted that their truck services heavily rely on trucking businesses that come from the interstate freeway, and unlike a large gas station with a convenience store that provides limited types of services on site, the range of services provided by Pilot Flying J travel centers are more comprehensive and include services catering to these types of users. Pilot Flying J travel centers typically include amenities such as fast-food restaurants, lounges for drivers, truck washes, high speed internet kiosks, public laundry, showers, truck stop electrification (TSE) plug-in stations, etc.

Location. Sperry Avenue, where one of the project driveways is located is the only major arterial roadway that connects to I-5. The proposed project is situated at its location due to its proximity and accessibility to I-5, which is located approximately one mile west of the project site. According to a memorandum prepared for the City referencing the proposed project's freeway trip estimates, approximately 56 percent of vehicle trips related to the project are considered as freeway origin or destination trips, of which approximately 90 percent are truck trips, and 10 percent are auto trips.<sup>2</sup> With over half of vehicle trips associated with the proposed project originating from or destined to I-5, and consideration that the main customer base for Pilot Flying J travel centers are interstate freeway vehicle travelers, staff generally agrees that a majority of the project's anticipated customers would be freeway travelers.

Sign Visibility. The applicant noted that the proposed 75-foot freeway-oriented sign would allow for partial visibility of the project vicinity from I-5 southbound lanes. As shown in Figures 4b and 4c, if the proposed mid-rise sign stood above 50 feet, the mid-rise sign would allow for sign visibility without the obstruction of existing trees, overpass, or ramps. Staff identified that a freeway-oriented sign at 75 feet in height would break through the continuity of the existing horizon line, while a 60-foot mid-rise sign would sit on the horizon line and blend in with background views of the project vicinity. The proposed 75-foot mid-rise sign would partially obstruct the panoramic views of the City of Patterson, and as a result, staff recommends that the Planning Commission approve a 60-foot tall mid-rise sign instead of a the proposed 75-foot tall sign.

Sign Area Measurement. The proposed wall signs for the travel center exceeds the maximum requirements outlined in Table 18.82.060-3 (Maximum Number and Area of Signs Permitted per Parcel), particularly the number of signs and allotted square footage of signs for the project. Per Section 18.82.090, the Planning Commission has the ability to grant an exception to increase the maximum allowed sign area by up to twenty-five percent if the Commission determines the position or setback of the travel center building requires additional area for effective signing, or the site requires additional sign area for effective identification from major approaches to the project site.

As shown in Table 3, the maximum amount of square footage of signage allowed for the proposed project is 378.9 square feet. The proposed signage for the project site is 486.94 square feet, and

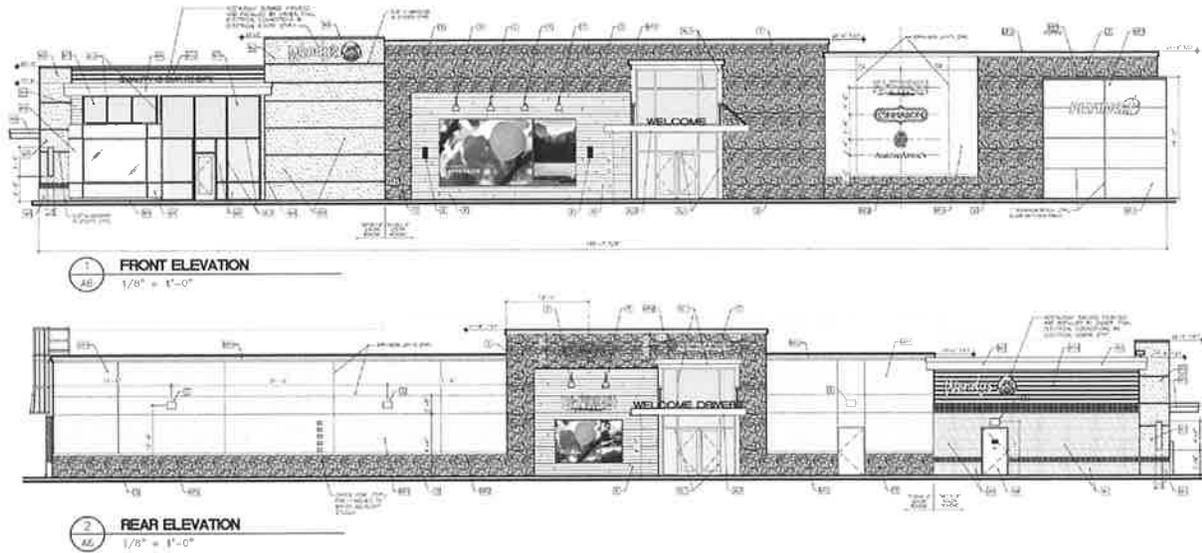
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<sup>2</sup> Thnay, Christopher, 2016. Stantec. Pilot Flying J Travel Center Project-Freeway Trip Estimates. July 1.

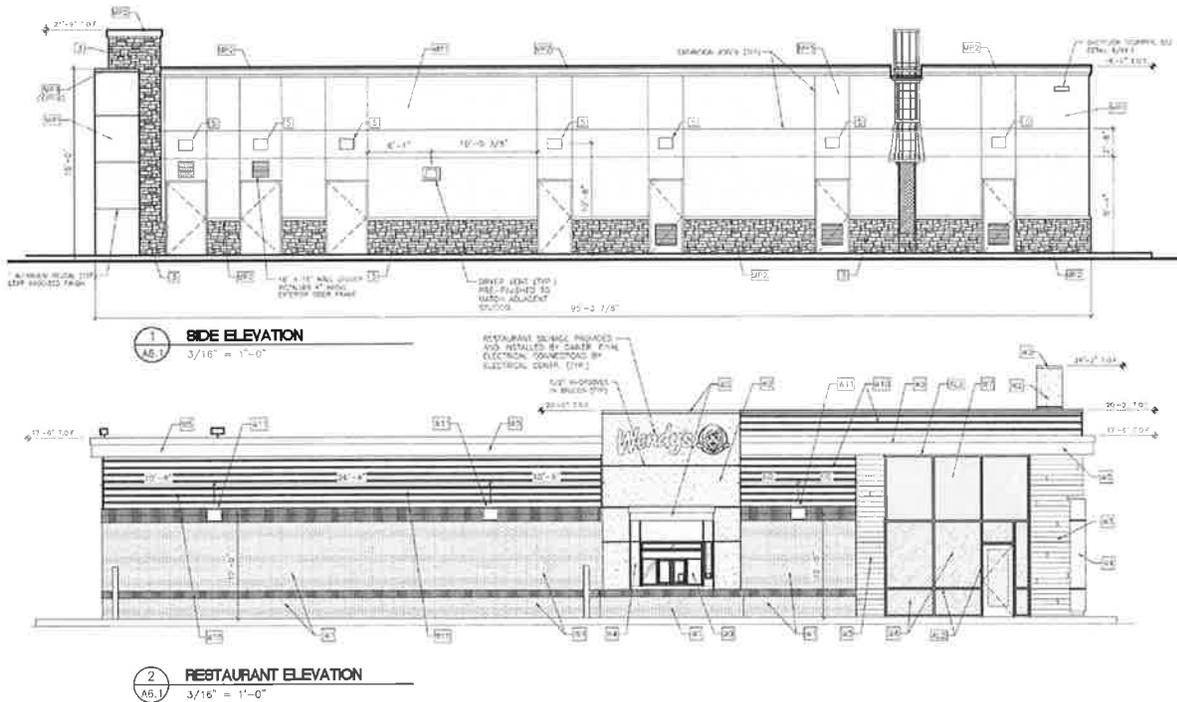
558.46 square feet with the fuel station canopies. Each establishment on the project site is allowed no more than 150 square feet of sign area. With the exception of Wendy's and Flying J, each establishment generally complies with this requirement. The total area of all proposed signs cannot exceed the total linear feet in the related frontage, which is 426.5 feet. The proposed signage would exceed the requirement without and with the signage from the proposed fuel station canopies at 486.92 square feet and 558.46 square feet, respectively. The proposed mid-rise sign would have an area of 221 square feet and would be in compliance with the allowable size of the largest sign on the project site. The proposed signage would be in compliance with copy design guidelines outlined in the Sign Ordinance.

The project applicant noted that the proposed project includes two primary entrances, each for a different customer base. The rear entrance is the primary entrance for truckers who park in the truck yard, and the front entrance is the primary entrance for auto and recreational vehicle travelers who park and use the fuel pumps and parking lot in the southern portion of the project site. As a result, the project applicant proposes to utilize both sides of the building for signage that clearly identifies the services provided inside the travel center, and is requesting additional sign area for the proposed project. Staff generally agrees that the project site would benefit from additional sign area in order to provide effective identification for the project's different customer base entering the travel center from different locations on the project site, and recommends that the Planning Commission approve the proposed master sign plan.

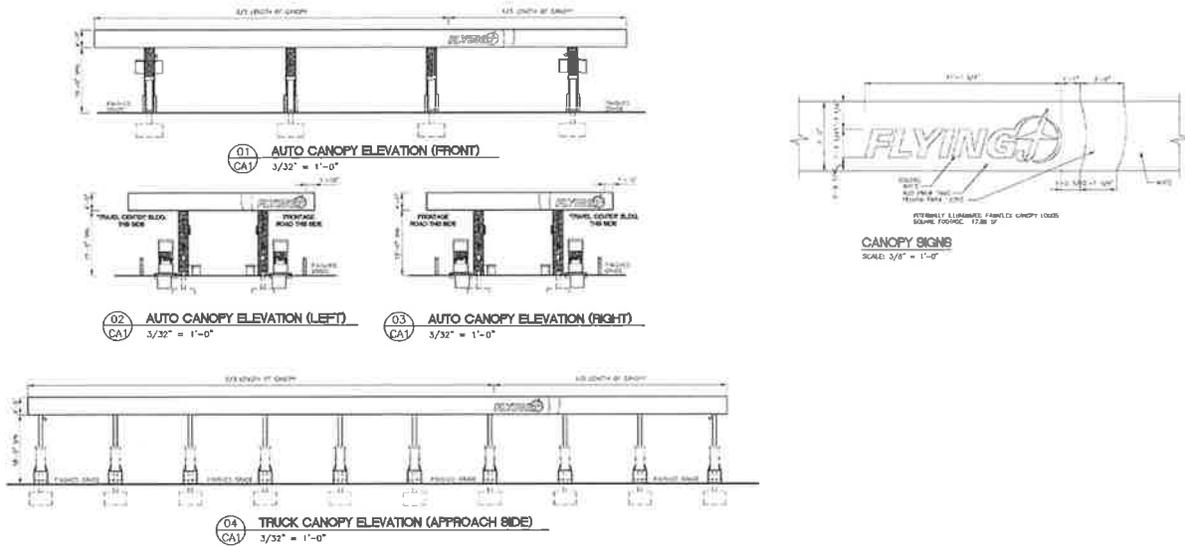
**Figure 3a: Proposed Signs for Travel Center Building, Front and Rear Elevations**



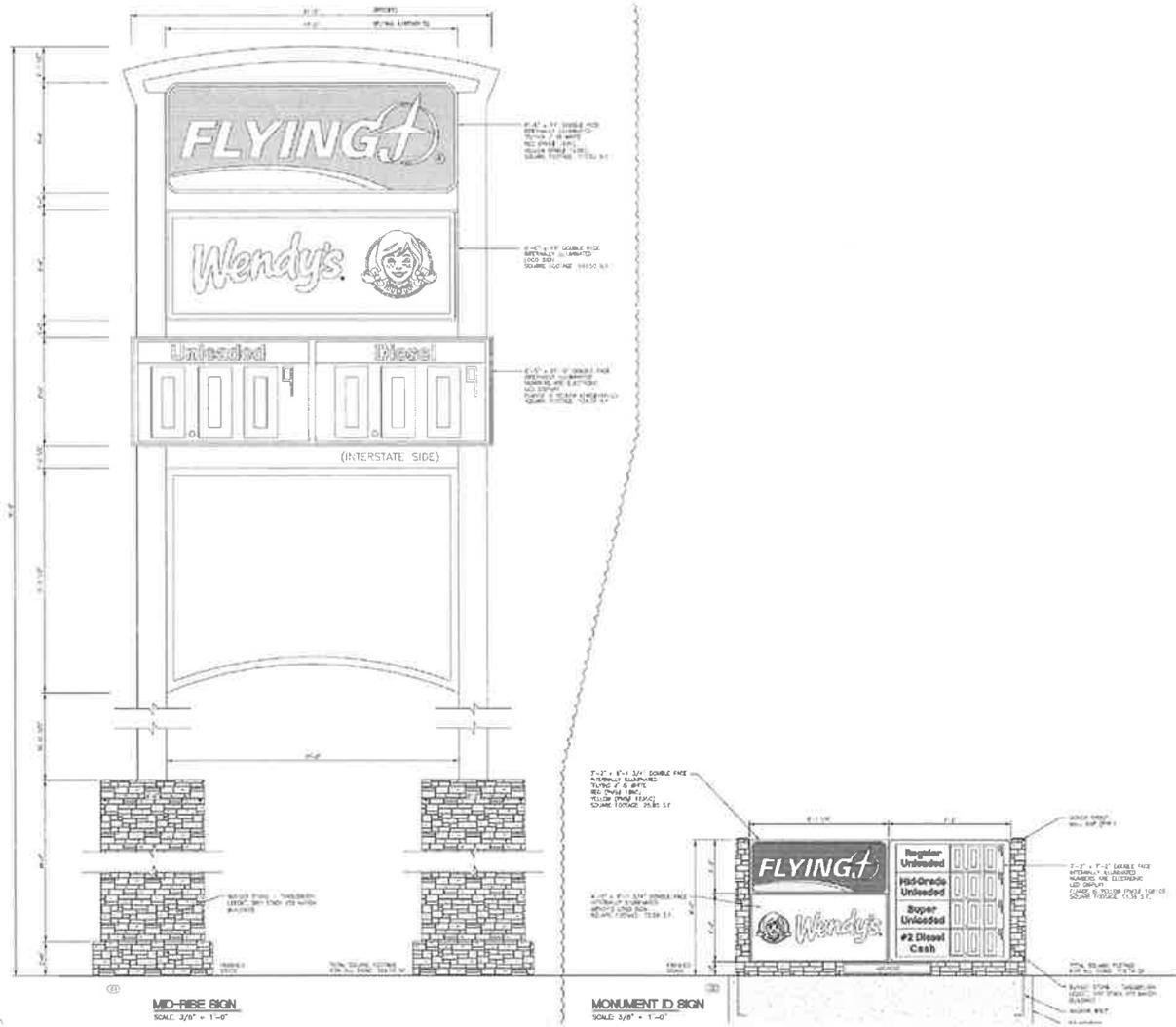
**Figure 3b: Proposed Signs for Travel Center Building, Side Elevations**



**Figure 3c: Proposed Flying J Canopy Signs**



**Figure 3d: Proposed Mid-Rise and Monument Signs**

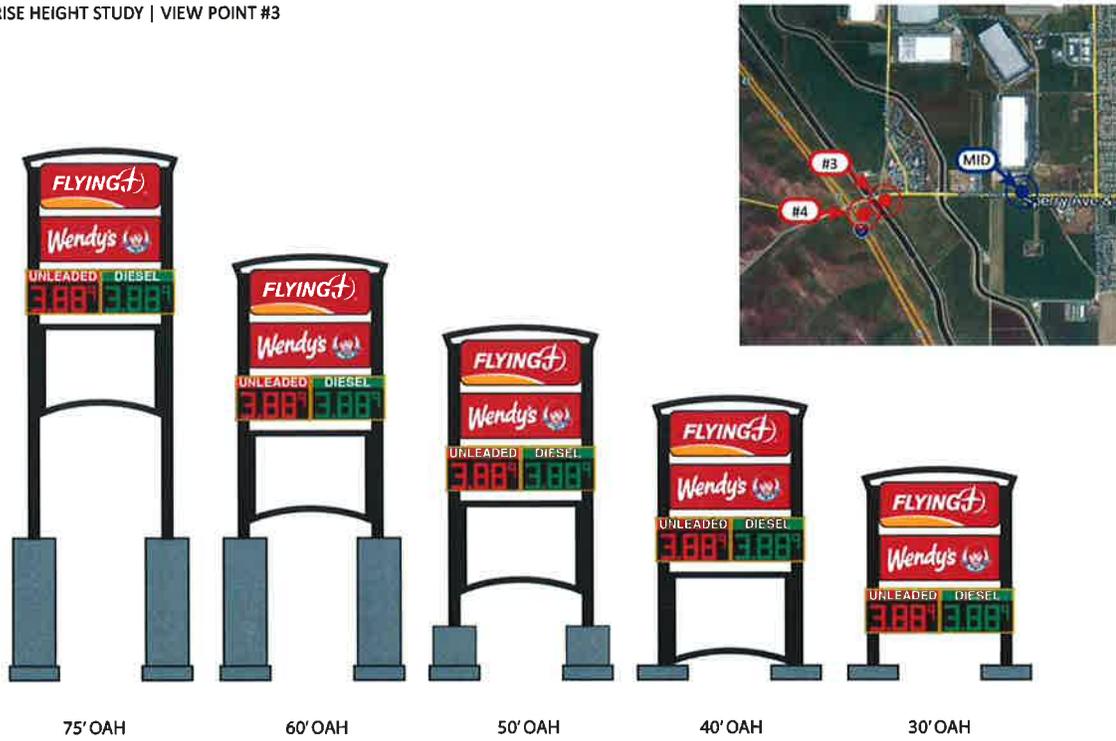


**Table 2: Proposed Signs**

<b>Sign Type</b>	<b>Description</b>	<b>Quantity</b>	<b>Height (feet)</b>	<b>Sign Area (sf)</b>	<b>Location</b>
Freestanding, Monument	Includes 6 separate, internally-illuminated double-face signs mounted on sunset stone to match project building. Sign includes address sign at the bottom, and is anchored with foundation and anchor bolt. Six signs include: Flying J, Wendy's, Cinnabon, PJ Fresh, Auntie Anne's, and gasoline pricer	1	8	58.38	NE corner of Park Center Drive and Sperry Avenue
Freestanding, Freeway-Oriented	Includes 3 separate, internally-illuminated double-face signs mounted on a 75-foot-tall pole. Three signs include Wendy's, Flying J, and gasoline pricer	1	75	221	Along Park Center Drive, between first driveway and Sperry Avenue
Awning, Projecting	Includes internally-illuminated, individual letters above raceway, and mounted on awning. Signs include: "Welcome" and "Welcome Drivers"	2	7	8.5 and 16	"Welcome" sign located on awning at front entrance of travel center building. "Welcome Drivers" sign located on awning at rear entrance of travel center building
Wall	Includes text, logo, and photograph signs mounted on building façade that are either internally-illuminated or illuminated with light fixture above: <u>Front:</u> "Quality is Our Recipe", Wendy's logo, PJ Fresh logo, Cinnabon logo, and Auntie Anne's logo, and Flying J logo. <u>Rear:</u> Wendy's logo, PJ Fresh logo, Cinnabon logo, and Auntie Anne's logo <u>Drive-Thru:</u> Wendy's logo	11 (Total) 6 4 1	Ranges from 9" to 3'	Ranges from 10 to 32	Front, rear, and drive-thru sides of travel center building
Fuel Station Canopy	Includes Flying J logo on all 4 sides of fuel station canopies for truck/trailers and vehicles	4	4	18	Vehicle fuel station located in front of travel center building in southern portion of project site. Truck/trailer fuel station located north of second driveway on Park Center Drive
Cat Scale Sign	Includes one double-sided, internally-illuminated "Certified Scales" sign mounted on two 16-foot-tall poles	1	21	106	Located adjacent west of truck/trailer fueling station

**Figure 4a: Visual Simulation of Proposed Mid-Rise Sign at 10-Foot Increments**

MID | HIRISE HEIGHT STUDY | VIEW POINT #3



**Figure 4b: Visual Simulation of Proposed Mid-Rise Sign From Viewpoint #3**



**Figure 4c: Visual Simulation of Proposed Mid-Rise Sign From Viewpoint #4**



Table 3: Compliance Matrix for Sign Ordinance

CITY STANDARD (SECTION 18.82)		ALLOWED	PROPOSED	NOTES
<b>Freestanding Signs</b>				
<b>Maximum Number</b>				
-	Except as otherwise provided in this chapter, each freestanding sign shall be a monument sign, with sign height not to exceed eight feet. (See Section 18.82.050(B) for measurement.)	--	1	§ 18.82.070.C.1 and § 18.82.070.C.3
-	Multiple signs shall be separated by a minimum of seventy-five feet to ensure adequate visibility for all signs. The planning director may waive this requirement where the locations of existing signs on adjacent properties would make the seventy-five-foot separation impractical.	--	1	Freestanding signs are less than 75' apart, <i>Exception required</i>
-	Additional Allowed	--	1	Table 18.82.060-3 – No more than 0.25 sf for each linear foot of primary building frontage (82.8 sf) or 150 sf
-	Monument	8' Height Limit	8'	§ 18.82.070.C.1
-	Freeway-Oriented Sign	30' Height Limit	75'	Exceptions per § 18.82.070.D.4
-	Conditional Use Permit required for freeway-oriented sign <ul style="list-style-type: none"> <li>o Must demonstrate that more than 50% of customers come from I-5</li> <li>o Must demonstrate that an overpass, ramps or trees seriously disrupt sign visibility</li> </ul>	By Use Permit	Use Permit Submitted	§ 18.82.070.D.1 and § 18.82.070.D.3
-	Freestanding signs should contain the street address of the parcel or the range of addresses for a multi-tenant center	--		
-	To assist emergency response personnel in locating the site, freestanding signs should contain an illuminated street address plate. Numbers should be a minimum of six inches in height. An address plate shall not be included in calculations of allowed sign area.	--	<i>Monument sign includes an address plate but mid-rise sign does not include an address plate</i>	§ 18.82.050.E.5 § 18.82.070.C.5

**CITY STANDARD (SECTION 18.82)**

**ALLOWED**

**PROPOSED**

**NOTES**

**Sign Area Measurement**

**Building Frontage**

- 1 sf for each linear foot of primary building frontage and 0.5 sf for each foot of secondary frontage) – Primary
  - o Applicant proposes that the front and rear building frontage are both considered primary since each frontage serves as an entrance to a different customer base (truckers from truck yard, other motorists from travel center parking lot)

378.9 sf  
(331.2 sf primary + 47.7 sf secondary)

486.94 (includes all building and freestanding signs) (558.46 sf with canopies)

Table 18.82.060-3

- No more than 150 sf in sign area permitted per establishment

150 sf

Flying J: 153.43 sf (224.95 with canopies)  
PJ Fresh: 32.42 sf  
Wendy's: 249.81 sf  
Cinnabon: 32.42 sf  
Auntie Anne's: 18.86 sf

Table 18.82.060-3

- The total area of all signs on a single building shall not exceed the total linear feet in the related frontage.

426.5<sup>1</sup>

486.92 sf without canopies  
558.46 sf with canopies

Table 18.82.060-3

- The area of the largest wall sign shall not exceed seven percent of the area of the building facade on which the sign is mounted or painted, including the area of windows, doors, and recesses.

252.1 sf

221 sf (mid-rise Flying J sign)

§18.82.070.G.2

**Copy Design Guidelines**

- Information should be conveyed briefly or by logo, symbol, or other graphic manner. The intent should be to increase the readability of the sign and thereby enhance the identity of the business
- The area of letters or symbols should not exceed forty percent of the background area in commercial districts or sixty percent in residential districts

--

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§18.82.050.E.3  
§18.82.050.E.4

558.46 sf (all signs)

3,643 sf

CITY STANDARD (SECTION 18.82)		ALLOWED	PROPOSED	NOTES
<b>Prohibited Signs</b>				
-	Can signs or any internally illuminated cabinet sign		Wendy's and Auntie Anne's signs include cabinet characteristics	§18.82.040.L
-	Pole Signs, unless approved by special permit	--	Proposed mid-rise sign	§18.82.040.M – <i>Exception required</i>
-	Freestanding signs over 30' in height unless approved by special permit	--	Proposed mid-rise sign	§18.82.040.N – <i>Exception required</i>
<b>Sign Lighting</b>				
-	The city prefers that a sign be illuminated by lights shining on the sign rather than by lights within the sign, although signs comprised of individually mounted, internally lit letters may be found acceptable.			
-	Light sources shall utilize energy-efficient fixtures to the greatest extent possible.			
<b>Property Characteristics</b>				
<b>Front Building Frontage (Primary)</b>		165.6'		
<b>Rear Building Frontage (Primary)</b>		165.6'		
<b>Restaurant (Drive-Thru) Building Frontage (Secondary Frontage)</b>		95.3'		
			A majority of the proposed signs are internally illuminated	§18.82.050.F.1 §18.82.050.F.8

## ENVIRONMENTAL REVIEW

An Addendum/Initial Study has been prepared for the Pilot Flying J concludes that the project will not have any new significant impacts on the environment than those addressed in the certified West Patterson Projects EIR.

## RECOMMENDATION

As discussed above, staff is recommending approval of the master sign plan with the exception that the proposed 75-foot tall mid-rise sign be adjusted to be 60 feet in height. In arriving at this recommendation, staff worked with the applicant to refine the master sign plan in order to:

1. Ensure safe and effective access to the project site and efficient circulation in the project vicinity;
2. Avoid traffic safety hazards to motorists and pedestrians caused by visual distractions and obstruction; and
3. Balance the visibility needs of this highway-oriented use while promoting signs that are consistent with the site architecture and respect the scale and aesthetics of surrounding uses;

As modified to address the above issues, staff is recommending that the Planning Commission approve the Master Sign Plan because:

1. Over half the project's anticipated customers would be freeway travelers;
2. The proposed master sign plan would assist freeway drivers identify its facilities and services from I-5 and Sperry Avenue; and
3. The additional proposed building signs provide identification to two separate customer groups who would enter the project site and travel center building from separate entrances.

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. Approve the Master Sign Plan and Conditional Use Permit #16-02 based on the findings.

Respectfully submitted,



Joel Andrews  
City Planner

Attachments:

- A. Master Sign Plan
- B. Sign Area and Building Sign Area Calculations
- C. Pilot Flying J Travel Center Project-Freeway Trip Estimates

RESOLUTION 2016-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PATTERSON, APPROVING A MASTER SIGN PLAN AND CONDITIONAL USE PERMIT NO. 16-02 FOR THE CONSTRUCTION OF BUILDING SIGNAGE, CANOPY SIGNAGE, MURALS, AND TWO FREESTANDING SIGNS, WHICH INCLUDE A 75-FOOT TALL MID-RISE SIGN AND AN EIGHT-FOOT TALL MONUMENT SIGN THAT IS ASSOCIATED WITH THE PROPOSED TRAVEL CENTER BUILDING, FAST-FOOD DRIVE-THRU RESTAURANT, AND TRUCK YARD, ON 11.3 ACRES LOCATED AT THE NORTHEAST CORNER OF SPERRY AVENUE AND PARK CENTER DRIVE

---

WHEREAS, on February 10, 2016, an application was submitted by Brandon Parks, Pilot Travel Centers, 5508 Lonas Drive, Knoxville, TN 37909 to develop the site with a travel center building with a fast-food drive-thru restaurant and a truck yard that includes 20 fuel pumps, related signs, landscaping, and associated site improvements on 11.3 acres located at the northeast corner of Sperry Avenue and Park Center Drive (the "Project"). The property is located within the West Patterson Industrial Business Park (IBP) & West Patterson Light Industrial (IL) Zoning Districts (APN: 021-026-061 and a part of 021-026-062); and

WHEREAS, on January 2003, the City Council of the City of Patterson approved the West Patterson Business Park Master Development Plan to establish an infrastructure and regulatory framework for the development of employment-generating land uses in western Stanislaus County; and

WHEREAS, Patterson City staff conducted a full analysis of the project to ensure compliance with the City's General Plan, West Patterson Business Park Master Development Plan, Zoning Code, and all other applicable laws, regulations and standards, as all further explained in detail in the City's staff report to the Planning Commission; and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is covered under the program of activities identified in the West Patterson Projects Environmental Impact Report (SCH# 2001022031 and 2001032037) certified by the City Council on January 9, 2003 based on the CEQA finding included in this Resolution; and

WHEREAS, on May 26, 2016, the Planning Commission approved Architectural and Site Plan Review No.16-01, Conditional Use Permit No. 16-02, and Tentative Map No. 16-01 on to develop the travel center and fast-food restaurant, but did not take action on its decision to approve the required master sign program associated with the proposed project until adequate information was made available,

WHEREAS, on August 11, 2016, the Planning Commission held a duly noticed public hearing on the subject master sign program application, and considered evidence presented by City staff; the applicant, and other interested parties,

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

SECTION 1. The Planning Commission of the City of Patterson hereby approves Master Sign Plan Review and its associated exceptions, and Conditional Use Permit #16-02 to develop a sign program for the Pilot Flying J project on an 11.3-acre site, based on the plans, findings, and conditions identified in Attachments A through C.

Attachments:

Attachment A: Adoption/Approval Findings  
Attachment B: Conditions of Approval  
Attachment C: Master Sign Plan

SECTION 2: The foregoing resolution of the Planning Commission of the City of Patterson was passed by the Planning Commission at a regular meeting held on the 11th<sup>th</sup> day of August, 2016, by \_\_\_\_\_, who moved its adoption, which motion was duly seconded by \_\_\_\_\_, and the resolution adopted by the following vote:

AYES:  
NOES:  
EXCUSED:

APPROVED:

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

ATTEST:

\_\_\_\_\_  
Denise Melo, Planning Commission Secretary  
City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the Planning Commission of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2016, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

\_\_\_\_\_  
Planning Commission Secretary  
City of Patterson

**RESOLUTION 2016-07  
ATTACHMENT A  
PILOT FLYING J PROJECT  
MASTER SIGN PLAN  
FINDINGS FOR RECOMMENDATION OF APPROVAL**

**FINDINGS: CONDITIONAL USE PERMIT**

In order to grant a Conditional Use Permit, the Planning Commission must make the following findings:

1. The requested conditional use permit is consistent with the city general plan and this title.
2. The establishment, maintenance, or operation of the proposed use or structure will conform to the requirements and the intent of this title; and 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.

**Summary**

With respect to the Conditional Use Permit, the proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare in that the applicable standards and review for the development of a restaurant with drive-thru service and a freeway-oriented sign will be followed.

**FINDINGS: FREEWAY-ORIENTED SIGNS**

In order to recommend approval of a freeway-oriented sign, the Planning Commission must make the following findings:

1. The approval of a conditional use permit for a freeway-oriented sign shall require that the commission first find that the use or site cannot be adequately identified by other signs permitted within the applicable zoning district, in addition to the other findings required for conditional use permit approval by Section 18.18.020.

**Summary**

With respect to the Freeway-Oriented Signs, the proposed freeway-oriented sign is intended to be visible to the project's main customer base, interstate freeway vehicle travelers driving both trucks and automobiles. The site would not be adequately identified by other signs permitted within the project site's zoning district by the project's main customer base. A freeway-oriented sign, which is substantially taller than other permitted signs would serve as an appropriate sign for the freeway vehicle traveler because the sign would be visible from the freeway without any obstruction from existing trees, overpasses, and ramps.

**FINDINGS: MASTER SIGN PLAN REVIEW**

In order to recommend approval of a Master Sign Program Review, the Planning Commission must make the following findings:

1. The proposed master sign plan is consistent with the development standards for signs as provided in Chapter 18.82 (Signs).
2. The size, location, and design of the signs are visually complementary and compatible with the scale and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street.
3. The proposed signs are in substantial conformance with the design review criteria provided in Chapter 18.82 (Signs).

### **Summary**

With respect to the Master Sign Plan Review, with approval of the following exceptions listed below, the proposed master sign program would be generally consistent with the development standards and design review criteria for signs as provided in the City's Sign Ordinance. The size, location, and design of the signs are visually complementary and compatible with the scale and architectural style of the primary structures on the site.

- Per Section 18.82.070.C.3, multiple signs shall be separated by a minimum of 75 feet to ensure adequate visibility. The proposed monument and mid-rise signs are less than 75 feet apart. However, visibility of both proposed signs are adequate because the actual signs mounted on the 75-foot mid-rise sign begin at approximately 45 feet above the eight-foot tall monument sign. The 75-foot mid-rise sign is intended for freeway travelers on Interstate 5 (I-5), which is located approximately one mile west of the project site, while the monument sign is intended for vehicle travelers approaching the project site from Sperry Avenue.
- Per Section 18.82.040.M, pole signs are prohibited unless approved by a special permit. The proposed mid-rise sign would be mounted on poles and set on a 20-foot by 6-foot sunset stone pillars to match the exterior façade of the travel center building. Due to the intent of the proposed mid-rise sign to serve as a freeway-oriented sign, the size of the signs is larger, and would need to be supported by poles.
- Per Section 18.82.040.N, freestanding signs over 30 feet in height are prohibited unless approved by a special permit. The proposed mid-rise sign is 75 feet in height. Staff has recommended for the Planning Commission to approve a 60-foot tall mid-rise sign instead of the proposed 75-foot sign.
- Per Section 18.82.090, the proposed wall signs for the travel center exceeds the maximum requirements outlined in Table 18.82.060-3 (Maximum Number and Area of Signs Permitted per Parcel), particularly the number of signs and allotted square footage of signs for the project. However, an exception to increase the maximum allowed sign area by up to twenty-five percent would be allowed if it is determined the position or setback of the travel center building requires additional area for effective signing, or the site requires additional sign area for effective identification from major approaches to the project site. The proposed project includes two primary entrances, each for a different customer base. As a result, both sides of the building would benefit from additional signage area in order to clearly identify its services inside the travel center for each customer base.

## Attachment B

### Sign Area Calculation Summary

Establishment	Sign Area (square feet)			
	Building	Monument	Mid-Rise	Total
Wendy's	106.73	32.58	110.5	<b>249.81</b>
Flying J	17.13	25.80	110.5	<b>153.43</b>
Flying J canopies	71.52	-	-	71.52
PJ Fresh	32.42	-	-	32.42
Cinnabon	32.42	-	-	32.42
Auntie Annie's	18.86	-	-	32.42
<b>Total:</b>	<b>279.08</b>	58.38	221	<b>558.46</b>
<b>Total Freestanding:</b>		279.38		

### Building Sign Area Calculation Summary

Establishment	Sign Area (square feet)			
	Front	Drive-Thru	Rear	Total
Wendy's	42.47	32.13	32.13	<b>106.73</b>
Flying J	17.13	-	-	<b>17.13</b>
PJ Fresh	16.21	-	16.21	<b>32.42</b>
Cinnabon	16.20	-	16.20	<b>32.40</b>
Auntie Annie's	10.14	-	8.720	<b>18.86</b>
<b>Total:</b>	<b>102.15</b>	<b>32.13</b>	<b>73.26</b>	<b>207.54</b>
<b>Primary Building Areas:</b>	<b>175.41</b>			
<b>Total + Flying J Canopies:</b>	<b>279.08</b>			
<b>Total + Freestanding:</b>	<b>486.92</b>			

To: Joel Andrews, City Planner  
City of Patterson

From: Christopher Thnay, PE, AICP  
Walnut Creek, CA

File:

Date: July 1, 2016

**Reference: Pilot Flying J Travel Center Project – Freeway Trip Estimates**

The proposed Pilot Flying J Travel Center project in Patterson consists of 27 fuel pumps (18 for automobiles and RVs and nine (9) for trucks) and a 3,770 square foot fast-food restaurant. It is located at the northeast quadrant of the intersection of Sperry Avenue and Park Center Drive as shown in Exhibit 1.

The purpose of this technical memo is to provide an estimate of project trips that could either originate or end on the I-5 freeway which is approximately a mile to the west of the project site.

Unlike a large gas station with a convenience store that provides limited types of services on site, the range of services provided by the proposed Pilot Flying J travel center is much more comprehensive. For example, typical amenities featured at Pilot Flying J locations include:

*Fast-food restaurants, Lounges with big-screen televisions for drivers, Truck washes, High speed internet kiosks, ATMs, Western Union, Check cashing, Public laundry, Showers, Game rooms, CAT Scales, TRANSFLO Express travel documents, Trip Paks, Audiobook rental, Payphones, and Wireless internet access.*

Consequently, it is anticipated that many vehicles that pass-by Sperry Avenue might stop not just to fill up their gas tank but also stay for the other services offered. These Pass-By trips do not result in a route deviation for the existing vehicles as these vehicles are already traveling on a route that provides direct access to the project site. Therefore, these trips result in increased driveway traffic for the project site but do not result in an increase of traffic traveling through the network.

The traffic impact study report that was prepared for the project approval by the Planning Commission (May 26, 2016) estimated approximately 90 percent of truck trips and 10 percent of new auto trips are freeway oriented as shown in Exhibit 1. These are not pass-by trips but new trips.

Sperry Avenue where one of the project driveways is located is the only

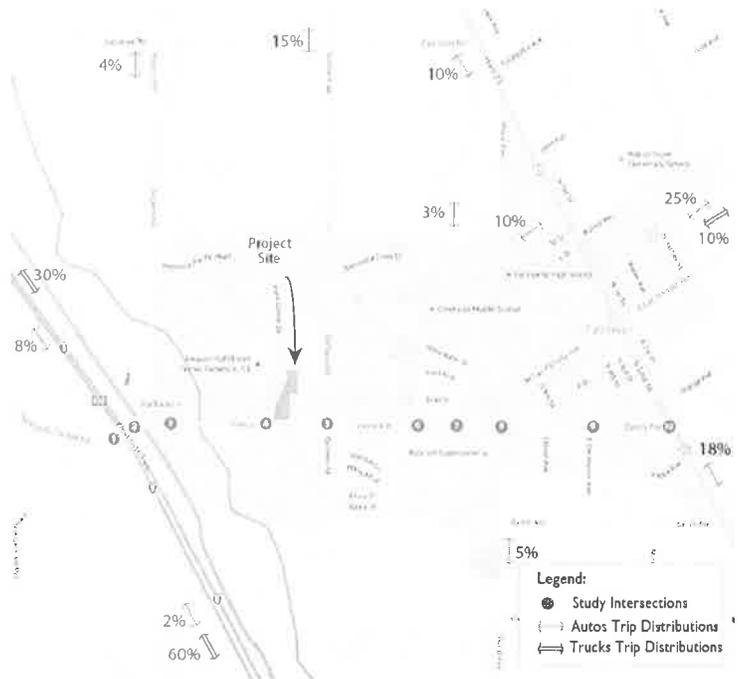


Exhibit 1: Project New Trips Distributions

**Reference: Pilot Flying J Travel Center Project – Freeway Trip Estimates**

major arterial that connects to I-5. It is estimated that at least 50 percent of pass-by trips and internal trips of the project are freeway oriented. Therefore, it is very likely that many of the vehicles that pass-by the Pilot Flying J could stop by the store before proceeding towards the freeway or coming from the freeway and pass-by the store before leaving for their ultimate destinations. For example, during the AM peak hour, many of the commuters could stop by for gas or fast food before proceeding towards the freeway.

During lunch or the PM commute period, many of the pass-by traffic from the freeway could stop by before proceeding towards their ultimate destination.

The estimated freeway related project trips are shown in Table I.

**Table I: Percent Project Freeway Trip Estimates**

Land Use	Project Trip Generation	Freeway Trip Estimates	
	Daily Trips	% Freeway Trip Estimates	Freeway Daily Trips
Fast-food Restaurant	1,869	10%	187
Trucks Fueling <sup>A</sup>	700	90%	630
Vehicle Fueling	2,930	10%	293
Internal Trips <sup>B</sup>	1,375	50%	687
Pass-By Trips <sup>C</sup>	2,400	50%	1,200
<b>Total Freeway Origin or Destination Trips</b>			<b>2,310</b>
<b>Total Project New &amp; Pass-By Trips (Driveway Total)</b>			<b>4,125</b>
Percent Freeway total of ALL Trips			56%

**Note:**

- <sup>A</sup> - Trucks daily trip rate estimated by Pilot Travel Centers
  - <sup>B</sup> - Internal trips estimated at 25% by Pilot Travel Centers
  - <sup>C</sup> - Daily Pass-by trips for gasoline station & fast-food estimated at 50 % based on ITE Trip Generation Manual.
- ITE Source: ITE Trip Generation Manual 9th Edition, 2012

It is estimated that approximately 56 percent of project trips are freeway related as shown in Table I.

**STANTEC CONSULTING SERVICES INC.**



Christopher Thnay, PE, AICP  
 Senior Project Manager  
 Phone: (925) 296-2174  
 Christopher.Thnay@stantec.com

**City of Patterson  
Planning Commission Staff Report  
Joe's Landscaping & Concrete Batch Plant  
Conditional Use Permit #16-07  
August 11, 2016 Meeting**

**PROJECT SUMMARY**

An application to allow the addition of concrete supply rental to the already existing nursery operations of Joe's Landscaping & Concrete.

**APPLICANT AND SITE INFORMATION**

<b>Owner/Applicant:</b>	<b>Joe Garcia</b>
<b>Environmental Review:</b>	<b>Exempt</b>
<b>Location:</b>	<b>Southeast corner of West Las Palmas Avenue and Highway 33</b>
<b>Assessor Parcel Number:</b>	<b>131-003-013</b>
<b>Project Size:</b>	<b>1.52 acres ±</b>
<b>General Plan Designation:</b>	<b>HI, Heavy Industrial</b>
<b>Zoning:</b>	<b>HI, Heavy Industrial</b>
<b>Present Use:</b>	<b>Commercial Use - Nursery</b>
<b>Surrounding Land Uses:</b>	<b>Commercial, Industrial, and vacant land</b>
<b>Recommendation:</b>	<b>Conditional Approval</b>

**BACKGROUND**

In 2014 the Commission approved Joe's Landscaping & Concrete, Inc. at 100 S. 2<sup>nd</sup> Street, on the east side of Highway 33, which included a 11,496 square foot nursery building with all its related apparatus. Since project approval the business has been operating full time.

**PROJECT DESCRIPTION AND ANALYSIS**

The applicant is seeking approval of a concrete batch plant since the original application did not review the production of concrete. All uses that include the production of concrete require a Conditional Use Permit prior to operation. The use entails the rental of portable concrete mixing buggies; the operation and mixing would not require more employees than what are already present with the current use. The equipment would be available for rental Monday through Saturday from 8am – 5pm and Sundays from 8am – 12pm. Joe's Landscaping would be responsible for the mixing of the product but customers are responsible for the hauling and cleaning of all buggies. Business policy states that all buggies must be returned clean and free of any debris. If at any time a mixer is not clean upon being returned, Joe's Landscaping will utilize a small disposable plastic pool as the "clean out" to minimize runoff potential. To minimize any runoff from equipment cleaning, staff has included a condition requiring the applicant to follow the guidelines found in the

Multi-Agency Post-Construction Stormwater Standards Manual (Vehicle & Equipment Cleaning, E22-E24).

The applicant has received approval from the San Joaquin Valley Air Pollution Control District (SJVAPCD) with a set of conditions the applicant must meet. To address some of the health concerns related to the mixing of concrete, the SJVAPCD has included some conditions related to the amount of concrete that may be produced under this operation. To ensure those conditions are followed; staff has included them as part of this Conditional Use Permit application. Staff has routed the application for comments from various departments and all comments received have been included as part of the conditions.

## **ENVIRONMENTAL REVIEW**

The project is exempt from review under the California Environmental Quality Act according to §15332.

## **ALTERNATIVE ACTIONS**

1. Determine that the findings for the Conditional Use Permit can be made and motion to approve CUP #16-07 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 #16-07 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 cannot be made and deny CUP #16-07.

## **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.

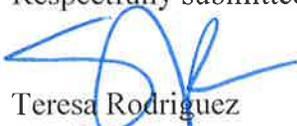
## RECOMMENDATION

If the Commission feels that required findings can be made, staff recommends that the Planning Commission approve Conditional Use Permit #16-07 with the following conditions:

1. That the project shall meet all SWPPP requirements related to concrete preparation, clean up, disposal and related items.
2. That no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity.
3. That no air contaminant shall be released into the atmosphere which causes a public nuisance.
4. That all equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere.
5. That all sand and aggregate conveyed shall be adequately moistened to prevent visible emissions in excess of 5% opacity.
6. That the quantity of concrete produced from the concrete batch plant shall not exceed 4 cubic yards in any one day.
7. That the PM10 emissions shall not exceed 0.0038 pounds per cubic yard of concrete produced from the dry concrete batch plant.
8. That the applicant shall maintain daily records of the total quantity of concrete produced from the concrete batch plant, in cubic yards, on the premises.
9. That if at any time the need for an expansion to the trash enclosure is needed, the applicant shall work with Public Works Department.
10. That the applicant shall enroll in the City's Commercial Recycling Program and comply with Commercial Recycling and Construction and Demolition waste disposal requirements.
11. That the applicant shall implement the guidelines for Vehicle & Equipment Cleaning set forth in the Multi-Agency Post-Construction Stormwater Standards Manual.
12. 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.

13. 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  
City Planner

Attachments

Site Development Plan

Owner's Operational Statement

SJVAPCD Permit Letter



Joe's Landscaping & Concrete, Inc. (JLC)

Conditional Use Permit

Concrete Batch Plant

Material Required

1. The concrete batch plan will be used Monday through Saturday from eight in the morning to five in the afternoon, and Sundays from eight in the morning to noon. This equipment will only need one person to operate it. Customers will haul concrete buggies with their own vehicles. JLC will only be mixing the product for them. As part of the nursery policy, it is the customers responsibility to return the concrete buggies cleaned at all times. But for those customers who do not return it clean, JLC will take care of hauling the remaining concrete using plastic pools.

2. This type of equipment lies on a commercial zone, and in no means will it affect the health or general welfare of any of our customers. This type of equipment is certified by the manufactures as well. Please see San Joaquin Valley Air Pollution Control District Permit which is attached.

3. Joe Garcia is the owner of the property

4. N/A

5. Location map attached

6. Site plan attached

7. N/A

8. Floor plan attached

9. N/A

10. N/A

11. Nursery permit (plants, landscape material,)

12. Environment form attached.

6/9/16 sm



## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-9263-1-0

**ISSUANCE DATE:** 05/11/2016

**LEGAL OWNER OR OPERATOR:** JOE'S LANDSCAPING & CONCRETE INC

**MAILING ADDRESS:** 100 S 2ND ST  
PATTERSON, CA 95363

**LOCATION:** 100 S 2ND ST  
PATTERSON, CA 95363

**EQUIPMENT DESCRIPTION:**

CONCRETE DRY BATCH OPERATION CONSISTING OF ONE CONVEYOR AND ONE-YARD HOPPER AND MIX TRAILER LOAD OUT.

### CONDITIONS

1. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
2. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
3. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
4. All sand and aggregate conveyed shall be adequately moistened to prevent visible emissions in excess of 5% opacity. [District Rule 2201]
5. The quantity of concrete produced from the concrete batch plant shall not exceed 4 cubic yards in any one day. [District Rule 2201]
6. The PM10 emissions shall not exceed 0.0038 pounds per cubic yard of concrete produced from the dry concrete batch plant. [District Rule 2201]
7. The daily records of the total quantity of concrete produced from the concrete batch plant, in cubic yards, shall be kept on the premises. [District Rule 2201]
8. The permittee shall maintain daily records of the concrete produced, in cubic yards, from this concrete batch plant shall be kept on the premises. [District Rule 2201]

CONDITIONS CONTINUE ON NEXT PAGE

**YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT.** This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO

*[Signature]*  
Arnaud Marjollet, Director of Permit Services  
N-9263-1-0 May 11 2016 8:05AM - CRUZ : Joint Inspection NOT Required

REC 6/9/16 An

9. All records shall be retained for a minimum of 5 years and shall be made available for District inspection upon request.  
[District Rule 1070]