

**CITY OF LOS BANOS
PLANNING COMMISSION ADJOURNED MEETING MINUTES
MAY 16, 2016**

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 5:04 p.m.

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

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Erik Limon, Palmer McCoy, Tom Spada, and Susan Toscano (arrived at 5:15 p.m.); Arkady Faktorovich and Refugio Llamas absent.

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

CONSIDERATION OF APPROVAL OF AGENDA. Motion by McCoy, seconded by Limon to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Faktorovich, Llamas, and Toscano (arrived at 5:15 p.m.) 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 #2016-04 FOR THE REMODEL OF AN EXISTING SINGLE TENANT RETAIL BUILDING OF APPROXIMATELY 85,000 SQUARE FEET ON APPROXIMATELY 6.77 ACRES TO A MULTI-TENANT RETAIL BUILDING IN WHICH SAVE MART WILL OCCUPY APPROXIMATELY 52,000 SQUARE FEET LOCATED WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT AT 1400 S. MERCY SPRINGS ROAD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 083-130-040. Senior Planner Elms presented the staff report, which included a PowerPoint presentation, and noted that the applicant was present to answer any questions.

Commissioner Toscano arrived and took her seat at the dais at 5:15 p.m.

Commissioner McCoy inquired if shopping carts were supposed to be inside when this project was discussed during the design review study session.

Senior Planner Elms stated that the carts could not fit inside due to this being an existing building, how the architect is proposing a wall screening with the same material at loading dock, and the Conditions of Approval will require a locking system for shopping carts.

Chairperson Spada opened the public hearing. BEN SIMONSON, Dahlin Architects, spoke on behalf of the applicant regarding how new conceptual layouts try to internalize the shopping carts but they couldn't do the same for this building, and they will screen two rows of shopping carts on both sides of entrance.

Commissioner McCoy inquired if there will definitely be three tenants.

Senior Planner Elms stated that the southeastern space was removed because staff was going to require a storefront so there will be three tenant spaces.

Chairperson Spada spoke of how he dislikes the entrance from Mercey Springs Road although it is better than the previous version, his concern regarding the design of the entrance to the parking lot, thinks there is a better alternative, being willing to approve everything except the entrance and require them to do a traffic study, and how the possible exit on Pacheco Boulevard would only accommodate those leaving the plaza going east on the highway.

Senior Planner Elms cautioned the Commission on requiring a traffic study, the City would have to take comments from Caltrans and putting medians on the highway, and how this would impact other shopping centers by restricting free movement.

Commissioner Limon spoke of how this is not an easy fix, the anticipation of an encroachment on Pacheco Boulevard is an alternative, and doesn't think this is going to be a big issue.

Commissioner Cates spoke of his concern that this one entrance shouldn't be a deal breaker for the project and inquired about mitigating traffic on Pacheco Boulevard.

Senior Planner Elms stated that Caltrans could mitigate whether it's a four way stop or traffic light but it would be up to Caltrans because they have jurisdiction.

KATHY BALLARD, Los Banos, spoke of size of the sign for the plaza and suggested the applicant get a variance for an increase in size.

Senior Planner Elms spoke of how the property owner is aware of code requirements for signage and has not yet requested for a Conditional Use Permit.

No one else came forward to speak and the public hearing was closed.

There was discussion among commissioners, staff, and the applicant regarding how the property owner doesn't have control of the entire shopping center and the applicant working with an engineer to design the Pacheco Boulevard encroachment.

Motion by McCoy, seconded by Limon to adopt Planning Commission Resolution No. 2016-21 – Approving Site Plan Review #2016-04 for the Remodel of the Former Kmart Building from a Single Tenant Retail Building to a Multi-tenant Commercial Building Located at 1400 S. Mercey Springs Road, More Specifically Identified as Assessor's Parcel Number: 083-130-040. The motion carried by the affirmative action of all Planning Commission members present; Faktorovich and Llamas absent.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF NEW 2,790 SQUARE FOOT, SINGLE STORY OFFICE BUILDING LOCATED AT 1317 S. SIXTH STREET IN THE HIGHWAY-COMMERCIAL ZONING DISTRICT. Senior Planner Elms presented the staff analysis, which included a PowerPoint presentation, and noted that the builder was present to answer any questions.

There was discussion among the Commissioners, staff, and applicant regarding architecture including the two different elevation renderings, how most preferred the green exterior, the benefits and drawbacks of a metal roof versus the composite roof, and how the applicant will propose putting a vent on the west elevation wall so it won't have to be on door.

There was discussion among the Commissioners, staff, and applicant regarding landscaping.

Commissioner McCoy spoke of his concern about putting in trees and landscaping during a drought and inquired where the City gets the drought tolerant landscaping specs.

Senior Planner Elms stated that the City standards include a tree list and species list, how they are all drought tolerant, they have to pick from our list, and this being a preliminary plan.

Commissioner McCoy inquired about the last update for the standards.

Senior Planner Elms stated that she was not positive but the species list was last updated in 2007.

There was discussion among the Commissioners, staff, and applicant regarding lighting.

Senior Planner Elms stated that the applicant will be required by City standards to use LED bulbs and how the photometrics plan was included in the staff report.

No action taken, suggestions to applicant only.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT. Senior Planner Elms thanked the Commission for coming out to this adjourned meeting, spoke of the next several agendas being very full, how 107 single family residential permits have been pulled year to date, and how the conservative goal was 200 by the end of December.

Commissioner McCoy inquired if the rest of Merced County was experiencing the same growth.

Senior Planner Elms stated that she thinks we are growing at a higher rate than rest of communities in the County, how she thinks its due to relation to bay area, and how Atwater is seeing a lot of commercial development as well as Merced.

Commissioner McCoy inquired about a property at the far east side of town where there has been activity.

Senior Planner Elms stated that staff has not yet received plans for that, how the property has exchanged hands and there is a new property owner, and how the property owner has been cleaning up the entrances to town.

Commissioner McCoy inquired about the status of the courthouse.

Senior Planner Elms stated that she has not been involved in that process but how some branches may open in July.

City Attorney Vaughn stated that the courthouse may open the first week of September, how two departments will open at first, and how they will provide a larger array of types of matters including family law.

Chairperson Spada inquired when will they demo the cement slabs.

City Attorney Vaughn stated that a different property owner owns that parcel and has promised to do so.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Spoke of how he drove by the entrance to former Lowe's building and they are doing a great job.

Senior Planner Elms spoke of how she is pleased with how design came out as well as the attention to detail on the 99 Cent Store.

FAKTOROVICH: Absent.

LIMON: No report.

LLAMAS: Absent.

McCOY: Thanked staff and apologized that some questions should be asked prior to the meeting.

SPADA: Spoke of how the previous meeting was the toughest yet, how it worked out, how one can't predict what will happen during a public hearing, thanked staff and the Commission for working it all out and with dignity, and also for showing up tonight.

TOSCANO: Thanked staff.

ADJOURNMENT: The meeting was adjourned at the hour of 6:15 p.m.

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APPROVED:

/s/ Tom Spada

Tom Spada, Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Technician