

CITY OF PATTERSON PLANNING COMMISSION AGENDA
REGULAR MEETING
THURSDAY, AUGUST 25, 2016, AT 7:00 P.M.
City Council Chambers
1 Plaza, Patterson, California

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

STATEMENT OF CONFLICT BY COMMISSIONERS

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

CORRESPONDENCE None

INFORMATIONAL ITEMS None

CONSENT AGENDA

1. Planning Commission Meeting Minutes of June 9, 2016
2. Planning Commission Meeting Minutes of July 28, 2016
3. Planning Commission Meeting Minutes of August 11, 2016

AGENDA ITEMS

1. **Public Hearing:** **Minor Design Review #16-02, Walmart Online Pick-Up Extension 1030 Sperry Avenue, Patterson, CA 95363, APN# 021-042-012**
The project consists of the construction of an online grocery pick-up area. The extension will offer greater customer convenience when choosing how to pick-up their online purchases. Walmart is proposing the addition of a 1,499± square foot modular to match the existing architectural details of the building. Pick-up addition will result in a loss of twenty six (26) parking spaces, but the required parking stall ratios remain so no impact is foreseen. The proposed construction includes the transition of individual parking stalls into a canopy-covered area with power and communication extensions from the building and related parking lot striping. The project is exempt from review under the California Environmental Quality Act.

2. **Public Hearing:** **Architectural & Site Plan Review #16-04, Conditional Use Permit #16-08, Flores Excavation and Demolition, Inc., 317 S. 2nd Street, APN# 131-007-008**
The applicant has submitted an application for Conditional Use Permit and an Architectural and Site Plan Review. The applicant is proposing the use of a company yard for the storage of small equipment and vehicles within the shop. The applicant wishes to construct an 8' stucco wall around the perimeter of the parcel. Fencing over 6' tall require the approval from Planning Commission. The applicant is also proposing the installation of a portable office for non-public use. Due to the nature of the business, the project is exempt from review under the California Environmental Quality Act.

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

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

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. 9th 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.

Prepared by Denise Melo, Secretary
City of Patterson Planning Commission

CITY OF PATTERSON
PLANNING COMMISSION MINUTES
July 28, 2016

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

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

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

EXCUSED: Commissioner Barba

ITEMS FROM PUBLIC: None

STATEMENT OF CONFLICT BY COMMISSIONERS: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS: None

CONSENT AGENDA:

Motion to approve the Planning Commission minutes of May 26, 2016

Vice Chairman Applegate

Second: Commissioner Bendix

Motion passed: 4-0 with 1 Abstention

Abstention: Commissioner Barba

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

Abstention: Commissioner Barba

Planner Andrews informed the Commission about the upcoming APA Conference in October and stated two Commissioners are able to attend

Public Hearing:

City of Patterson Water Well #14, Negative Declaration #16-02, APN #047-031-041

Consideration of the environmental review of the Well #14 project, consisting of the construction, installation, and operation of a City owned water well, equipped with a turbine pump housed in a masonry building. The completed project consists of drilling of a test well and a production well, construction of the well housing structure (pump house approximately 20' x 30'), and appurtenances consisting of piping, electrical transformer, back-up power, site fencing, and access. The site will be approximately 1/2 to one acre in size with connection to Olive Avenue. The project site is located in the Villages of Patterson Master Development Plan Area. The initial study associated with the environmental review determined that no significant impact to the environment is anticipated when the project is implemented.

Planner Andrews gave the staff report and discussed the project with staff, Engineering Director Ulloa

Open Public Hearing: 7:29 p.m.

No public testimony

Close Public Hearing: 7:29 p.m.

Motion to approve City of Patterson Well #14 Negative Declaration #16-02

Second: Commissioner Bendix
Motion passed: Commissioner Bingham
Motion passed: 4-0 W/ 1 Abstention
Abstention: Vice Chairperson Applegate

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

ITEMS FROM STAFF:

Planner Andrews stated Les Schwab, Flying J and Prime Shine are all getting underway.

ITEMS FROM COMMISSION:

1. Vice Chairman Applegate asked if there was a traffic plan submitted for the poor construction going on with no warning near 1-5. He stated the City should file a formal complaint with the county because it was poorly managed.
2. Commissioner Bingham asked if Cuts Unlimited has installed the approved metal door at their business or did they just install the door/fencing on the inside of the business (which is not what was approved).

3. Commissioner Bingham asked what is going on with the hospital building that recently burned down.
4. Commissioner Bendix asked about the proposed sign for Flying J Travel Center.
5. Vice Chairman Applegate will probably not be able to attend the meeting on August 11, 2016.

ADJOURNMENT: The Planning Commission regular meeting of July 28, 2016 was adjourned by Chairman West at 7:45 p.m.

Prepared by Lisa Ochoa, Secretary
City of Patterson Planning Commission

**CITY OF PATTERSON
PLANNING COMMISSION MINUTES
AUGUST 11, 2016**

The Planning Commission regular meeting of August 11, 2016 was called to order by Chairperson West at 7:01 p.m.

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

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

EXCUSED: Commissioner Bingham

ITEMS FROM PUBLIC: None

STATEMENT OF CONFLICT BY COMMISSIONERS: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS: "The Basic Reason Why There Just Isn't Enough Decent Housing For the Poor" – The Washington Post

Commissioners had a conversation about the informational item.

CONSENT AGENDA:

The Planning Commission meeting minutes of June 9, 2016 were continued to the next meeting due to lack of quorum present to approve the minutes.

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.

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

Open Public Hearing: 7:10 p.m.

Ofelia Guevara, 102 Jersey Lane, Patterson

Ms. Guevara stated that ten children are currently enrolled in the daycare and they use the park nearby and take the kids to play there. She answered questions from the Commission.

Close Public Hearing: 7:11 p.m.

Commissioners discussed the proposed project and asked questions of staff.

Motion to approve Conditional Use Permit #16-01, (6 month review) Somos Un Mundo Daycare with five findings and 10 conditions of approval but removing condition of approval #9 and recommending that the use continue as permitted with no further requirement for periodic review:

Vice Chairperson Applegate

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.

Second: Commissioner Barba
Motion passed: 4-0 vote

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

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

Noes: None

Abstained: None

Excused: Commissioner Bingham

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.

Associate Planner Rodriguez introduced Consultant Scott Davidson to give a powerpoint presentation. He answered questions from the Commission.

Open Public Hearing: 7:29 p.m.

Brandon Parks, representing Pilot Travel Centers

Mr. Parks reiterated some statements that the consultant reviewed in the powerpoint presentation. He stated that he was available for questions that the Commission may have. He also stated that the signs were double sided and have LED lighting. Mr. Parks stated that although they would like the 75 foot sign, they are agreeable to a sign 60 feet in height. Mr. Parks answered questions from the Commission.

Close Public Hearing: 7:37 p.m.

Commissioners discussed the proposed project and asked questions of staff.

Motion to approve Resolution 2016-07 approving a master sign plan and Conditional Use Permit #16-02 for Pilot/Flying J with modifications to the conditions of approval as stated by the consultant to modify condition of approval #6 as follows: Prior to issuance of a building permit, the applicant shall modify the sign plan to: a) Reduce the height of the proposed freeway-oriented sign shall be modified from 75 feet to 60 feet in height; b) Modify the eastward facing portion of the Mid-Rise Sign so that fuel signs are not lit and other signs employ reduced light levels to be compatible with nearby residential uses; and c) Reduce the stone base of the columns so that they are proportionate to a 60' tall sign.

Vice Chairperson Applegate

Conditions of Approval

1. The project shall comply with all applicable State and Municipal Codes, including the 2010 California Building Codes and the 2010 California Green Code and meet the requirements of the Public Works Department, City Engineer, Building Inspector, Planning Department and Fire Chief.
2. The applicant shall comply with all conditions of approval and adopted mitigation measures.
3. Development shall occur in substantial conformance with the site plan as may be approved by the Planning Commission.
4. The applicant shall agree to defend at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of said approval, or in 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.

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5. All signage shall be submitted for a sign permit and shall be in accordance with relevant provisions of the Patterson Zoning Ordinance and that any proposed monument sign shall be constructed with design elements and materials reflective of those of the main building.
6. Prior to issuance of a building permit, the applicant shall modify the sign plan to:
 - a) Reduce the height of the proposed freeway-oriented sign shall be modified from 75 feet to 60 feet in height;
 - b) Modify the eastward facing portion of the Mid-Rise Sign so that fuel signs are not lit and other signs employ reduced light levels to be compatible with nearby residential uses; and
 - c) Reduce the stone base of the columns so that they are proportionate to a 60' tall sign.

Second: Commissioner Bendix
Motion passed: 4-0 vote

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

3. Public Hearing: **Conditional Use Permit #16-07 Joe’s Landscaping & Concrete, Inc. (Concrete Batch Plant), 100 S. 2nd Street, Patterson, APN # 131-003-013**
 The applicant has submitted an application for a concrete batch plant at 100 S. 2nd 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.

Associate Planner Rodriguez gave the staff report.

Open Public Hearing: 7:45 p.m.

Joe Garcia, owner of Joe’s Landscaping & Concrete

Mr. Garcia stated that he is thankful for the residents of Patterson and their support. He stated that he would like to add the concrete batch portion to the business in Patterson. He answered questions from the Commission.

Close Public Hearing: 8:07 p.m.

Commissioners discussed the proposed project and asked questions of staff.

Motion to approve Conditional Use Permit #16-07 with two findings and thirteen conditions of approval with the addition of condition of approval #14 “that the applicant shall provide an informational flyer regarding proper disposal of clean-out material.”

Commissioner Bendix

Conditions of Approval

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.
14. That the applicant shall provide an informational flyer regarding proper disposal of clean-out material.

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

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

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

Noes: None

Abstained: None

Excused: Commissioner Bingham

ITEMS FROM STAFF:

Associate Planner Rodriguez stated that the next Planning Commission meeting will be on August 25th with two items on the agenda; one modular addition to Walmart for online pickup and a conditional use permit for a business on Highway 33.

ITEMS FROM COMMISSION: None

ADJOURNMENT: The Planning Commission regular meeting of August 11, 2016, was adjourned by Chairperson West at 8:13 p.m.

Prepared by Denise Melo, Secretary
 City of Patterson Planning Commission

**CITY OF PATTERSON
Planning Commission Staff Report
Walmart Online Grocery Pick-Up
Minor Design Review #16-02
August 25, 2016 Meeting**

PROJECT SUMMARY

A public hearing to consider the addition of an online grocery pickup area to the existing Walmart Supercenter.

APPLICANT AND SITE INFORMATION

Applicant:	Bohler Engineering VA, LLC
Owners:	Walmart Real Estate Business Trust
Environmental Review:	Exempt
Location:	1030 Sperry Avenue
Assessor Parcel Number:	021-042-012
Building Size:	1,400 sf (Existing Walmart is 153,351 sf)
Parcel Size:	Approximately 645,559 square feet
General Plan Designation:	GC, General Commercial
Zoning Designation:	GC, General Commercial
Present Land Use:	Commercial
Surrounding Land Uses:	Commercial, Single family residences
Recommendation:	Conditional Approval

BACKGROUND AND PROJECT DESCRIPTION

This Minor Design Review relates to the placement of a modular online grocery pickup area to the existing Wal-Mart Supercenter at 1030 Sperry Avenue. In 2010, the Planning Commission approved an amendment to the Patterson Plaza, approving a Wal-Mart store. The applicants are seeking an expansion to the existing Walmart for the accommodation of a new service; online grocery pick-ups. This option will extend the online shopping experience for the community and offer customers greater convenience when choosing how to pick up their merchandise. The customers will order and pay online and receive a scheduled pickup time. Once at the store, they will be able to send a text to the store and the ordered goods will be delivered to their vehicle.

The expansion is a modular building proposed to be attached on the west side of the existing building. It will match the existing materials and finishes used on the main building and utilize a color palette that features earth tones and multicolor accent walls. The expansion also includes the transition of individual parking stalls into a canopy-covered area with power and communication extensions from the building and related parking lot striping.

Chapter 18.16.120 Minor Design Review states the planning director is the approving authority for a minor design review. However, the planning director may also refer a minor design review to the planning commission for review and approval. All referrals to the planning commission shall be considered as a noticed public hearing. On Thursday, August 11, 2016, planning staff noticed the Minor Design Review for public comments. Because staff received a letter of objection from a member of the public, staff decided to refer the approval to the planning commission.

The project was routed to all city departments and no concerns were noted.

ENVIRONMENTAL REVIEW

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

FINDINGS

In order to approve the Minor Design Review application, the Planning Commission must find the following:

1. The proposed project is consistent with the General Plan.
2. The proposed use is in accordance with the objective of the zoning code and the purposes of the district in which the site is located.
3. The proposed project is in compliance with each of the applicable provisions of the zoning code and community design guidelines.
4. The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

ALTERNATIVE ACTIONS

1. Determine that the findings for the Minor Design Review can be made and motion to approve MDR #16-02 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Minor Design Review can be made, and motion to approve MDR#16-02 subject to the conditions recommended in the staff report with changes/revisions as may be submitted by the Commission.
3. Determine that the findings for the Minor Design Review cannot be made and deny MDR #16-02.

RECOMMENDATION

Staff's recommendation is that the Commission should motion to approve Minor Design Review #16-02 subject to the findings and following conditions of approval:

1. That construction activity resulting in a land disturbance of one acre or more occur, a Storm Water Pollution Prevention Program (SWPPP) must be on file with the Public Works Department prior to issuance of a rough grading or final grading permit. Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale must obtain the Construction Activities Storm Water General Permit (2009-0009-DWQ Permit). Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. Construction activity does not include routine maintenance such as, maintenance of original line and grade, hydraulic capacity, or original purpose of the facility. Therefore a SWPPP Plan must be completed and submitted to the City prior to any construction activities and must address grading, drainage, erosion control, and Post Construction BMPs. In addition, the project must file an NOI with the State via the SMARTS System to obtain a Stormwater State Permit (WDID).
2. The project shall comply with the latest edition of the California Green Building Code including sections related to Water Efficiency and Conservation for indoor and outdoor water use; Construction Waste Reduction, Disposal, and Recycling; Site Development; Construction & Demolition; Irrigation Controllers; Storm Water Drainage and Retention, etc.
3. That a Construction Waste Management Plan shall be submitted to the Public Works Department for review and approval. All businesses generating 4 cubic yards of waste per week must comply with AB 939 Commercial Recycling requirements.
4. That the project shall meet all applicable fire requirements as per the California Fire Code, including, but no limited to, occupancy load, egress (path of travel), fire extinguishers, and emergency lighting (illuminated exits); edition to be noted at the time of permit issuance.
5. That all areas on the premises must remain or be made accessible in compliance with the Americans with Disabilities Act and related legislation.
6. That prior to any construction, including "tenant improvements," plans shall be submitted and approved and shall be prepared by an architect or engineer licensed to practice in the State of California.
7. That approved fire extinguishers, if required, shall be installed at locations as specified by the Fire Chief or his/her designated representative.
8. That the project shall comply with all applicable State and Municipal Codes, and meet the requirements of the Public Works Director, City Engineer, Building Official, Community Development Director, and Fire Chief.

9. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter be responsible to defend, indemnify or hold the City harmless.

Respectfully submitted,



Teresa Rodríguez
Associate Planner

Attachments

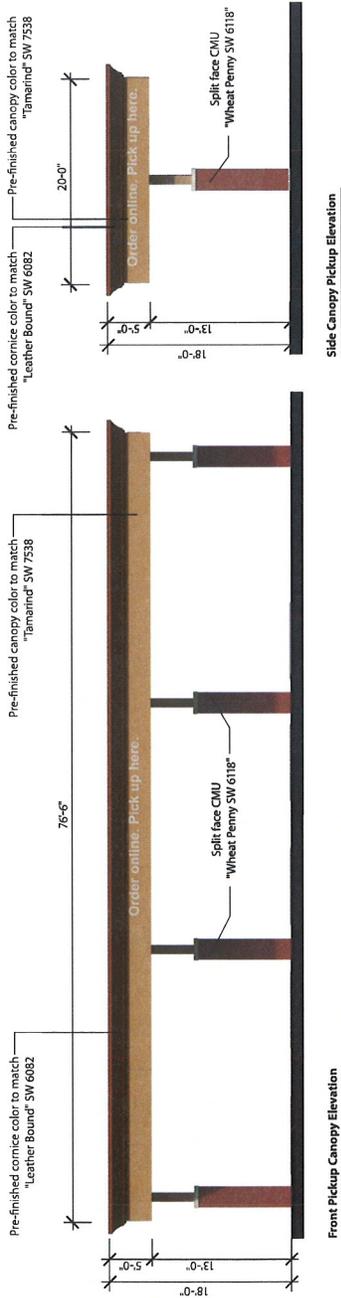
Elevation

Site Plan

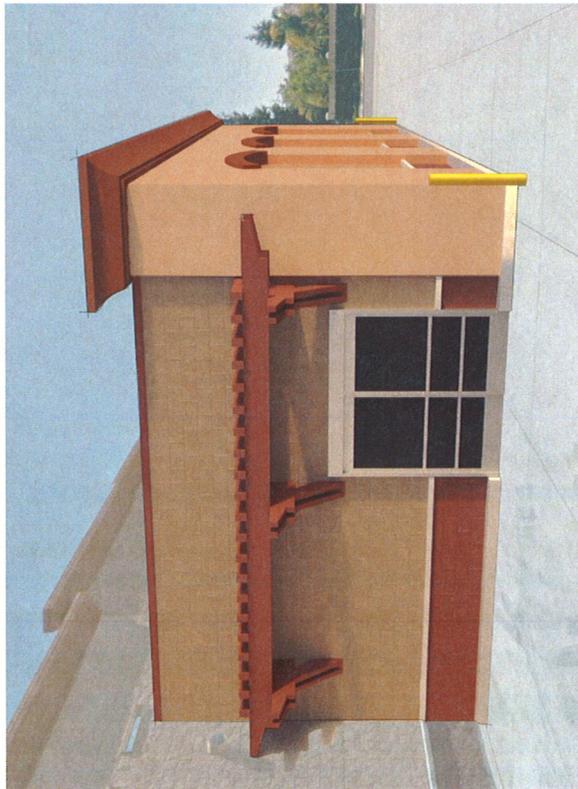
Walmart Online Grocery Pickup Information

Objection Letter

Public Notice for MDR

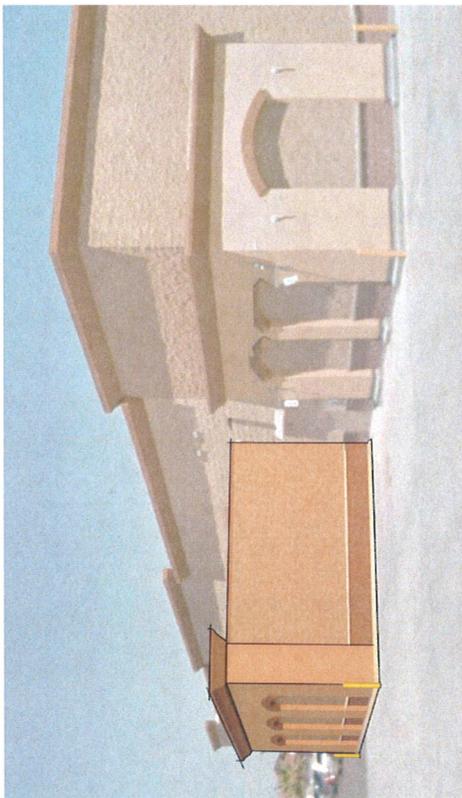


Front Pickup Canopy Elevation



Front Pickup Addition Perspective

NOTE: Match existing materials and finishes



Rear Pickup Addition Perspective

NOTE: Match existing materials and finishes



SGA Design Group
Daryl L. Bray, Architect

June 29, 2016

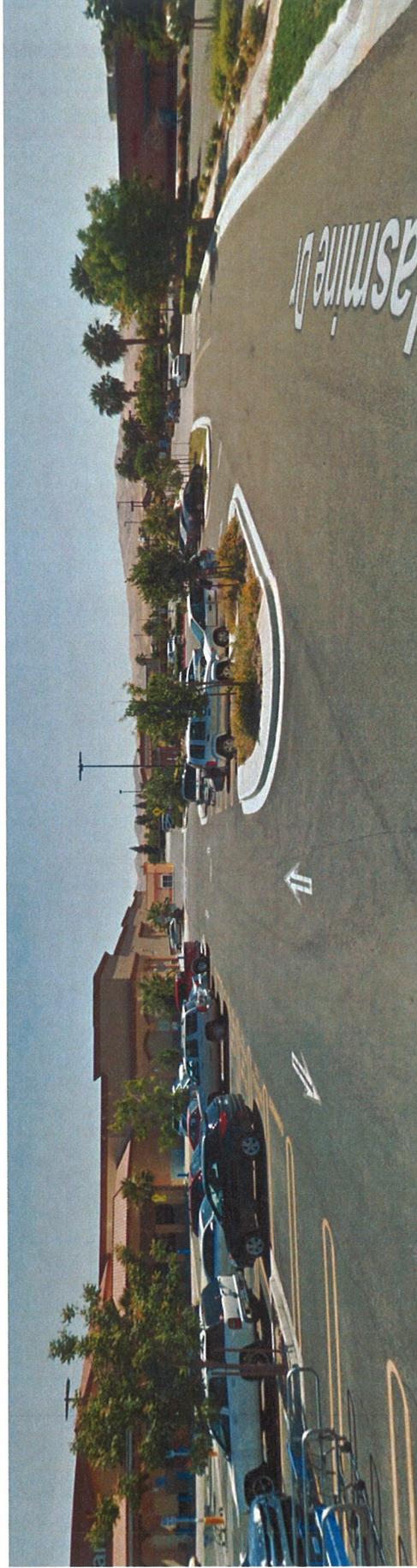
Modesto (Patterson), California #5843

Pickup Addition Perspectives

1



Rear Entrance Perspective



Front Drive Area Perspective

NOTE: Match existing materials and finishes



SGA Design Group
Daryl L. Bray, Architect

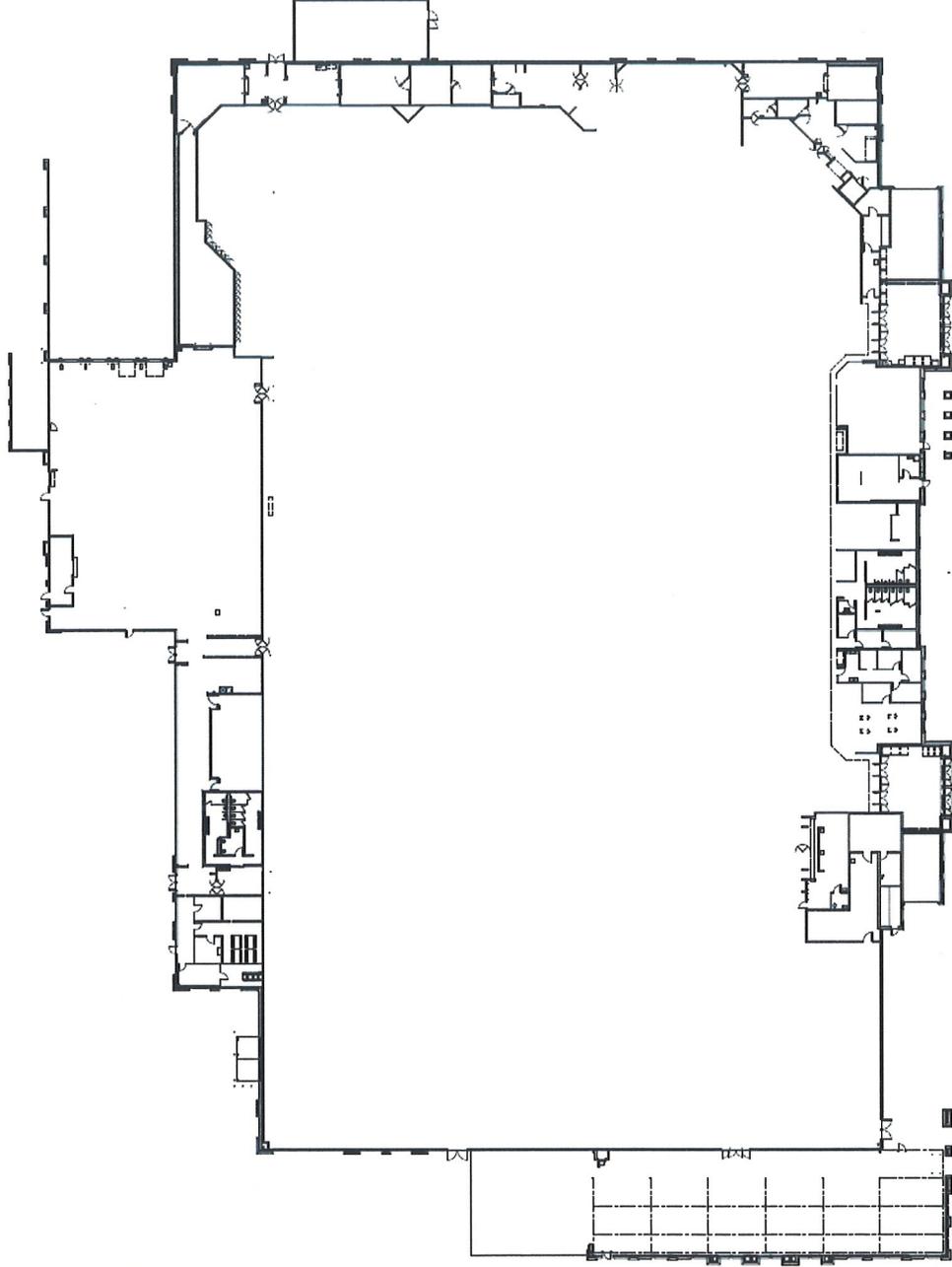
June 29, 2016

Modesto (Patterson), California #5843

Pickup Addition Site Perspectives

2

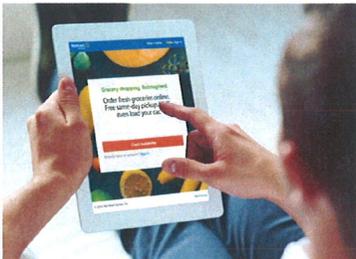
DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION. Rendering makes no representation of the final design. The building materials may not reflect work done in other phases. This rendering was prepared by SGA Design Group, Inc. All rights reserved. No part of this rendering may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of SGA Design Group, Inc.



As the nation's largest grocer and one of the fastest growing e-commerce companies, Walmart is uniquely positioned to make shopping faster and more convenient. That's why we're excited to announce the introduction of a new seamless digital and physical shopping experience, letting customers choose when, where and how to shop for groceries.

Through Walmart Online Grocery Pickup, customers choose from a broad assortment of groceries and other popular items from the convenience of their home or when they're out and about – and pick them up for free at their local Walmart store.

Order online ▼

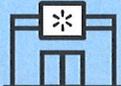


Pickup at your store ▼



After testing Walmart Online Grocery Pickup in select markets, we're beginning to expand the service for millions of additional customers to enjoy. As of the end of April 2016, we offer this convenient service in 30 markets and plan to steadily expand throughout the year.

How it Works:

-  **Order Online**
Shop grocery and consumables at walmart.com/grocery or thru the Walmart Grocery app and pay online
-  **Schedule Time**
Select a two-hour pickup window, which can be scheduled as soon as the same day or up to three weeks in advance
-  **Pickup**
Pick up at your local Walmart

Same Low Prices, High Quality and Friendly Service



The fresh food, grocery items and general merchandise available thru Online Grocery Pickup carry the same Every Day Low Prices customers find in our stores.



Pickup orders are filled by our Personal Shoppers, full-time Walmart associates dedicated to achieving satisfaction, ensuring the quality of the produce, meats, baked goods and other foods packed for pickup customers match our in-store selection.



As always, our associates strive to provide excellent customer service. When customers arrive for pickup, their groceries will carefully and quickly be placed in their vehicles.

Selection



“ I can find everything I need at Walmart Grocery, even the organics. ”

Lara, Loveland, CO

“ You can buy brand name products or you can buy Great Value products. Literally, they have everything you need online. ”

Jenny, Highlands Ranch, CO



“ Before Walmart Grocery, shopping was a chore. ”

Jeff, Thornton, CO

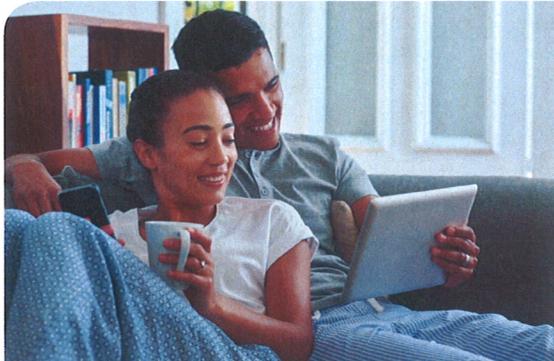


Convenience



“ Thanks to Walmart Grocery, I have more time to do what we love to do. ”

Kimberly, Highlands Ranch, CO



What items are available from Walmart Online Grocery Pickup?

Customers can choose from a wide array of grocery items, including fresh foods, meats and dairy, baked goods and frozen and dry goods. Our most popular general merchandise items are also available.

How do I know my produce and other grocery goods will be carefully selected and handled?

Online Grocery Pickup orders are filled by our Personal Shoppers, full-time Walmart associates who exclusively work in pickup service. They are dedicated to treating each order as if it were their own – selectively choosing the produce, meats, baked goods and other items that you request. Their primary goal is customer satisfaction.



Is there a fee associated with pickup service?

No. Online Grocery Pickup is a free service provided by Walmart for our customers. All of the grocery items and general merchandise available thru pickup are available at the same Every Day Low Prices found in our stores.



How can I place a pickup order?

Customers can place an order by visiting our website at walmart.com/grocery or thru the Walmart Grocery app, available for download on iPhone and Android mobile phones.

How far ahead do I need to place my order?

Customers select a two-hour pickup window, which can be scheduled as soon as the same day or up to three weeks in advance.



Will I need to find parking and go in the store to get my order?

No. Customers arriving for pickup drive to a designated area where they enter their order number into a keypad. An associate will then bring out the order and load the merchandise into the vehicle. The entire transaction should take 2-3 minutes.

To whom it may concern

Aug. 1, 2016

I am appealing the proposed project of the construction of an online grocery pick up area, that is going to take place at Walmart. Obviously, no one is aware of the constant disturbances we are already dealing with.

The biggest concern is the criminal activity that is taking place, my fear of someone stealing and jumping over the 5 foot retaining wall to hide in our yard has already happened. The countless other crimes that continue to happen in Walmart, the latest being the shooting that just took place in the parking lot. We have been residents of Patterson for 26 years, at the same location. Walmart is right behind our house, on the Ward avenue side. Raising the retaining wall might help deter a thief from jumping into our yard. Our sub-division has the shortest retaining wall, compared to the other sub-divisions that surround Walmart.

It is very upsetting at 12 midnight or later, when most are sleeping, to be awakened by:

1. Cleaning the parking lot, you hear that constant humming.
2. Who knows what they're unloading, the sounds of something dropping.
3. What sounds like power washing.
4. Employees gathering carts, sometimes playing crash carts, just loud talking.
5. The loitering, skaters or young car enthusiast whose trucks sound like a speeding train.
6. Big rigs and RV's who park overnight, I thought this wasn't supposed to happen. I sure don't like when I step in my backyard and all I see is this huge hunk of metal.

Thank you



Josie Sanchez

RECEIVED

AUG 01 2016

CDD / PLANNING DIVISION
BY:



5:03 PM
L. Ochon
LISA OCHON

**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 25, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

**Public Hearing: Minor Design Review #16-02, Walmart Online Pick-Up Extension
1030 Sperry Avenue, Patterson, CA 95363, APN# 021-042-012**

The project consists of the construction of an online grocery pick-up area. The extension will offer greater customer convenience when choosing how to pick-up their online purchases. Walmart is proposing the addition of a 1,499± square foot modular to match the existing architectural details of the building. Pick-up addition will result in a loss of twenty six (26) parking spaces, but the required parking stall ratios remain so no impact is foreseen. The proposed construction includes the transition of individual parking stalls into a canopy-covered area with power and communication extensions from the building and related parking lot striping. The project is exempt from review under the California Environmental Quality Act.

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

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

Denise Melo, Planning Technician II
Community Development Department



**CITY OF PATTERSON
Planning Commission Staff Report
Flores Excavation & Demolition INC.
Architectural & Site Plan Review #16-04
Conditional Use Permit #16-08
August 25, 2016 Meeting**

PROJECT SUMMARY

A public hearing to consider the installation of an eight (8') foot masonry wall at 317 South 2nd Street, within the General Commercial Zone.

APPLICANT AND SITE INFORMATION

Applicant:	Brian Flores
Owners:	Brian & Marie Flores
Environmental Review:	Exempt
Location:	317 S. 2nd Street
Assessor Parcel Number:	131-007-008
Building Size:	4,412 sf (Home & Shop)
Parcel Size:	Approximately 30,000 square feet
General Plan Designation:	GC, General Commercial
Zoning Designation:	GC, General Commercial
Present Land Use:	Vacant Land
Surrounding Land Uses:	Commercial Uses, Residential
Recommendation:	Conditional Approval

BACKGROUND AND SITE DESCRIPTION

This Conditional Use Permit and Architectural & Site Plan Review relates to the installation of an eight foot tall masonry wall and the placement of a portable office.

Chapter 18.70. Fences, Walls and Screening establishes development standards and regulations for fences and walls. The intent of these regulations is to provide for adequate air and light permeability onto lots, for adequate buffering between and screening of uses and activities, and for the mitigation of noise. One of the development standards within that chapter calls for a maximum height limit of six feet (6') for all fencing within the General Commercial Zone.

PROJECT DESCRIPTION

The applicant acquired the property in July 2016 and would like to utilize the parcel as his company yard for the storage of his business related equipment and vehicles. The parcel was previously utilized as a small mobile home park. Since the change of ownership the applicant has cleaned out the parcel and would like to operate his business at 317 S. 2nd Street. The applicant is also proposing to install a portable office modular (only accessible to staff). The modular would

be located on the north side of the parcel. The parcel has an existing home that the applicant wishes to rehabilitate and utilize as housing for an employee.

The parcel has two driveway access points facing 2nd Street. There are no proposed changes to the existing driveways, just the installation of two manual sliding gates.

ENVIRONMENTAL REVIEW

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

ALTERNATIVE ACTIONS

1. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit can be made, and motion to approve Architectural & Site Plan Review #16-04 & Conditional Use Permit #16-08 subject to the conditions recommended in the staff report.
2. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit can be made, and motion to approve Architectural & Site Plan Review #16-04 & Conditional Use Permit #16-08 subject to the conditions recommended in the staff report with changes/revisions as may be submitted by the Commission.
3. Determine that the findings for the Architectural & Site Plan Review & Conditional Use Permit cannot be made and deny Architectural & Site Plan Review #16-04 & Conditional Use Permit #16-08.

FINDINGS

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

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

RECOMMENDATION

Staff's recommendation is that the Commission should:

1. Conduct a public hearing and allow members of the public to testify;
2. Consider the issues discussed in this report; And,
3. Motion to approve Architectural & Site Plan Review #16-04 & Conditional Use Permit #16-08 subject to the findings and following conditions of approval:

1. That the project shall comply with all applicable State and Municipal Codes, and meet the requirements of the Public Works Director, City Engineer, Building Official, Community Development Director, and Fire Chief. Plans submitted for construction shall be overprinted or have attached all conditions of approval.
2. That the masonry wall be treated with a graffiti-resistant aesthetic surface.
3. That the wall shall include offsets consistent with the Page 50 of the Community Design Guidelines related to fences and walls.
4. That a Fire Department approved knox box be installed in an accessible area.
5. That prior to any work, a building permit shall be obtained.
6. The applicant shall obtain an encroachment permit from the Public Works Department for any work conducted within the public right-of-way.
7. Prior to issuance of a certificate of occupancy, the address shall be clearly visible on the building per City Standards.
8. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter be responsible to defend, indemnify or hold the City harmless.

Respectfully submitted,



Teresa Rodríguez
Associate Planner

Attachments

Site Plan

Owner's Statement

Location Map

Community Design Guidelines, page 50

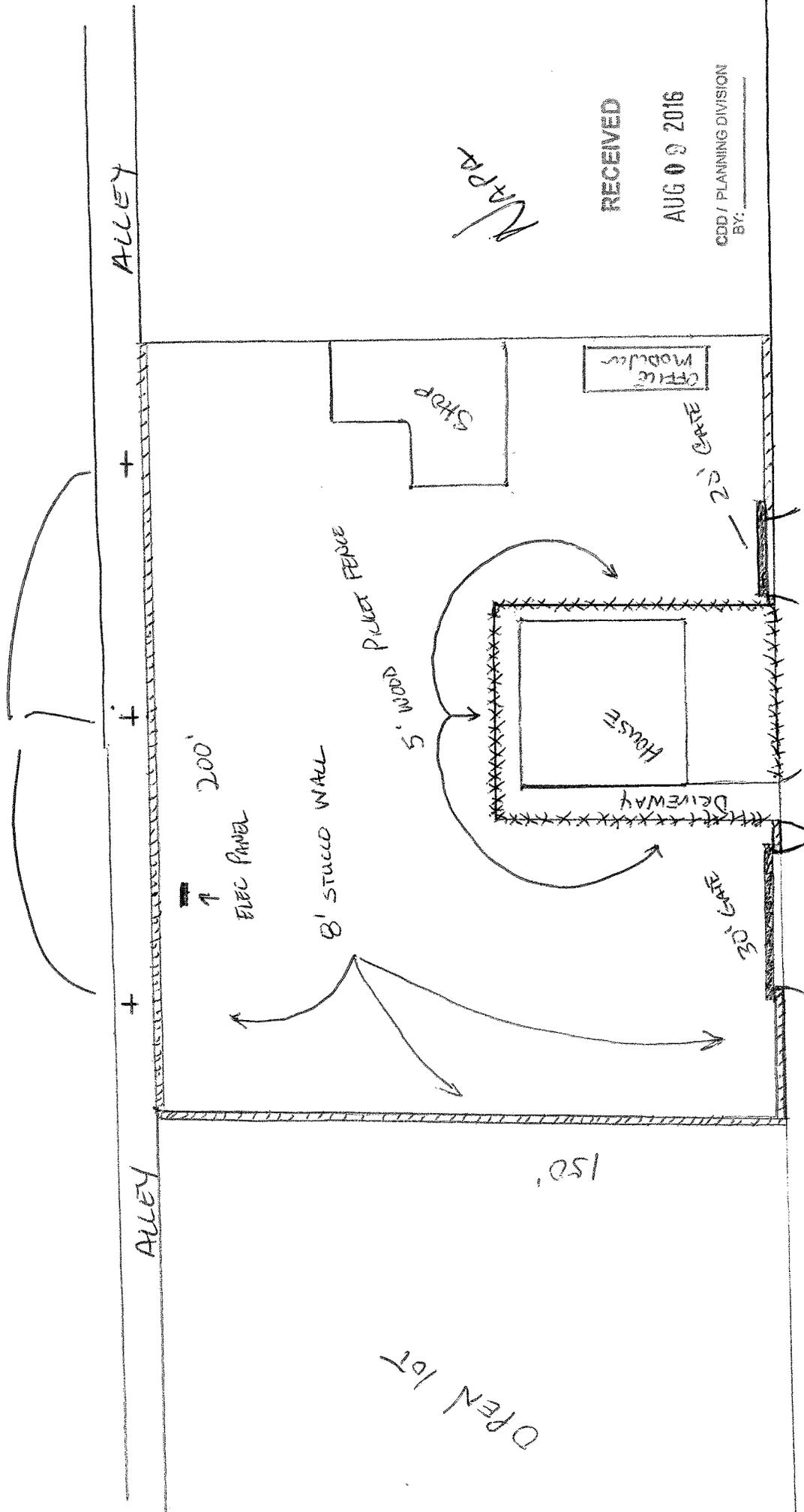
Public Notice

317 S. 2ND STREET, PATTERSON CA. 95363

483' OF 8' TALL STUCCO WALL



WATER METERS



MAPA

RECEIVED

AUG 09 2016

CDD / PLANNING DIVISION
BY: _____

HWY 33

FLORES EXCAVATION & DEMOLITION INC.

GENERAL ENGINEERING & DEMOLITION CONTRACTORS

"We Dig..... Crushing"

CALIFORNIA CONTRACTORS LICENSE NUMBER 985609

POST OFFICE BOX 1416

PATTERSON, CALIFORNIA 95363

(209) 892-1099 OFFICE (209) 892-8929 FAX

info@floresexcavationdemolition.com

www.floresexcavationdemolition.com



Proposed Use

317 South 2nd Street, Patterson, Ca. 95363

Joel,

This property will be used as our company yard, small equipment and vehicles will be stored under lock and key in the shop. We will put in a portable office for non public use, and there will be one of my employees living in the home. The home will also be remodeled/ freshened up. This property will not have high traffic in out of it.

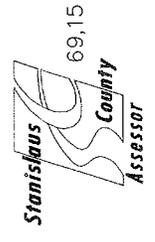
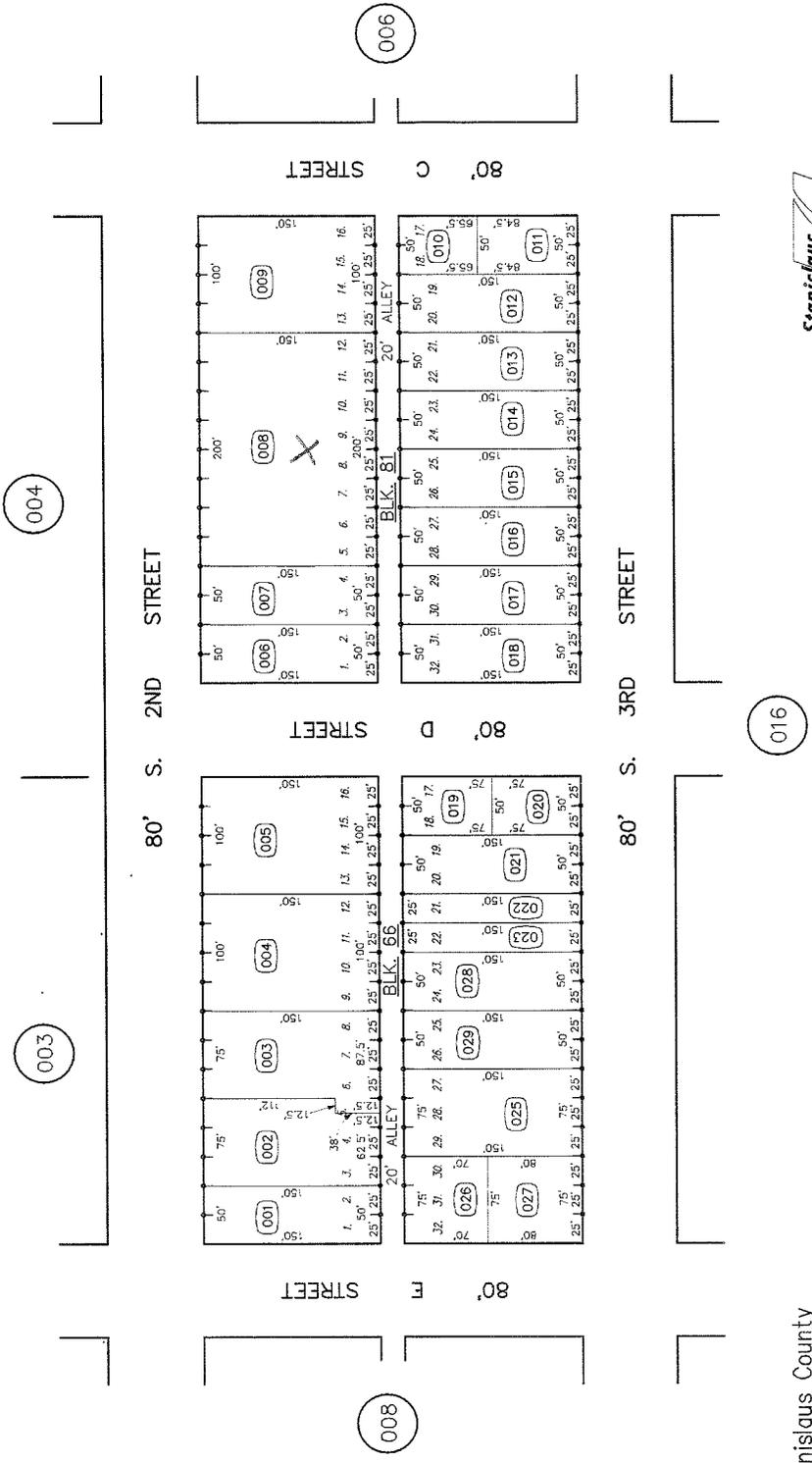
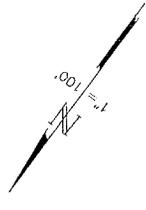
Do to the area and issues with the transits , we really need to put up a secure sturdy fence/ wall around the property. We are purposing a 8' stucco wall and to steel gates. Please let me know if you need anything else.

THANKS , Brian Flores

POR. SE 1/4 SEC. 30 T.5S. R.8E. M.D.B.& M.
 POR. TOWN OF PATTERSON - BLKS. 66 & 81 (04M39)

005 028 131 - 007

THIS MAP FOR
 ASSESSMENT PURPOSES ONLY



69,15

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FROM 131-33, 38
 DRAWN 9-17-68
 REVISED 5-5-09 (VDH, 04-23-15 MB)

131 - 007

- exceeding 4:1. Landscaping (with an irrigation system) should be installed in the space between walls.
3. Long, monotonous fences or walls should be avoided. Fences and walls should be offset at least every 10 feet. Landscaping should be installed in offset areas where appropriate. Landscaping along fences and walls should be coordinated with the street tree planting scheme.



Staggered wall surface helps break up linearity.



Planter incorporated into wall provides relief from flat surface.



Variation in wall height along with foundation planting softens its appearance.



Wood fencing is less formal and reinforces pedestrian character.

**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 25, 2016, at 7:00 p.m.**, in the City Council Chambers located at 1 Plaza, Patterson, to consider the following:

Public Hearing: **Architectural & Site Plan Review #16-04, Conditional Use Permit #16-08, Flores Excavation and Demolition, Inc., 317 S. 2nd Street, APN# 131-007-008**
The applicant has submitted an application for Conditional Use Permit and an Architectural and Site Plan Review. The applicant is proposing the use of a company yard for the storage of small equipment and vehicles within the shop. The applicant wishes to construct an 8' stucco wall around the perimeter of the parcel. Fencing over 6' tall require the approval from Planning Commission. The applicant is also proposing the installation of a portable office for non-public use. Due to the nature of the business, the project is exempt from review under the California Environmental Quality Act.

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

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

Denise Melo, Planning Technician II
Community Development Department

