

**CITY OF LOS BANOS
PLANNING COMMISSION REGULAR MEETING MINUTES
FEBRUARY 8, 2017**

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 Cates called the Planning Commission Meeting to order at the hour of 7:00 p.m.

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

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, David Dees, Brett Jones, Erik Limon, and Palmer McCoy; Refugio Llamas and Susan Toscano absent.

STAFF MEMBERS PRESENT: Community & Economic Development Director Stacy Elms, Planning Technician Sandra Benetti, Fire Chief Tim Marrison, and City Attorney William Vaughn.

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JANUARY 25, 2017. Motion by McCoy, seconded by Limon to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Llamas and Toscano 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 Cates opened the public forum. No one came forward to speak and the public forum was closed.

DESIGN REVIEW STUDY SESSION – EXPANSION OF AN EXISTING 9,683 SQUARE FOOT BUILDING BY 350 SQUARE FEET FOR A TOTAL BUILDING SQUARE FOOTAGE OF 10,033 SQUARE FEET FOR CITY HALL LOCATED AT 520 J STREET IN THE MIXED-USE ZONING DISTRICT. Community & Economic

Development Director Elms presented the report, noting that Fire Chief Marrison was present to answer questions regarding the project on behalf of the City.

Commissioner Dees inquired if there is existing space to add another employee in the Community & Economic Development Department.

Community & Economic Development Director Elms responded that the expansion won't affect this department and there is existing space.

Commissioner Dees inquired if employees will be happy with this expansion and not have a need for the open space.

Community & Economic Development Director Elms responded that the opens space provides no amenity or benefit to employees and how most don't even know the space exists.

Commissioner Dees inquired if there has been the thought to add a skylight.

Fire Chief Marrison responded that the windows will be up high in the offices to get natural light, clarified that there will not be a straight view of the existing wall out there, and how security and privacy for these departments far outweighs the view.

Commissioner McCoy spoke of his concern about taking away architecture by removing the planter area and inquired why the architect didn't bring the wall up and mirror the archway up front.

Fire Chief Marrison responded that adding the archway would take away about two feet of office space from the building and adding the sloped tiled roof was a more attractive option in order to match the best possible way.

There was discussion among Commissioners and staff regarding the roof and associated downspouts, how the engineered masonry wall stay, adding an additional HVAC unit, and how there will be more available exists in the event of an emergency.

Commissioner Dees inquired if there will be security cameras on each of the doors for record of who is coming and going.

Fire Chief Marrison responded that there are no existing security cameras that capture the entire perimeter but they can be added.

Community & Economic Development Director Elms clarified that a key card is required in order to enter into the staff areas of City Hall which identifies who enters and also stated that there is a 360 degree camera at the northeast corner of the building that has a view of the alley and the whole east side of building.

Commissioner McCoy spoke of his concern regarding lighting at those two emergency exits.

Fire Chief Marrison responded that the architect can add a light on the exterior.

Chairperson Cates stated that he would like to match stucco and existing roofline design.

Initial feedback provided to applicant, no action taken.

DESIGN REVIEW STUDY SESSION – THE CONSTRUCTION OF A NEW 1,514 SQUARE FOOT DRIVE THRU RESTAURANT FOR SONIC DRIVE-IN LOCATED AT 2180 PACHECO BOULEVARD IN THE COLLEGE PLAZA SHOPPING CENTER IN THE HIGHWAY COMMERCIAL ZONING DISTRICT. Community & Economic Development Director Elms presented the report, noting that the applicant's representative was present to answer any questions.

Derrill Whitten, Cornerstone Engineering, was present to answer questions.

There was discussion among Commissioners and staff regarding architecture including the incorporation of some Spanish mission style elements to maintain look of shopping center while keeping some of their corporate branding, different tone/palette of the building, and how the Commission wants the business to be successful.

Commissioner Limon spoke of how he would like to see the 360 look with trellises, how the trash enclosure space should incorporate AB1926 that requires organic material recycling for those who meet that four yard threshold, the need for trash and recycle bins as well, how the trash enclosure needs to be about a third larger and at least 20 feet wide on the enclosure.

Community & Economic Development Director Elms stated that staff discussed the trash enclosure at Project Review Board and will incorporate into conditions and thanked Commissioner Limon for pointing that out.

Mr. Whitten stated that this is a standard prototype building designed by corporate, how they can be open to changes, how this building is really plain, how they can add a fake chimney and bell tower, how the trellis is liked by the owner, they can do the terracotta and red colors, his concern that changing the barrel canopy and canopies over cars will be changing the branding too much, how the back of the building is really ugly and the owner doesn't like it, how he wants to put a trellis and plant star jasmine behind the menu board so it hides the wall on the west elevation.

Commissioner McCoy encouraged the applicant to take time if allowable to present these suggestions and consider implementing these changes.

Mr. Whitten responded that they typically do these a lot and most towns in the valley do not have a lot of comments or changes from the branding.

Commissioner Jones spoke of how getting away from the original branding kind of dulls it down a little, how standing out will attract people better, how its healthier for the City to have unique designs to their buildings, and his concern regarding the ingress which is a problem for the whole shopping center.

Community & Economic Development Director Elms responded that the ingress was designed according to ultimate build out of the shopping center by Caltrans, how they provided safety study of Pacheco Boulevard and determined that between Place Road and Ward Road are at ultimate build out and meet their standards, how the City can make recommendations but at the end of the day its up to Caltrans and their approval, and how staff can suggest that there be signage that says “right in, right out” at the pork chop.

Mr. Whitten responded that they can incorporate some of these suggestions for sure, how they will want to leave the barrel canopy and carports alone but can make changes to the building.

Commissioner Limon spoke of how design standards are important for continuity, how the ingress and egress won't be much of an issue, and incorporation of some of these suggestions will be good.

Community & Economic Development Director Elms asked the Planning Commission to allow her to work with the applicant on architecture so they can come back with a product that will look nice.

Chairperson Cates spoke of being a strong proponent for corporate branding, how he doesn't want it to deter Sonic from moving forward, wants to stick with mission style as much as possible, and how some wall treatments will play a good role in having it blend in to a certain extent to existing architecture.

There was discussion among Commissioners and staff regarding landscaping including the approved species list.

Commissioner Dees spoke of being against Astroturf and how it is hot here too which will cause it to wear out.

Mr. Whitten spoke of how they have discovered in other communities that the homeless remove it and take it to their campsites, how it is easy to maintain and looks nice until its worn out, how it's not really cheaper than turf or regular landscaping, how they can add river rock and zero scape to give it character around perimeter, and how he would like to leave the Astroturf around back by the menu board.

Commissioner Dees spoke of his concern about allergies to certain tree species and suggested choosing a less problematic species.

Commissioner McCoy asked to incorporate some sort of continuity of the plaza.

Mr. Whitten spoke of how the lighting is designed to stay focused in that area, the canopies have lighting designed to point down and not bleed out, and how the site already has four or five existing fixtures and they didn't see a need to add more.

Community & Economic Development Director Elms stated that the applicant will need to provide a luminary plan at Civil Engineering stage to determine foot-candle and it would be determined at that time if existing lighting is sufficient.

Commissioner Limon inquired if there is a possibility of putting an external light by the trash enclosure.

Mr. Whitten suggested that they can we flip the enclosure around to face north to expose it to the plaza lighting.

KATHY BALLARD, Los Banos, asked if Sonic could add wrought iron ornamental elements to the building.

Mr. Whitten responded that they can do that.

Mrs. Ballard pointed out that a fake chimney would be a waste here in Los Banos because of the hot weather.

Chairperson Cates responded that it's just an architectural design.

Mr. Whitten stated that architectural staff will be able to pull together something and get a landscape architect on board and bring back something the Planning Commission will like.

Chairperson Cates advised the applicant to work with Community & Economic Development Director Elms to get back to public hearing.

Initial feedback provided to applicant, no action taken.

PRESENTATION AND TRAINING REGARDING THE POLITICAL REFORM ACT. City Attorney Vaughn presented a PowerPoint presentation on the Political Reform Act.

Commissioner Dees inquired who would represent a City Council Member if a violation occurs.

City Attorney Vaughn responded that he represents the City, not Council or Commissioners.

Commissioner Dees inquired who indemnifies City Council for participation.

City Attorney Vaughn responded that it's a violation of the law so there is no indemnification.

Commissioner Dees inquired if it would be a misdemeanor or felony.

City Attorney Vaughn responded that it would be a misdemeanor, pointed out that really serious stuff that would have had to occur, and how it depends on how serious and who is instituting the investigation.

Commissioner Dees inquired if a City Council Member would have to recuse themselves if their spouse is employed by company who would like to do business at the City Council level.

City Attorney Vaughn responded that would be the correct action and advised to be careful of dependent children and income to that child as well.

Informational item only, no action taken.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT. Community & Economic Development Director Elms reported that the Planning Commissioners Academy will be March 1-3 with five commissioners attending, how the City will provide transportation and Commissioner Jones will drive his own vehicle at his own request, how the Planning Commission meeting on February 22nd will include the public hearing for the City Hall expansion and a subdivision that will come forward for Villages at Stonecreek VII Dove Hollow.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Stated that this is a wonderful first meeting with Community & Economic Development Director Elms with her new title and thanked staff.

DEES: Spoke of how he may have a conflict during the conference but plans to be there until Friday morning and fly out from there.

JONES: No report.

LIMON: No report.

LLAMAS: Absent.

McCOY: Inquired about the shopping carts issue for 99 Cents Only Store.

Community & Economic Development Director Elms responded that she will let Code Enforcement know and they will take care of it.

Commissioner McCoy inquired about a cats and dogs ordinance.

City Attorney Vaughn responded that there is an animal control ordinance that will come forward in March for introduction to the City Council.

Commissioner McCoy inquired about a food truck ordinance.

Community & Economic Development Director Elms responded that the City Council had determined that Pacheco Park was the only allowable public place and limits two trucks, how staff has been looking at farmers markets in which staff is hopeful to start this coming spring or summer.

TOSCANO: Absent.

ADJOURNMENT: The meeting was adjourned at the hour of 8:56 p.m.

APPROVED:

/s/ John Cates
John Cates, Chairperson

ATTEST:

/s/ Sandra Benetti
Sandra Benetti, Planning Technician