



# City of Los Banos

At the Crossroads of California

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## AGENDA

### PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**JULY 27, 2016**

*If you require special assistance to attend or participate in this meeting, please call the Planning Secretary @ (209) 827-7000 extension 118 at least 48 hours prior to the meeting.*

*The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.*

*Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria del Departamento de Planificación al (209) 827-7000 extensión 118 a lo menos de 48 horas previas de la junta.*

*La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.*

*Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the Planning Department's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.losbanos.org](http://www.losbanos.org).*

*Cualquier escritura o los documentos proporcionaron a una mayoría del Departamento de Planificación con respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina del Secretaria del Departamento de Planificación del City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la Ciudad en [www.losbanos.org](http://www.losbanos.org).*

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (Planning Commission Members)  
Cates \_\_, Faktorovich \_\_, Limon \_\_, Llamas \_\_, McCoy \_\_, Spada \_\_,  
Toscano \_\_

4. APPROVAL OF AGENDA.

*Recommendation: Approve the agenda as submitted.*

5. PUBLIC FORUM: Members of the public may address the Commission on any item of public interest that is within the jurisdiction of the Commission, including agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation.

6. PUBLIC HEARINGS: If you challenge the proposed action as described herein in court, you may be limited to raising only those issues you or someone else raised at the public hearing described herein or in written correspondence delivered to the City at, or prior to, the public hearing.

A. Public Hearing – to Consider Vesting Tentative Tract Map #2016-01, Final Development Plan #2016-01, East Center Area Plan Amendment, and Associated Mitigated Negative Declaration for The Villas Consisting of the Subdivision of Approximately 58.8 Acres into 378 Single-family Residential Lots Ranging from Custom and Semi-custom Homes to Production Homes; Approximately 51 Acres of the Project Site Will be Contained within a Private Gated-community with a Four Acre Park/Detention Basin; the Final Development Plan Consists of Site Design and Conceptual Architecture to Implement the Planned Development Zoning; the Project Site is Located East of Center Avenue, South of the Cresthills #1 Subdivision, West of Cresthills #2 Subdivision, and North of Pioneer Road and the City Limit Line; More Specifically Identified as Assessor's Parcel Numbers: 431-270-010 and 431-270-004 **(Continued from May 25, 2016; Continue to a Date Certain).**

1) Planning Commission Resolution No. 2016-15 – Approving The Villas Vesting Tentative Tract Map No. 2016-01 for the Subdivision of Approximately 58.8 Acres into 231 Single-family Residential Lots Located Generally East of Center Avenue, South of the Cresthills #1 Subdivision, West of Cresthills #2 Subdivision, and North of Pioneer Road and the City Limit Line; More Specifically Identified as Assessor's Parcel Numbers: 431-270-010 and 431-270-004.

2) Planning Commission Resolution No. 2016-16 – Recommending Approval to the Los Banos City Council of Final Development Plan #2016-01 for The Villas.

*Recommendation: Receive staff report, open the public hearing, receive public comment, and continue the public hearing to a date certain.*

B. Public Hearing – to Consider a Conditional Use Permit and Associated California Environmental Quality Act (CEQA) Categorical Exemption to Allow the Use of a Type 41 Alcohol License for the On-sale of Beer and Wine in Conjunction with an Eating Place for Wingstop Located at 1989 E.

Pacheco Boulevard, Suite K, More Specifically Identified as Assessor's Parcel Number: 083-140-028.

- 1) Planning Commission Resolution No. 2016-36 – Recommending Approval of Conditional Use Permit #2016-15 to the Los Banos City Council for the Use of a Type 41 Alcohol License for the On-sale of Beer and Wine in Conjunction with an Eating Place for Wingstop Located at 1989 E. Pacheco Boulevard, Suite K.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

- C. Public Hearing – to Consider a Conditional Use Permit and Associated California Environmental Quality Act (CEQA) Categorical Exemption to Allow the Use of a Type 21 Alcohol License for the Off-sale of General Alcohol and Type 86 Alcohol License for Instructional Tasting of Alcohol for Save Mart Supermarkets Located at 1400 S. Mercey Springs Road, Suite B, More Specifically Identified as Assessor's Parcel Number: 083-130-040.

- 1) Planning Commission Resolution No. 2016-37 – Recommending Approval of Conditional Use Permit #2016-14 to the Los Banos City Council for the Use of a Type 21 Alcohol License, "Off-sale General Alcohol" and Type 86 Alcohol License, "Instructional Tasting", for Save Mart Supermarkets Located at 1400 South Mercey Springs Road, Suite B.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

- D. Public Hearing – to Consider Cottage Food Operation #2016-01 and Associated California Environmental Quality Act (CEQA) Categorical Exemption at the Residence of 695 Chinaberry Court for Sarah Vanlobensels Located within the Low Residential Zoning District (R-1) and More Specifically Identified as Assessor's Parcel Number: 431-060-016.

- 1) Planning Commission Resolution No. 2016-35 – Approving Cottage Food Operation Permit #2016-01 for 695 Chinaberry Court, More Specifically Identified as Assessor's Parcel Number : 431-060-016.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

7. DESIGN REVIEW STUDY SESSION – THE CONSTRUCTION OF A NEW 9,536 SQUARE FOOT MULTI-TENANT RETAIL BUILDING WITH A DRIVE-THRU ON 1.22 ACRES AT 1420 E. PACHECO BOULEVARD IN THE HIGHWAY-COMMERCIAL ZONING DISTRICT.

*Recommendation: Receive staff report and provide initial feedback to the applicant.*

8. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.

9. COMMISSIONER REPORTS.

- A. Cates
- B. Faktorovich
- C. Limon
- D. Llamas
- E. McCoy
- F. Spada
- G. Toscano

10. ADJOURNMENT.

**APPEAL RIGHTS AND FILING PROCEDURES**

Any person dissatisfied with an act or determination of the Planning Commission may appeal such act or determination to the Planning Commission by filling written notice with the Planning Commission Secretary not later than five (5) business days (excluding holidays) after the day on which the act or determination was made. An appeal must state the act or determination which is being appealed, the identity of the applicant and his/her interest in the matter, and set forth in concise statement(s) the reasons which render the Commission's decision unjustified or inappropriate. (Los Banos Municipal Code Section 9-3.2326)

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the Los Banos Municipal Code "Subdivisions", if a subdivider or other affected property owner is dissatisfied with any action of the Commission with respect to a tentative map or the nature and extent of improvements recommended or required he/she may within fifteen (15) days after such action appeal to the Planning Commission Secretary for a public hearing on the matter. An appeal must state the action being appealed, identify the agenda item by agency number or project title, and set forth in concise statement(s) the reasons for the appeal. (Los Banos Municipal Code Sections 9-2.807)

Appeals must be in writing and include the appellant's name and address and original signature. A filing fee of \$150.00 must accompany the notice of appeal.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

  
Sandra Benetti, Planning Technician

Dated this 22<sup>nd</sup> day of July 2016