

**CITY OF LOS BANOS  
PLANNING COMMISSION REGULAR MEETING MINUTES  
OCTOBER 11, 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, Refugio Llamas, and Susan Toscano; Erik Limon and Palmer McCoy absent.

**STAFF MEMBERS PRESENT:** Community & Economic Development Director Elms, Associate Planner Rudy Luquin, Planning Technician Sandra Benetti, and City Attorney William A. Vaughn.

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

**CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF SEPTEMBER 27, 2017.** Motion by Dees, seconded by Jones to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Limon and McCoy absent.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION 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.

JOHN FULTON, 927 Olivewood Dr., spoke of some issues he has observed in the community over the last few years and nothing has been done, safety concerns for bicyclists, how he spoke to a City Council Member recently regarding his concern, violation of the City's bicycle plan, spoke of Class III bikeways regarding continuity, several missteps have led the City in the wrong direction which have resulted in two

deaths, how the current bike lanes are insufficient and concerns about storm drains that haven't been addressed, the need to save people's lives and prevent injuries, and a new California law requiring wider lanes.

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

**PUBLIC HEARING – TO CONSIDER CONDITIONAL USE PERMIT #2017-04 FOR AN INCREASE IN MAXIMUM DISPLAY AREA AND HEIGHT FOR A NEW MULTI-TENANT MONUMENT SIGN FOR OA HOLDINGS NO. 1, LLC AT 1420 PACHECO BOULEVARD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 428-140-030.** Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation, noting that Jonathan Lee with the Orosco Group was present to answer any questions.

Commissioner Toscano commented that it looks like there is a drive thru on this site plan.

Community & Economic Development Director Elms responded that it's for a future tenant.

Chairperson Cates opened the public hearing.

JONATHAN LEE, Orosco Group, spoke on behalf of the applicant regarding their request for additional signage, how they are working with prospective tenants which is contingent upon receiving this Conditional Use Permit for allowance for additional signage, and how his firm is excited to bring these businesses to the community.

Community & Economic Development Director Elms stated that City staff also met with one of the tentative tenants at ICSC Las Vegas and are looking forward to bringing them here.

KATHY BALLARD, Los Banos, inquired about the drive thru signage and setbacks.

Community & Economic Development Director Elms responded to Ms. Ballard's inquiry.

MICHAEL AMABILE, 1460 E. Pacheco Blvd., spoke on behalf of Espana's regarding how his driveway is connected to the applicant's driveway, how he has been working well with the Orosco Group, the importance of connectivity for commercial on that side of Pacheco, and spoke in support of the applicant's request for additional signage.

Commissioner Toscano inquired about a previous issue with a tree that was there.

Mr. Amabile responded that the tree was removed by Caltrans regardless of whether anyone wanted to be moved or not.

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

Motion by Dees, seconded by Toscano to adopt Planning Commission Resolution No. 2017-27 – Approving Conditional Use Permit #2017-04 to Allow an Increase in Maximum Display Area and Height for One Freestanding Sign Located at 1420 Pacheco Boulevard. The motion carried by the affirmative action of all of the Planning Commission Members present; Limon and McCoy absent.

**PUBLIC HEARING – TO CONSIDER A CONDITIONAL USE PERMIT AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION TO ALLOW THE USE OF A TYPE 47 ALCOHOL LICENSE FOR THE ON-SALE OF GENERAL ALCOHOL IN CONJUNCTION WITH A BONA-FIDE EATING ESTABLISHMENT FOR EL CAMPESINOS RESTAURANT AND BAR LOCATED AT 1639 EAST PACHECO BOULEVARD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 083-130-013.** Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Commissioner Dees inquired if the Police Chief has viewed the security camera plan.

Community & Economic Development Director Elms responded that the Condition of Approval requires it be to the satisfaction of the Police Chief, so the approvals won't be given until he signs off on them.

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

Motion by Toscano, seconded by Jones to adopt Planning Commission Resolution No. 2017-28 – Recommending Approval of Conditional Use Permit No. 2017-03 to the Los Banos City Council for the Use of a Type 47 Alcohol License for the On-sale of General Alcohol in Conjunction with an Eating Place for El Campesinos Restaurant and Bar Located at 1639 E. Pacheco Boulevard, More Specifically Identified as Assessor's Parcel Number: 083-130-013. The motion carried by the affirmative action of all of the Planning Commission Members present; Limon and McCoy absent.

**PUBLIC HEARING – TO CONSIDER A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A LARGE FAMILY DAYCARE FACILITY FOR COZY HOME DAYCARE, OPERATED BY RAQUEL AVILA IN THE LOW-DENSITY RESIDENTIAL (R-1) ZONING DISTRICT AT 554 CABERNET STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 082-543-004.** Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

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

Motion by Dees, seconded by Llamas to adopt Planning Commission Resolution No. 2017-29 – Approving Conditional Use Permit #2017-05 to Operate a Large Family Daycare within the Low-Density Residential (R-1) Zoning District Located at 554

Cabernet Street, More Specifically Identified as Assessor's Parcel Number: 082-543-004. The motion carried by the affirmative action of all of the Planning Commission Members present; Limon and McCoy absent.

**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.**

Community & Economic Development Director Elms reported that the City Council will be considering approval of a Professional Services Agreement for the General Plan Update at the next City Council meeting which will be a long term project, hoping to have the kick off meeting in November, will require a lot of community engagement, will also focus on an element for an economic development action plan within the General Plan, and how it looks like we will be cancelling the next Planning Commission meeting due to a lack of agenda items.

**PLANNING COMMISSION MEMBER REPORTS.**

**CATES:** Thanked staff for their work and the public for coming out to the meeting.

**DEES:** Spoke of being happy about the growth in Los Banos, his concern for strained infrastructure, moving forward with our new General Plan we should look at redoing these streets to accommodate the growth, and thanked staff for their excellent work.

**JONES:** No report.

**LIMON:** Absent.

**LLAMAS:** No report.

**McCOY:** Absent.

**TOSCANO:** No report.

**ADJOURNMENT:** The meeting was adjourned at the hour of 7:55 p.m.

APPROVED:

*/s/ John Cates*

John Cates, Planning Commission Chairperson

ATTEST:

*/s/ Sandra Benetti*

Sandra Benetti, Planning Technician