

**CITY OF LOS BANOS  
PLANNING COMMISSION MEETING MINUTES  
SEPTEMBER 23, 2015**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

**CALL TO ORDER.** Chairperson Spada called the Planning Commission Meeting to order at the hour of 7:01 p.m.

**PLEDGE OF ALLEGIANCE.** The pledge of allegiance was led by Commissioner Cates.

**ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT:** Planning Commission Members Todd Baker, John Cates, Arkady Faktorovich, Tom Spada, and Susan Toscano; Stephen Hammond and Palmer McCoy absent.

**STAFF MEMBERS PRESENT:** Senior Planner Stacy Elms, Planning Technician Sandra Benetti, City Attorney William Vaughn.

**CONSIDERATION OF APPROVAL OF AGENDA.** Motion by Cates, seconded by Baker to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Hammond and McCoy absent.

**CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2015.** Motion by Faktorovich, seconded by Baker to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Hammond and McCoy absent.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE.** Chairperson Spada opened the public forum. No one came forward to speak and the public forum was closed.

**PUBLIC HEARING – TO CONSIDER SITE PLAN REVIEW #2015-04 FOR SLEEP TRAIN MATTRESS STORE FOR THE DEVELOPMENT OF A 4,000 SQUARE FOOT RETAIL MATTRESS STORE ON APPROXIMATELY 0.75 ACRES LOCATED WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT IN THE STONECREEK PLAZA**

**AT 1357 W. PACHECO BOULEVARD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 430-010-044.** Senior Planner Elms presented the staff report, which included a PowerPoint presentation.

Commissioner Toscano stated that the applicant did a beautiful job on this project.

Commissioner Cates thanked the representative for working with the City on the great design of this building.

Chairperson Spada opened up the public hearing. Clement Balser, United Growth and representative for the applicant, spoke of Sleep Train's excitement to be part of this community and looks forward to joining the City of Los Banos; Chairperson Spada thanked Mr. Balser for his work and bringing this project to our community. No one else came forward to speak and the public hearing was closed.

Motion by Faktorovich, seconded by Toscano to adopt Planning Commission Resolution No. 2015-35 - Approving Site Plan #2014-04 for the Construction of a 4,000 Square Foot Retail Mattress Store for Sleep Train Located at 1357 West Pacheco Boulevard, More Specifically Identified as Assessor's Parcel Number: 430-010-044. The motion carried by the affirmative action of all Planning Commission Members present; Hammond and McCoy absent.

**PUBLIC HEARING – TO CONSIDER SITE PLAN REVIEW #2015-05 FOR THE EXPANSION OF MI BARRIO FOOD & GAS MART FOR THE EXPANSION OF AN EXISTING RETAIL CONVENIENCE STORE BY 1,832 SQUARE FEET ON APPROXIMATELY 0.80 ACRES LOCATED WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT AT 403 N. MERCY SPRINGS ROAD, MORE SPECIFICALLY DESCRIBED AS ASSESSOR'S PARCEL NUMBER: 082-072-024.** Senior Planner Elms presented the staff report, which included a PowerPoint presentation, and noted the applicant was present to answer any questions.

Commissioner Toscano spoke of her admiration for the property since Mi Barrio came in, how it has become such a great looking site, and thanked the applicant, Mr. Jay Virk.

Chairperson Spada opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Cates, seconded by Faktorovich to adopt Planning Commission Resolution No. 2015-36 - Approving Site Plan #2015-05 for the Expansion of an Existing Convenience Store by 1,832 Square Feet for Mi Barrio Food & Gas Mart Located at 403 North Mercy Springs Road, More Specifically Identified as Assessor's Parcel Number: 082-072-024. The motion carried by the affirmative action of all Planning Commission Members present; Hammond and McCoy absent.

**PUBLIC HEARING – TO CONSIDER VESTING TENTATIVE TRACT MAP #2015-01, FINAL DEVELOPMENT PLAN #2015-01, AND ASSOCIATED DEVELOPMENT**

**AGREEMENT FOR SOUTHPOINTE AT REGENCY PARK, CONSISTING OF SUBDIVIDING 109 ACRES INTO 510 SINGLE-FAMILY RESIDENTIAL LOTS, OPEN SPACE, AND A DETENTION BASIN LOCATED EAST OF PLACE ROAD AND OVERLAND AVENUE, NORTH OF VERONA ESTATES, AND WEST OF WARD ROAD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 424-120-009 AND 073-220-015 (CONTINUE TO A DATE CERTAIN).** Senior Planner Elms noted that the applicant would like to continue the public hearing to December 9, 2015.

Chairperson Spada opened the public hearing. No one came forward to speak and the public hearing was continued.

Motion by Faktorovich, seconded by Baker to continue the Public Hearing – to Consider Vesting Tentative Tract Map #2015-01, Final Development Plan #2015-01, and Associated Development Agreement for Southpointe at Regency Park, Consisting of Subdividing 109 Acres into 510 Single-Family Residential Lots, Open Space, and a Detention Basin Located East of Place Road and Overland Avenue, North of Verona Estates, and West of Ward Road, More Specifically Identified as Assessor's Parcel Numbers: 424-120-009 and 073-220-015 to December 9, 2015. The motion carried by the affirmative action of all Planning Commission Members present; Hammond and McCoy absent.

**PUBLIC HEARING – TO CONSIDER VESTING TENTATIVE TRACT MAP #2015-02, FINAL DEVELOPMENT PLAN #2015-02, AND ASSOCIATED DEVELOPMENT AGREEMENT FOR NORTHPOINTE AT REGENCY PARK, CONSISTING OF SUBDIVIDING 111 ACRES INTO 596 SINGLE-FAMILY RESIDENTIAL LOTS LOCATED EAST OF WESTMINSTER WAY, SOUTH OF SAN SIMEONE WAY, AND WEST OF THE SAN LUIS CANAL, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 424-010-002, 005, AND 006 (CONTINUE TO A DATE CERTAIN).** Senior Planner Elms noted that the applicant would like to continue the public hearing to December 9, 2015.

Chairperson Spada opened the public hearing. No one came forward to speak and the public hearing was continued.

Motion by Faktorovich, seconded by Baker to continue the Public Hearing – to Consider Vesting Tentative Tract Map #2015-02, Final Development Plan #2015-02, and Associated Development Agreement for Northpointe at Regency Park, Consisting of Subdividing 111 Acres into 596 Single-Family Residential Lots Located East of Westminster Way, South of San Simeone Way, and West of the San Luis Canal, More Specifically Identified as Assessor's Parcel Numbers: 424-010-002, 005, and 006 to December 9, 2015. The motion carried by the affirmative action of all Planning Commission Members present; Hammond and McCoy absent.

**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.** Senior Planner Elms reported that this will be her last Planning Commission meeting until she

has her baby and is hoping to make it to the City Council meeting on October 7, 2015, how in the mean time City Attorney Vaughn and Planning Technician Sandra Benetti will be taking over in her absence, how Commission members will be required to pick up the agenda packets from this point forward, how staff may be cancelling the meetings in November due to the holidays, and how she can be reached by email while she is on leave.

### **PLANNING COMMISSION MEMBER REPORTS.**

**BAKER:** No report.

**CATES:** Inquired if Senior Planner Elms sees any projects that will be coming forward soon.

Senior Planner Elms stated that Northpointe and Southpointe will be coming forward as well as Wal-Mart in December so they can amend their CUP for alcohol to do wine tasting and that staff is waiting to see what is going to happen with the former Lowe's building.

**FAKTOROVICH:** No report.

**HAMMOND:** Absent.

**McCOY:** Absent.

**SPADA:** Wished Senior Planner Elms good luck on her delivery and complimented staff on their work.

**TOSCANO:** Wished Senior Planner Elms good luck on her delivery and inquired about the status of the bowling alley.

Senior Planner Elms stated that the applicant has gone through one set up plan checking so far, how staff is waiting on the second submittal, and the permit should be issued soon.

Commissioner Toscano encouraged all to attend the Tomato Festival on October 3, 2015.

Senior Planner Elms reminded all that Commissioners Baker, Cates, and Hammond's terms will be expiring December 31, 2015 and those commissioners would need to reapply if they would like to be considered for another term.

**ADJOURNMENT.** The meeting was adjourned at the hour of 7:46 p.m.

APPROVED:

*/s/ Tom Spada*

Tom Spada, Chairperson

ATTEST:

*/s/ Sandra Benetti*

Sandra Benetti, Planning Technician